Leeds
CITY COUNCIL

SCRUTINY BOARD (RESOURCES AND COUNCIL SERVICES)

**Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Monday, 27th April, 2015 at 10.00 am**

(A pre-meeting will take place for ALL Members of the Board at 9.30 a.m.)

MEMBERSHIP

Councillors

S Bentley	Weetwood;
J L Carter	Adel and Wharfedale;
J Cummins	Temple Newsam;
N Dawson	Morley South;
P Grahame (Chair)	Cross Gates and Whinmoor;
J Jarosz	Pudsey;
A Khan	Burmantofts and Richmond Hill;
A Lowe	Armley;
C Macniven	Roundhay;
T Wilford	Farnley and Wortley;
R Wood	Calverley and Farsley;

Please note: Certain or all items on this agenda may be recorded

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			**APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS** To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded). (* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Chief Democratic Services Officer at least 24 hours before the meeting).	
2			**EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC** 1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- **RESOLVED –** That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows: **No exempt items have been identified.**	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			**LATE ITEMS**	
			To identify items which have been admitted to the agenda by the Chair for consideration.	
			(The special circumstances shall be specified in the minutes.)	
4			**DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS**	
			To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.	
5			**APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**	
			To receive any apologies for absence and notifications of substitutes.	
6			**MINUTES - 23 FEBRUARY 2015**	1 - 4
			To confirm as a correct record, the minutes of the meeting held on 23 February 2015	
7			**EXTERNAL PUBLICATION OF EMPLOYEE INTERESTS FOR HIGH RISK POSTS**	5 - 14
			To receive an update regarding the external publication of employee interests for high risk posts	
8			**INTERPRETING AND TRANSLATION SERVICES**	15 - 18
			To consider an update regarding interpreting and translation services	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			**EMPLOYEE ENGAGEMENT, INVESTORS IN PEOPLE AND MANAGER CHALLENGE RESULTS FOR 2014 AND CULTURE CHANGE PRIORITIES FOR 2015** To consider a report on progress in changing council wide culture as expressed by the results of the 2014 employee engagement survey, feedback from 2014 Investors in People Survey and the half-way stage of the Manager Challenge Programme	19 - 24
10			**EFFECTIVE PROCUREMENT AND CONTRACT PROCEDURE RULES** To receive an update in relation to effective procurement and contract procedure rules	25 - 40
11			**COMMUNITY CENTRES PRICING AND LETTINGS POLICY** To consider an update on the introduction of the new pricing policy for community centres	41 - 46
12			**DATE AND TIME OF NEXT MEETING** To be confirmed	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			THIRD PARTY RECORDING Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda. Use of Recordings by Third Parties– code of practice a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.	

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SCRUTINY BOARD (RESOURCES AND COUNCIL SERVICES)

MONDAY, 23RD FEBRUARY, 2015

PRESENT: Councillor P Grahame in the Chair

Councillors B Anderson, S Bentley,
J L Carter, N Dawson, R Grahame,
J Jarosz, A Khan, A Lowe and C Macniven

68   Late Items

The following late information was submitted to the meeting:

- Reconfiguration of advice services and information provided by Sandy Goulding, former volunteer at Otley CAB (minute 72 refers)

The above information was not available at the time of agenda despatch but was subsequently made available on the council's website.

69   Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared to the meeting.

70   Apologies for Absence and Notification of Substitutes

Apologies for absence were received from Councillors J Cummins and R Wood.

Councillor R Grahame substituted for Councillor J Cummins and Councillor B Anderson substituted for Councillor R Wood.

71   Minutes - 26 January 2015

RESOLVED – That the minutes of the meeting held on 26 January 2015 be confirmed as a correct record.

72   Leeds Advice Consortium - CAB Provision

The Assistant Chief Executive (Citizens and Communities) submitted a report providing the context for the recent reconfiguration of advice services undertaken by Leeds Citizens Advice Bureau.

The following were in attendance to respond to Members' questions:

- James Rogers, Assistant Chief Executive (Citizens and Communities
- Steve Carey, Chief Officer, Welfare and Benefits
- Joy Wetherill, Executive Officer (Advice Services).

Draft minutes to be approved at the meeting
to be held on Monday, 23rd March, 2015

In summary the main areas of discussion were:

- Confirmation that all decisions were made in accordance with the Council's Executive and Decision making Procedure Rules.
- Confirmation that Leeds City Council let the contract for the provision of city-wide advice and CAB designed and took the decisions regarding service reconfiguration.
- The budgetary and service context for the reconfiguration of advice services.
- The reconfiguration of services delivered from across the CAB network with an emphasis on telephone services and appointment-based outreach.
- The development of a telephone triage assessment process to increase overall customer contact.
- The level of consultation undertaken with affected ward councillors.
- The level of involvement with Outer North West Community Committee

RESOLVED – To receive a future report that updates on the development and performance of advice services across the city.

73   The Former Fir Tree School

A joint report from the City Solicitor, Director of Children's Services and the Director of City Development was submitted providing the information and background leading up to the transfer of the freehold of the former Fir Tree Primary School site to the Khalsa Science Academy Free School.

The following were in attendance to respond to Members' questions:

- Councillor J Blake, Executive Member (Children and Families)
- Councillor R Lewis, Executive Member (Transport and the Economy)
- Councillor A Lamb, Opposition spokesperson (Children and Families)
- Ben Middleton, Head of Asset Management
- Paul Brennan, Deputy Director Children's Services
- Viv Buckland, Head of Strategic Development, Children's Services
- Catherine Witham, City Solicitor
- Mark Turnbull, Head of Service, Legal Services.

In summary the main areas of discussion were:

- Confirmation that there was nothing a Local Authority could do to prevent the government forcing a transfer of premises under a Scheme using the powers contained within the Academies Act 2010.
- Whether a Free School was covered by the provisions of the Academies Act 2010 and the efforts made by the City Council to obtain evidence from the Education Funding Agency of their powers.
- The unprecedented nature of the actions of the government in relation to taking 'forced' possession of the Fir Tree site.

- The length of time between the site becoming surplus to requirement and the transfer to Khalsa.
- The relationship between Leeds City Council and the Department for Education.
- Whether the Council had earlier opportunities to sell the site without reference to the Secretary of State.
- Any lessons that could be learnt from this experience.

RESOLVED –

(i) That the Board note the contents of the report
(ii) That in order to achieve closure on the matter, officers be asked to consider what, if any, lessons could be learnt from this experience.

74 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.

75 Date and Time of Next Meeting

Monday, 23 March 2015 at 10.00 am (Pre-meeting for all Board Members at 9.30 am)

(The meeting concluded at 11.40 am).

Draft minutes to be approved at the meeting
to be held on Monday, 23rd March, 2015

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Report author: Alex Watson/Lorna Thompson Tel: 07891276514/0113 39 52287

Report of the Director of Resources

Report to the Scrutiny Board (Resources and Council Services)

Date: 27 April 2015

Subject: External publication of employee interests for High Risk posts

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): n/a	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☒ Yes	☐ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: n/a Appendix number: n/a	☐ Yes	☒ No

Summary of main issues

Scrutiny Board (Resources and Council Services) of 24 November 2014 asked that we give some further assurances on officer declarations of interests. Specifically they also asked that the council considers:
- Governance on the release of information by officers to third parties.
- Options on how we might better manage situations where staff leave the Council and take up positions with employers where there may be conflicting interests between past and future roles, including exploring the use of restricted covenant agreements.

Recommendations

It is recommended that the Scrutiny Board:

1. Consider and agree the suggestions that certain committees and meetings are appropriate for verbal declarations of interest by officers, (in addition to Planning decision meetings), and agree that this would be subject to Trade Unions consultation.

2. Note the contents of this report and agree the proposals regarding measures to limit risks where council staff take up employment with 'competitor' organisations.

