



SCRUTINY BOARD (CENTRAL AND CORPORATE)

Meeting to be held in Civic Hall, Leeds on
Monday, 6th April, 2009 at 10.00 am

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

MEMBERSHIP

Councillors

M Dobson (Chair) - Garforth and Swillington;
B Atha - Kirkstall;
J Bale - Guiseley and Rawdon;
S Bentley - Weetwood;
B Chastney - Weetwood;
P Davey - City and Hunslet;
J Dowson - Chapel Allerton;
P Ewens - Hyde Park and Woodhouse;
M Hamilton - Headingley;
V Kendall - Roundhay;
A Lowe - Armley;
B Selby - Killingbeck and Seacroft;
P Wadsworth - Roundhay;

A G E N D A

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| 1 | | | <p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>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.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>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 on this agenda.</p> | |
| 2 | | | <p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p> | |

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| 3 | | | <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>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).</p> <p>(* 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).</p> | |
| 4 | | | <p>DECLARATIONS OF INTEREST</p> <p>To declare any personal / prejudicial interests for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p> | |
| 5 | | | <p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence.</p> | |
| 6 | | | <p>MINUTES - 2ND MARCH 2009</p> <p>To receive and approve the attached minutes of the meeting held on 2nd March 2009.</p> | 1 - 8 |
| 7 | | | <p>IMPACT ASSESSMENTS IN THE DECISION MAKING PROCESS</p> <p>To receive and consider the attached report of the Assistant Chief Executive (Planning, Policy and Improvement).</p> | 9 - 12 |
| 8 | | | <p>SCRUTINY INQUIRY - SICKNESS ABSENCE MANAGEMENT - DRAFT FINAL REPORT</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p> | 13 - 24 |

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| 9 | | | <p data-bbox="676 181 1278 286">SCRUTINY INQUIRY - PROCUREMENT, OUTSOURCING AND COMMISSIONING SERVICES - DRAFT FINAL REPORT</p> <p data-bbox="676 331 1390 398">To receive and consider the attached report of the Head of Scrutiny and Member Development.</p> | 25 - 34 |
| 10 | | | <p data-bbox="676 472 1310 539">SCRUTINY INQUIRY - MEMBER DEVELOPMENT - DRAFT FINAL REPORT</p> <p data-bbox="676 584 1390 651">To receive and consider the attached report of the Head of Scrutiny and Member Development.</p> | 35 - 48 |
| 11 | | | <p data-bbox="676 719 1342 824">WORK PROGRAMME, FORWARD PLAN OF KEY DECISIONS AND EXECUTIVE BOARD MINUTES</p> <p data-bbox="676 869 1401 1160">To receive and consider the attached report of the Head of Scrutiny and Member Development regarding the Board's work programme, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st March to 30th June 2009 and the minutes of the Executive Board meetings held on 4th March 2009 (attached) and 1st April 2009 (to be circulated at the meeting).</p> | 49 - 72 |

Agenda Item 6

SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 2ND MARCH, 2009

PRESENT: Councillor M Dobson in the Chair

Councillors B Atha, J Bale, S Bentley,
J Dowson, P Ewens, M Hamilton, A Lowe,
B Selby and P Wadsworth

78 Declarations of Interest

No declarations of interest were made at this point (see later Minute No 81).

79 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors Chastney, Davey and Kendall.

80 Minutes - 2nd February 2009

RESOLVED – That the minutes of the meeting held on 2nd February 2009 be confirmed as a correct record.

81 Scrutiny Inquiry - Sickness Absence Management - Session 4 - Final Session

Further to the Board's previous sessions relating to this particular Inquiry (Minute Nos 18, 40 and 69 refer), the Board received evidence from Andrew Mason, Chief Environmental Services Officer. Mr Mason had joined Leeds City Council approximately 12 months ago, from Tameside Council near Manchester, and the Board requested Mr Mason to relate his experiences of the absence management system in Leeds in comparison to his previous experience of other systems.

In brief summary, the following main points were discussed:-

- Mr Mason explained that he managed a workforce which included a large element of manual works, such as refuse collectors and street cleaners. He had been surprised at the relatively high levels of sickness absence at Leeds compared to his previous authority. He felt that the sickness absence management system which Leeds City Council had in place was perfectly satisfactory – it was its application which might be deficient in some cases;

- The key to successfully operating the system and reducing sickness absence levels was for line managers to accept their responsibility for proactively monitoring absences for staff under their supervision, and applying the system in a fair, consistent and proactive manner;
- HR was there to support line managers in this task, e.g. occupational health referrals, but the prime responsibility rested with the line managers;
- At his instigation, all line managers had been trained or re-trained in the absence management system, and positively encouraged to assume an active role in the process, including making regular contact with the staff they supervised, including peripatetic staff and those on long-term sickness. He would shortly be following this up with all line managers, to ascertain how it was working in reality;
- In addition to dealing with absences, management also needed to manage attendance, and to encourage an attendance culture. There needed to be flexibility, say in terms of allowing staff to make up lost hours to account for time off for a domestic crisis, as an alternative to that member of staff simply taking a day off 'sick'. Shift swaps might also be a way to achieve similar results. Staff with a good attendance record needed that to be acknowledged, even if it was just a letter from their manager. It was helpful to try to enlist the support of the trade unions in respect of establishing an attendance culture, as often they shared managements' concerns regarding the effects of absent workers on their colleagues' workloads;
- Reference was made to two pilot projects under the 'Vielife' scheme, whereby individual staff could volunteer for an individual health and lifestyle assessment, which would produce a report tailored to their needs. This report was private to the individual, but the overall survey results were made known to the employer, and might be used to assist the employer to devise or encourage the use of healthy living practices, such as smoking cessation classes, or to identify a need for more training e.g. manual lifting techniques;
- Reference was also made to work/life balance issues, and whether the Council could perhaps do more in this regard e.g. offering, say, three 12 hour shifts to staff, which would then enable them to engage in other activities on days off?
- The Chair thanked Andrew Mason for his candid evidence to the Board. The Head of Scrutiny and Member Development, in consultation with the Chair, would now produce and circulate for comment a draft Final Report of the Inquiry for proposed submission and adoption at the April Board meeting.

It was commented that the draft Final Report should reflect the Board's concern regarding the current levels of staff absences, should include reference to the costs of sickness absence at a time when the Council is facing particular budgetary pressures and should also pick up a recurring theme referred to during most of the sessions regarding the importance of line managers in managing attendance levels. As identified, in some areas of the Council this might require a cultural change.

RESOLVED –

- (a) That Andrew Mason be thanked for his attendance and the manner in which he has responded to Members' queries and comments;
- (b) That the Head of Scrutiny and Member Development, in consultation with the Chair, prepare and circulate for comment a draft Final Report of the Inquiry, for submission to the April Board meeting.

(NB1 Councillor Hamilton joined the meeting at 10.13 am, during the consideration of this item.

- 2 Councillor Wadsworth declared a personal interest in this item, in his capacity as a Deputy Executive Member (Environmental Services))

82 Financial Health Monitoring 2008/09 - Third Quarter

The Director of Resources submitted a report, first considered by the Executive Board at its meeting on 13th February 2009, informing Members of the financial position of the Council after 9 months of the 2008/09 financial year.

Alan Gay, Director of Resources, and Doug Meeson and Helen Mylan, Resources Directorate, attended the meeting and responded to Members' queries and comments. In brief summary, the main discussion points were;-

- Overall, a balanced budget was projected for the end of the financial year, with a surplus of £2m in respect of the Housing Revenue Account;
- The current low interest rates were a mixed blessing. Whilst it meant that the Council received less for the monies it had got invested, it had enabled the Council to take advantage of low rates for short-term borrowing requirements;
- The Council was not quite hitting its target of paying all invoices within 30 days of receipt for a variety of reasons – often because no order number was quoted on the invoice. Leeds did operate a small suppliers scheme, which generally meant that small suppliers, who are part of the scheme, were paid within 20 days or less;
- The value of Housing Benefit overpayments had continued to reduce, in line with a national trend, which resulted in an additional cost pressure. Less subsidy was paid on overpayments, but if the Council was subsequently able to recover the overpayment, then this mitigated the reduction;
- Outside Placement costs, projected to be overspent by £1.4m, was a recurring problem for a lot of local authorities, and there was an argument that this was a national service. It should certainly be properly funded nationally;
- Reference was made to school balances, and the problem which could occur when a secondary school converted to an academy. If that school had a deficit balance on conversion, this was effectively written-off, and the cost of the write-off had to be met from overall school

reserves – in other words, schools with surplus balances were effectively subsidising these schools in these circumstances;

- The effect of the economic downturn on the City Development directorate was commented on, with proposed staff savings via voluntary early retirements and the non-filling of vacancies. Following past difficulties with recruiting qualified planners, Members expressed the hope that this fact was being taken into account when dealing with staffing issues, in order that City Development was in a good position when the current recession eased. Reference was also made to the possibility of redeploying staff, or short-time working, as alternatives to redundancy.

RESOLVED – That, subject to the above comments, the report be noted.

83 Performance Report - Quarter 3 2008/09

Further to Minute No 33, 6th October 2008 and Minute No 62, 5th January 2009, the Head of Policy, Performance and Improvement submitted a report regarding the Quarter 3 performance indicators (PI) in respect of Central and Corporate Functions. The report charted progress against targets across a raft of individual PI's in this area, and highlighted areas of under-performance and actions being taken to remedy matters.

Alan Gay, Director of Resources, Helena Phillips and Peter Hutchinson, Resources Directorate, and Paddy Clarke, Chief Customer Services Officer, were present at the meeting and responded to Members' queries and comments. In brief summary, the main points of discussion were:-

- Council Call Centre – customer satisfaction – Councillor Bentley related the extremely frustrating experience she had encountered last Friday whilst acting as a 'mystery shopper' seeking assistance with a noise nuisance complaint, which she had already reported to the Chief Customer Services Officer. Other Members related similar experiences of members of the public having to contact them to get matters addressed after suffering similar frustration trying to get through to the service they required and then the delay in actually getting the problem solved.
Paddy Clarke indicated that he understood this frustration, and had investigated the specific problem referred to him by Councillor Bentley. The 0845 numbers were being phased out, and transferred to service specific so-called 'silver' numbers, and this should improve customer services;
- Councillor Atha related problems he and a constituent had experienced in trying to solve a noise nuisance complaint. To date, it had taken over 12 months, and the problem was still not resolved, in spite of the ALMO being aware, and this level of service was unacceptable;
- Concerns were expressed relating to PI's NI 66 – looked-after-children cases which were reviewed within the timescale, LSP-HW2bi – number of children look after and rate per 10,000 and NI 132 – timeliness of adult social care assessments. It was explained that although the Board had been provided with a summary of all the PI's, for

completeness, it was only the Central and Corporate suite of indicators set out on agenda pages 44-48 that fell within the remit of this particular Board. However, the PI's referred to would be subject to scrutiny by the relevant Boards;

- BP-09 - % of complaints to the Council that receive a substantive response within 15 working days or less – Members requested to be supplied with further, more detailed information, as soon as possible, regarding below target Departments and the reasons for under performance, including the apparent difficulties experienced with the Siebel recording system;
- Concern was expressed regarding the high number of blue indicators on the overall summary chart, indicating that currently the Council was unable to measure its performance in these areas. This did seem surprising, especially in regard to something like NI 152 – the number of working age people on out of work benefits;
- Comment was also made in respect of BP 31 – the number of major projects independently assessed by the Project Assurance Unit. It was explained that 'O' was the end of year target i.e. no major projects at risk of failing, and it was fully expected that the target would be met this year – hence the green traffic light indicator.

