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## SCRUTINY BOARD (RESOURCES AND COUNCIL SERVICES)

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Meeting to be held in the Civic Hall, Leeds, on  
Monday, 3rd October, 2011 at 10.00 am

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

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### MEMBERSHIP

#### Councillors

S Bentley	-	Weetwood;
A Blackburn	-	Farnley and Wortley;
J L Carter	-	Adel and Wharfedale;
B Chastney	-	Weetwood;
N Dawson	-	Morley South;
P Grahame (Chair)	-	Cross Gates and Whinmoor;
R Grahame	-	Burmantofts & Richmond Hill
J Hardy	-	Farnley and Wortley;
A Lowe	-	Armley;
C Macniven	-	Roundhay;
R Wood	-	Calverley and Farsley;

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

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**Head of Scrutiny and Member**  
**Development:**  
**Peter Marrington**  
**Tel: 39 51151**

# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></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>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED –</b> 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:-  <b>No exempt items on this agenda.</b></p>	

3

### **LATE ITEMS**

To identify items which have been admitted to the agenda by the Chair for consideration.

(The special circumstances shall be specified in the minutes.)

4

### **DECLARATIONS OF INTEREST**

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.

5

### **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

To receive any apologies for absence and notifications of substitutes.

6

### **MINUTES OF THE PREVIOUS MEETING**

1 - 6

To confirm as a correct record, the minutes of the meeting held on 5<sup>th</sup> September 2011

(Copy attached)

7

### **COMMERCIAL SERVICES FLEET SERVICES**

7 - 18

The purpose of this report is to appraise Scrutiny Board of the functions undertaken by Fleet Services, it's trading position, potential for income generation and the regulatory functions it undertakes.

(Report attached)

8

### **MEMBERS ICT SURVEY**

19 - 26

To consider a report by the Head of Scrutiny and Member Development setting out the results of an ICT Survey into the ICT Service

(Report attached)

9

**INQUIRY INTO EMPLOYEES DECLARATIONS OF INTERESTS - DRAFT FINAL REPORT & RECOMMENDATIONS**

27 -  
38

The Head of Scrutiny and Member Development submitted a report indicating that the Scrutiny Board (Resources and Council Services) had now completed its inquiry on Employees' Declaration of Interests which was requested by the former Scrutiny Board (City Development) and is in a position to report on its findings and its conclusions and recommendations resulting from the evidence that has been gathered.

(Report attached)

10

**FINANCIAL HEALTH MONITORING 2011/12 - MONTH 5 REPORT**

39 -  
40

To consider a report by the Head of Scrutiny and Member Development which provides information for financial health monitoring 2011/12 – Month 5 report

(Cover report attached, appendices to follow)

11

**WORK SCHEDULE**

41 -  
74

To consider a report of the Head of Scrutiny and Member Development on the Board's draft work schedule, together with the latest Executive Board minutes and Forward Plan

(Report attached)

12

**DATE AND TIME OF NEXT MEETING**

Monday 7<sup>th</sup> November 2011 at 10.00am in the Civic Hall, Leeds (Pre-meeting for Board Members at 9.30am)

# Agenda Item 6

## SCRUTINY BOARD (RESOURCES AND COUNCIL SERVICES)

MONDAY, 5TH SEPTEMBER, 2011

**PRESENT:** Councillor P Grahame in the Chair

Councillors S Bentley, A Blackburn,  
J L Carter, B Chastney, R Grahame,  
J Hardy, A Khan, A Lowe, C Macniven and  
R Wood

### 17 Chair's Opening Remarks

The Chair welcomed all in attendance to the September meeting of the Scrutiny Board (Resources and Council Services) and invited those present to introduce themselves.

### 18 Late Items

The Chair admitted to the agenda as supplementary information, a copy of the report in relation to financial health monitoring 2011/12 – month 4. The report was only being considered by Executive Board on 7<sup>th</sup> September 2011, and was therefore not available at the time of agenda despatch. (Minute No. 22 refers)

### 19 Declarations of Interest

Councillor Ron Grahame declared a personal interest in relation to agenda item 7, Financial Health Monitoring 2011/12 – First quarter report, in his capacity as a Director of East North East Homes ALMO, and as a Member of the GMB Union. (Minute No. 22 refers)

Councillor Khan declared a personal interest in relation to agenda item 7, Financial Health Monitoring 2011/12 – First quarter report, in his capacity as a Member of East North East ALMO Area Panel, and as a Member of the GMB Union. (Minute No. 22 refers)

Councillor Hardy declared a personal interest in relation to agenda item 7, Financial Health Monitoring 2011/12 – First quarter report, in his capacity as a Member of West North West Homes ALMO, and as a Member of the GMB Union. (Minute No. 22 refers)

A further declaration of interest was made at a later point in the meeting. (Minute No. 23 refers)

### 20 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Councillors Dawson and Gabriel. Notification had been received that Councillor Khan was to substitute for Councillor Dawson and Councillor Ron Grahame for Councillor Gabriel.

Draft minutes to be approved at the meeting  
to be held on Monday, 3rd October, 2011

## **21 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the meeting held on 11<sup>th</sup> July 2011 be confirmed as a correct record.

## **22 Financial Health Monitoring 2011/12 - First Quarter Report**

The Director of Resources submitted a report which presented the financial health of the authority after three months of the financial year in respect of the revenue budget and the housing revenue account.

The following officers attended the meeting and responded to Members' questions and comments:

- Doug Meeson, Chief Officer, Financial Management
- Sandie Keene, Director of Adult Social Services
- Sarah Sinclair, Deputy Director of Children's Services
- Ann Hill, Head of Finance – Adult Social Care.

In brief summary, the key areas of discussion were:

- Budget pressures facing Adult Services, particularly in relation to residential and day care costs.
- Concern about the reliability of Children's Services budget estimates and the rising cost of independent foster care and external placements.
- Investment in improvement work since the announced inspection in 2009.
- Budget priorities, including maintaining a weekly check on the number of referrals and driving down procurement costs.
- Concern about increased numbers of LCC foster carers leaving the service and the over-reliance on independent foster agencies. It was advised that a review of payments to LCC foster carers was currently taking place.
- Confirmation that the average cost of looked after children was £2,200 per week.
- The role of family group conferencing, particularly in terms of supporting the wider family network.

**RESOLVED** – That the report and information appended to the report be noted.

## **23 Best Value Review of ICT**

The Chief Officer of ICT submitted a report which informed the Scrutiny Board of the outcome of the Best Value review of ICT undertaken earlier in the year.

Appended to the report was a copy of the Best Value review, which had been undertaken by the consultancy company, Mouchel Management Consultancy.

The Chair welcomed to the meeting, Tim Bollands, Mouchel Management Consultancy, and the following officers:

- Dylan Roberts, Chief ICT Officer
- Ian Jones, Senior ICT Consultant.