3. Agree the proposals for communication of officer responsibility for handling confidential information, with an emphasis on release of information to ex council staff

4. Agree that breach of confidentiality cases arising are reported to Chief Officer HR.

Purpose of this report

1.1   This report responds to the Scrutiny Board (Resources and Council Services) of 24 November 2014 request that we give consideration to the term 'senior officer' in the Register of Interest scheme.

1.2   It also suggests where officer declaration of pecuniary interests should be made at council committees.

1.3   The report considers the options for placing restrictions on future employment by considering restricted covenant agreements and other governance means to protect confidential information in the council being accessed by third parties.

2   Background information

2.1   The Scrutiny Board (Resources and Council Services) in 24 November 2014 asked that the following points be explored regarding access to officers' declaration of interests and use of council information:

2.1.1 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.

2.1.2 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.

2.1.3 The scope for introducing limitations regarding employees leaving the authority and moving into organisations which might have a financial and/or contractual relationship with the Council.

2.1.4 The scope for strengthening the advice that former employees should not be afforded preferential access to information by former colleagues.

3   Main Issues

3.1 Definition of role for declaration of interest

3.1.1 In the Annual review of declaration of interests, consideration is given by Directors of the role undertaken not the grade, which should be the driving principle in declaration of interest.

3.1.2 There has been a Directorate review of all roles for declaration of interests as part of the current annual exercise. These new roles have now been identified and the declaration of interests forms were sent to all staff on the new lists during February 2015.

3.2 Disclosure of officers pecuniary interests on formal committee agendas.

3.2.1 Extending the declaration of interests at committees to officers could be achieved by introducing this in formal items on Executive Board and in committees appointed

by full council. However this is subject to having first consulted with Trade Unions on this proposal.

3.2.2 Following TU consultation, the wording on the declaration of interest item on these agendas could be changed as follows to include officers:

"Declaration of Interests
Members and Officers presenting to or advising the committee are asked to disclose or draw attention to any disclosable pecuniary or other relevant interests for the purposes of Section 31 of the Localism Act 2011, paragraphs 13 – 16 of the Members' Code of Conduct and the requirements set out in the Officers Code of Conduct."

3.2.3 The specific Committees which would be included in the changes would be:

Executive Board
All Scrutiny Boards
Standards and Conduct Committee
Corporate Governance and Audit Committee
General Purposes Committee
Community Committees
Health and Wellbeing Board
Employment Committee
Member Management Committee
Licensing Committee
Licensing Sub-Committee

3.3 Employment by competitor organisations

3.3.1 Subject to the Board view that TU consultation is undertaken, consideration has been given to the introduction of 'restrictive covenants' for employees leaving the authority and moving into organisations which might have a financial/contractual relationship with the Council. A brief summary of the main points is provided at Appendix 1

3.3.2 We already have a confidentiality agreement and restriction on employment within Chief Executive and Director employment contracts. A restricted covenant agreement could be introduced for other new recruits as part of their contract when they join. Otherwise we would need a strategy with a relevant and proportionate requirement to amend existing contracts.

3.3.3 In introducing restrictive covenants we would need to consider what we are seeking to prevent and why. It may present challenges for this to be implemented where there are large numbers of staff working on multiple contractual matters with many external parties.

3.3.4 Remedies are difficult to achieve even in the private sector, and could incur significant costs. Competition may be a factor in our traded services, but this would apply to a minority of management roles. It is also necessary to recognise that with

Open Data requirements and public procurement practices large amounts of information is already in the public sphere.

3.3.5 Given these circumstances restrictive covenant agreements may be seen as a deterrent factor from using information on leaving the council, but if terms were breached it would be potentially difficult to enforce these. The introductions of these agreements in a contract may deter applicants from taking up job opportunities in the council as it may be seen as restrictive and anti-competitive to us as a potential employer, or as a sign of distrust.

3.3.6 Town planners are already bound by the RTPI (Royal Town Planning Institute) Code of Conduct which states that planners moving to private employment should not use information which was gained in their employment to benefit themselves or others unless the information was in the public domain.

3.3.7 Given this our proposals would be:

- Rely on general code of conduct in personal duty regarding release of confidential information gained while in employment.

- Consider option to have lengthier notice periods in circumstances where there is an overt risk of using information in new employment, by revising duties for the period of notice.

- In specific circumstances consider the use of compromise agreements to place restrictions on use of information.

- Stress Copyright Intellectual Property Rights (IPR) options.

- Overall do some more work with directorates to understand where there may be financial or contractual risks so there is a proportionate position.

3.4 Access to confidential information

3.4.1 There was a concern raised by members that officers who have left the council are using their knowledge to access information, by directly contacting council staff who they know will have access to information. Although information may be available to former employees through Freedom of Information (FOI) or other access to data through the Leeds Council website, it was felt that these former employees were afforded preferential access to information by contacting people directly and informally.

3.4.2 There is an issue here as a member of the public would not normally be able to contact most of our officers as most officer telephone details are not publicly available. The Employee Code of Conduct is explicit in reminding officers of their duty and responsibility regarding confidentiality of information. An extract from the Code of Conduct for officers is provided at Appendix 2.

3.4.3 Our normal route to reinforce existing policy and procedures is to use our staff communication routes of Essentials and Insite to highlight the specific issue that we would wish to raise. A link would be provided to our Officers Code of Conduct with the theme to ensure that when discussing information it is clear that the person you are

speaking to is still an employee of the council. This can be achieved by only responding to current council e-mail addresses and telephone numbers.

3.4.4 Information Asset Owner training is going to being rolled out this year by the Information Governance team. This would give another opportunity to reinforce the messages of officer duty in handling confidential information. Each Information Asset Owner will be a Head of Service or Chief Officer and it will be their responsibility and duty to ensure officers in their services are made aware of their necessity to safeguard information. Specifically this can include:

- Circumstances where a personal friend wants a favour
- Appreciating that information is as much an asset as physical property
- Staff understanding what is confidential
- Building on what we already have done in terms of training.

4 Consultation and Engagement

4.1 There has been some consultation with Legal Services and Information Governance in reaching the conclusions of the report. Trade Union consultation would be required to introduce the changes to declaration of interest for officers at formal committees.

4.2 The option of using Restrictive Covenants would need further consultation with Officers and Trade Unions as it would be a change of contractual terms.

5 Equality and Diversity / Cohesion and Integration

5.2 There are no significant issues.

6 Council policies and City Priorities

6.1 The policy and procedure of handling confidential information is outlined in the existing policy as part of the officer code of conduct.

7 Resources and value for money

7.1 There are no resource issues in relation to accessing and keeping the register of interest. The use of Restricted Covenants could incur costs in the implementation and on appropriate legal advice.

8 Legal Implications, Access to Information and Call In

8.1 As stated at 7.1 there may be legal implications if Restrictive Covenants were considered and challenged.

8.2 The report outlines proposals on how to restrict access to council information by third parties, specifically former employees

9 Risk Management

9.3 There are no significant risks in the proposals and recommendations of the report

10 Conclusions

10.1   The exercise for identifying roles for register of interests has now been completed and signed off by Directors.

10.2   Pecuniary interests declared by officers at the appropriate panels and committees will be introduced where deemed necessary, i.e. according to agenda items.

10.3   The use of restrictive covenants could not guarantee people using their knowledge and information gained in council service for their own personal gain. Unless the council can prove that it would damage a business interest, it would be difficult and expensive to pursue a remedy.

10.4   However there may be future consideration if the council is in a position of competitive trading, in which case the council could perhaps prove that there is damage to business and present a case for loss of earnings

10.5   We have policies in place already for handling confidential information, which will be reinforced with future training.

11 Recommendations

It is recommended that the Scrutiny Board:

11.1   Consider and agree the suggestions that certain committees and meetings are appropriate for verbal declarations of interest by officers, (in addition to Planning decision meetings), and agree that this would be subject to Trade Unions consultation.