RESOLVED – That subject to the above comments and requests for further information, the report be received and noted.

84 Fair Play Partnership Diversity Champion Project

Further to Minute No 20, 8th September 2008, the Head of Scrutiny and Member Development submitted a report advising the Board of the outcome of the equality and diversity assessment undertaken by the Fair Play Partnership.

Liz Bavidge, Fair Play Partnership, and Geoff Turnbull, of the Council's Equalities Unit, were present at the meeting and responded to Members' queries and comments. In brief summary, the main points of discussion were:-

- The results of the assessment exercise, appended to the report, highlighted the Council's strengths as well as identifying those areas where improvements could be made;
- The use of appropriate or inappropriate language might seem to be a superficial matter, but could reflect underlying attitudes;
- The potential for Leeds City Council, as one of the major organisations in the region, to be a catalyst for change and a major example of good practice by signing up for Member training in the areas identified in the report;
- The need for all Members to sign up to the training programme. Councillors were the leaders of the community and needed to be proactive in ensuring that the Council was at the forefront of championing equality, diversity and inclusion and tackling prejudice and discrimination in all its forms.

Draft minutes to be approved at the meeting
to be held on Monday, 6th April, 2009

RESOLVED –

- (a) That the Board endorses the need for the development of an action plan to address the issues identified in the conclusions to the report;
- (b) That this be relayed to the Executive Member (Central and Corporate) by the Head of Scrutiny and Member Development.

(NB Councillors Lowe and Wadsworth left the meeting at 11.47 and 11.50 respectively, towards the end or at the conclusion of this item).

85 Sustainable Communities Act

The Head of Scrutiny and Member Development submitted a report regarding an invitation from the Central Government for local authorities to consider proposals for possible inclusion in a proposed Sustainable Communities Act. This wide ranging proposal provided an opportunity for local authorities to consider changes which would involve a change in legislation or the transfer of a function from one kind of authority to another, and possible examples were referred to in the report. The closing date for the submission of proposals was 31st July 2009.

Dylan Griffiths, Chief Executive's Department, attended the meeting and responded to Members' queries and comments. In brief summary, the main points of discussion were:-

- Reference was made to the need for sustainable funding streams for voluntary organisations, with minimum 3 year funding agreements. This might fall into the category of something which the Council already had control over locally, but Dylan Griffiths undertook to pursue this further individually with the Member who had raised it;
- The remit of Planning Inspectors, and the need to take into account local views, experience and expertise when reaching conclusions on planning inquiries. Again, Dylan Griffiths undertook to pursue this further with the Member who had raised it;
- The need for guidance from Council Officers on the areas which they felt the Council could most usefully make representations on;
- The proposed consultation process, and whether or not it included Area Committees – the view was expressed that it should;
- Other points discussed included the possibility of extending local authority powers in planning matters and traffic management issues, working with local volunteers (say on traffic speed reduction issues), 20mph zones around schools (and the time taken to introduce them) and lack of consultation/information exchange between Council Departments. It was acknowledged that not all these issues necessarily fell within the scope of the current consultation on a 'Sustainable Communities Act'.

RESOLVED – That subject to the above comments, the report be noted.

86 Work Programme

The Head of Scrutiny and Member Development submitted a copy of the Board's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract of the Council's Forward Plan of Key Decisions for the period 1st February to 31st May 2009 and the minutes of the meeting of the Executive Board held on 13th February 2009.

A Member raised the question of a possible future agenda item relating to the EASEL Project, and the scrutiny of contract lettings. Reference was made to this also being under consideration by the Corporate Governance and Audit Committee, and the need to avoid duplication of effort.

RESOLVED – That the report and the updated work programme be received and noted.

87 Date and Time of Next Meeting

Monday 6th April 2009, at 10.00 am (Pre-meeting 9.30 am).

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Report of the Assistant Chief Executive (Planning, Policy and Improvement))

Scrutiny Board (Central & Corporate Functions)

Date: 6th April 2009

Subject: Impact Assessments in the Decision Making Process

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION

1.1 In September 2008 this Scrutiny Board published a final Inquiry report entitled, *'Embedding Equality, Diversity and Cohesion and Integration'*. One of the Board's recommendations in its report was; **"That the Head of Equality develops a realistic and deliverable approach to incorporating impact assessments into the council's decision making process"**. This recommendation was supported by the responsible Executive Member, Councillor Richard Brett.

1.2 In line with this agreed recommendation the Head of Equality has considered the current approach adopted by the Council. In conjunction with the Head of Governance Services and following discussions with Directorate representatives consideration has been given on how to improve the current process to further embed it into the decision making process.

2.0 BACKGROUND

2.1 The council has an agreed approach to undertaking equality, diversity and community cohesion (EDCC) impact assessments. These are used as a way of finding out whether the plans, actions and services of the council will affect some communities or groups of people differently.

2.2 EDCC impact assessments help the council to:

- identify how services can be made more accessible and appropriate
- ensure that different groups are equally served by the policy and decision
- identify improvements to services
- avoid adopting harmful policies or procedures
- make better decisions and become a better employer

And importantly:

- there is a legal requirement to do so in relation to race, disability and gender.
- under other equality legislation, we have a duty to show how our services and policies do not discriminate against all communities. Impact assessments will give us this evidence.
- under the Equality Standard for Local Government (this will change to the Equality Framework for Local Government from April 2009) you have to make sure that all equality strands are considered. The impact assessment should consider disabled people; women, men and trans people; people from black and minority ethnic communities; lesbian, gay and bisexual people; older and younger people; people from different religions and faiths and other socially excluded communities.

2.3 In addition as part of our legal duties we are required to publish details of completed impact assessments. A summary of each completed impact assessment is published on the council's website.

2.4 Directorates and services across the council have developed priority lists for EDCC impact assessments and these were published with the Equality and Diversity Scheme 2008 -2011.

2.5 Progress against this priority list is currently considered as part of the six monthly performance management of the Equality and Diversity Scheme 2008 – 2011.

2.6 Additional EDCC impact assessments are also carried out by services where they are deemed appropriate and necessary.

3.0 Current Position

3.1 Some work undertaken during 2008 on our approach to EDCC impact assessments highlighted the need for the council to ensure a systematic, consistent and outcome directed approach to impact assessments which should generate actions and activities that will result in improved service and employment outcomes.

3.2 In addition an underpinning principle of the Comprehensive Area Agreement (CAA) is that joint inspectorates will assess how well local public services (working in partnership) are addressing the needs of their diverse communities. For local government we would also need to evidence how we scrutinise and challenge our own and our partners' performance with regard to equality impacts and objectives. The Audit Commission themselves have undertaken an equalities impact assessment of CAA.

3.3 This is linked into the new Equality Framework for Local Government (which replaces the Equality Standard). If we are to achieve excellent status we would have to demonstrate that equality objectives arising out of EDCC impact assessments are integrated into strategic plans and priorities and equality outcomes are being achieved.

- 3.4 Key consideration is already given to 'equality, cohesion and narrowing the gap' as part of the corporate report writing guidance and templates which includes Executive Board decisions and the delegated decision process. However, there is not always enough detail on the implications of these considerations and whether or not an EDCC impact assessment has been undertaken. In fact this is also the case for policy and governance implications.
- 3.5 This has been discussed with the Head of Corporate Governance and it has been acknowledged that this and the overall process used for undertaking EDCC impact assessments in the council should be reviewed.
- 3.6 To avoid the process being a 'tick box' exercise, (a concern raised by this Scrutiny Board), any process adopted must be effective, appropriate to the type and level of decision to be taken and non bureaucratic, which could potentially be the case if we just amended the reporting template and guidance.

4.0 Process Changes

- 4.1 The current EDCC impact assessment process has helped towards embedding equality considerations into the decision making and service delivery and improvement process and there is evidence that it is being used across all Directorates and Services. However, it has been identified that this process does not always lend itself well to assessing impacts on major policy changes and key strategies. This will be crucial for CAA and for the council if we are to achieve an Excellent rating in the Equality Framework.
- 4.2 To address this it is proposed that work will take place during 2009/10 to review and refresh the existing process to ensure that the above considerations are incorporated into future processes.
- 4.3 This will build on and link into the work that has already been considered by this Scrutiny Board on 'Embedding Equality in Procurement'
- 4.4 It is proposed that the a similar approach is considered for the corporate EDCC impact assessments. This could result in the development of a two part process that will ensure EDCC considerations are considered at all levels from strategic planning through to service improvement.
- 4.5 Current thinking based is that the first part would be the introduction of an Equality Assurance Process. This would be used primarily for strategic plans and policies and major decisions and can be used to ensure that EDCC considerations are incorporated at the very start of the process. In fact an Equality Assurance exercise was recently piloted on the emerging priority matrix for the Children and Young People's Plan (CYPP) with positive results.
- 4.6 The second part would be the full impact assessment process which would be used to target identified improvement areas that may have been picked up through the Equality Assurance process or as a Directorate/Service priority.
- 4.7 These two parts could be undertaken independently of each other. The Equality Assurance Process would also be another way to identify the priority areas for carrying out full impact assessments. It will not always be necessary to carry out both parts of the process.

- 4.8 The use of EDCC impact assessments is also considered as part of service planning development. It is proposed that during 2009/10 work is undertaken to further embed EDCC impact assessments into the service planning process. In particular, to ensure that services are able to demonstrate that they have identified the barriers which may be leading to the exclusion or potentially unfair treatment of particular groups but also that they are able to demonstrate how these are being fed into the improvement process.
- 4.9 The Head of Governance Services has done some initial work on impact assessments generally in the decision making process. Obviously this remit is wider than EDCC impact assessments and is very much about trying to have a consistent approach to how key decisions impact on all council policy and governance.
- 4.10 Therefore the recommendation to further embed EDCC impact assessments into the decision making process needs to be linked to the wider piece of work that has been identified by the Head of Governance Services. It is anticipated that the outcome of this work will be reported to the Corporate Governance and Audit Committee in the new Municipal Year.
- 4.11 The proposals outlined above would ensure that equality considerations are further embedded into the decision making process and that impact assessments are considered or undertaken at every appropriate stage and evidenced when necessary.

5.0 RECOMMENDATIONS

- 5.1 Members are asked to;
- Note the contents of this report
 - To consider the progress made by the Head of Equality in addressing the Board's recommendations and comment upon the proposals outlined in section 4 and note wider review of the potential use of impact assessments in the decision making process to be considered by the Corporate Governance and Audit Committee in the new Municipal Year

Background Papers

Scrutiny Board Final Inquiry Report '*Embedding Equality, Diversity and Cohesion and Integration*'. September 2008



Report of the Head of Scrutiny and Member Development

Scrutiny Board (Central and Corporate Functions)

Date: 6th April 2009

Subject: Draft Report – Attendance Management Inquiry

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|---|--|
| <p>Electoral Wards Affected:</p> | <p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p> |
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1.0 Introduction

- 1.1 At its July meeting the Board agreed to undertake an Inquiry into attendance management.
- 1.2 The aim of this Inquiry was to take a more radical approach to seeking solutions to the challenges of sickness absence management within the Authority. This included actively identifying recognized good practice and seeking out innovative and creative approaches.
- 1.3 The Board acknowledges that there has been significant work done to establish a framework for managers at all levels to deal with absence. This inquiry did not seek to investigate the framework, but rather how the tools are being applied. With this in mind, the Board engaged with a wide cross section of officers within the Authority, private sector practitioners and recognised national leaders.
- 1.4 The Board has now produced a draft final report which includes a number of recommendations.