In brief summary, the main areas of discussion were:

- Confirmation that Tim Bollands was attending the CLT meeting on 26<sup>th</sup> September 2011, to provide feedback on the review of ICT services.
- Concern that the IT needs of Members had not been fully met.
- Ensuring that IT training formed part of the appraisal process.
- The need to develop in-house services and other revenue streams.
- Perceived differences in attitudes across directorates in managing IT changes.
- Performance issues in relation to case management.

#### **RESOLVED –**

- (a) That the report and information appended to the report be noted
- (b) That the Scrutiny Board be provided with feedback following the discussion at CLT
- (c) That the Chair writes to the Chief Executive regarding IT training and appraisals.

(Councillor J L Carter declared interests in this item in his capacity as Director of Netpremacy Ltd and as a Partner of Solution Software. On the basis that the interests were prejudicial, he withdrew from the meeting during the consideration of the item.)

#### **24 Officer Registration of Interests 2011/12**

The Head of Human Resources submitted a report in relation to Employees' declarations of interest, which had been referred to this Scrutiny Board by the former Scrutiny Board (City Development), at its meeting held on 17<sup>th</sup> May 2011.

Appended to the report was a copy of the guidance notes in relation to 'identifying high risk posts' and 'reviewing register of interest declarations'.

The Chair welcomed to the meeting Councillor John Proctor, Chair of the former Scrutiny Board (City Development), and the following officers:

- Dave Almond, Head of Human Resources
- Neil Hunter, Head of Audit
- Mark Turnbull, Head of Property, Finance and Technology.

In brief summary, the key areas of discussion were:

- Concern that officer's registration of interests were not publicly available, particularly in light of the increase in delegated decisions and the need to apply the same rules to officers as Elected Members.
- Confirmation that the response rate from officers in high risk posts was 98%. The only outstanding responses related to those officers on career breaks, long term sickness or maternity leave.
- Legal background to officer registration of interests – reference was made to a freedom of information request involving Bolton Council.
- The resource implications associated with introducing compliance and monitoring checks.
- Confirmation that a training session was being provided in relation to the localism bill.
- Clarification whether officer's declarations of interest were included within officer delegated decision reports and the consideration of proposed changes to officers contract of employment.
- Acknowledgement that the publication of officers interests would not eliminate the risk of inappropriate activity.

#### **RESOLVED –**

- (a) That the report and information appended to the report be noted
- (b) That a report be submitted to Executive Board reflecting the Scrutiny Board's recommendations in relation to public disclosure of officer interests.

(Councillor Lowe left the meeting at 12 noon during the consideration of this item.)

## **25 Work Schedule**

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work programme for the current municipal year.

Appended to the report for Members' information was the current version of the Board's work programme, the minutes from the Executive Board meeting held on 27<sup>th</sup> July 2011, together with an extract from the Forward Plan of Key Decisions for the period 1<sup>st</sup> August to 30<sup>th</sup> November 2011.

The Scrutiny Board agreed to establish a budget working group. It was suggested that the group met on a monthly basis around the time that the monthly budget report to Executive Board was published. Members discussed focussing on a particular service directorate starting with Children's. The relevant Executive Board Member and Scrutiny Chair would also be invited to attend. Councillors Bentley, Blackburn, Hardy and Macniven expressed initial interest, however, all Scrutiny Board Members would be invited to attend in due course.

**RESOLVED –** That the work programme, as amended, be approved.

Draft minutes to be approved at the meeting  
to be held on Monday, 3rd October, 2011



**26 Date and Time of Next Meeting**

Monday 3<sup>rd</sup> October 2011 at 10.00 am with a pre-meeting for Board Members at 9.30 am.

(The meeting concluded at 12.38 pm.)

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**Report of Chief Commercial Services Officer**

**Report to Scrutiny Board (Resources and Council Services)**

**Date: 3<sup>rd</sup> October 2011**

**Subject: Commercial Services Fleet Services**

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

**Summary of main issues**

1. The purpose of the report is to inform the Scrutiny Board of the functions undertaken by Fleet Services.
2. Fleet Services is based at York Road and has 64 FTE's delivering fleet maintenance and management functions and is responsible for the safety regulation of the Councils 1200 fleet of vehicles.
3. The Service has both internal and external income streams and delivers a surplus contribution to the Resources budget.
4. Opportunities for expansion of the income base and efficiency savings for the Authority have been identified in the plans for the service.
5. Performance output targets are monitored within Fleet which allows safety, quality and cost targets to be met.

**Recommendations**

6. The Scrutiny Board (Resources and Council Services) are recommended to note the information regarding the operation of the Fleet Services Division of the Resources Directorate.

## 1 Purpose of this report

- 1.1 The purpose of this report is to appraise Scrutiny Board of the functions undertaken by Fleet Services, its trading position, potential for income generation and the regulatory functions it undertakes.

## 2 Background information

- 2.1 Fleet Services sits with the Commercial Services Group, part of Resources Directorate. It is a traded service responsible for the procurement and maintenance of around 1200 Council vehicles. It also is responsible for the safety regulation of the Council fleet, the 'Operator Licence', and contributes, through fuel management and alternative fuelling strategies in reducing carbon emissions. The service also maintains and supplies the Council's vehicle fuelling system.

## 3 Main Issues

### 3.1 Description of Service

- 3.1.1 Fleet Services is based at the former bus depot site at Torre Road (now 225A York Road). The maintenance section employs 32 Technicians working on three shift patterns which allow the facility to open from 6.00 am – midnight Monday to Thursday and 6.00 am – 6.30 pm Friday to Sunday, 362 days a year.
- 3.1.2 A further 32 staff are employed in the service to support both vehicle maintenance and fleet management functions which include, vehicle safety, fleet regulation, transport stores, technical and transport reception / administrative roles, management and supervision.

### 3.2 Main Client Base and Vehicle Types

- 3.2.1 Detailed below are the main clients for the service and number and type of vehicles operated

Client	Vehicle Types	No.s
Refuse, Street Cleansing, Waste Management	Vans/tippers/sweepers/gully tankers/RCV's / Hookloaders / Compaction machines	207
Highways	Vans / tippers / pickups / tipper-gritters / plant / trailers	153
Passenger Transport	Vans / MPV's / Minibuses / Welfare Buses	159
Property Maintenance	Vans / Tippers / Misc	176
Parks and	Vans / tippers / pickups /	112

Countryside	4 x 4 /	
Libraries	Library Buses / Vans / misc	12
Almo's	Cars / Vans / Tippers / misc	87
Schools	Minibuses	77
Libraries	Vans / Library Buses	15
Other	Various	193
	<b>Total</b>	<b>1191</b>

### 3.3 Regulatory Requirements

3.3.1 The Authority manages the Fleet for the Council through a statutory undertaking to VOSA (Vehicle Operator Services Agency) which it allows to discharge the 'Operating Licence'. The Operating Licence is needed to operate any goods carrying vehicles over 3500kg (Gross Vehicle Weight) and is governed by stringent legal requirements of which the Council must adhere to in terms of:-

- Standard and frequency of vehicle safety inspections as agreed with VOSA
- Good Repute
- Vehicle operating centres and hours of operation
- Loading / overloading
- Drivers hours compliance

### 3.4 Authorised Testing Facility

3.4.1 Fleet Services are now the first Local Authority workshops to become a designated VOSA ATF (Authorised Testing Facility) where Large Goods Vehicles are tested on site, this has allowed savings on travelling from the workshops to the existing VOSA site at Rothwell. In terms of fuel engineer / driver hours per annum the savings have been an estimated £8k and 1600 hours per annum respectively.