11.2   Note the contents of this report and agree the proposals regarding measures to limit risks where council staff take up employments with 'competitor' organisations.

11.3   Agree the proposals for communication of officer responsibility for handling confidential information, with an emphasis on release of information to ex council staff.

11.4   Agree that breach of confidentiality cases arising are reported to Chief Officer HR.

12 Background documents[1]

None

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[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

This note summarises issues in using Restricted Covenant Agreements, covering main points.

Signing up – choices

If you rely on one size fits all it is likely that they won't be enforceable. To be enforceable you must prove they are:

- Reasonable
- Necessary to protect legitimate business issues
- Of a duration no longer that necessary to protect these interests

Reasonableness

A restriction preventing a worker from soliciting your business or clients is more likely to be imposed than one which simply prohibits contact with any customer or clients.

Legitimate Business Interests

Working in an industry where they could damage your business by using information such as trade secrets, client databases, details of pricing structures, tendering strategies.

Essentially any information that could cause serious damage to your business if used to provide advantage to new employer. Also depends on reasonableness and time period – typically no more than 6 months.

Termination of contract

If contract is terminated by employer, or by ELI etc, the restrictive covenant would be unlikely to be enforced. It normally only applies to resignations.

Deterrent factor

3 types of common Restrictive Covenants

1. **Non- compete**
   This type prevents a person from directly competing or working for a competitor usually within a certain area and/or a certain timescale

2. **Non-dealing**
   This type prevents a person from working for your customers, clients and suppliers for a specific period of time e.g. 6 months.

3. **Non – poaching**
   This type prevents a person from enticing staff away from the business, again for a period of time e.g. 6 months

Confidential Information

While there is no specific restrictive covenant that deals with confidential information, an employee is under an implied duty not to use confidential information following termination of employment whether by resignation of dismissal.

Confidential information is usually defined in a contract of employment but typically includes client information, customer accounts, price lists and quotes for tender.

However you can't prevent someone from using any skills or knowledge gained while working for you.

Remedies

If you believe an employee has breached a restrictive covenant, you can seek an injunction, including an interlocuting injunction pending a full trial.

If at trial the court is satisfied that there is a serious question to be tied, will consider:

- Whether damages would be sufficient remedy (could employee pay?)
- Whether more harm will be done by granting or refusing injunction
- Any delay in making the application
- Conduct and dealing of the parties

When you claim damages you will need to show some loss resulting from the breach. Normally loss of profits on contracts or opportunities.

Confidentiality Clauses

Confidentiality Clauses are governed by common law and specific obligations expressed in the contract. e.g. we have a clause in Adults Social Care specifically for information shared with Health Services. Common Law duty of fidelity states every employee is required to protect confidentiality of trade secrets (information which if used by a competitor could cause real and significant damage to the owner of the information, and which the owner has tried to keep secret)   However mere confidential information is not protected after employment.

Honesty, Integrity and Openness (extract from Code of Conduct for Officers)
- You must treat information with the appropriate level of confidentiality.
- You must work in the best interests of the council
- It is not appropriate for you to use your official position, or information you gain from work which is not available to other members of the public for personal gain or to the detriment of the council, or its policies.
- You must not misuse your official position or information acquired in the course of your employment to further your private interest or the interests of others
- You must ensure that public funds and assets, including information entrusted to you, are only used in a responsible and lawful manner
- You must use and share information appropriately having regard to your data protection obligations
- The law requires that certain types of information must be made available to councillors, auditors, government departments, service users and the public.
- The Council itself may decide to be open about other types of information.
- However, certain information must not be widely shared. You must be aware of which information you are authorised to release and to whom. If you have any doubts as to whether or not an item of information should be released, you should politely refuse to offer the information and refer the matter to your manager(s).
- Nothing in this code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.
- You must follow the council's Information Governance Rules. Your line manager should make you aware of the council's current Information Governance rules. Following those rules you should ensure that your behaviour complies with the Data Protection Act 1998 and the Freedom of Information Act 2000.
- You must treat information with the appropriate level of confidentiality
- Of particular note is information from councillors: If a councillor gives you information, or tells you something, which is not in the documents that the public would have access to, then you should not share that any further unless the councillor gives permission, or the law requires or allows you to share the information
- You must not engage in, or otherwise be involved in, any insider dealing
- You should not use any information obtained in the course of your employment (which has not been released to the public) for personal gain or benefit. You must also not pass on such information to other people for their personal gain.
- If you are in any doubt about who can be told information you should ask a senior employee in your department. Details of how to contact Internal Audit are set out in the employee code of conduct.
- If you ask Internal Audit for advice, then the information must not be disclosed unless they have agreed that it is safe to do so.

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Report of the Chief Officer Customer Services

Scrutiny Board (Resources and Council Services)

Date: 27 April 2015

Subject: Interpreting and Translation Services

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐	Yes	☒	No
Are there implications for equality and diversity and cohesion and integration?	☐	Yes	☒	No
Is the decision eligible for Call-In?	☐	Yes	☒	No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐	Yes	☒	No

Purpose of this report

1.1 To update on progress of recommendations following attendance at Scrutiny Board on 22 July 2014.

2 Background Information

2.1 Following attendance at Scrutiny Board on 22 July 2014, the following recommendations were agreed:

(i) To submit a report to Executive Board for approval of the Interpreting and Translation Service policy.

(ii) To develop British Sign Language (BSL) video interpreting service.

(iii) To look at the possibilities of using trained interpreting volunteers to reduce costs and enhance the service.

3 Main Issues

3.1 A report was produced in relation to the Interpreting and Translation Service policy. The policy was signed off as a delegated decision by the Assistant Chief Executive of Citizens and Communities in September 2014.

3.2 The Interpreting and Translation Team Co-ordinator is continuing to work with the Migrant English Support Hub (MESH) in relation to English Speakers of Other Languages (ESOL) provision in Leeds. Phase one of the [Learning English in Leeds website](#) is now complete and the website is live. The website can be used to locate English classes in Leeds.

3.3 Trained unpaid volunteer interpreters are currently used at various venues across the city providing advocacy and signposting working with the Roma community, please see attached appendix. The volunteers are training to become paid interpreters.

3.4 British Sign Language video interpreting is in operation at Customer Services at The Compton Hub and 2 Great George Street. It provides access to immediate British Sign Language video interpreters for Deaf customers visiting these two centres.

3.5 BSL Live is available on www.leeds.gov.uk and this enables Deaf customers to contact the Council from their own pc or mobile device.

3.6 The British Sign Language video interpreting service has been well used. It has enabled Deaf or hard or hearing customers to access council services and communicate through a British Sign Language video interpreter instead of having to wait for a face to face BSL interpreter to be available.

3.7 We have received positive feedback from members of the Deaf community with one customer stating "from using the service, he has been given a voice".

3.8 The Interpreting and Translation Team Co-ordinator meets regularly with the Deaf Forum to gather feedback on the service.