2.0 Consultation

- 2.1 Scrutiny Board Procedure Rule 14.3 states that "where a Scrutiny Board is considering making specific recommendations it shall invite advice from the appropriate Director(s) prior to finalising its recommendations. The Director shall consult with the appropriate Executive Member before providing any such advice" This advice will be available at the Board meeting
- 2.2 Once the Board publishes its final report it will be presented to the Executive Board for a formal response.

3.0 Recommendations

3.1 The Board is requested to:-

- (i) Agree the Board's final report and recommendations.
- (ii) Submit the report to the Executive Board for a formal response.

Background papers

None

Attendance Management Scrutiny Inquiry Report

Introduction and Scope



Introduction and scope

1. The business case for sound attendance management procedures and processes is clear. Dame Carol Black in her report *'Working for a Healthier Tomorrow'* identified that absence from work through ill health is costing the country £100 billion per year, (the equivalent to the annual running costs of the NHS).
2. The Confederation of British Industry has calculated that in 2007 an average of 9 days were lost per employee in the public sector, at a cost of £900 per individual per annum.
3. In Leeds City Council the absent rate for 2007-08 was 12.18 full time equivalent days lost (LCC and Schools) against a target of 11.50. On the highest sickness day in 2007/8, 1,317 or 8% of the work force were off sick. It is estimated that sickness absence cost the authority approximately £26 million in 2007/08. This to our mind is not acceptable.
4. In the current economic climate the question we ask is can we afford this? The Council budget, agreed in February, calls for substantial reduction in sickness absence to ensure that services to those who need them continue and are not compromised. Every day of absence results in less money spent on services. The Gershon Review has also highlighted the reduction of sickness levels as a means of making efficiency savings and increasing productivity.
5. The economic argument is not our only concern. There is also a human cost to these figures. There is now clear evidence to show that working is good for one's health and that worklessness is bad, not just for the individual concerned but for the whole family. There is evidence to show that families without a working member are more likely to suffer poverty and ill health. Leeds City Council employs 32,379 people, the majority of whom have families and live in Leeds. The good health of these employees will provide better life chances for their families and go a long way towards our aim of 'narrowing the gap.'
6. When we decided to undertake this Inquiry, we were aware of the detailed and comprehensive work previously undertaken by the Overview and Scrutiny Committee and Scrutiny Board (Resources) and the subsequent recommendations made by Members. Whilst technical data would be of use, we wanted to minimise repetition of previous discussions and certainly did not want to simply cover the same ground as previous inquiries.
7. Therefore, the aim of this Inquiry was to take a more radical approach to seeking solutions to the challenges of sickness absence management within the Authority.

Introduction and Scope



This included actively identifying recognised good practice and seeking out innovative and creative approaches.

8. Similarly the Board acknowledges that there has been significant work done to establish a framework for managers at all levels to deal with absence. This inquiry did not seek to investigate the framework, but rather how the tools are being applied. With this in mind, the Board engaged with a wide cross section of officers within the Authority, private sector practitioners and recognised national leaders.
9. We are very grateful to our witnesses for their expertise and candour.

Conclusions and Recommendations



Conclusions and Recommendations

1.1 Two interrelated themes have emerged from our Inquiry. We make no apologies for these resembling the themes which emerged from Dame Carol Black's review. We consider Dame Black's review to be a significant piece of work in the sickness management debate and we recommend that anyone involved in staff management or HR policy development reads her work.

1.2 Our themes cover;

- Improving sickness management
- Supporting people back to work

Improving sickness management

1.3 We are satisfied that the authority has robust sickness management procedures and management frameworks in place. These have significantly improved over the past few years and are clearly supported by the Trade Unions.

1.4 In many ways our procedures are very similar to the majority of other authorities, the NHS and those of the private sector. They are written not as a way of determining the genuineness of an episode of absence, but as a way of determining the ability to fulfil a contract. It is our view that it is the *application* of the procedures and the culture of the organisation in which they operate

which ultimately determines their success.

1.5 Both HR Officers and the Trade Unions tell us that the application of the procedures across the authority is inconsistent. This is clearly unsatisfactory and needs to be addressed as no amount of well written procedures will compensate for poor management. We welcome therefore the concept and roll out of the Enabling Managers Project. We hope that this will bring consistency in the application of procedures. We also hope it will result in team managers taking responsibility for the management of absence within their units and see it as a key component of their job and not just an add on.

1.6 A recurring comment from all our witnesses has been the importance of the role of the immediate team manager in managing absence and promoting a culture of good attendance. Line managers must consider good attendance management as important a function as good budgetary management. It is not acceptable for managers to see it as a function handed over to HR.

1.7 ASDA has a saying; "Hire for attitude – train for skill". ASDA head office will not allow promoted staff, who are to manage staff, to take up post until they have completed all the required staff

Conclusions and Recommendations



management training including the management of sickness absence.

- 1.8 We consider the successful training of team managers to be crucial. We believe that training should focus particularly on early interventions, getting the first stages right and developing pathways back to work. All our witnesses stressed the importance of making early interventions when someone is off sick and not to allow a situation to drag on. We were pleased that this ethos is supported by Trade Unions as it removes the fear managers may have that early intervention could be perceived as bullying.
- 1.9 Historically there has been a tendency for officers to be promoted on their technical merit with little or no thought as to their ability to effectively manage their human resources. We were given an interesting statistic from Steve Sumner, (Local Government Employers' (LGE) National Health and Safety Policy Adviser) who stated that 75% of people "leave their line manager not their job". We are convinced that the key to the success of our policies lies in the ability of local team leaders to be able to apply them correctly and to be confident and skilled enough to be able to make early interventions when staff go off sick.

Recommendation 1

That the Council's most senior officers instil a culture where team leaders are expected , and are equipped with the skills, to take responsibility for the attendance management of their staff.

- 1.10 Team managers with human resource skills are also best placed to create a working environment where people want to work and where people think twice about being off because of the impact it has on colleagues. We support the Council's aspirational culture of "The Council's business is my business." We consider this to be very important. Whilst we might not be able to obtain an employee's loyalty to a monolithic organisation the size of Leeds City Council, we should be obtaining peoples' loyalty to their immediate service area and colleagues. People should be made aware of the impact of their absence both on their service area and on the colleagues who have to cover for them. This should start at induction and continue throughout a person's career.
- 1.11 Managers should also keep job design under regular review and made a key part of appraisal discussions to help motivation and morale and to create a spirit of team working.

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Recommendation 2

That all staff recognise their responsibility to foster a culture where good attendance is expected and where unjustified absence will not be tolerated

- 1.12 We discussed at length the reasons why some people took random days off for minor illnesses, whilst others did not. It is clear that there are a myriad of reasons why some employees will struggle to work whilst nursing minor illnesses whilst others will not. It is also likely that people will use sick days to manage some domestic difficulty. We feel it is important to establish the causes of non-attendance and get beneath the statistics. We recommend therefore that HR, in conjunction with Trade Unions, run focus groups to find out what individuals are saying about their attendance habits.

Recommendation 3

That HR in conjunction with Trade Unions run focus groups to find out what individuals are saying about their attendance habits.

- 1.13 We acknowledge that the Council offers various flexible working schemes ranging from standard flexi time working to

annualised hours and compressed hours. This clearly helps staff find the right work/life balance and reduces the need for people to take sick days for domestic purposes. Having spoken to ASDA and the Council's Chief Environmental Services Officer, we are interested in the concept of 'shift swaps'. This is an arrangement whereby staff can swap shifts with colleagues to accommodate non-work commitments. We acknowledge that this will not be applicable for all services however we believe that further investigation should be made as to whether the Council can add this facility to its flexible working scheme. Having discussed this with the Council's Chief Environmental Services Officer we are of the view that a pilot should be run within Environment and Neighbourhoods to test its application.

Recommendation 4

That the Council pilots a 'shift swap' scheme within Environment and Neighbourhoods.

- 1.14 When representatives from the Leeds Teaching Hospitals NHS Trust came to see us we were struck by the similarities of the issues they also faced, particularly around the skill levels of local managers, early

Conclusions and Recommendations



intervention and the importance of fostering an attendance culture. We believe there is an opportunity to work more closely with colleagues at the Leeds Teaching Hospitals NHS Trust in order to share best practice and this should be actively pursued. We would also encourage the development of a wider network of professionals from other organisations in order to share best practice.

Recommendation 5

That the City Council in the first instance develops formal links with Leeds Teaching Hospitals NHS Trust to share best practice in the area of attendance management and that consideration is given to Leeds City Council leading on the development of a wider 'best practice' network

- 1.15 The Council should continue to be an exemplar in attempting to pro-actively improve the health and well-being of its workforce. This recognises not only the effect on attendance and productivity in work, but the affect it will have on families and communities. We heard examples of what the Council is doing through its Happy, Healthy and Here Programme for example new Occupational Health Service; rehabilitation and early return to work pilots;

Health Awareness Weeks and Vielife. Vielife is an organisation that provides an innovative approach to health and performance by specialising in increasing the ability of people and organisations to be healthier, more effective and more productive. They achieve this through providing tailored lifestyle planning together with practical health and well-being services to the public and private sector.

- 1.16 We also believe that the City Council should continue to work with the Healthy Leeds Partnership to coordinate the many health and well- being initiatives and pilots operating in the city. The recent joint appointment of a Workplace Health Improvement Specialist with the Primary Care Trust is endorsed by Scrutiny and is well placed to drive this shared agenda. The recent work on a 'Year of Workplace Health' across Leeds is a good example of this in action.

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Recommendation 6

That the Council continues with its pro-active approach to health and well-being under the Happy, Healthy and Here Programme. In particular, it would encourage careful evaluation of pilots such as Vielife and rehabilitation and return to work, to see if there is merit in rolling them out across the Council.

It is also important that the Council is aware of its role and influence as an exemplar employer across the City and we would encourage the City Council to work with the Healthy Leeds Partnership to coordinate existing and develop new health and well-being initiatives across the city. The new Workplace Health Improvement Specialist should be supported in their role in making this happen.

1.18 The Government has committed to help support employers develop *Fit for Work* services in a programme of piloting. We believe the new Occupational Health Service with its emphasis on prevention and rehabilitation, moving away from the traditional medicalising of absence, has many of the elements of a *Fit for Work* service. We therefore recommend that this is built upon and that the Council becomes a *Fit for Work* pilot area. We would envisage this being achieved through the Healthy Leeds Partnership and Leeds GPs

Recommendation 7

That the City Council actively pursues becoming a *Fit for Work* pilot area.

Supporting people back to work

1.17 Dame Black's report talks about the need for people in the early stages of sickness absence to receive support in order to reduce longer-term or repeated episodes of absence and recommends a *Fit for Work* service. Based on an individual case managed multidisciplinary approach a *Fit for Work* service provides an action plan for achieving recovery, with a focus on a return to *appropriate* work as part of that recovery process.

1.19 We believe the City Council, due to its sheer size, has enormous potential to facilitate a person's return to work. We do not support the view that it is inappropriate to be at work unless 100% fit, nor do we believe that being at work impedes recovery. It is our view that it is better for one's health to be in work. We therefore strongly support the concept of "fit notes". That is, understanding what duties a person *can* undertake rather than not. With the impending introduction of the fit note it is

Conclusions and Recommendations



imperative that the Council embraces the concept of making reasonable adjustments to a person's job in order to get them back into work.

Recommendation 8

That the introduction of fit notes is endorsed and implemented as soon as is possible.

Recommendation 9

That the City Council explores practical ways in which jobs may be adjusted in order to respond to fit notes and therefore encourage return to work.