3.4.2 The Large Goods Vehicle MOT pass rate is currently at 93% which is much higher than the national average of 85%. This pass rate and low roadside vehicle safety check issues, ensures our operator license risk score remains at green (very low) underpinning the continued good repute earned with VOSA.

3.4.3 Fleet Services is also a designated MOT test facility for a wide variety of vehicles ranging from cars up to private buses. The MOT station not only provides MOT testing facilities for the Councils fleet but is also widely used by the general public and is regarded as impartial due to the Council being unable to carry out any work found on private vehicles during the test.

3.4.4 There are now 6 nominated testers available within Fleet Services who provide cover for all shift patterns worked and this ensures any fleet vehicle MOT test can be carried out at any point during workshop opening hours day or night.

### 3.5 Vehicle Safety Team

- 3.5.1 The vehicle safety team since they were formed have achieved the ROSPA (Royal Society for the Prevention of Accidents) Bronze, Silver and Gold awards for the Management of Occupational Road Risk.
- 3.5.2 The awards are the result of promotion and implementation of effective policies for the Management of Occupational Road Risk within Leeds City Council's health and safety systems in which we as an employer address the risk created and faced by our staff who use transport for work purposes every day.
- 3.5.3 A vehicle safety team comprising of 3 Officers are all ROSPA accredited driver assessors and carry out driver assessments for all Services. A wide variety of training is offered to Directorates and external customers. A rolling programme of training is provided and an example of 2010/11 details are attached as appendix 1.
- 3.5.4 More recently due to European Law all drivers of vehicles over 3500kg used in the course of a business must undertake a Drivers CPC (Certificate in Professional Competence) course which consists of 35 hours training within a 5 year period (before September 2014) in sessions of a minimum of 7 hours duration.
- 3.5.5 The vehicle safety team have set up a facility and dedicated training course approved by the external adjudicating body which allows them to provide the CPC course. Savings to the Authority in the region of £50k per annum have been made compared against external providers. This facility has also given the flexibility needed for the services and operational managers to function with minimal impact on the front line services.

### 3.6 Turnover and Value for Money

- 3.6.1 For the 2011/12 financial year Fleet Services approved budget is for a surplus of £626,810 (net cost of service). This is based on turnover of £12,178,270, representing a rate of return of 5.1%. This takes into account central charges amounting to £336,660 and capital charges of £135,930.

Turnover		Profit
2010 / 11	£12.0M	£448k
2011 / 12	£12.2M	£627k
2012 / 13	£12.2M (forecast)	£627k(forecast)

- 3.6.2 The financial return of the service has also seen direct budget savings to clients, as well as the bottom line on fleets own account e.g. savings to Refuse, Passengers etc., and has made contributions to the Authority's deficit through smarter procurement and asset life extensions. The details of actions and savings to date are provided in appendix 2

### 3.7 Performance and Efficiency

- 3.7.1 Fleet Services produces a yearly Service Plan contributing to the Councils overall outcomes ensuring fleet compliance, vehicle and public safety, reliability of the fleet with up to date technical support / guidance for service functions.
- 3.7.2 The service underwent a full review and fleet modernisation in 2006 with the main focus being service improvements to meet customer needs and reducing downtime. A step change in both performance and efficiency has been accomplished through process re-engineering, multi-skilling of engineers and live data capture. Appendix 3 provides details of the vehicle repair times in 2011/12 compared to 2005/06.
- 3.7.3 The performance outcomes for Fleet Services are monitored on a regular basis through quarterly KPIs an example of these are attached in appendix 4. There has been a noticeable improvement in vehicles arriving on the scheduled days for service/inspection as current performance is 72% achievement compared to 35% in 2005/6.

### 3.8 External Trading

- 3.8.1 Fleet Services undertakes a range of services on behalf of external clients providing maintenance service to Dawsons Sweepers, a fleet management and maintenance package to the ALMO ENEH, warranty work for vehicle providers such as Ford, Mercedes and the provision of driver training.

Client	Description
Dawsons Sweepers	Maintenance of the road sweeper chassis.
ALMO'S, ENEH	Procurement & Maintenance of the vehicle fleet
Leeds Equipment Services	Maintenance of the van fleet
Taxi Licensing	Taxi Private Hire Training as requested
Other private transport orgs.	Certificate of Professional Competence Training

In total £540,000 is secured from external work

- 3.8.2 Discussions have also taken place with neighbouring Authorities on potential fleet management shared services also through SWYTMG (South and West Yorkshire Transport Managers Group) activities around sharing fleet information, maintenance services, documentation and benchmarking information.

- 3.8.3 Fleet Services continually benchmark its services with other private organisations to ensure an efficient and transparent service is provided at the right price.
- 3.8.4 External verification of the service is provided through VOSA for operational fleet monitoring and Zurich with reference to Loler Inspections on lifting equipment.

### **3.9 Environmental Impacts**

Managing the environmental impacts of fleet activity is a key priority for the service.

- 3.9.1 Fleet Services completed a green fleet review in conjunction with the Energy Savings Trust in 2008, providing the Authority with a baseline of fleet emission data and guidance on future emission reduction initiatives.
- 3.9.2 The contribution Leeds City Councils fleet makes towards the Councils overall CO2 emissions initiated the need for continued and meaningful action to actively reduce this figure.
- 3.9.3 The Council has, since 1998, run the fleet on bio diesel with the most up to date engine specifications where possible, currently Euro 5.
- 3.9.4 Working with Cenex, the UK's first Centre of Excellence of Low Carbon Vehicle Technologies, a number of trials are underway with five fully electric vehicles emitting zero emissions while working in the Road Safety Unit and Property Maintenance.
- 3.9.5 An additional 19 diesel / electric hybrid vans are also performing daily functions again within the various building trades with a reduced CO2 of at least 10% compared to their diesel only powered equivalent.
- 3.9.6 While continued work goes around the smaller fleet vehicles it was highlighted that the refuse fleet with such a high fuel consumption contributed around 4,000 tonnes of CO2 per annum to the Councils overall emissions.
- 3.9.7 Working with the refuse service, Leeds purchased the first bio methane refuse vehicle in the UK (this vehicle runs on clean landfill gas) and a dual fuel diesel / bio-methane equivalent, these vehicles are showing up to a 60% "well to wheel" reduction in CO2.  
  
(65 standard refuse vehicles produce 4,000 tonnes of CO2 per annum).
- 3.9.8 In March this year through the Department of Transport funding was made available for a permanent bio-methane filling station erected at the Knowsthorpe Way refuse facility to support the continued trial of the two gas powered trucks for their full life cycle.
- 3.9.9 Lastly the councils fleet procurement strategy continues to support the need for emission reduction and fleet in conjunction with Environmental Services continue to monitor the market place for alternatives while ensuring service continuity.