3.9 The British Sign Language video interpreting service will be implemented at Armley Community Hub shortly.

4   Recommendations

4.1 To continue with implementation of the policy.

4.2 To continue to develop the [Learning English in Leeds website](#).

4.3 To continue to work with the Migrant Impact Team in relation to trained volunteer interpreters.

4.4 To continue to develop the British Sign Language video interpreting service.

5.   Background papers[1]

5.1 Roma activities timetable (Appendix 1)

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[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Roma Activities in Leeds

Day	Activity	Time	Venue	Description
Mon	POMOC Drop-in	12:00 – 14:00	Compton Road Community Hub, Harehills Lane, Leeds LS9 7BG	Advocacy and signposting for all Eastern European communities
Mon	Roma Advocacy	9:30 – 15:00	Advocacy Support, 233-237 Roundhay Road, Leeds, LS8 4HS	Advocacy and signposting for all Roma
Tue	POMOC (Polish translation for Help) (appointments only)	14:00 – 16:00	Armley One Stop Centre, 2 Stocks Hill, Armley,Leeds LS12 1UQ	Advocacy and signposting for all Eastern European communities
Tue	Roma Advocacy	9:30 – 15:00	Advocacy Support, 233-237 Roundhay Road, Harehills, Leeds, LS8 4HS	Advocacy and signposting for all Roma
Wed	Women's Group	10:00 – 12:00	Stocks Hill Centre, Leeds, Chapel Lane, Armley, Leeds, LS12 1UQ	Coffee mornings for women and children to learn English and take part in activities
Wed	Roma Work Club	10:00 - 12:00	Advocacy Support, 233-237 Roundhay Road, Harehills, Leeds, LS8 4HS	Supporting Roma communities with job searches and application forms
Wed	Roma Friendly Young People's Group	18:00 – 20:00	The Hub, Hovingham Primary School, Harehills, Leeds, LS8 3QY	Activities for all young people including Eastern Europeans
Thur	Welcome Group	9:00 – 12:00	The Hub, Hovingham Primary School, Harehills, Leeds, LS8 3QY	Offering support, advocacy and signposting for Eastern European families. Interpreters available
Thur	Welcome Group (appointments only)	13:30 – 3:30	The Hub, Hovingham Primary School, Harehills, Leeds, LS8 3QY (access to computers)	Offering support, advocacy and signposting for Eastern European families. Interpreters available
Thur	Women's Group		Awaiting confirmation	
Fri	Roma ESOL With Stay and Play	10:00 – 12:00	Nowell Mount Community Centre, Harehills, Leeds, LS9 6JJ	English conversation classes for parents and children. Interpreters available
Fri	Roma Friendly Young People's Group	18:00 – 21:00	The Hub, Hovingham Primary School, Harehills, Leeds, LS8 3QY	Activities for all young people including Eastern Europeans
Sat	Roma Friendly Young People's Group	18:00 – 21:00	The Hub, Hovingham Primary School, Harehills, Leeds, LS8 3QY	Activities for all young people including Eastern Europeans

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Leeds CITY COUNCIL

Report author: Jane Stageman

Tel: 07891 278638

Report of Director of Strategy & Resources

Report to Scrutiny Board (Resources and Council Services)

Date: 27 April 2015

Subject: Employee Engagement, Investors in People and Manager Challenge Results for 2014 and culture change priorities for 2015

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☒ Yes	☐ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. The results of the Employee Engagement Survey for 2014 show an overall engagement score of 7.2 out of a possible 10. The survey was completed by 45% of the workforce (7261 employees) which is an increase from 30% in 2013.

2. Leeds City Council achieved re-accreditation as an Investor in People in December 2014. The external assessor noted that, "Despite the continuing organisational uncertainty about job security people remain positively committed to delivering quality services to the population of Leeds".

3. Manager Challenge, the programme to reinforce the 'habits' we wish all managers to adopt, is now in its third stage. This stage has been designed to address issues highlighted by the engagement survey, IiP and the feedback from the earlier stages of Manager Challenge. The outline programme is attached at Appendix 1.

4. Some good progress has been made towards our 'Doing Our Best' approach that establishes a positive work culture for staff. However, to be a '10 out of 10' Best Council, we need everyone in the organisation to drive the 2015 culture change priorities of staff voice and involvement, empowering individuals and teams, strong leadership and stronger emphasis on customer and city impact.

Recommendations

It is recommended that Scrutiny note the contents of this report

1.   Purpose of this report

1.1   The purpose is to report the progress in changing council wide culture as expressed by the results of the 2014 employee engagement survey, feedback from our 2014 Investors in People Survey and the half-way stage of our Manager Challenge Programme

1.2.   The report also outlines the priorities for council-wide culture change in 2015 that will underpin the next stage of Manager Challenge.

2   Background information

2.1   In January 2014, the Council identified the behaviours that it wished managers to adopt as 'manager habits' and the outcomes that staff would expect to experience in the workplace. This was summarised in a one page 'Doing Our Best' document.

2.2   In 2014, a new employee engagement survey was designed with links to the council values, the council's aim to be the 'Best Council' in the 'Best City' and the manager habits.

3   Main issues

3.1   Employee Engagement.

3.1.1   The overall results from the council's employee engagement survey were available in January 2015. The response rate for the survey was 45% of all employees (7261 employees). This is a big increase in the overall response rate from 30% in 2013.

3.1.2   The engagement score is new and based on Qu 24 'If a friend asked you to give a score working for Leeds City Council from 1-10 (with 10 being the best, what would it be?' The average council score was 7.2 out of 10 overall (7.11 online surveys and 7.43 paper survey).

3.1.3   Four areas emerged as the highest performing areas overall across all directorates:

- I know what is expected of me at work (92% agree)
- I'm trusted to do my job (92% agree)
- The job I do makes a difference for the people in the city (86% agree)
- I get help and support from colleagues when I need it (85%agree)

3.1.4.   Two areas emerged as the lowest scoring areas overall across all directorates:
- My ideas and suggestions for saving and spending money are heard (51% agree)
- What I say counts and makes a difference to the way things are (51% agree)

3.2   Investors in People (IiP)

3.2.1   Leeds City Council was re-accredited as an Investors in People (IiP)

Employer in December 2014. We have held the award continuously since 2001. Some of the key findings by the external assessor was that the majority of employees understood the key headline priorities for LCC, they have clarity around the values of the organisation and are clear about their directorate, team and individual responsibilities. She summed up the value of our improved approach to employee engagement by saying "Despite the continuing organisational uncertainty about job security people remain positively committed to delivering quality services to the population of Leeds".

3.3   Manager Challenge

3.3.1.   Manager Challenge is focused on ensuring all appraising managers (2,500 managers) all consistently practice manager habits across the council. The programme of activities commenced in June 2014 and at this stage 98% of appraising managers had identified and were clear about the areas they needed to improve.

3.3.2.   The employee engagement survey and investors in people provided some useful feedback to inform progress about changes in management behaviour and staff experience within the council. This was further augmented by further discussions between January and March 2015 with a sample of staff and managers, senior managers and elected Members. Together, this review identified that there were four key areas for further work to enable and drive cultural change more successfully in the organisation. These were: a need for greater focus in our approach on staff voice and involvement, empowering individuals and teams, strong leadership and stronger emphasis on customer and city impact.

3.3.2.   The design of the next stage of Manager Challenge has been based on these findings and is outlined in Appendix 1.

4   Corporate Considerations

4.1   Consultation and Engagement
The employee engagement survey was made available to all employees to complete. The returns on the paper forms moved from 13% in 2013 to 36% in 2014. Investors in People sampled 2.5% of employees over 2013 and 2014. Manager Challenge has engaged all 2500 appraising managers in the Council.

4.2   Equality and Diversity / Cohesion and Integration
The results of the employee engagement survey indicated that men, disabled and staff from some ethnic minority groups scored question 24, used to assess overall engagement, as lower that the overall average. This is being addressed in the targeting of work in areas of greatest need as part of the next stage of Manager Challenge as well as being referred to cross council disability group for consideration.

4.3   Council policies and City Priorities
All aspects of the cultural change work are linked to the council's values and to the council's aim to be the 'Best Council' in the 'Best City'. The next stage of Manager Challenge will be highlighting the city priorities as outlined in the revised

Best Council Plan 2015 - 20 and the 'breakthrough projects' in the monthly events for all appraising managers commencing September 2015.

4.4   Resources and value for money
The development, co-ordination and evaluation of the employment engagement survey has been brought 'in-house' saving the Council £30,000 per year.
A three year investment commitment has been made to finance Manager Challenge that is equivalent to investing £120 per appraising manager over this three year period. The value and impact of the programme is subject to evaluation.