Monitoring arrangements

- Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

Evidence



Reports and Publications Submitted

- Working for a healthier tomorrow – Dame Carol Black’s Review of the health of Britain’s working age population - March 2008
- Improving health and work: changing lives. The Government’s response to Dame Carol Black’s Review of the health of Britain’s working-age population
- CBI/AXA Absence and Labour Turnover Survey 2008 - Summary of Findings
- Overview and Scrutiny Committee - Inquiry into Safety, Wellbeing and Attendance – March 2006
- Report of the Director of Resources - April 2008 - Detailed Attendance Analysis
- Report of the Director of Resources - December 2007 - Update on the Development and/or Roll-out of New HR-Related Policies/Procedures.
- Report of the Director of Resources - November 2007 - Sickness Absence

Witnesses Heard

- Professor Dame Carol Black - National Director for Health and Work, Chairman of the Academy of Medical Royal Colleges and Chairman of the Nuffield Trust.
- Steve Sumner - Local Government Employers’ (LGE) National Health and Safety Policy Adviser
- Councillor Richard Brett – Executive Member – Central and Corporate
- Stuart Price – HR Officer - ASDA
- Chris Ingham - Deputy Head of HR - Human Resources
- Andrew Mason – Chief Environmental Services Officer
- Rachael Allsop, Director of Human Resources, The Leeds Teaching Hospitals NHS Trust
- Dick Banks – UNITE
- Steve Terrington - UNITE
- Michelle Robb – GMB
- Dave Noble – UNISON

Dates of Scrutiny

- 7th July 2008 – Scrutiny Board
- 8th September 2008 – Scrutiny Board
- 3rd November 2008 – Scrutiny Board
- 6th January 2009 – Scrutiny Board
- 29th January 2009 – Working Group
- 2nd March 2009 – Working Group
- 6th April 2009 – Scrutiny Board



Report of the Head of Scrutiny and Member Development

Scrutiny Board (Central and Corporate Functions)

Date: 6th April 2009

Subject: Draft Report – Procurement of Services Inquiry

| | |
|----------------------------------|---|
| Electoral Wards Affected: | Specific Implications For: Equality and Diversity <input type="checkbox"/> Community Cohesion <input type="checkbox"/> Narrowing the Gap <input type="checkbox"/> |
|----------------------------------|---|

1.0 Introduction

- 1.1 At its meeting on 9th June 2008, Scrutiny Board (Central and Corporate Functions) resolved to undertake an Inquiry into the procurement of services. The Board was particularly interested in how the authority measures the value for money received from external service providers; how quality is ensured; and how the ethical framework of the Council is translated within contracts.
- 1.2 The Board's starting point was to better understand the business case for the proposed development of a One Council Commissioning Framework and particularly to understand how this Framework would address elected Members perennial concerns over contract management.
- 1.3 The Board has now produced a draft final report which includes a number of recommendations.

2.0 Consultation

- 2.1 Scrutiny Board Procedure Rule 14.3 states that "where a Scrutiny Board is considering making specific recommendations it shall invite advice from the appropriate Director(s) prior to finalising its recommendations. The Director shall consult with the appropriate Executive Member before providing any such advice" To this end Councillor Brett has offered the advice below.

Recommendation 1

I have my doubts about what such detailed scrutiny would achieve. Without evidence of failure or mismanagement scrutiny should be more strategic.

Recommendations 2, 3, 4 and 6

I accept.

Recommendation 5

I would worry that a 'certificate of competency' is bureaucracy which is not needed or helpful. I accept building capacity through RIEP.

2.2 Once the Board publishes its final report it will be presented to the Executive Board for a formal response.

3.0 Recommendations

3.1 The Board is requested to:-

- (i) Agree the Board's final report and recommendations.
- (ii) Submit the report to the Executive Board for a formal response.

Background papers

None



Leeds
CITY COUNCIL

Procurement of Services

Draft

Scrutiny Inquiry Report

Introduction and Scope



Introduction and scope

- 1 At its meeting on 9th June 2008, Scrutiny Board (Central and Corporate Functions) resolved to undertake an Inquiry into the procurement of services. The Board was particularly interested in how the authority measures the value for money received from external service providers; how quality is ensured; and how the ethical framework of the Council is translated within contracts.
- 2 Our starting point was to better understand the business case for the proposed development of a One Council Commissioning Framework and particularly to understand how this Framework would address elected Members perennial concerns over contract management.

Conclusions and Recommendations



Conclusions and Recommendations

- 3 The procurement of goods, services and works is a major part of the City Council's business, accounting for over £700 million of expenditure. It is not surprising, therefore, that a great deal of attention is focused on ensuring value for money.
- 4 Procurement is an activity that is shared across all Directorates. It ranges from small-scale, routine purchases to large and/or high-risk projects. The role of the Procurement Unit within this process is by no means straightforward. It performs the dual role of gatekeeper and also enabler and facilitator for Council Directorates seeking to procure contracts. On occasion, it is the Procurement Unit that will have the expertise in a given area, certainly in relation to what can and cannot be done and the correct processes to be followed, however on other occasions it will be a Directorate where, quite properly, the expertise and specialist knowledge specific to service delivery will exist. The key to successful procurement is therefore around successful partnership working.
- 5 However, much procurement activity is undertaken by staff who are not specialists in this area of work. We endorse therefore the concept of a One Council Commissioning Framework. In our view, the business case for why a one-council approach is needed is clear. The framework, as described to us, provides a clear methodology for approaching the commissioning cycle; clear guidance on the decision-making process; additional corporate support on commissioning; sets out a commissioning framework so that our potential partners and providers are clear on our approach; and provides an opportunity to share good practice in a more structured way.
- 6 There is provision in the Council's Constitution for ensuring that contracts let do meet the Council's compliance regulations and are subject to appropriate scrutiny and transparency. Whilst we did not come to any firm conclusions on the governance arrangements for the One Council Commissioning Framework, we recommend that further work is undertaken to ascertain whether the Framework can be embedded within existing Constitutional arrangements, for example, Contracts Procedure Rules or Financial Procedure Rules. This could involve the introduction of a formalised role for Scrutiny. For example each contract could have a Contract Supervising Officer who is responsible for the way that contract is managed. That person could be held to account by Scrutiny where contracts are managed poorly.

Conclusions and Recommendations



Recommendation 1

That further work is undertaken by the Chief Procurement Officer to ascertain whether the One Council Commissioning Framework can be embedded within existing constitutional arrangements. This could involve a formalised role for Scrutiny.

- 7 The One Council Commissioning Framework has within it two important elements which have been the focus of our inquiry.
- 8 The first element of interest has been the concept of 'Category Management'. Category Management recognises the very different approaches required (and challenges faced) when commissioning the full range of Council goods, works and services. This approach (rather than a 'directorates' approach) reinforces the One Council ethos.
- 9 We believe a Category Management approach will 'bring into line' directorate resources and 'central' resources to focus on specific key spend areas or categories and identify management/responsibilities within those categories. We would recommend that the Chief Procurement Officer is given responsibility for the successful development of the Category Management approach.

Recommendation 2

That the Chief Procurement Officer is given responsibility for the successful development of the Category Management approach.

- 10 We recommend that Category Management plans for key spend areas are also developed. These plans should cover up to a 3 year period and detail what the Council plans to commission in those areas; what resources will be required to commission and manage the arrangements; and how efficiencies will be made in those spend areas.

Recommendation 3

That Category Management plans for key spend areas are developed by the Chief Procurement Officer. These plans should cover up to a 3 year period and detail what the Council plans to commission in those areas; what resources will be required to commission and manage the arrangements and how efficiencies will be made in those spend areas.

- 11 We also recommend the identification of Category Managers responsible for specific categories, who will engage with the relevant

Conclusions and Recommendations



parts of the Council who spend in that category area.

Recommendation 4

That a Category Manager is identified for each category, who will be responsible for that category and will engage with the relevant parts of the Council who spend in that category area.

12 A Category Management approach will also, in our view, address the need for the authority to be more 'market savvy'. It became apparent in our discussions that our knowledge of available markets in some areas was deficient.

13 Category Management will focus the Council's mind on developing supplier and provider intelligence. Thus we would be looking for improvements in supplier and market development, strategic partnerships, supplier engagement and contract compliance.

14 In our minds, contract compliance is a significant area for improvement.

15 Across public procurement networks the issue of poor contract compliance and management has become known as the 'let and forget' concept. This refers to the fact that considerable effort goes into procuring or commissioning a service up to the point where the

contract is let, but then relatively little effort goes into managing the contract arrangement throughout the contract period.

16 We were told that the common reasons for this include:

- different resources being used at the procurement stage and the contract management stage with no continuity between the stages;
- not enough resource being allocated to contract management duties;
- available resources not being targeted to best effect;
- staff not having the correct skills and competencies or being unaware of the requirements of the service specification/contract.

17 It is our view that where a contract is poorly managed and monitored, as well as increasing the chances of poor service delivery and increased costs during the life of the contract, the opportunity to redesign and improve the next contract by building on lessons learned is lost.

18 We are of the view that contract management could be improved by the following actions;

- At a general level through training and development on generic contract management skills. We therefore support the introduction of a 'certificate of competency' and

Conclusions and Recommendations



its modular approach to training. A modular approach helps officers identify the relevant competencies they should have in relation to their role in the commissioning cycle. We would also recommend using a case study approach to demonstrate good examples of contract management across the Council and identifying what makes them good examples then building that into guidance and training.

- At an individual project level, incorporating contract management in the pre-contract procurement phase of a project. For complex or high risk services, there should also be a Contract Management Plan in place alongside the specification. This plan should identify the level of resource to be assigned to contract management; any training requirements; contract priority areas; and approaches to be adopted.
- At a regional level, taking a collaborative approach to addressing capacity and capability problems around contract management. We note that the region's Councils have already identified 'contract management' as one of the priority areas should they be successful in securing funding as part of the Yorkshire and Humber's Regional Improvement and Efficiency Plan (RIEP).

Recommendation 5

That a 'certificate of competency' is developed and introduced for officers involved in procurement.

That contract management is incorporated in the pre-contract phase of all projects and that complex or high risk services also include the development of a Contract Management Plan identifying resources to be assigned to contract management and any training requirements.

That a regional approach is taken to addressing capacity and capability problems around contract management, using Yorkshire and Humber's Regional Improvement and Efficiency Plan (RIEP) funding to facilitate improvements.

- 19 The second element of our Inquiry has been around the concept of socially responsible commissioning, particularly around equality. The Equality and Diversity Scheme 2008 – 2011 has priority outcomes relating specifically to procurement.

Conclusions and Recommendations



| Outcomes | Actions |
|--|---|
| All organisations commissioned to deliver services meet the duties within the relevant equality legislation | Develop and rollout equality assurance and impact assessments within procurement |
| Our staff have the skills, understanding and confidence they need to ensure that through procurement arrangements organisations we commission to deliver our services meet duties within relevant equality legislation | Develop and deliver training programme for all procurement staff to ensure they know, understand and implement our equalities duties in awarding contracts for functions, goods and services. |

20 At a number of stages within the procurement process there is an opportunity to influence contractors regarding equality, diversity and cohesion considerations. The stages included are: Pre qualification, Specification, Tender, Contract award and Contract monitoring.

21 However, there is currently no formal structure within which to ensure that this takes place. There is too much reliance on an individual's personal knowledge of equality and diversity. Also, less account is taken of equality and diversity issues where contracts do not involve service provision.

22 Whilst initial work on the Equality Assurance process indicates that it is influential in embedding equality within the procurement process, it is vital to fully evaluate equality assurance following the full procurement cycle. This would need to be led by Procurement and involve contractors, service managers and the Equality Team.

23 We were told that a number of principles have been established as key to making changes in this area around equality and diversity. These are initial areas only and could be developed further based on the approaches adopted from this point on.