### **3.10 Future Plans**

There are a number of further areas for development, which have been identified in Fleet Services 2011/13 service plan and these include:

- 3.10.1 A recommendation which has been made to CLT that consideration is given to merging the fleet maintenance for Parks and Countryside with Fleet Services at York Rd.
- 3.10.2 Fleet Services are to establish fleet forums for new vehicle purchases to look at possible utilisation of vehicles across the Authority, share good practice and seek other transport related efficiencies.
- 3.10.3 Arrangements have been established to liaise with Treasury on fleet replacement strategies to ensure a coordinated approach throughout the Authority on transport related spend.
- 3.10.4 To work closely with Directorates on the verification of roles and responsibilities within transport areas to ensure fleet compliance.
- 3.10.5 The continuation of the delivery of bespoke training programmes to service users e.g. fuel efficiency savings, reduction of accidents and environmental management.

### **4 Corporate Considerations**

- 4.1 There are no corporate governance issues to be considered within this report as the information provided is a statement of detail regarding the functions undertaken by Fleet Services.

### **5 Conclusion**

- 5.1 The future plans for the service provide for a number of opportunities to generate further efficiencies for the Authority in relation to it's spend on fleet maintenance and management.
- 5.2 Performance output targets are monitored within Fleet which allows safety, quality and cost targets to be met, this includes the measurement of turnaround times for the repair of vehicles.

### **6 Recommendations**

The Scrutiny Board (Resources and Council Services) are recommended to note the information regarding the operation of the Fleet Services Division of the Resources Directorate.

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**Appendix 1 Vehicle Safety Related Training Example 2010/11**

<b>Vehicle Safety training carried out</b>	<b>Number of Drivers Trained 2010/11</b>
Driver assessments (drivers have a driving assessment with a Safety Officer prior to using a vehicle or piece of equipment)	466
Digital Tachograph (drivers who operate under European Drivers Hours complete this tachograph training as part of the Operator Licensing obligations)	51
Large Goods Vehicle CPC (each large goods vehicle driver undertakes a mandatory 7 hrs training each year)	425
Landfill (drivers are trained to drive vehicles on landfill following site rules and conditions)	48
Light Vehicle Awareness (drivers of small vans are given instruction on fuel efficiency, the LCC road risk policy, driver daily checks and accident reporting)	86
MIDAS (drivers of minibuses undergo an accredited MIDAS training course)	239
PATS (passenger assistants undergo PATS training to ensure passengers are restrained correctly in wheel chairs etc)	44
Reverse Assistant (drivers and other staff are trained on how to guide, reversing LGV vehicles, using the correct signals.	430
Binlift Operation (loaders are given instruction on the bin lifting equipment)	155

## Appendix 2 Additional Corporate and Client Savings

Area	Detail / Action	Saving
Fleet Procurement	Vehicle / Asset life extension, Fleet Services has worked with Treasury on extending the life of the present fleet and capturing savings	550k Savings already captured in 2010/11, Projected 1.7m savings to be captured in 2011/12
Refuse Vehicle Procurement	Refuse vehicle specification on the new purchase framework in conjunction with Bradford and Scarborough includes 3yr warranty.	Procurement exercise in 2006 achieved lower costs per vehicle whilst achieving higher specification and 3 year warranty (previous 1 Year). Estimated savings for capital programme of £230,000
Refuse fleet	Reduction in spare vehicle numbers.	Reduction in Spare vehicles from 15 down to 9 in last 5 years. The service costs reduced through lower vehicle numbers and no maintenance. (£250,000 saving per annum)
Passenger fleet	Reduction in spare vehicle numbers.	Reduction in spare vehicles from 16 down to 10 in last 4 years and in addition vehicle fleet numbers reduced through service efficiencies. (£120,000 saving per annum)
Passenger Transport fleet Procurement	Education Leeds Buses new contract with fleet and replacing contract hire.	Purchasing with in-house maintenance compared with external contract hire. (£70,000 saving per annum)
Street Cleansing Sweeper Contract	Pavement Sweepers on hire to the service. Alternative hire arrangements	Continued negotiation of hire for pavement sweepers showing savings of £220,000 over purchase/contract hire through the existing hire frameworks.

### Appendix 3 Vehicle Repair Times

<b>Repair Times</b>	<b>2005/2006</b>	<b>2010/2011</b>
Under 1 Day	10.2%	34.4%
<2 Days	19.8%	45.7%
<3 Days	28.7%	54.4%
<4 Days	38.1%	62.3%
<5 Days	47.7%	68.1%
<6 Days	58.2%	75.8%
<7 Days	66.7%	80.9%
<10 Days	74.8%	86%
<15 Days	87.7%	92.7%
<20 Days	92.6%	95%
<25 Days	95.4%	96.3%
<30 Days	96.7%	97.7%
<35 Days	97.5%	98.3%
<40 Days	100%	100%

\* This includes all repairs, accident damage, light and heavy vehicle MOTs and summer overhauls on the gritting fleet

#### Appendix 4 Fleet Services Performance Mgt Information

	<b>2005/06</b>	<b>2010/11</b>	<b>Target 2010/11</b>
Service / Inspections arrived on scheduled day (number of vehicles now arriving for service or MOT on their allotted date)	35%	72%	100%
Breakdown response within 1 hour of first call	No Data	100%	100%
New vehicles / equipment delivered on due date given on order placement	No Data	100%	100%
Training customer comment positive feedback	No Data	98%	100%
Maintenance / repair customer comment positive feedback	No Data	94%	100%

**Report of Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Resources and Council Services)**

**Date: 3<sup>rd</sup> October 2011**

**Subject: Members ICT Survey**

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

**Summary of main issues**

1. As part of this Board's work into ICT a survey was commissioned to provide members the opportunity to express their views on the current ICT Service. This survey complements the on-going work being undertaken by this Board via its ICT working group.
  
2. Attached is a report from the Chief ICT Officer detailing the findings of the survey. Officers will be in attendance to answer any questions.

**Recommendations**

3. Scrutiny Board is asked to note the contents of the attached report and to consider its recommendations.

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**Report of Chief ICT Officer**

**Report to Scrutiny Board (Resources and Council Services)**

**Date: 3<sup>rd</sup> October 2011**

**Subject: Members ICT Survey**

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

**Summary of main issues**

1. A survey was undertaken over the summer of 2011 to determine the perception of Elected Members with respect to the current ICT Service provision
2. 32 Members responded to the survey which covered aspects of service provision ranging from levels of satisfaction with current support arrangements to obtaining information around hardware, software, and connectivity requirements. Members were asked to respond to 9 Statements on a 5 point scale ranging from **1** (Disagree strongly) to **5** (Agree strongly). A copy of the survey is included in the Background documents to this report.
3. The average response across all categories was 3.346 out of 5 or c67%.