4.5   Legal Implications, Access to Information and Call In
There are no implications with regard to the above.

4.6   Risk Management
There is a risk that the opportunity to reinforce good manager practice that impacts on all aspects of service delivery will not be realised if Manager Challenge is not fully supported in all areas and at all levels of the organisation.

5   Conclusions

5.1   Our Engagement and IiP results and Manager Challenge work show that we have made some good progress in our 'Doing Our Best' approach and establishing a positive work culture for staff.

5.2   There is still a way to go to be the 'Best Council'. This would be evidenced by a '10 out of 10' result in our engagement survey. In order to achieve this we need to ensure that the priorities of staff voice and involvement, empowering individuals and teams, strong leadership and stronger emphasis on customer and city impact inform our culture change work for 2015.

6   Recommendations

6.1   It is recommended that Scrutiny note the contents of this report

7   Background documents[1]

7.1   Appendix 1 Manager Challenge – Round 3

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[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Manager Challenge – Round 3

Doing our best - to be Best Council in the Best City

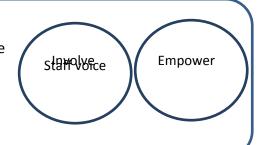|				
We all feel and say when we get it right	**I can be my best** Open and honest	**It feels like I count** Treating people fairly	**I make every pound go further** Spending money wisely	**I am part of a team that is trusted to get on** Working as a team	**I am proud to make a difference** Working with communities

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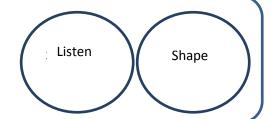**All managers with their teams**

Give it a go June!
Try something new with your teams, make a difference
A month of local action, within and across services
Lots of promotion, celebrating and sharing
Teams decide what they do – break from the norm
Discover a new approach – if it works – keep doing it!

(Involve / Staff Voice)   (Empower)

All managers

Future of the Council Consultation
Monthly events, led by Tom – starting in June
Giving our managers a say and influence
Keeping people in the loop on big issues

(Listen)   (Shape)

Pick and mix catalogue for managers

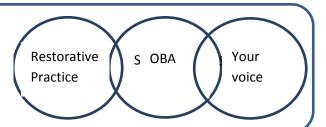### Making the right connections
Events and activities running through the year
Bringing managers together
Challenges, training, networks, swap shops
Built around the Habits and key council priorities
More of the things teams want – 'by popular demand'

(Challenge & Support)   (Share & Learn)

Targeted work in areas of greatest need

Focussing support for change
Scaling up the things we know work
Deliver more in the places that need it most
Deciding the areas of highest return
Visible support in place from June onwards

(Restorative Practice)   (S OBA)   (Your voice)

Leeds CITY COUNCIL

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Report of the Chief Officer PPPU and Procurement and Chief Officer Strategy and Commissioning

Report to Scrutiny Board (Resources and Council Services)

Date: 27 April 2015

Subject: Effective Procurement and Contract Procedure Rules

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

Executive Board approved a refreshed procurement policy for the council at its meeting on 24 April 2013. The policy was developed as the Transforming Procurement Programme, and the approved documentation and approach is now called Effective Procurement.

Reports of the Chief Officer PPP and Procurement Unit to the September and November meeting of this Board resulted in a request for further consideration of waivers, extensions and contract management.

Members of the Board also received a report to their January meeting from the Chief Officer Strategy and Commissioning on the subject of plans to develop an Integrated Peoples' Commissioning Service, and requested a report back to this meeting on the effectiveness of contract management activity.

This report seeks to respond to both requests, summarises the processes, tools and guidance available for Directorates, and summarises the contract management in place for Strategy and Commissioning in Public Health.

Recommendations

Members of Scrutiny Board (Resources and Council Services) are asked to note the contents of this report, and advise what further recommendations (if any) they have as a result.

1   Purpose of this report

1.1   To provide a further report to the Board as requested.

2   Background information

2.1   The Council currently spends c. £800 million externally each year, across both revenue and capital. A large proportion of this is spent with external suppliers, and we use a variety of contracts, from simple purchase orders to long-term partnership agreements. Some contracts are with a single provider, others are frameworks with multiple providers. The below table shows the estimated spend and number of contracts in the financial year 2014/15 across Directorates based on the actual contract spend to December, and so as such is background information only. Actual figures for the whole 2014/15 financial year will be available in the near future and can be circulated if Members of the Board wish.

Estimated contract spend 2014/15 based on April-December information

	Total	PFI	Non-PFI	Contracts (over £25k)
Adult Social Care and Public Health	132,261,631	5,698,765	126,562,866	344
Central & Corporate	58,746,536	1,202,190	57,544,346	167
Children's Services	150,209,904	77,793,947	72,415,957	142
City Development	76,547,180	9,254,387	67,292,794	112
Environment & Housing	97,355,795	9,213,940	88,141,855	109
Strategic Landlord	28,887,308	11,317,414	17,569,894	13
	544,008,354	**114,480,642**	**429,527,712**	**887**

2.2   The Council introduced a suite of tools and template documentation in support of its refreshed procurement strategy, and updated Contracts Procedure Rules to reflect the strategy. All are published and available on InSite. Contracts Procedure Rules have recently been further updated to reflect new Regulations which have been implemented under a new EU Procurement Directive.

3   Main issues

3.1   **Roles and Responsibilities**

3.1.1   The Council's Contracts Procedure Rules confirm that each Directorate is accountable for the procurements that they need in order to deliver the services and secure the outcomes that they are responsible for. The central procurement function is accountable for providing a central source of expertise, advice and support, providing check and challenge as appropriate.

3.1.2   Contracts Procedure Rules require registration of procurements undertaken on YorTender (the Council's electronic tendering system) where the value exceeds £10k. They also require the Chief Officer

(PPPU and Procurement) to be informed and consulted where procurements in excess of £100k are planned.

3.2   **Contract extensions**

3.2.3   In addition to automatic Yortender alerts PPPU/Procurement Unit category teams also use the published contracts register to work together with Directorates to identify and review contracts on a monthly basis and plan procurement activity. In some instances Directorates also have their own calendars for this purpose.

3.2.4   Many contracts entered into by the council permit extensions in accordance with the contract terms. Good practice in procurement includes applying such extensions in appropriate circumstances where the relevant Chief Officer is satisfied that it is good value for money and in some cases where an extension will enable better procurement planning (for example where a category plan has identified spend across directorates and a single aligned procurement is needed). In addition there are a number of emergency care placement and similar procurements which cannot be planned in advance (an exemption from Contracts Procedure Rules applies to such urgent cases).

3.2.5   However, in some cases unplanned extensions or waivers of Contracts Procedure Rules are required because a new procurement has not been undertaken in time. This may be due to lack of planning or resources or factors within the procurement process which could not have been foreseen.

3.2.6   Internal Audit undertook a sample of contract extensions and their findings were reported to the November meeting of this Board. Their report concluded that a medium level of compliance had been provided and their recommendations were as follows:

- PPPU and PU should remind the Contract Manager of the need to populate the contract award memo with a review date, thus providing the information to the Systems and Resourcing team with a date to input in YORtender.

- Analysis should be undertaken to establish that extending a contract offers the Best Value prior to extension. Evidence of this should be retained.

- When extensions are processed the length of extension should adhere to the specification detailed in the contract, and only in exceptional circumstances should a contract be extended for a different period and where this is the case a variation to the contract should be processed.

- It should be ensured that realistic extension periods are invoked to minimise the use of resources.

3.2.7   The Chief Officer PPPU and PU has sent a communication to Chief Officers advising of the outcome of the audit and recommendations, and a report was submitted to the Council's Corporate Commissioning Group in

January confirming the audit report findings and requesting compliance by Directorates with the recommendations. PPPU/PU will continue to action the first during procurement activity, and Internal Audit intend to follow up the audit during the current financial year.

