

SCRUTINY BOARD (RESOURCES AND COUNCIL SERVICES)

MONDAY, 24TH NOVEMBER, 2014

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, J L Carter,
J Cummins, N Dawson, B Flynn, J Jarosz,
A Khan, A Lowe, C Macniven and T Wilford

41 Late Items

There were no late items.

42 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared to the meeting.

43 Apologies for Absence and Notification of Substitutes

An apology for absence was submitted by Councillor R Wood.

Councillor B Flynn substituted for Councillor R Wood.

44 Minutes - 27 October 2014

RESOLVED – That the minutes of the meeting held on 27 October 2014 be confirmed as a correct record.

45 Executive Board Minutes - 15 October 2014

RESOLVED – That the minutes of Executive Board held on 15 October 2014 be noted.

46 External publication of employee interests for High Risk posts

The Director of Resources submitted a report following a request from Corporate Governance and Audit Committee asking this Board to seek assurances that robust arrangements are in place for the declaration and monitoring of relevant officer interests.

The following were in attendance to respond to Members' questions

- Martin Sellens, Head of Planning Services
- Mark Turnbull, Head of Service Legal Services
- Alex Watson, Head of Human Resources.

In summary the main areas of discussion were:

- The acknowledgement that a register of business interests declared by senior officers has been compiled and is published externally.
- Whether the definition for 'senior officer', currently set at Chief Officer level and above was appropriate, and whether less senior officers, also in a position of influence, should be within scope.
- The proposals agreed by Executive Board on 17 July 2013 regarding access to officers' declaration of Interests.
- Requests by elected Members to access the register of interests under the Access to Information Procedure Rules.
- The safeguards in place in comparison with other Core Cities which showed Leeds to be more robust in its arrangements.
- The specific agreed processes for Planning Officers which have been implemented to cover declarations of interest.
- The range of actions which could be taken against officers who do not uphold the employee code of conduct.
- The scope for adding to the 'Declaration of Disclosable Pecuniary Interests' by Members item on formal committee agendas to also include declarations of relevant interests by officers.
- The scope for introducing 'restrictive covenants' for employees leaving the authority and moving into organisations which might have a financial/contractual relationship with the Council.
- The scope for strengthening the advice that former employees should not be afforded preferential access to information by former colleagues.

RESOLVED –

- (i) That the contents of the report be noted including the existence of the officer interest register and Members' right to request access to the register under their "need to know" rights through the Access to Information Procedure Rules.
- (ii) To note the additional safeguards put in place for Planning Officers.
- (iii) That officers give consideration to the definition of 'senior officer' within the scheme in order to acknowledge that it is the role undertaken not the grade which should be the driving principle.
- (iv) That officers consider a requirement for officers to disclose relevant interests in addition to the 'Declaration of Disclosable Pecuniary Interests' by Members item on formal committee agendas.
- (v) That officers consider the introduction of restrictive covenants' for employees leaving the authority and moving into organisations which might have a financial/contractual relationship with the Council.
- (vi) That officers consider strengthening the advice that former employees should not be afforded preferential access to information by former colleagues.
- (vii) That officers report back to this Scrutiny Board on the above at the next appropriate meeting.

(Councillor Lowe left the meeting at 10.20am during the consideration of this item)

47 Effective Procurement and Contract Procedure Rules

The Chief Officer PPPU and Procurement submitted a report reporting back to Scrutiny on further analysis of spend not on-contract and the effectiveness of use of the contracts register and procurement calendar.

Andy Eaton, Executive Manager, PPPU and Procurement Unit, was in attendance to respond to members' questions.

In summary the main areas of discussion in relation to Procurement Planning were:

- The acknowledgement that each Directorate is accountable for the procurements they need, albeit helped by a strong corporate advisory role provided by PPPU and Procurement.
- The development of a more formal system to monitor compliance with contracts procedure rules in relation to waivers.
- The Audit review undertaken in 2013/14 in relation to contract extensions and value for money and the issues identified and how these findings would look if extrapolated across the Council.
- The ongoing concerns expressed by Members over a number of years around the forward planning of procurement activity and contract management and the potential consequences this has on obtaining value for money and accountability.

In summary the main areas of discussion in relation to Procurement spend analysis were:

- The analysis of spend based on the best data available and the various caveats explained in the report.
- The on -contract spend target of 82.5% for 2014/15 against 40% in 2012.
- The role of Internal Audit in the ongoing analysis of spend on and off contract.

RESOLVED –

- (i) That the contents of the report be noted
- (ii) That Internal Audit and PPPU and Procurement be invited to a working group of the Board to discuss contract extensions, waivers and contract management.
- (iii) That Internal Audit is asked to report on the implementation of their previous recommendations now reported on contract extensions and to consider undertaking a follow up review in this area.

(Councillor Cummins left the meeting at 10.50am during the consideration of this item.)

48 Work Schedule

The report of the Head of Scrutiny and Member Development presented the draft work schedule for the forthcoming municipal year.

RESOLVED – That the Board’s work schedule be updated to reflect the work areas identified during today’s meeting including an update on the management of Community lettings.

49 Date and Time of Next Meeting

Monday, 22 December 2014 at 10.00 am (Pre-meeting for all Board Members at 9.30 am)

(The meeting concluded at 11.00 am)