**Recommendations**

4. Scrutiny Board is asked to note the contents of this report
5. Scrutiny Board is asked to support that the findings of this survey be used to inform a project to update the ICT service provision to Elected Members. Proposals to follow via the Members ICT Working Group and Member Management Committee.

## **1 Purpose of this report**

- 1.1 The purpose of this report is to provide feedback on the findings of a survey across all elected members undertaken by Corporate ICT Services with respect to their current ICT service provision.

## **2 Background information**

- 2.1 Following discussions at the July meeting of the Resources and Council Services Scrutiny Board, ICT Services agreed to undertake a survey to obtain a view from Members with respect to their perception of their current ICT service provision.
- 2.2 The survey was comprised of 9 statements ranging from levels of satisfaction with current support arrangements to obtaining information around hardware, software, connectivity and other requirements to inform a project to update the ICT service provision to Members to assist them in carrying out their Council duties. The 10<sup>th</sup> element invited respondents to indicate the single change which would improve his or her ICT experience. There was also space for respondents to record "Any other comments".
- 2.3 Each of the 9 Statements requested a response on a 5 point scale ranging from **1** (disagree strongly with the statement) to **5** (Agree strongly with the statement). There was also an opportunity to indicate "Not Applicable" as it is recognised that all of the questions would not necessarily apply to all Members.
- 2.4 The survey was circulated to all Elected Members on Friday 22<sup>nd</sup> July requesting responses by Friday 26<sup>th</sup> August.
- 2.5 There were a total of 32 responses to the survey.

## **3 Main issues**

- 3.1 Within the 32 responses to the survey there was a widespread range of views.
- 3.2 2 Members returned the survey form indicating that they do not currently make use of ICT Service provision and therefore indicating "Not Applicable" responses across the board (although one of these respondents did indicate a 4 to the statement asking if the Councillor was aware who to contact for information or assistance on ICT issues).
- 3.3 There were a variety of views in relation to each of the questions with the overall average response across all questions being 3.346 out of 5 or 67% (although there were significant variations within that average and indeed in the answers in relation to each statement).
  - 3.3.1 The lowest average rating was of 3 out of 5 (or 60% satisfaction) in relation to statements 1 and 3

- Statement 1 asserted that the choice of ICT equipment provided enabled a Member to carry out their Council duties effectively (1 Councillor indicated 5 out of 5 whilst 3 Councillors regarded the choice of equipment provided warranted a 1 out of 5 score)
- Statement 3 outlined the current ICT support arrangements, indicating that “Out of Hours” provision is currently on a “best endeavours” basis and queried whether the support options and service levels met their needs. 3 Councillors indicated that the current arrangements merited 5/5 whilst 4 Councillors indicated 1/5.

3.3.2 The statement which attracted the highest degree of support was No. 6 in relation to the option of providing email and calendar to personal mobile devices. This attracted an average response of 77% with 9 Councillors indicating strongly that they would like to make use of this functionality when it is available.

3.4 The comments included in the final 2 sections (“The Single change which would improve my ICT Experience” and “Any other Comments”) also provided a range of responses.

3.4.1 9 Members referred to an improvement in performance of the current provision including aspects such as length of time to log on and reliability of connection service (particularly from home) as being of paramount importance to them.

3.4.2 A further 9 respondents indicated that they would welcome increased functionality including specifics such as being able to use WiFi at home and the ability to synchronise email and calendar functions with personal devices.

3.4.3 5 others made reference to different support arrangements with views ranging from the provision of face-to-face rather than telephone support; extending the ICT support hours to accommodate those who work full-time; and the availability of a dedicated help line (including someone on call). A further respondent indicated that they would welcome an email address for reporting non-urgent support issues.

3.4.4 Further training was also highlighted by some as the single change which would improve their ICT experience.

3.4.5 2 respondents confirmed that on the whole they are provided with a “good service with good support”.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 The survey form was circulated to all Elected Members during the summer of 2011.

### **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 There are no implications for Equality and Diversity resulting from this report

### **4.3 Council Policies and City Priorities**

4.3.1 There are no implications for Council Policies or City Priorities resulting from this report.

### **4.4 Resources and Value for Money**

4.4.1 There are no implications for Resources or Value for Money considerations directly resulting from this report although such considerations will be incorporated if the recommendation to utilise the findings to inform a project to update the ICT Service provision to Elected Members is approved.

### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 Not applicable

### **4.6 Risk Management**

4.6.1 Not applicable

## **5 Conclusions**

5.1 There are a range of views dependent on numerous factors which affect their responses. These factors undoubtedly include how Members choose and need to work, the physical location of their property and their level of ICT knowledge.

5.2 The general themes emanating from the survey, which are indicated above can be used to inform a project to amend and update the ICT Service offering to Elected Members.

## **6 Recommendations**

6.1 Scrutiny Board is asked to note the contents of this report

6.2 Scrutiny Board is asked to support that the findings of this survey be used to inform a project to update the ICT service provision to Elected Members. Proposals to follow via the Members ICT Working Group and Member Management Committee

## **7 Background documents**

### Upgrade of ICT Equipment and software for Elected Members

Following discussions with Cllr Pauleen Grahame, Scrutiny Board Chair (Resources and Council Services), we agreed to undertake a survey to obtain a view from Members to understand your perception of your current ICT service provision and also to review and tailor the provision of new ICT equipment and software over the coming months. We would appreciate it if you could please take a few minutes to complete the following questionnaire.

Name:						
	<b>Strongly Agree</b>			<b>Strongly Disagree</b>		
	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>N/A</b>
1. I am happy that the choice of ICT equipment currently available to me enables me to carry out my Council business effectively.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The ICT equipment provided meets my requirements in terms of how I need to work from home and from other locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. The current official hours for ICT support are 8.00 to 05.30, Monday to Friday. Outside of these times, a more limited service is available on a "best endeavours" basis. I am happy with the ICT Support options available to me and the level of service I receive.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. The Civic Drop-in Centre provides the support I need.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. I know who to contact for information / assistance on ICT issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. ICT Services have conducted a pilot to make email and calendar functionality available to personal mobile devices. I would be interested in taking advantage of this functionality.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. ICT services are introducing different versions of software (e.g. MS Office) over the coming months. I am comfortable in using on-line training to adapt my skills to use the new software.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. I am aware how I can access additional ICT training to meet my needs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. The software I have available meets my requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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10. The single change which would improve my ICT experience is:

Any other comments:

**Thank you for completing this questionnaire.**

**Please return it by email to [Andy.Keightley@leeds.gov.uk](mailto:Andy.Keightley@leeds.gov.uk) or Andy Keightley, Business Relationship Manager, ICT Services, Ground Floor, Westgate, 6 Grace Street, Leeds, LS1 2RP.**

## Report of Head of Scrutiny and Member Development

### Report to Scrutiny Board (Resources and Council Services)

Date: 3<sup>rd</sup> October 2011

### Subject: Inquiry into Employees' Declaration of Interests - Draft Final Report & Recommendations

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

### Summary of main issues

1. The Scrutiny Board (Resources and Council Services) has now completed its inquiry on Employees' Declaration of Interests which was request by the former Scrutiny Board (City Development) and is in a position to report on its findings and its conclusions and recommendations resulting from the evidence that has been gathered.