3.3 **Waivers**

3.3.8 Contracts Procedure Rules allow certain rules to be waived in circumstances where Chief Officers consider that course of action to be justified, and provide that decisions to waive Contracts procedure Rules is always at least a Significant Operational Decision for the purposes of the Constitution (therefore requiring publication). The Chief Procurement Officer should be informed when waivers are approved by Chief Officers.

3.3.9 Since the November meeting of this Board PPPU/PU has developed new toolkit guidance to support Council officers in recording waivers. Whilst category teams and the legal team in PPPU/PU are made aware of waivers by many commissioning teams (as they are often asked to provide advice on report contents), evidence suggests that waivers are in some cases not approved in accordance with the Rules, and/or approved but not recorded and/or not notified to PPPU/PU in accordance with the Rules. The new process and toolkit is designed to support and monitor compliance with this requirement.

3.4 **Contract management**

3.4.1 The refreshed procurement strategy and Contracts Procedure Rules require consideration of good contract management. The Effective Procurement documentation contains tools to support this. In particular the Rules require a Contract Management Plan to be developed for each procurement, scalable to the nature of the procurement (and one plan can cover a number of contracts). A template is provided which is appended at **Appendix 1**.

3.4.2 PPPU/PU provides support to develop plans before contracts are awarded. Generally contract management is undertaken by the Service in question. The Unit has provided support to the contract management function for some of the PFI contracts in place, particularly during the works phase, and also from April to support best practice to seek to achieve savings across the PFI portfolio over coming years. The Unit has also hosted a periodic contract management forum which focussed on infrastructure contract management, but also sought sharing of best practice with other attendees.

3.4.3 **Appendix 2** sets out the approach taken with contract management by the Strategy and Commissioning team in Public Health, which commissions on behalf of four directorates. This describes how the team uses contract management as a framework for managing service quality, ensuring positive outcomes for service users and productive working relationships with our commissioned providers.

4   Corporate Considerations

Consultation and Engagement

4.1   The previous reports to this Scrutiny Board detailed the extensive consultation and engagement undertaken under the Transforming Procurement Programme.

Equality and Diversity / Cohesion and Integration

4.2   The Transforming Procurement Programme included equality issues as one of its workstreams and has undertaken a formal screening, which was published alongside the 24 April 2013 Executive Board report. The screening highlighted the importance of screening categories and procurements for their equality impacts and responding accordingly in line with the council's equality and diversity policies. There have been no major changes at a policy level. Contracts Procedure Rules require consideration of equality matters when undertaking a procurement and the key template documents that Contracts Procedure Rules refer to provide specific prompts in this respect.

Council policies and City Priorities

4.3   Contracts Procedure Rules and the Effective Procurement documentation support the council value of 'spending money wisely', and seek to ensure that the council's other values are embedded in all of the council's procurement activities.

Resources and value for money

4.4   This report considers good contract management practice

Legal Implications, Access to Information and Call In

4.5   None

Risk Management

4.6   Monthly on/off contract spend is shared with category teams, directorates and internal audit. Tools are in place which are intended to support the activities covered in this report.

5   Conclusions

5.1   Directorates are accountable for their own procurement activity with support provided by PPPU/PU.

5.2   This report sets out the processes in place to support contract activity, and also a summary of contract management arrangements in the Strategy and Commissioning service in Public Health.

5.3   While there is recognition that there is a diversity of services and no single approach will work in all cases, there is a need to offer a consistent level of quality of contract management. Plans to develop an Integrated People's Commissioning

Service will consider the role of contract management and seek opportunities to insure greater levels of consistency.

6   Recommendations

6.1   Members of Scrutiny Board (Resources and Council Services) are asked to note the contents of this report and advise what further recommendations (if any) they have as a result.

7   Background documents[1]

7.1   Previous reports to this Board in July 2013 September 2014 November 2014 and January 2015

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[1] The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Contract Management Plan

Contract name:	
Contract reference number:	*From YORtender*
Timemaster reference:	
Contract start date:	
Mobilisation period:	
Contract end date:	
Other key dates:	
Value of contract:	
Classification of contract:	*Major, Medium, Minor and Category*

Service directorate and service directorate contact:	
PPPU/PU lead contact:	
Provider name:	
Provider address, phone number, email:	
Location of contractual documents:	*LINK to where contract documents are stored. Are these: LCC standard* ☐ *LCC amended* ☐ *Other (specify)* ☐
Document date / version:	*Draft / Final (delete as appropriate)*

Purpose:
The contract management plan summarises key information about how the contract will be managed. It confirms systems and processes to ensure that the provider complies with the terms and conditions of the contract, that performance is effectively managed, that communications are managed, and that issues are appropriately escalated. This may include specific actions and obligations for the service directorate team.

The content of the contract management plan should be proportionate to the value, risk and complexity of the contract. All headings in **bold** should be addressed. The text below each heading is to provide prompts for issues that you may wish to address.

1. Contract Overview

Briefly outline:

- *what goods / works / services will be provided and what high level outputs will be delivered through the contract*

- *contract length*

- *any specific contract milestones*

- *contract parties including key sub-contractors and suppliers*

- *how the service will be delivered, for example, number of staff, supervisors etc. and organisational structure(s)*

- *responsibility for contract management, including where there are joint commissioning arrangements*

2. Objectives

List objectives and desired outcomes here. Consider:

- *value for money*

- *savings*

- *quality*

- *continuous improvement*

- *customer satisfaction*

- *council plan and city priorities*

3. Transitional arrangements and mobilisation

Briefly outline:

- *when and how the existing service will exit and any handover or interfaces*

- *any Transfer of Undertakings (Protection of Employment) (TUPE) arrangements and how they will be managed*

- *any staff training that needs to be undertaken prior to the commencement of the contract*

- *whether there are any outstanding licences to be obtained and if this is the responsibility of Leeds City Council (LCC) or the provider*

- *any arrangements for sharing information, access to records, access to ICT systems, Disclosure and Barring Service (DBS) checks etc.*

- *is any testing required prior to the commencement of the contract?*

- *is there anything that needs to be carried beyond the transition period, for example, refresher training*

For medium or major contracts, or where transition and mobilisation may be

complex or time consuming, you may prefer to develop a separate mobilisation plan in addition to the contract management plan.

4. Performance management

Briefly outline:

- *key milestones and key performance indicators (KPIs) or identify where in the contract they are*

- *other quality criteria or other standards and expectations set out in the council's specification, provider method statements, and contract terms and conditions - or provide appropriate links or cross-references*

- *how KPIs and any other relevant standards and requirements will be monitored and what information will be received from the provider. For instance, monthly reporting regarding payment, performance, customer satisfaction etc.*

- *how will service users, elected members and other stakeholders be involved in performance monitoring / reporting?*

- *whether benchmarking and market testing are to be undertaken with respect to the contract*

- *how performance will be monitored and managed with respect to issues such as data security, safeguarding, environmental protection, health and safety*

- *how poor performance and disputes will be managed*

5. Finance

Briefly outline:

- *how invoices will be scrutinised and validated*

- *how the invoice is calculated, for example price per unit x number of units, or flat rate monthly fee*

- *the process for approval of invoices*

- *how the total spend on the contract will be monitored*

- *how income relating to the contract will be monitored*

- *what the expenditure should be coded to*

- *how indexation is applied*

- *whether there are any price reviews included for in the contract*

6. Governance arrangements

Briefly outline:

- *the contract management team, decision making levels and escalation*

- *provide a Responsible, Accountable, Consulted, Informed, Supporting (RACIS) detailing the responsibilities of LCC, the provider, and others at appendix 1.*

- *are there any specialist areas where the contract management team will rely on the expertise of others in the council to support management of specific contract requirements eg information governance, safeguarding, health & safety…*