24 We recommend that further discussion and agreement needs to take place on the most appropriate way forward to influence contractors' employment practices, which promotes our legal equality duties and helps achieve our Equality and Diversity Scheme.

Recommendation 6

That further discussion and agreement takes place on the most appropriate way forward to influence contractors' employment practices, which promotes our legal equality duties and helps achieve our Equality and Diversity Scheme.

Evidence



Monitoring arrangements

- Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

Reports and Publications Submitted

- Report of the Chief Procurement Officer – October 2008
- Report of the Chief Procurement Officer – December 2008
- Report of the Chief Procurement Officer and Strategic Equality Manager – February 2009

Witnesses Heard

- Wayne Baxter – Chief Procurement Officer
- Anne McMaster – Strategic Equality Manager – Equality Team

Dates of Scrutiny

- 7th July 2008 – Scrutiny Board
- 6th October 2008 – Scrutiny Board
- 1st December 2008 – Scrutiny Board
- 2nd February 2009 – Scrutiny Board



Report of the Head of Scrutiny and Member Development

Scrutiny Board (Central and Corporate Functions)

Date: 6th April 2009

Subject: Draft Report – Member Development Inquiry

| | |
|---|--|
| <p>Electoral Wards Affected:</p> | <p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p> |
|---|--|

1.0 Introduction

- 1.1 In 2007 Leeds City Council was awarded the Improvement and Development Agency's 'Charter for Member Development'. This award recognised the Council's commitment in supporting its Members to fulfill their roles and build capacity. However, whilst acknowledging the quality and effectiveness of Leeds' provision, the external assessors stressed the importance of continuous improvement. Their report made a number of suggestions, including the recommendation to undertake a Scrutiny review of Member Development.
- 1.2 Terms of reference were agreed by the Board in July 2008 and an Inquiry took place over two sessions held in December 2008 and February 2009.
- 1.3 The Board has now produced a draft final report which includes a number of recommendations.

2.0 Consultation

- 2.1 Scrutiny Board Procedure Rule 14.3 states that "where a Scrutiny Board is considering making specific recommendations it shall invite advice from the appropriate Director(s) prior to finalising its recommendations. The Director shall consult with the appropriate Executive Member before providing any such advice" The detail of this advice is shown below.
- 2.2 The Chief Democratic Services Officer has indicated that there is no specific advice that he wishes to provide at this stage other than to point out that the implementation of recommendation three is not within his influence. Councillor Brett as responsible Executive Board Member has also indicated that there is no specific advice that he wishes to provide at this time.

2.3 Once the Board publishes its final report it will be presented to the Executive Board for a formal response.

3.0 Recommendations

3.1 The Board is requested to:-

- (i) Agree the Board's final report and recommendations.
- (ii) Submit the report to the Executive Board for a formal response.

Background papers

None

Member Development Scrutiny Inquiry Report

Introduction and Scope



Introduction

1. Development activities for elected Members have always taken place at Leeds. However, the implementation of the Local Government Act 2000 meant that councillors were facing new pressures and challenges. In October 2000, the Council (through the leaders of three main political groups) signed up to the Local Government Information Unit's (LGIU) Councillor Development Charter and the Improvement and Development Agency's (IDeA) Charter on Member Development. This culminated in the Council being awarded the Improvement and Development Agency's 'Charter for Member Development' in 2007.
2. This award recognised the Council's commitment in supporting its Members to fulfill their roles and build capacity. However, whilst acknowledging the quality and effectiveness of Leeds' provision, the external assessors stressed the importance of continuous improvement. Their report made a number of suggestions, including the recommendation to undertake a Scrutiny review of Member Development.

Scope of the inquiry

3. We agreed to focus our inquiry on making an assessment of and,

where appropriate, recommendations on the following areas:

- Extent to which Member Development is Member-led;
- Provision of resources and budget to support the function;
- Effectiveness of the Member Development Strategy and existing training provision for Members;
- The Council's ability to gain CharterPlus

Conclusions and Recommendations



Conclusions and Recommendations

The extent to which Member Development is Member-led

- 1 The first Member Development Strategy was launched in April 2004. The focus of the Strategy was on the following areas:
 - Delivering effective induction;
 - Encouraging role-specific development (e.g. for Planning or Licensing Members);
 - Provision of a wide-ranging series of briefings and seminars;
 - Meeting the personal development needs of individual Members.
- 2 For the rest of that year and into 2005, the Member Development Officer continued to roll out the objectives of the Strategy, and a comprehensive events programme was put in place.
- 3 Although a popular events programme was in place, there was a growing sense that a large proportion of Members across all groups were not fully engaged with the Member Development process. This prompted discussion around the level at which Members themselves were influencing learning and development solutions and also ownership of the Member Development process.
- 4 One of the key obligations required of an authority when aspiring to obtain the Member Development Charter was the commitment to the principle of a Member led, strategic approach to elected Member development.
- 5 In late 2005, the Member Management Committee established a Working Group of Members with a remit to focus purely on Member Development and formulate recommendations back to Member Management Committee for endorsement. The Member Development Working Group was duly formed, and consisted of one Member (a deputy Whip) from each of the 4 main political groups. The Member Development Working Group held its first meeting on 19th December 2005 and meetings have continued regularly since that date. The Group is currently chaired by Cllr Graham Latty and includes Councillors Bentley, Ann Blackburn and Dowson. Other political groups and independent Members are kept updated via regular reports and emails from the Member Development Officer on Member Development activity.
- 6 The establishment of the Member Development Working Group has shown a willingness to work together across political boundaries to improve the skills, knowledge and understanding of Councillors.

Conclusions and Recommendations



- 7 We consider the Group to be working extremely well and acknowledge its role in shaping the current Member Development Strategy and the influence it has on Member development activities. It is our view that this very successful partnership between the Member Development Working Group and the Member Development Officer should be maintained and nurtured.

indicates a substantial resource investment in, and for, the ongoing support for Member Development, which is viewed as a key 'strand' of the Corporate Improvement Plan. In addition to the staffing budget the Council allocates an annual budget of £7,590 to purchase learning activities and materials.

Provision of resources and budget to support the function

- 8 The creation of a dedicated Member Development Officer post and administrative support

- 9 The table below shows a comparison of local authority spend on Member Development (*excluding staffing costs*):

Core Cities

| Core City | £ pa (in 000s) | No. Cllrs | Av. Spend per head (£) |
|--------------|----------------|-----------|------------------------|
| Birmingham | £10 | 120 | £83 |
| Bristol | £52 | 70 | £743 |
| Leeds | £7.5 | 99 | £76 |
| Liverpool | Under review | 90 | |
| Manchester | Under review | 96 | |
| Newcastle | £70 | 69 | £1014 |
| Nottingham | £16 | 55 | £290 |
| Sheffield | £40 | 84 | £488 |

West Yorkshire Authorities

| Authority | £ pa (in 000s) | No. Cllrs | Av. Spend per head (£) |
|--------------|----------------|-----------|------------------------|
| Bradford | £30* | 89 | £337 |
| Calderdale | £30 | 51 | £588 |
| Kirklees | £8 | 69 | £116 |
| Wakefield | £22** | 63 | £350 |
| Leeds | £7.5 | 99 | £76 |

* provisional sum for 2009-2010. Budget previously split by political group.

**includes conferences

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10 We acknowledge that the Leeds figure does not explain the full picture. The majority of learning and development activities are sourced in-house, through officers within Democratic Services or other service areas. The annual lunchtime seminar programme for example is almost exclusively funded by service areas. We were told that a crude calculation of the amount of development members receive 'in kind' from Directorates, that is not funded directly from the Member Development budget, would be in the region of £5,000.

11 While this comparison demonstrates the cost- benefits and extent to which learning and development activities can be provided in-house, it does not account for the fact that internal officers, while skilled in their field of expertise, are generally not 'trainers' and therefore not subject to the quality checks and evaluation regimes of professionally qualified trainers. The other benefits of using external trainers include: opportunity for challenge, objectivity and the chance for Members to learn from other organisations (both private sector and local government).

12 Whilst there may be a case for providing more external support we acknowledge that this would not be realistic in the current economic climate. **We are therefore happy with the resource allocation**

given to Member Development.

However the Council needs to provide more training and support to officers who deliver in-house learning and development activities to Members so that such activities are interactive, engaging and cater for a Member audience. We recommend therefore that the Member Development Officer discusses with Directors how such training and support mechanisms could be developed.

Recommendation 1

That the Member Development Officer discusses with Directors how training and support mechanisms for officers delivering learning and development activities for Members could be developed.

Effectiveness of the Member Development Strategy and existing training provision

13 In our view, two key indicators measure the success of the Member Development function. The first is the level of take up by Members in learning and development activities. The second is the return of investment in terms of Member improvement .

14 The data we were presented with was impressive in terms of, variety of topics covered and learning

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methods employed. However, it is apparent that there is disengagement by a small number of Members from the whole Member development process. We were advised by Mike Leitch, former Head of Service (Learning & Consultancy) - Local Government Yorkshire and Humber, that this problem is common in every local authority assessed against the Charter standard, and one quite difficult to change. The reasons given for this lack of attendance included constraints on an individual's availability due to work and family commitments and, on occasion, the unwillingness to admit that engagement in targeted development activity might improve individual performance.

- 15 An analysis of attendance at learning and development events during 2007-2008 show the following trends:
- 20% of elected Members were highly engaged with Member Development activities in 2007-8, attending two or more events per month;
 - 16% of elected Members did not attend any learning and development events in 2007-8;
 - Of the 16 Members considered to be relatively disengaged with the Member development process, 6 were Labour, 5 were

Liberal Democrat, 4 were Conservative and 1 was from another political group.

- Further analysis of the 'disengaged' group has shown that the majority are long-serving Members, often in senior roles in Council or within their political group.
 - Only 20 Members completed a Personal Development Plan in 2007-8.
- 16 Statistics for 2008-9 show similar trends, although the Personal Development Plan process (which is currently underway) has shown a better return so far.
- 17 We discussed the reasons why learning and training does not feature high on some Members agenda and how the Council could raise levels of interest and engagement.
- 18 Our first consideration was around practicalities. We discussed whether there were too many events. We acknowledge that in the past this might have been the case. However, the Member Development Working Group has worked hard on reducing these and developing a programme which is relevant and focused. We are confident that there is now Member input to the learning programme. In particular, seminars reflect what Members want and not what

Conclusions and Recommendations



officers consider is needed. This has undoubtedly improved Member buy in.

- 19 We recognise that the format of events is difficult to get right for everyone. We acknowledge for example that the Labour Group would prefer presentations and briefings as part of their group meetings. Our view on this is that while there is some merit in offering events within groups, it is vital to run the majority of learning on a cross party basis. This approach helps to achieve economies of scale and allows Members to learn together in an apolitical environment. This approach is also a requirement of the Charter.
- 20 We acknowledge that the Member Development Working Group recognises these issues and that the development of innovative and flexible approaches in delivering activities which are timely, current and informative continues to be high on its agenda.
- 21 It is our view that the most effective way of increasing Member engagement is the designing of learning plans which allow for personalised learning. With this in mind, we consider the role of the Personal Development Plan (PDP) to be crucial.
- 22 PDPs are offered to all Members, however, take up currently stands at only 21 out of 99 Members.

- 23 To improve this figure we recommend that the Member Development Officer works proactively with Group Support Managers in increasing the number of completed PDPs in 2009/2010.
- 24 We believe senior politicians and group Whips have a crucial role to play in promoting the importance of Member development. We would recommend therefore that all Executive Board Members and group Whips undertake a PDP.