### Draft Inquiry Report

2. A copy of the draft final report is attached for members' consideration.

### Consultation

3. Scrutiny Board Procedure Rule 13.2 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 detail of that advice shall be reported to the Scrutiny Board and considered before the report is finalised. The Director shall consult with the appropriate Executive Member before providing any such advice."
4. The Chief Officer HR, Head of Audit, Legal Services and Head of Governance Services have been consulted and their advice and comments, if any, will be reported to the Board meeting today.

## **Recommendations**

- 5 The Board is asked to
  - (i) Agree the Board's final report and recommendations.
  - (ii) Request that a formal response to the recommendations is produced in line with normal procedures for scrutiny inquiry reports as set out in Scrutiny Procedure Rule 14.1.

## **Background documents**

6. Documents listed in the Board's final inquiry report.



# **Draft Scrutiny Inquiry Final report Employees' Declaration of Interest**



# Introduction and Scope

## Introduction

The issue of Officers' register of Interests is not new. In April 2007 the matter was discussed by the Standards Committee where the following comments were made;

- That the Committee is not seeking to intrude into officers' private lives, but That a balance needs to be made between private life and public interest, and that the Council needs to be more accountable;
- That there is a distinction between officers in general and those officers who are taking delegated decisions, and whether those officers taking delegated decisions are entitled to the same protection regarding their interests;
- That some Local Authorities already have a system in place for Directors and Chief Officers to make their registers publicly accessible on a voluntary basis, and that as Leeds City Council is currently undergoing a reorganisation this may be an opportune time for Leeds City Council to implement a similar system;
- That the Committee has concerns that officers at a senior level were not being monitored properly in terms of their interests;

Unrelated, Scrutiny Board (City Development) on 17<sup>th</sup> May 2011 considered a report on Officer Registration of Interests. Following this discussion Scrutiny Board (City Development) resolved to refer the matter to this Scrutiny Board asking that it review the effectiveness of the current

arrangements and whether they were fit for purpose.

On 5<sup>th</sup> September 2011 Scrutiny Board (Resources and Council Services) undertook such a review and have agreed a number of recommendations.

## Scope of the Inquiry

The purpose of the Scrutiny review was to;

- a) obtain an understanding of the current arrangements for the collection and recording of employees declarations of interest and determine whether these were fit for purpose, and
- b) to consider the merits of having a publicised register of officers' declarations of interests.

## Anticipated Service Impact

The Board is of the view that the implementation of its recommendations would encourage openness and transparency in decision making which reflects our values with regards being "open honest and trusted".



# Conclusions and Recommendations

## The Current Scheme

### Data collection

The requirement for employees to declare certain interests is contained in the Employee Code of Conduct.

Section 9 of the employee code of conduct requires all employees with relevant interests to declare them at least once a year. The responsibility for complying with the Code of Conduct lies with each individual member of staff, and failure to comply can, where appropriate, constitute a disciplinary offence.

To assist employees in complying with their duties under the Code of Conduct, all employees are reminded annually of their duty to declare their interests. A general message is released to all staff, this year this was done via the intranet and the Council's Staff News publication.

Declarations are made to the Business Support Centre (BSC), for administrative reasons, and are forwarded on to relevant directors.

The Business Support Centre maintains an electronic database containing all the register of interest data, and copies of the individual declarations which have been made. This information is shared with Directors and/or relevant Chief Officers. The Director (or his/her nominee) is asked to share the information only as far as is necessary to assess and monitor any conflict of interest. This will normally involve advising the line management chain from the employee in question back to the Director.

### "High risk" posts

"High risk" staff are those staff in posts which are politically restricted or are graded at JNC Chief Officer grades (or above) or which have been identified by the director as requiring a declaration of interests to avoid any perception or risk of unfairness.

Staff in "high risk" posts are individually contacted to make a declaration each year.

Directors are responsible for identifying which posts in their areas are "high risk". Guidance is provided in making this assessment by Human Resources. This list is reviewed annually prior to sending out declaration forms to those in "high risk" posts.

The Business Support Centre monitors the annual returns from employees in "high risk" posts and provides one reminder for any that are not returned within two weeks. After a further two weeks Directors are informed of any outstanding returns and asked to take appropriate action.

### The current return rate for "high risk" posts.

With the assistance of HR, Directors identified 2135 employees in high risk posts in March 2011. All employees in high risk posts were emailed in April 2011 and were instructed to complete declaration of interests forms. These employees are expected to submit their declarations of interests even if they have nothing to declare.

As of August 2011 declarations have been received back from 2094 "high risk" employees. This equates to a 98% response rate and the remaining 2% are being actively chased. (This 2% being on career breaks, long term sick or maternity leave)



# Conclusions and Recommendations

Of the 2094 returns, 1571 (75%) employees reported that they had no interests. This information was provided to Directors in case they were aware of any matters which they would have expected to be declared. In such cases the Director (or their nominee) discusses the matter with the employee.

Where an employee has made a declaration the information is passed to their Director to assess whether that interest represented a current or potential conflict of interest.

In terms of the above administrative system for collecting data we acknowledge that there is a requirement for all employees to make a return, we acknowledge the enhanced process for “high risk” posts and we acknowledge that directors and through them, line managers are made aware of such returns. **Given this we consider the process to be ‘fit for purpose.’**

Our concern however is not about administrative processes but the extent to which the information collected on interests should be made publicly available.

## Public register

We recognise that the act of collecting and even publishing interests will not in its self safeguard against any wrong doings. (In the same way as a clean driving licence will not prevent future motoring offences). However it is universally agreed that Members need to register their interests to comply with the law, and so the public, staff and other Members know about interests which may inform their approach to particular issues or give rise to a conflict of interest. The Register is a document that can be consulted when (or before) an issue arises. It encourages openness in Local Government and allows others to consider

whether or not Members may have a conflict of interest.

The Register also protects Members. Members are responsible for deciding whether or not they should declare an interest in a meeting, but can be helpful for them to know early on if others think a conflict may arise. It is also important for public confidence that people know about any interests that a member might have and hear these declared by members.

We are of the view that a similar publication scheme should be required of officers. It is our view that officers' Interests are equally important in an increasingly officer led council. As stated by the Standards Committee in 2007, this is not about prying into officers' private lives but about openness and transparency in decision making which reflects our values with regards being “open honest and trusted”.

We are aware that as things stand the arrangements for the declaration of interests by employees are quite distinct from the position in relation to Members' interests. There is a statutory requirement in the Local Government Act 2000 on the Monitoring Officer to establish and maintain a register of Members' financial and other interests. The Act also provides that copies of the register must be available for inspection by members of the public, at all reasonable hours. These requirements are reflected in the Members' Code of Conduct. The Members' right to have their personal information kept confidential under the Data Protection Act is, therefore, overridden by the statutory requirement to publish their interests.