- *determine document management and contract administration arrangements*

7. Communication with provider

Briefly outline:

- *[monthly] review meetings, annual review meetings, and other communication mechanisms between the council and the provider*

- *escalation routes and procedures*

- *compliments and complaints procedures*

- *how information will be managed*

8. Communication with stakeholders

- *Identify stakeholders and summarise how stakeholders will be engaged, including elected members, consider any particular community or neighbourhood activities*

- *Briefly outline how stakeholder feedback will be captured. For example, satisfaction surveys, suggestion box, focus groups, compliments and complaints*

- *For contracts resulting from medium or major procurements consider also attaching a communications and engagement plan at appendix 2*

9. Risk management

Briefly outline:

- *very high risks related to the contract and how they are to be managed*

- *how you will ensure a regular review of the risks related to the contract*

- *for contracts resulting from medium or major procurements consider also attaching a risk register at appendix 3*

- *what contingency planning will the provider undertake, and what contingency planning are you putting in place?*

- *remember to consider 'positive risks' also known as 'opportunities'*

10. Benefits

Briefly outline
- *the benefits to be realised through contract delivery*
- *how benefits will be captured, managed and monitored*

11. Change

Briefly outline:
- *how changes to the contract will be managed between LCC and the provider and who at LCC will authorise change*
- *how continuous improvement and innovation will be explored and managed*

12. Lessons

Briefly outline:
- *how the provider will capture and feedback lessons*
- *how lessons will be captured by the contract manager and used to inform wider best practice*

13. Expiry arrangements

Briefly outline thoughts given to arrangements for when the contract expires. For example, inventories, equipment, TUPE, data, licences

14. Procurement background

Briefly outline:
- *the service directorate lead with respect to the procurement*
- *the PPPU/PU lead with respect to the procurement*
- *the procurement route used*

15. Other considerations

- *other than paying the invoice, are there any specific tasks that the service directorate team is responsible for undertaking, and how will*

these be monitored? For example, providing quarterly timetables, placing orders 24-hours in advance of use

- *briefly outline any issues (not covered above) relating to:*
- *consultation and engagement*
- *equality, diversity, cohesion and integration*
- *legal implications, statutory duties, and regulations*
- *data security and also data publishing - if the Contractor is a data processor or a data controller under the Data Protection Act 1998, the plan should cover i) how compliance generally with the Act will be monitored, ii) how, if the Contractor is a data processor on behalf of the Council, the organisational and technical measures implemented by the Contractor to comply with the Act will be monitored, iii) how any specific measures listed in the specification/contract will be monitored*
- *safeguarding – remember children and adults who may be at risk, remember all service areas where direct contact may be involved*
- *health and safety – staff, users, general public*
- *environmental performance*
- *social responsibility, for example, community benefits, environment, employment and skills etc.*
- *workforce planning and development*
- *tracking the on-going financial health of provider / sub-contractors through CreditSafe or other route*
- *other service specific matters – hard to reach groups, fraud prevention etc.*

16.   Appendices

- *1 RACIS matrix*
- *2 Communications and engagement plan*
- *3 Risk register*

Operational contract manual (OCM) (delete where not applicable)

For contracts that have complex interfaces and processes you may want to prepare an operational contract manual which sets out these in detail. This document is most likely to be prepared by the provider, with inputs from yourself.

If an OCM is prepared, please include a link or details of the filepath here.

If an OCM is prepared, this contract management plan might be very light

touch and simply cross-refer to the OCM rather than repeating the information.	

Key contacts (delete where not applicable)	
Service 1 internal	
Service 2 internal	
Legal	
Finance	
Technical	
Health and safety	
Safeguarding	
Data protection	

Provider bank details

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Appendix 2
A Case Study in Contract Management of Commissioned Services

- The Strategy and Commissioning team in Public Health commissions and manages a range of contracts that provide services for vulnerable people, primarily to support them to live independently or to provide support around drug and alcohol misuse. Commissioning on behalf of Public Health, Environments and Housing, Adult Social Care and Children's Services, the team manage numerous contracts with multiple providers across the city with a value of circa £20m per annum

- In order to ensure that good services are provided that meet the needs of vulnerable people the team adopt a robust and comprehensive contract management process which is centred on relationship building with commissioned providers. Building good relationships is vital to understand the service, the context and pressures, ensuring the correct links with other providers are in place and it enables the early discussion of any potential problems.

- Contract management however is not a stand-alone activity. Contract managers are involved in the whole life cycle of commissioning: using knowledge from contract management to review services and inform future decision making; writing specifications for new services with a clear understanding of need; working with providers during a mobilisation period before a new service is up and running; managing the contract to ensure performance and outcomes during the contract period; assessing quality and the changing needs to inform future reviews.

- In terms of the day to day contract management, contract managers use the specification as the framework for discussions as this contains the service targets, outcomes and expected ways of working. Providers report against this every quarter as a minimum and a face to face meeting takes place to discuss progress any problems or barriers for example.

- Depending on the nature of the service there will be much more regular reporting, for example accommodation void levels might be reported weekly; details of those people rough sleeping 3 or 4 times a week; outcomes for those accessing drug and alcohol treatment are reported quarterly.

- Contract managers use the knowledge that they have of the service and its performance to carry out on-going risk management which provides managers with an at a glance risk rating across all of our commissioned services. The risk rating looks at quality, performance and governance and rates any potential impact of a concern in these areas for service users, the Council's priorities and reputation and the organisation delivering the service.

- A key component of the approach around contract management is the evaluation of service quality. A Quality Assessment Framework is used for which providers self-assess and then a validation of this assessment is carried out by contract managers. Part of this ongoing process ensures that providers are aware of current standards and initiatives for example around Child Sexual Exploitation and Safeguarding or linkages

to new initiatives like the Domestic Violence and Abuse Breakthrough Project or the recently successful Innovations Fund bid.

- Contract managers are aligned around particular themes, eg Young People, Domestic Violence, Mental Health etc. and will manage all of the projects in their theme area. This enables them to develop a good strategic overview, helps ensure the right links are in place, enables participation in relevant forums and steering groups and provides the opportunity to bring providers together to discuss issues around a common theme.

- Good contract management is beneficial to our commissioned providers as well. The approach used by the Strategy and Commissioning team ensures that providers have a clear understanding of how service performance will be measured and how the delivery of the service will be monitored. This enables them to plan how the service should be delivered and respond to changes in service demand.

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Report of the Assistant Chief Executive (Citizens and Communities)

Report to Scrutiny Board (Resources and Council Services)

Date: 27 April 2015

Subject: Community Centres Pricing and Lettings Policy

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. The new three point pricing policy for community centres within the citizens and communities portfolio, that was agreed by Executive Board in July 2014, will be implemented for new bookings on 1st May 2015. There has been a delay in implementing the new arrangements following complexities arising with the lettings database and difficulties with it being able to accommodate the new pricing arrangements. These issues have now been resolved allowing implementation in May.

2. Community Committees will agree a process to authorise free lettings that will keep delays to a minimum.

3. Discussions will also take place with Community Committees to scope potential improvements to the current community centre delegation, to improve local influence and accountability over the management of community centres.

1   Purpose of this report

1.1   This report provides an update on the introduction of the new pricing policy for community centres within the citizens and communities portfolio.

1.2   The report also outlines the next phase towards increased local accountability through Community Committees, including the potential for further delegation and increased influence over management decisions.

2 Background information

2.1 Executive board agreed in July 2014 to introduce a new simplified three point pricing policy for community centre lettings comprising of a commercial rate, a community rate and free lettings to be agreed by community committees based on local priorities.

2.2 The aim of this pricing policy is to simplify the process and encourage greater usage of the community centre facilities by communities.