Recommendation 2

That the Member Development Officer works with group Support Managers and Group Whips in a more proactive way to promote the importance of Personal Development Plans and to prepare to increase the number of completed PDPs.

Recommendation 3

That all Executive Board Members and group Whips undertake a PDP.

- 25 A major discussion area in this Inquiry has been how we evaluate the effectiveness of the learning and development activities undertaken by Members. We consider it essential that the Council benchmarks the progress

Conclusions and Recommendations



of Members, evaluates the success of our processes and ensures that we are getting the most for the money invested in learning programmes.

26 We acknowledge that it is easier in some instances to evaluate the success of learning activities over others, for example the induction training for new Members has clear measurable outcomes. However, we believe there are a number of ways in which the evaluation processes could be improved. These include sharing evaluation data with the event leaders to ensure continuous improvement and also publishing feedback on the events on the Council's Intranet site so that other Members can share learning points and determine whether events/courses would be beneficial to them. Another general recommendation would be to review the course evaluation form with the aim of capturing more feedback and useful data.

32 To determine whether learning programmes have been of use measurable improvements in performance is key. The difficulty we perceive is who best to make that judgement. Whilst there is clearly a role for group Whips, an element of self evaluation is required. There is currently in existence a planning officer/member group which assesses the effectiveness of the

Recommendation 4

That the Member Development Officer, as a matter of routine, shares feedback with event presenters and publishes event feedback on the Council's Intranet site.

That course evaluation forms be reviewed with the aim of capturing more feedback and more useful data.

planning training. We would recommend that this model is replicated to assess all role specific training.

The Council's ability to gain CharterPlus

33 The Member Development Charter will be reassessed in 2010 and Leeds has the option of going for a more stringent award; CharterPlus.

34 The impact of achieving the award is difficult to quantify, but as the aim of CharterPlus is to build elected Member capacity, adhering

Recommendation 5

That for role specific training, officer/member groups are established to evaluate the effectiveness of such training and to provide feedback to the Member Development Officer.

to the standards will deliver the following benefits:

Conclusions and Recommendations



- Members will become more effective in fundamental skill areas such as dealing with casework, making decisions, communicating with others and working with partners. This will result in reduced support costs, greater efficiency in terms of case resolution/decision-making/scrutinising etc, and thereby more satisfied constituents;
- Linking the development of individual Members to corporate strategic priorities will make it easier for the authority to achieve its aims and objectives;
- Promoting work-life balance for Councillors will encourage candidates (particularly those with caring responsibilities) to stand for election, and in this way the Council should become more representative of the public it serves;
- A nationally recognised charter-mark will achieve public recognition for real achievements measured against external standards;
- The principles and criteria laid out in CharterPlus provide a structured way to improve the effectiveness of learning and development activities and also provides a focus for the work of

the Member Development Working Group;

35 The following areas will be key to the achievement of CharterPlus

- Member Engagement. A majority of Councillors must be shown to have undertaken interviews as part of a formal personal development planning process and must be seen to engage with learning and development activities in some form;
- Members' roles are clearly set out. Role descriptions must be in place for each specific role (such as Scrutiny Chair, Executive Member etc). This document should outline knowledge and skill requirements and make links to personal development and the Council's priorities;
- Ownership of Member Development. Evidence of Members setting and prioritising the budget for Member Development must be seen, and steering groups, such as the Member Development Working Group must continue to lead the function;
- Investment in learning is evaluated in terms of benefits and impact. This should include the assessment of the impact of learning and development at community level (e.g. by asking

Conclusions and Recommendations



for feedback from partners or via a 360-degree feedback process), and undertaking exit interviews with Councillors who leave mid-term or who do not seek re-election.

- 36 It is our view that the Council is well placed to meet many of the Charterplus standards but will have to undertake significant work around Member role descriptions and improving Member engagement. We were advised that most councils in our region are aspiring to the new standards but have similar issues to Leeds.
- 37 Member Management Committee on 4th March 2009 endorsed the commitment to achieve Charterplus in February 2010. We would support this with the caveat that the final decision is made after the external pre-assessment in autumn 2009.

Recommendation 6

That the Council commits in principle to achieve CharterPlus in February 2010 and that the final decision is made after the external pre-assessment in autumn 2009.

Evidence



Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

Reports and Publications Submitted

- Report of the Member Development Officer – December 2008
- Report of the Member Development Officer – February 2009
- Written Submission – Councillor Graham Latty – Chair – Member Development Working Group
- Written Submission – Councillor Peter Gruen – Chief Whip – Labour Group

Witnesses Heard

- Kay Sidebottom – Member Development Officer
- Mike Leitch - former Head of Service (Learning & Consultancy) - Local Government Yorkshire and Humber

Dates of Scrutiny

- 7th July 2008 – Scrutiny Board
- 1st December 2008 – Scrutiny Board
- 13th February 2009 – Working Group

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (Central & Corporate Functions)

Date: 6th April 2009

**Subject: Scrutiny Board (Central & Corporate Functions) – Work Programme,
Executive Board Minutes and Forward Plan of Key Decisions**

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION

1.1 This is the last meeting of the municipal year. Attached as Appendix 1 is the work programme for this Scrutiny Board listing those issues identified by Members as areas for Scrutiny but which have not been addressed due to time constraints. Members may wish to refer these matters to the new Board in the next municipal year.

1.2 Also attached as Appendix 2 and 3 respectively are the Executive Board minutes from 4th March 2009 and the Council's current Forward Plan relating to this Board's portfolio.

3.0 RECOMMENDATIONS

3.1 Members are asked to;

- (i) Note the Executive Board minutes and Forward Plan
- (ii) Consider whether any matters in the work programme are to be referred to the new Scrutiny Board.

Background Papers

None used

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SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) - LAST UPDATED MARCH 2009

| ITEM | DESCRIPTION | NOTES | TYPE OF ITEM |
|---|-------------|-------|--------------|
| Suggested Areas for Scrutiny Currently Unscheduled | | | |
| Use of Consultants | | | RP |
| Corporate Call Centre Performance | | | PM |

Key:

CCFA / RFS – Councillor call for action / request for scrutiny

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

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LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

For the period 1 March 2009 to 30 June 2009

| Key Decisions | Decision Maker | Expected Date of Decision | Proposed Consultation | Documents to be Considered by Decision Maker | Lead Officer (To whom representations should be made and email address to send representations to) |
|--|-----------------------|----------------------------------|--|---|--|
| Design Cost Report - Cross Gates and Manston CC To inject £257k into the Children's Services Capital Programme and give authority to incur this expenditure | Director of Resources | 1/3/09 | Education Leeds, Children's Services, Providers and stakeholders city wide | Phase 3 CC Guidance Childcare Act 10 Year Strategy | Director of Resources sally.threfall@leeds.gov.uk |
| Design Cost Report - Farsley CC To inject £357k into the Children's Services Capital Programme and give authority to incur this expenditure | Director of Resources | 1/3/09 | Education Leeds, Children's Services, Providers and stakeholders city wide | Phase 3 CC Guidance Childcare Act 10 Year Strategy | Director of Resources sally.threfall@leeds.gov.uk |
| Design Cost Report - Garforth CC To inject £440k into the Children's Services Capital Programme and give authority to incur this expenditure | Director of Resources | 1/3/09 | Education Leeds, Children's Services, Providers and stakeholders city wide | Phase 3 CC Guidance Childcare Act 10 Year Strategy | Director of Resources sally.threfall@leeds.gov.uk |

| Key Decisions | Decision Maker | Expected Date of Decision | Proposed Consultation | Documents to be Considered by Decision Maker | Lead Officer (To whom representations should be made and email address to send representations to) |
|---|-----------------------|----------------------------------|---|---|--|
| Design Cost Report - Gledhow Children's Centre Design Cost report to inject £286k into the Children's Services Capital Programme and give authority to incur this expenditure | Director of Resources | 1/3/09 | Education Leeds, Children's Service, Providers and Stakeholders city wide | Phase 3 CC Guidance Childcare Act 10 Year Strategy | Director of Resources sally.threlfall@leeds.gov.uk |
| Design Cost Report - Guiseley Children's Centre Design Cost Report to inject £366k into the Children's Services Capital Programme and give authority to incur this expenditure | Director of Resources | 1/3/09 | Education Leeds, Children's Service, Providers and Stakeholders city wide | Phase 3 CC Guidance Childcare Act 10 Year Strategy | Director of Resources sally.threlfall@leeds.gov.uk |
| Design Cost Report - Moor Allerton Hall Children's Centre Design Cost Report to inject £278k into the Children's Services Capital Programme and give authority to incur this expenditure | Director of Resources | 1/3/09 | Education Leeds, Children's Service, Providers and Stakeholders city wide | Phase 3 CC Guidance Childcare Act 10 Year Strategy | Director of Resources sally.threlfall@leeds.gov.uk |
| The Provision of Unified Communications Services The tender for the above is currently being advertised and we aim to be in position to make a decision and award in April 2009. | Resources | 2/3/09 | ICT Strategic Sourcing/Legal | Tender pack/bids | Director of Resources adrian.fegan@leeds.gov.uk |

| Key Decisions | Decision Maker | Expected Date of Decision | Proposed Consultation | Documents to be Considered by Decision Maker | Lead Officer (To whom representations should be made and email address to send representations to) |
|--|-----------------------|----------------------------------|--------------------------------|---|--|
| The provision of supply of Siebel Development Resource Framework Contract The tender for the above is currently being advertised and we aim to be in position to make a decision and award in March 2009 | Director of Resources | 2/3/09 | ICT Strategic Sourcing/Legal | Tender pack/bids | Director of Resources dave.maidment@leeds.gov.uk |
| School Partnership Trust - ICT Network Development Approval to carry out capital works and incur expenditure in relation to a proposed scheme to develop an ICT network system by the School Partnership Trust for schools in Garforth and their local community. | Director of Resources | 2/3/09 | Garforth schools and community | Design and Cost Report (to be submitted) | Director of Resources tony.palmer@leeds.gov.uk |

| Key Decisions | Decision Maker | Expected Date of Decision | Proposed Consultation | Documents to be Considered by Decision Maker | Lead Officer (To whom representations should be made and email address to send representations to) |
|---|--|----------------------------------|--|--|--|
| Joint Service Centres at Kirkstall Approval sought to proceed to LIFT Stage 2 for Joint Service Centre at Kirkstall. | Executive Board (Portfolio: Central and Corporate) | 4/3/09 | Consultation will be carried out with the following groups in the preparation of the Final Business Case: LIFT / JSC Project Board, Tenant Department representatives, Planning. | The report to be issued to the decision maker with the agenda for the meeting. | Chief Officer (PPPU) david.outram@leeds.gov.uk |
| Pay and Grading Review Consideration of Pay Protection Arrangements | Executive Board (Portfolio: Central and Corporate) | 4/3/09 | Consultation is taking place with a range of internal stakeholders | The report is to be issued to the decision maker with the agenda for the meeting | Director of Resources daniel.hartley@leeds.gov.uk |
| Worklessness Pilot Project | Executive Board (Portfolio: Neighbourhoods and Housing) | 4/3/09 | Ward Members have been consulted on the business case and will be involved in the detailed development of the project. | The report to be issued to the decision maker with the agenda for the meeting | Director of Resources maggie.gjessing@leeds.gov.uk |