# Conclusions and Recommendations

We are aware that there is currently no statutory requirement for employees to declare interests, apart from pecuniary interests in contracts, in respect of which an officer must give notice in writing to the Council. In addition, there is no statutory requirement for public access to declarations by employees. (the current government has confirmed that there is no intention to proceed with such a code)

We were informed by officers that HR had made a trawl of over 60 websites including all the London boroughs, Core Cities and other Authorities in the Yorkshire & Humber region and only three published officer interests.

Having said that we note that other public bodies have publicised schemes for their most senior employees: Wakefield Council, North Yorkshire Police and Transport for London. In each case around six employees are in scope of the schemes. We are aware that one of the three schemes identified was voluntary.

An often cited reason for not publishing officer interests is that; “the details of interests provided by employees in their declarations is their “personal” data under the Data Protection Act 1998. In some instances, information declared under “close relationships” and “other interests” may also be classed as their “sensitive personal data”. Personal data falls within the protection of the Human Rights Act 1998 and it would be unlawful of the council to act in a way which contravened that legislation, i.e. by publishing employee declarations”.

However a recent decision by the Information Commissioner<sup>1</sup> means that there could now be a case for making

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<sup>1</sup> Bolton Council

Registers of Senior Officers' Interests for local authorities available to the public through publication.

The complainant requested a copy of senior council officers' declaration of interests. After the Council refused to provide the Senior Officers' declaration of interests stating that it was exempt under section 40(2) of the Freedom of Information Act (personal data), the Commissioner's ruled that some of the information was exempt from disclosure under section 40(2) of the Act; however other sections were not and should be therefore be disclosed - for those officers – because the public interest test for publication overwhelmed the officers' right to privacy. These were around other business and employment interests.

Whilst acknowledging that this decision is currently under appeal, the Board nevertheless recommends that the Executive Board instructs officers to establish, through negotiating appropriate changes to the Employee Code of Conduct, and having due regard to the legal risks of challenge and the outcome of the current appeal, a publicised officer register of interests, with first publication of the register to take place as soon as possible after the ‘Bolton’ appeal has been determined. Those sections to be publicised, *and the posts to be considered*, should be those identified by the Information Commissioner in the Bolton Council ruling, subject to officers being given the opportunity to explain any particular prejudice they might suffer as a result of publication. We would expect the scheme in time to form part of an employees' contract and terms and conditions.



# Conclusions and Recommendations

## Recommendation 1

That Executive Board instructs officers to establish, through negotiating appropriate changes to the Employee Code of Conduct, and having due regard to the legal risks of challenge and the outcome of the current appeal, a publicised officer register of interests, with first publication of the register to take place as soon as possible after the 'Bolton' appeal has been determined. Those sections to be publicised, *and the posts to be considered*, should be those identified by the Information Commissioner in the Bolton Council ruling, subject to officers being given the opportunity to explain any particular prejudice they might suffer as a result of publication.

Whilst we would acknowledge that in the first instance the Bolton ruling should determine which posts should be publicised in order for the Council not to risk being challenged and fined, it should be noted that it would be our ambition for the Council to widen the scheme to include those in the "high risk" posts (2135 individuals) and other groups of staff where there is a specific justification for publication based on their particular duties.

## Recommendation 2

That subject to agreement to recommendation one, the Executive Board works towards a scheme where "high risk" posts and other groups of staff where there is a specific justification for publication based on their particular duties are included.

## Reports

Where an employee's declared interests may conflict with matters on which they offer advice to Members then we were told that the principal responsibility lies with the officer to ensure that they do not place themselves in a position where there could be a perception of a conflict of interests. We acknowledge that this may give rise to an officer excusing themselves from further involvement in the matter. Any officers with pecuniary interests in a delegated decision are not permitted to take that decision; and all Delegated Decision Notification forms require the officer completing the form to declare any interests they may have. We are of the view that this should be extended to officer reports being considered by a committee of Council. Report authors, and those in the name they are writing, should be required to declare any relevant interests they have.

We are also of the view that those officers presenting or commenting on a report in a formal meeting should declare any interests in the same fashion that elected Members do.



# Conclusions and Recommendations

## **Recommendation 3**

That the Executive Board instructs officers to ensure that reports to Council Committees require report authors and those in whose name the report is written, declare any interests they may have which may be relevant to the reports subject matter.

Those officers presenting or commenting on a report in a formal meeting should also declare any interests in the same fashion that elected Members do.

## **Recommendation 4**

That internal audit obtains assurances that Directors are managing officer interests appropriately and report back to this Scrutiny Board their findings.

As we have stated earlier in this report, we recognise that the act of collecting and even publishing interests will not in its self safeguard against any wrong doings. Far more important is what Directors do with the information they receive as a result of the data collection exercise. To this end we recommend that internal audit through review receive the necessary assurances that Directors are managing risk appropriately and report back to this Scrutiny Board.





# Appendix 1

## Monitoring arrangements

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

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

## Reports and Publications Submitted

- Report of Head of HR 5<sup>th</sup> September 2011
- Report of Head of HR 17<sup>th</sup> May 2011

## Witnesses Heard

**Cllr John Procter**

**Dave Almond, Head of Human Resources**

**Neil Hunter, Head of Audit**

**Mark Turnbull, Head of Property, Finance and Technology**

## Dates of Scrutiny

5<sup>th</sup> September 2011



**Scrutiny Board (Resources and Council  
Employees' Declaration of  
3<sup>rd</sup> October**

**Report author: Peter M**

**[www.scrutiny.unit@lee](http://www.scrutiny.unit@lee)**

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**Report of Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Resources and Council Services)**

**Date: 3<sup>rd</sup> October 2011**

**Subject: Financial Health Monitoring 2011/12 – Month 5 Report**

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

**Summary of main issues**

1. At its September meeting the Board agreed to establish a budget working group. It was suggested that the group would meet on a monthly basis around the time that the monthly budget report to Executive Board was published. It was further agreed that the full Board would continue to receive quarterly financial reports.
2. In light of the fact that the Board has invited the Leader of Council, Cllr Wakefield, to attend today's meeting, the Chair thought it sensible to consider month 5 financial report at today's meeting, rather than at a separate working group. This will give the Board the opportunity to take advantage of the Leader's attendance to ask him any budgetary questions members may have. In light of the above the Chair has not invited officers from Children's Services but will do so for a future budget working group meeting.
3. At the time of agenda despatch the month 5 report was not available. This will be sent to Board members prior to the meeting.

**Recommendations**

4. Members are asked to;
  - (i) Note the Council's Financial Performance for month 5

(ii) Engage in a discussion with the Leader of Council.

**Background documents.**

5. None used



Report author: Peter Marrington  
Tel: 39 51151

**Report of Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Resources and Council Services)**

**Date: 3<sup>rd</sup> October 2011**

**Subject: Work Schedule**

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

**Summary of main issues**

1. A draft work schedule is attached as appendix 1. The work programme has been provisionally completed pending on going discussions with the Board. The work schedule will be subject to change throughout the municipal year.
  