2.3 There has been a delay in implementing the new arrangements, largely due to the age and inflexibility of a bespoke database used to manage lettings and payments. This had been designed to operate the complicated pricing policy that was introduced previosuly and the database was found to be unadaptable to the new pricing arrangements.

2.4 An interim fix has been found which involves using an older database which will manage the booking of rooms, but will need prices to be entered manually by officers in the lettings team. An agreement has been reached with ICT to keep this database operational until a longer term and more sustainable solution is found.

2.5 This interim solution will allow the new pricing policy to be implemented, but will not allow for detailed management reporting of financial and usage issues. These issues will be addressed as a long term system is developed to upgrade the lettings system and move towards online transactions.

2.6 The new pricing charges that were agreed by executive board are as follows:

	Commercial Rates	Community Rate
Large Rooms generally Halls	£25.00 per hour	£10 per hour
'Delivery space'- all other rooms	£12.50 per hour	£5 per hour
Kitchens for food preparation	£5.00 per hour	£1 per hour

2.7 The old pricing policy included a number of discount calculations based on the nature of the activities taking place and the status of the group making the letting. The old policy also included three different rates for rooms based on their size, as well as a price band for kitchens.

2.8 The full commercial rate for the use of a main hall has remained the same as in the old policy at £25 per hour. The majority of reductions for community use in the old policy were set at 50% of the commercial rate. The new policy has a lower community organisation rate set at 40% of the commercial rate. The new community rate of £10 per hour for main halls shows a reduction for the majority of groups that have made these bookings in the past.

2.9 The new policy has moved to having only one room category for delivery space. The old policy had two categories of room, based on size. Previous commercial rates for band B and band C rooms in the old pricing policy were £18 and £12 per

hour respectively. The new pricing arrangements have a commercial price of £12.50 per hour for all delivery space, other than main halls. Again the new price for community groups is 40% of the commercial charge, which will mean a reduction for the majority of community groups that have paid for these rooms under the previous policy.

2.10   The hourly price for the use of kitchens for food preparation has remained at £5 per hour for commercial organisations. The community rate is 20% of the commercial rate, which again will mean a reduction for the majority of community groups that have paid for these rooms under the previous policy.

3   Main issues

3.1   Lettings Rates

3.2   The new pricing arrangements will be applied for new bookings as of 1st May 2015. All existing bookings will be honoured under the current arrangements including those that currently receive free lettings.

3.3   The next major phase for renewals of regular bookings will take place in September 2015. All regular users will be contacted in advance with full details of the new pricing arrangements to allow the process for renewals and applications for free lettings to be managed appropriately.

3.4   Free Lettings

3.5   The decision made by Executive Board in July 2014 allowed for Community Committees to agree free lettings based on the priorities for their area. This is a major change to how the current pricing policy operates in that each individual booking will need Community Committee approval to qualify for a free letting. The intention is for the process for paid lettings to be improved and streamlined to avoid delays in organising lettings. This will also mean that there is improved accountability for decisions made to forego council income.

3.6   Under the old pricing policy, decisions to allow free use of community centres have been made through the lettings team using a complicated set of criteria, agreed by Area Committees, which has led to delays in confirming bookings. It has also meant that there is a lack of clarity of how much it costs to hire rooms in community centres. The new policy will allow the Council to publicise the cost of using our centres, both online and at each centre, and will introduce a process for Community Committees to agree free lets in their area.

3.7   Under the new process individuals making bookings will be told the cost of their booking at the point that they make the enquiry. If they are willing and able to pay the fee then their letting will be processed as quickly as possible. If they are requesting a free letting then they will need to complete an application and this will be forwarded to the appropriate contact for the Community Committee where the decision will be made.

3.8   This means that there will be a delay in confirming any booking if the hirer is requesting a free letting. No free lettings will be agreed without at least 2 weeks notice before the date of the booking.

3.9   To avoid extensive delays in Community Committees being able to consider and agree free lettings, Community Committees will need to agree their own delegated decision arrangements. These decisions may be made through a sub-committee, a nominated elected member or delegated to the Area Leader.

3.10   Each Community Committee will be able to agree the process that best suits their needs. It is however imperative that the process devised does not lead to undue delays in processing free lettings.

3.11   Community Committees will need to be provided with regular performance and financial information on each community centre in order for the impact of free lettings on the viability of each centre to be understood.

3.12   Details of free lettings across the portfolio have been circulated to scrutiny board members. Due to issues of confidentiality this has not been appended to the report. This list can be used as an indication of the scale of free lets across the portfolio, but due to the limited management information capabilities of the lettings database, a health warning needs to be noted against this information. Cross referencing has been carried out with local information as far as possible to improve data quality, however, there are still likely to be some inaccuracies in the data. As an indication from the data provided, approximately 75% of the 300 plus current regular lettings across the portfolio are free lets. Decisions will need to be made by each Community Committee whether to continue these arrangements as these regular bookings come up for renewal.

3.13   Online Booking Systems

3.14   While work clearly needs to be carried out to improve systems and management information in the short term, the community centres lettings process needs to be considered in the wider context of the councils Customer Access Programme and particularly the online Customer Contact Platform (CCP). The community centre lettings process has already been flagged up for inclusion in this work. Progressing the database development in this way would provide the ability for customers and users to book space directly over the internet.

3.15   Other options are also being explored around the suitability of other bespoke systems that have already been commissioned in other parts of the council. A system is being developed for online booking of bulky waste removal, and another system has been introduced for school lettings. These are being looked at as other possible solutions to improve back office and customer facing systems.

3.16   Phase 1 of the CCP is about to go live shortly, however the wider capabilities of the system are still in production. The focus of development of this system is on the high volume services such as council tax and benefits and there will be delays in developing a full CCP solution for community centres.

3.17   An interim approach is to develop an online form that customers can complete and which generates an email to the lettings staff. This is the most straightforward solution, and will take the shortest time to develop. This would simplify the process for customers but would still require manual working in the background. It is proposed to use this as a short term working solution whilst the full CCP is better developed and embedded in the organisation.

4   Lettings Process Staff

4.1   All lettings for Citizens and Communities community centres are handled by staff in the Facilities Management team in Civic Enterprise Leeds. The two members of staff dealing with the day to day booking process have been included in the recent business administration review and therefore management arrangements are under review.

4.2   Lettings teams operate in other parts of the council including in Education and Libraries and there is potential to collocate or merge these teams under the business administration review. There may also be benefit in examining lettings systems across the council in order to standardise and simplify processes and share staff resources and technology. This piece of work has not been commissioned yet but has already been identified as a strand within the business administration review.

5   Next Steps

5.1   Second Stage review

5.2   Currently Community Centres are a delegated function to Community Committees. Through this delegation ward members have an influence over the development of activities and improvements at community centres in their area, as well as close links with users and management groups at these centres. Currently there is very little information provided to Community Committees on the performance of each centre in relation to usage, income and running costs. There has also been little accountability for the free lettings arranged through the previous pricing policy.

5.3   The second stage review will look at developing the community centre delegation arrangements to increase accountability at a local level. Initial discussions will take place with Community Committee Chairs to scope this work including the possibility of greater budget delegation.

5.4   The implementation of the pricing review has uncovered a number of deficiencies in the availability of management information and the robustness of financial processes. These issues will be addressed as the long term solution for the lettings database is developed during the move to online transactions.

5.5   A major review is under way of the service level agreement between Citizens and Communities and Civic Enterprise Leeds covering caretaking, cleaning, repairs, programmed maintenance and building management. Community Committees will have a major role in this process.

5.6   A discussion will take place with Community Committee Chairs at their meeting on 5th June on the development of the community centre delegation. Timescales will then be set based on the scope of the work. At the same meeting the service level agreement for building management and maintenance will be discussed. Background work on this has already started and it is hoped that agreed changes can be implemented before the end of the year.

6   Recommendations

6.1   Members are invited to comment on the contents of the report.