| Key Decisions | Decision Maker | Expected Date of Decision | Proposed Consultation | Documents to be Considered by Decision Maker | Lead Officer (To whom representations should be made and email address to send representations to) |
|--|---|----------------------------------|--|---|--|
| <p>Renewal of Liability Insurance Cover with effect from 1st April 2009 To place the annual liability insurance cover with an insurer subject to a long term agreement.</p> | Director of Resources | 4/3/09 | None | Liability Insurance Programme Tender Documents | Director of Resources robert.davison@leeds.gov.uk |
| <p>Joint Services Centres at Chapeltown and Harehills Approval sought to Submit Final Business Case to The Department of Communities and Local Government and Execute Contract</p> | Executive Board (Portfolio: Central and Corporate) | 4/3/09 | Consultation will be carried out with the following groups in the preparation of the Final Business Case: LIFT / JSC Project Board, Tenant Departments representatives, Planning. | The report to be issued to the decision maker with the agenda for the meeting | Chief Officer (PPPU) david.outram@leeds.gov.uk |
| <p>Learning disabilities staffing review To approve a revised staffing structure for the learning disability service within social care.</p> | Director of Resources, Chief Officer (HR) | 5/3/09 | Consultation has taken place with staff and their representatives. | Report to the Chief Human Resources Officer including updated job outlines. | Director of Resources paul.broughton@leeds.gov.uk |

| Key Decisions | Decision Maker | Expected Date of Decision | Proposed Consultation | Documents to be Considered by Decision Maker | Lead Officer (To whom representations should be made and email address to send representations to) |
|---|-----------------------|----------------------------------|-----------------------------------|---|--|
| <p>Employment Arrangements To make changes to various employment terms and conditions that have been identified as sources for financial savings and better customer services. This includes:</p> <ul style="list-style-type: none"> -charging for city centre car parking permits -revising the Council's Managing Work-Force Change Policy -removing fixed days for extra – statutory holidays to ensure holidays are open on “bank holiday Tuesdays”. This will provide better customer services and make savings on premium payments associated with this. | Director of Resources | 1/4/09 | Consultation with trade unions | None. | Director of Resources lorraine.hallam@leeds.gov.uk |
| <p>Calverley Parkside Primary School - Replacement of Nursery Unit with New Foundation Unit Approval to carry out hospital works and incur expenditure in relation to the proposed scheme to replace the existing school nursery unit with a new foundation unit at Calverley Parkside Primary School</p> | Director of Resources | 1/4/09 | Calverley Parkside Primary School | Design and Cost Report (to be submitted) | Director of Resources tony.palmer@leeds.gov.uk |

| Key Decisions | Decision Maker | Expected Date of Decision | Proposed Consultation | Documents to be Considered by Decision Maker | Lead Officer (To whom representations should be made and email address to send representations to) |
|---|-----------------------|----------------------------------|-------------------------------|---|--|
| Design Cost Report - Youth Capital Fund To give authority to incur expenditure of £429,000 (fully funded by DCSF). | Director of Resources | 7/4/09 | L£ cash panel of young people | Youth Matters | Director of Resources sally.threlfall@leeds.gov.uk |

NOTES

Key decisions are those executive decisions:

- which result in the authority incurring expenditure or making savings over £250,000 per annum, or
- are likely to have a significant effect on communities living or working in an area comprising two or more wards

Executive Board Portfolios

Executive Member

Central and Corporate

Councillor Richard Brett

Development and Regeneration

Councillor Andrew Carter

Environmental Services

Councillor Steve Smith

Neighbourhoods and Housing

Councillor John Leslie Carter

Leisure

Councillor John Procter

Children's Services

Councillor Stewart Golton

Learning

Councillor Richard Harker

Adult Health and Social Care

Councillor Peter Harrand

Leader of the Labour Group

Councillor Keith Wakefield

Leader of the Morley Borough
Independent Group

Councillor Robert Finnigan

Advisory Member

Councillor Judith Blake

In cases where Key Decisions to be taken by the Executive Board are not included in the Plan, 5 days notice of the intention to take such decisions will be given by way of the agenda for the Executive Board meeting.

EXECUTIVE BOARD

WEDNESDAY, 4TH MARCH, 2009

PRESENT: Councillor A Carter in the Chair

Councillors R Brett, J L Carter, R Finnigan,
S Golton, R Harker, P Harrand, J Procter,
S Smith and K Wakefield

Councillor J Blake – Non Voting Advisory Member

207 Exclusion of the Public

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated exempt 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 public were present there would be disclosure to them of exempt information so designated as follows:

- (a) Appendix 1 to the report referred to in minute 211 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because publication could prejudice the Council's commercial interests by prejudicing sensitive negotiations currently underway with private sector investors to secure a contribution to the schemes.
- (b) Appendix 1 to the report referred to in minute 214 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosure on the grounds that it contains commercially sensitive information about the respective financial and business affairs and commercial positions of the Council and Bidders.
- (c) The appendix to the report referred to in minute 225 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains information relating to ongoing negotiations that are confidential and/or commercially sensitive. In these circumstances it is considered that the public interest in not disclosing this information outweighs the interests of disclosure.

208 Declaration of Interests

Councillor Brett declared a personal interest in the item relating to Brooksbank – Completion of Residential Care Strategy (minute 223) as a member of Burmantofts Senior Action Management Committee.

Councillor Wakefield declared personal interests in the items relating to The National Challenge and Structural Change to Secondary Provision (minute 217) and the Machinery of Government Changes and 14-19 Commissioning (minute 218) as a governor of Leeds City College and Brigshaw School.

Councillors J Procter, Harrand and Blake declared personal interests in the item relating to the City Varieties Music Hall (minute 222) as members of the Grand Theatre and Opera House Board.

Councillor Blake declared a personal interest in the items relating to the Joint Strategic Needs Assessment (minute 224) and Joint Service Centres (minute 225) as a non-Executive Director of Leeds NHS Primary Care Trust.

Councillor Finnigan declared, in relation to minute 225, that as a member of the Plans Panel (East) he had been involved in the planning approvals for the Chapeltown Centre.

209 Minutes

RESOLVED – That the minutes of the meeting held on 13th February 2009 be approved.

210 Chair's Announcement

The Chair reported on discussions which he had had with ITV in connection with local job losses at the company and the intention of the Council to work with the company and former employees to ameliorate the situation.

DEVELOPMENT AND REGENERATION

211 Refurbishment of Kirkgate and Bond Street, Leeds City Centre

The Director of City Development submitted a report on the proposed scheme design for the refurbishment of the pedestrianised section of Kirkgate that is bounded by Briggate and Vicar Lane and the refurbishment of Bond Street. Following consideration of appendix 1 to this report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

RESOLVED –

- (a) That approval be given to the scheme design as outlined in the report.
- (b) That approval be given to the injection of funding into the Capital Programme together with authority to incur expenditure as identified in the exempt appendix to the report.

212 Legible Leeds Project

The Director of City Development submitted a report on proposals to improve the legibility of Leeds City Centre by investing in the pedestrian wayfinding system.

RESOLVED –

- (a) That approval be given in principle to the phased implementation of a new contemporary on-street wayfinding system, the first phase focusing on the central retail area, as indicated in the report;
- (b) That the Director of City Development be requested to work up a detailed design and costed programme of works, and to progress funding proposals to a total cost of £1,200,000.

213 The Former Headingley Primary School

Referring to minute 115 of the meeting held on 14th November 2007 the Director of City Development and the Director of Environment and Neighbourhoods submitted a joint report detailing a proposal of Headingley ward members, on behalf of the Headingley Development Trust, for the Council to provide £500,000 to enable the Trust to develop its 'Heart' proposal at the former Headingley Primary School.

The report contained officer commentary on the current proposal from the Trust, the risks associated with the proposal and the steps which the Council could take in mitigation of those risks should members be minded to support the proposal.

RESOLVED –

- (a) That, having regard to all that is said in paragraph 8 of the report:-
 - (i) the request from Headingley Development Trust for the transfer of the former Headingley Primary School to the Trust be approved; and
 - (ii) Council funding, in the amount of £500,000, be made available to support the scheme
- (b) That the transfer and the funding be subject to the imposition of the conditions outlined in paragraph 9.1 of the report.

NEIGHBOURHOODS AND HOUSING

214 Little London and Beeston Hill and Holbeck Round 5 PFI Housing Project - Impact of Wider Economic Changes on Project Scope

The Director of Environment and Neighbourhoods submitted a report providing an update on the procurement of the Housing PFI Project covering Little London and Beeston Hill and Holbeck, including issues arising from bids received at the 'Detailed Solutions' stage of the procurement exercise and proposed changes to the scope of the project.

The proposed changes to the scope of the project were summarised as follows:

- removal of the Development Agreement including the removal of disposal of land for construction of private homes for sale
- retention of Meynell Heights for refurbishment
- removal of three development sites in Beeston Hill and Holbeck (Waverley Garth, Malvern Rise/Grove, Cambrian Street) and two sites in Little London (Leicester Place and Cambridge Road)
- removal of parts of the Holbeck Towers and Carlton Gate sites

- reduction in PFI new build development in Beeston Hill and Holbeck from 350 to 275 units.

Following consideration of appendix 1 to the report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

RESOLVED -

- That approval be given to the changes to the PFI project scope as set out in the submitted report and in Appendices 2 and 3 thereto and that they be referred to the Homes and Communities Agency for approval.
- That the opportunity to consider land removed from the PFI project scope at this stage for alternative residential development be noted.
- That the revised timetable for the Invitation to Submit Refinement of Solutions and Final Tender stages of procurement be noted.
- That the Director of Environment and Neighbourhoods be requested to ensure that the annual review of the Lettings Policy considers options for the policy to be tailored to localised needs within the City.

215 The EASEL and West Leeds Gateway Worklessness Project

The Director of Environment and Neighbourhoods submitted a report outlining the approach taken to addressing worklessness following the Round Table discussions which had taken place with the Minister for Local Government, elected members, officers and partners.

RESOLVED – That the project, as outlined in the report, be endorsed and that a further report be brought to the Board on the outcome of the evaluation.

216 Under Occupation Scheme

The Director of Environment and Neighbourhoods submitted a report providing an update on the under occupation scheme launched in July 2008 and outlining proposals on how to encourage further customers who are currently under occupying to downsize.

RESOLVED –

- That, having noted that the scheme had released 27 homes up to January 2009, approval be given to the continuation of the scheme in 2009/10.
- That the Director of Environment and Neighbourhoods works with the Leeds ALMOs and the Belle Isle Tenants Management Organisation to increase the level of support offered to customers on the scheme.

CHILDREN'S SERVICES

217 The National Challenge and Structural Change to Secondary Provision in Leeds - Progress Report

The Chief Executive of Education Leeds submitted a report outlining recommended options for delivering the next phase in structuring secondary provision in Leeds, and in particular, the response to the National Challenge.

The report outlined options in relation to the individual elements of the Central Leeds Learning Federation, Primrose High School, City of Leeds High School, Parklands Girls' High School, Boston Spa School and Wetherby High School in Outer North East Leeds and presented two composite options dependent on the availability of BSF funding as follows:

OPTION A: If BSF Funding Is Available To Leeds

The Central Leeds Learning Federation

To propose that the Federation be dissolved and that the possibilities and opportunities of Trust developments be explored as other structural options are developed.

Primrose High School

To consult on a proposal that Primrose High School should be closed and be replaced by an Academy which should open in September 2010.

City of Leeds

To consult on a proposal that City of Leeds School should be closed and be replaced by an Academy which should open on the City of Leeds site in September 2010. To propose that the Academy be moved to new build provision in East Leeds as soon as possible and using the current site for girls only provision.

Parklands Girls High School

To consult on a proposal that Parklands Girls' High School should be closed and replaced by an Academy which should open in September 2010. It is intended that the Academy sponsor and the associated partners would help the school focus on developing academic and vocational excellence. The Academy should be moved to the City of Leeds site as it becomes available. The current site would be further developed through BSF and used for new mixed secondary provision to meet the demand for secondary places in the area.

Outer NE Leeds

To consult on a proposal to establish a federation between Boston Spa School and Wetherby High School which would move into newly-built provision in Outer North East Leeds to cater for young people living in Boston Spa and Wetherby. Such a federation could also become a sponsor for a new build provision in East Leeds with full extended services provision and incorporating community and special educational needs provision.

OPTION B: If No BSF Funding Is Available To Leeds

The Central Leeds Learning Federation

To propose that the Federation be dissolved and the possibilities and opportunities of Trust developments be explored as other structural options are developed.

Primrose High School

To consult on a proposal that Primrose High School should be closed and be replaced by an Academy which should open in September 2010.

City of Leeds

To consult on a proposal that City of Leeds School should be closed and be replaced by an Academy which should open in September 2010 and transfer to the Parklands site. To then propose to use the City of Leeds site for girls only provision.

Parklands Girls' High School

To consult on a proposal that Parklands Girls' High School should be closed and replaced by an Academy which should open in September 2010. It is intended that the Academy sponsor and the associated partners would help the school focus on developing academic and vocational excellence. The Academy should be moved to the City of Leeds site as it becomes available. The site would be used for a new Academy providing mixed secondary provision.

RESOLVED –

- (a) That, subject to additional BSF funding being available, option A above be adopted and that further reports be brought to the Board for final approval as each proposal moves to implementation.
- (b) That, in the absence of additional BSF funding, option B above be adopted and that further reports be brought to the Board for final approval as each proposal moves to implementation.

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he abstained from voting on this decision).

218 Machinery of Government Changes and 14-19 Commissioning Arrangements: Leeds/Sub-Regional Proposals

The Chief Executive of Education Leeds submitted a report on the proposed structures and governance arrangements that will form the basis for the next stage of local and sub-regional development work on the commissioning of 14-19 provision in Leeds.

RESOLVED –

- (a) That approval be given to the stage 2 Machinery of Government submission to the Department for Children, Schools and Families attached as annex 1 to the submitted report.
- (b) That the approach to establishing local authority and sub-regional level governance arrangements, as outlined in the report, be approved.

219 Proposal to Close South Leeds High School on 31st August 2009

Further to minute 142 of the meeting held on 3rd December 2008 the Chief Executive of Education Leeds submitted a report informing of the response to the statutory notice for the proposal to close South Leeds High School on 31st August 2009 and recommending the closure of the school on the same date.

RESOLVED –

- (a) That, noting that there were no responses to the statutory notice and having regard to the following four key reasons, approval be given to the unconditional closure of South Leeds High School on 31st August 2009:-
- The need to accelerate improvement, recognising that there has been improvement, but that there is a need to see this impact faster on the achievements of young people.
 - An academy would bring extra capacity (both professional expertise and other resources) to sustain improvement into the medium term.
 - In the School Partnership Trust (SPT) we have a local partner committed to sustaining and building upon South Leeds High School's contribution to the wider education community of Leeds.
 - SPT's knowledge and expertise involving local colleges, our universities, local health and social care services, the police and local businesses to improve opportunities and outcomes for young people is needed in South Leeds.
- (b) That the PFI development costs that will be incurred by the City Council arising from the closure of South Leeds High School and establishment of an Academy be noted.

220 Proposal to Close Intake High School Arts College on 31st August 2009

Further to minute 143 of the meeting held on 3rd December 2008 the Chief Executive of Education Leeds submitted a report informing of the response to the statutory notice for the proposal to close Intake High School Arts College on 31st August 2009 and recommending the closure of the school on the same date.

RESOLVED – That, noting that there were no responses to the statutory notice and having regard to the following four key reasons, approval be given to the unconditional closure of Intake High School Arts College on 31st August 2009:-

- The need to accelerate improvement. Whilst there has been improvement, there is a need to see this impact faster on the achievements of young people.
- An academy would bring extra capacity (both professional expertise and other resources) to sustain improvement into the medium term.
- Edutrust is an organisation that is geared up to maximise what Intake can learn from the family of schools in Leeds and that can supplement this with support from their network of academies.
- Edutrust's commitment to developing local communities means that there is an exciting opportunity, with a new state of the art school, to see learning becoming inspiring and accessible to everyone in Bramley, Stanningley, Armley and Kirkstall.

221 Feedback on Executive Board Requests for Scrutiny

The Head of Scrutiny and Member Development submitted a report providing feedback on the two requests made at the January meeting of the Board

Draft minutes to be approved at the meeting
to be held on Wednesday, 1st April, 2009

(Minute 175(b)) for work to be undertaken by the Scrutiny Board (Children's Services).

RESOLVED – That the response of the Scrutiny Board be noted.

LEISURE

222 City Varieties Music Hall

The Director of City Development submitted a report outlining the progress made on the refurbishment of the City Varieties Music Hall, advising of the Heritage Lottery Fund award and presenting proposals for further work to be undertaken.

RESOLVED –

- (a) That the HLF Stage 2 application award of £2,739,000 be noted.
- (b) That the Council enter into a grant agreement with the HLF on the terms and conditions detailed in the report subject to any further variations agreed by the Assistant Chief Executive (Corporate Governance).
- (c) That the decision of the Leeds Grand Theatre and Opera House Ltd Board of Management to increase their fundraising contribution to £1,261,000 to the project budget be noted.
- (d) That authority be given to incur expenditure of £8,210,000 on the refurbishment project including authority to enter into a building works contract.
- (e) That approval be given to an injection of £125,000 to the Capital Programme through an increase in the existing prudential borrowing arrangements for the purchase of the Swan Public house.
- (f) That a letter of intent be issued to carry out preliminary works, if required, to avoid delay to the project programme.
- (g) That the revised total project cost of £9,325,000 be noted.

ADULT HEALTH AND SOCIAL CARE

223 Brooksbank - Completion of Residential Care Strategy

The Director of Adult Social Services submitted a report providing an update on the progress made with respect to the Older People's long-term strategy and seeking specific approvals in respect of Brooksbank following external assessments of the building as life expired.

RESOLVED –

- (a) That the completion of the strategy approved in 2001 be noted.
- (b) That the Board agrees that Brooksbank as a building is life expired as a safe modern residential care home and declares it surplus to the requirements of Adult Social Care.
- (c) That the Director of Adult Social Care request the Asset Management Board to investigate alternative uses for the site, including its potential for an extra care scheme.

224 Joint Strategic Needs Assessment

Draft minutes to be approved at the meeting
to be held on Wednesday, 1st April, 2009

The Director of Adult Social Services and Director of Children's Services submitted a joint report presenting the Joint Strategic Needs Assessment report, the data pack and other qualitative information used to arrive at the current findings.

RESOLVED –

- (a) That the findings of the first phase of the Leeds Joint Strategic Needs Assessment be endorsed and that approval be given for publication of the report Implementing the Leeds JSNA;
- (b) That the Director of Adult Social Services and the Director of Children's Services produce further reports on at least an annual basis, to report the results of future JSNA work;
- (c) That all Directors, and in particular the Directors of Adult Social Services and Children's Services be requested to ensure that all future commissioning plans and service plans reflect the health and well being priorities identified through the Leeds JSNA process.
- (d) That the interest already shown by the three relevant Scrutiny Boards, be noted and that they be asked to keep an oversight of JSNA work within their work programmes.
- (e) That the final report of Implementing the Leeds Joint Strategic Needs Assessment Framework, as attached to the report, be circulated to all members of Council for information and reference.

CENTRAL AND CORPORATE

225 Joint Services Centres at Chapeltown, Harehills and Kirkstall

The Deputy Chief Executive submitted a report on progress on the procurement of the Chapeltown and Harehills elements of the Joint Service Centres Project and on a package of proposals from Community Ventures Limited to develop a joint service centre at Kirkstall.

Following consideration of the appendix to the report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

RESOLVED -

- (a) That the Stage 2 Offer for the Chapeltown and Harehills centres as prepared by Community Ventures Limited be acknowledged and that the Deputy Chief Executive be authorised to formally accept the offer on behalf of the Council subject to completion of a satisfactory value for money assessment, to be undertaken by the District Valuer.
- (b) That the Deputy Chief Executive be authorised to submit the Offer for the Chapeltown and Harehills centres to the Leeds Lift Strategic Partnering Board for Stage 2 Approval under the LIFT process subject to completion of a satisfactory value for money assessment, to be undertaken by the District Valuer.
- (c) That approval be given to the financial implications for the Council of entering into the Joint Service Centre Project for the Chapeltown and Harehills centres ("Project") and that the maximum affordability deficit

- to be funded by the Council for these two Centres as set out in Appendix 1 to the report be approved.
- (d) That the Deputy Chief Executive be authorised to submit the Final Business Case for the Project to the Department of Communities and Local Government subject to the District Valuer having completed a satisfactory value for money assessment, and that the Project remains within the maximum affordability ceiling set out in recommendation c, above.
 - (e) That approval be given to the arrangements to Financial Close and implementation of the Project to include (but not by way of limitation) the award of/entry into Lease Plus Agreements with Community Ventures Limited (CVL), and, in connection therewith, that the Deputy Chief Executive (or in his absence the Director of Resources) be authorised to
 - (i) make any necessary amendments to the Final Business Case.
 - (ii) give final approval to the completion of the Project, including (but not by way of limitation) the terms of the Lease Plus Agreements together with any other documentation ancillary or additional to the Lease Plus Agreements necessary for the completion of the Project (“Project Documents”), subject to
 - (C) CLG approval of the Final Business Case.
 - (D) the Deputy Chief Executive (or in his absence the Director of Resources) being satisfied that the Project remains within the affordability constraints set out in recommendation (c) above;
 - (iii) approve the signing of any necessary certificates under the Local Government (Contracts) Act 1997 in relation to the Project;
 - (iv) approve the execution of the Project Documents, by affixing the Council’s common seal and/or signature (in accordance with Articles 14.4 and 14.5 of Part 2 of the City Council’s Constitution) and to approve (or authorise any officer of the Council to take) any necessary further action following approval of completion of the Project to complete the Project including any final amendments to the Project Documents.
 - (f) That the Stage 1 Offer for the Kirkstall Joint Service Centre as prepared by Community Ventures Limited be acknowledged and that the Deputy Chief Executive be authorised to formally accept that offer on behalf of the Council subject to completion of a satisfactory value for money assessment, to be undertaken by the District Valuer and that the offer is affordable to the City Council.
 - (g) That the Deputy Chief Executive be authorised subject to a successful Value for Money Assessment and the Project being affordable to the City Council, to submit the Stage 1 Offer for the Kirkstall Joint Service Centre to the Leeds Lift Strategic Partnering Board for Stage 1 for Approval under the LIFT process.

226 Amendments to the Leeds Strategic Plan 2008-2011

The Assistant Chief Executive (Policy, Planning and Improvement) submitted a report on a number of proposed amendments to the Leeds Strategic Plan 2008-11, the Local Area Agreement for Leeds.

RESOLVED –

- (a) That approval be given to Appendix 1 to the report as the Council's proposed revisions and additions to the 'Government Agreed' targets prior to submission to Government in time for 9 March 2009.
- (b) That the Assistant Chief Executive (Planning, Policy and Improvement) be authorised to make minor amendments, if required, prior to submission to Government. Should any revisions be required, the Assistant Chief Executive will inform Members of Executive Board prior to submission.
- (c) That future reports on the realism of targets in light of the impact of the economic recession be brought to the Board.

DATE OF PUBLICATION: 6TH MARCH 2009
LAST DATE FOR CALL IN: 13TH MARCH 2009 (5.00 PM)

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on 16th March 2009).

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