2. Also attached as appendix 2 and 3 respectively are the minutes of Executive Board 7<sup>th</sup> September 2011 and the Council's current Forward Plan relating to this Board's portfolio.

**Recommendations**

3. Members are asked to:
  - a) Consider the draft work schedule and make amendments as appropriate.
  - b) Note the Executive Board minutes and Forward Plan

**Background documents**

4. None used

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## Scrutiny Board (Resources and Council Services) Work Schedule for 2011/2012 Municipal Year

Area of Review	Schedule of meetings/visits during 2011/12		
	June	July	August
<b>Contact Centre Working Group (missed bins)</b>	Consider potential scope of review		Site visit Knowsthorpe depot 5 <sup>th</sup> August for working group members
<b>Budget Monitoring</b>		Receive Outturn report -SB	
<b>ICT</b>			Site visit – Apex house 2 <sup>nd</sup> August – all members invited
<b>Customer Care</b>	Consider potential scope of review	Receive presentation on customer access strategy -SB	
<b>Officer registration of interests</b>			
<b>Vehicle maintenance</b>			
<b>Cost of Publications</b>			
<b>Discussion with Leader of Council</b>	Leader of Council -SB		
<b>Budget &amp; Policy Framework Plans</b>			
<b>Recommendation Tracking</b>			
<b>Performance Monitoring</b>			

Key: SB – Scrutiny Board (Resources and Council Services) Meeting

WG – Working Group Meeting

## Scrutiny Board (Resources and Council Services) Work Schedule for 2011/2012 Municipal Year

Area of Review	Schedule of meetings/visits during 2011/12		
	September	October	November
Contact Centre Working Group (missed bins)			
Budget Monitoring	Financial report - SB		
ICT	Consider external review of ICT -SB	Update on working group	
Customer Care			
Officer registration of interests	To receive and Consider request from former City Development Scrutiny Board - SB	Consider draft report	
Vehicle maintenance		Present initial data/budgetary information	
Cost of publications			
Discussion with Leader of Council		Leader of Council -SB	
Budget & Policy Framework Plans			Licensing Policy
Recommendation Tracking			
Performance Monitoring			



## Scrutiny Board (Resources and Council Services) Work Schedule for 2011/2012 Municipal Year

Area of Review	Schedule of meetings/visits during 2011/12		
	December	January	February
Contact Centre Working Group (missed bins)			
Budget Monitoring	Half year finance report - SB		Financial Report-SB
ICT			
Customer Care			
Officer registration of interests			
Vehicle maintenance			
Cost of publications			Leader of Council -SB
Discussion with Leader of Council		Leader of Council -SB	
Budget & Policy Framework Plans		Initial Budget Proposals - SB	
Recommendation Tracking			
Performance Monitoring	Council Business Plan -SB	Council Business Plan	

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Key: SB – Scrutiny Board (Resources and Council Services) Meeting

WG – Working Group Meeting

**Scrutiny Board (Resources and Council Services) Work Schedule for 2011/2012 Municipal Year**

	<b>Schedule of meetings/visits during 2011/12</b>		
<b>Area of Review</b>	<b>March</b>	<b>April</b>	<b>May</b>
<b>Contact Centre Working Group (missed bins)</b>			
<b>Budget Monitoring</b>			
<b>ICT</b>			
<b>Customer Care</b>			
<b>Officer registration of interests</b>			
<b>Vehicle maintenance</b>			
<b>Cost of publications</b>			
<b>Discussion with Leader of Council</b>			
<b>Budget &amp; Policy Framework Plans</b>			
<b>Recommendation Tracking</b>			
<b>Performance Monitoring</b>	Council Budget Plan		

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## EXECUTIVE BOARD

WEDNESDAY, 7TH SEPTEMBER, 2011

**PRESENT:** Councillor K Wakefield in the Chair

Councillors J Blake, A Carter, M Dobson,  
R Finnigan, S Golton, P Gruen, R Lewis,  
A Ogilvie and L Yeadon

**60 Exempt Information - Possible Exclusion of the Press and Public  
RESOLVED** – That the public be excluded from the meeting during the consideration of the following parts of the agenda designated as 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 and Annex 1 to the report referred to in Minute No. 66 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the publication of the documentation could prejudice the City Council's commercial interests as, Appendix 1, and the Final Business Case include matters where final negotiations on the contract are not yet complete, and these negotiations are confidential between the City Council, the LEP and the E4L Consortium. In addition, both the Appendix and the Final Business Case contain sensitive commercial information supplied to the City Council by E4L. In such circumstances it is considered that the public interest in not disclosing this commercial information outweighs the interests of disclosure.
- (b) Appendix 2 to the report referred to in Minute No. 68 under the terms of Access to Information Procedure Rule 10.4(5) on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. In addition, Appendix 3 to the report referred to in the same minute is designated as exempt under Access to Information Procedure Rule 10.4 (3) on the grounds that it contains financial information relating to individual homes. The information in both appendices is exempt if, and for so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (c) Appendix 1 to the report referred to in Minute No. 73 under the terms of Access to Information Procedure Rule 10.4 (3) on the grounds that it contains information relating to the financial or business affairs of any person or company (including the authority holding that information) which may result in prejudicial trading of that company. It is considered not to be in the public interest to release such

Draft minutes to be approved at the meeting  
to be held on Wednesday, 12th October, 2011

information at this time, as this would compromise the Council's position.

- (d) Appendix 1 to the report referred to in Minute No. 79 under the terms of Access to Information Procedure Rule 10.4(2) and 10.4(3), as it contains information, which if disclosed to the public would, or would be likely to lead to the identification of an individual or individuals. In addition to the fact that the terms of the disposals are subject to further negotiation and publication may prejudice those negotiations and the commercial confidentiality of financial information held by the Council and Unipol. In addition, Appendix 2 to the report referred to in the same minute is designated as exempt under Access to Information Procedure Rule 10.4 (3) on the grounds that it contains information relating to the financial or business affairs of the Council and of Unipol, which, if disclosed to the public, would, or would be likely to prejudice the commercial interests of the Council and Unipol.
- (e) Supplementary information tabled at the meeting in relation to Minute No. 83, under the terms of Access to Information Procedure Rule 10.4(1) and (2) on the grounds that it contains details of personal correspondence between a member of the public and Council officers and it is not considered to be in the public interest to share such personal details.

## **61 Late Items**

There were no late items as such, however, it was noted that the following supplementary information had been circulated to Board Members following the despatch of the agenda:

- (a) A Statement by the Scrutiny Board (Health and Wellbeing and Adult Social Care) which accompanied the report entitled, 'Better Lives for Older People: Future Options for Long Term Residential and Day Care Services' (Minute No. 67 refers).
- (b) Additional correspondence which was designated as exempt under the terms of Access to Information Procedure Rule 10.4(1) and (2), accompanying the report entitled, 'Public Reports of the Local Government Ombudsman regarding Complaints' (Minute No. 83 refers).

## **62 Declaration of Interests**

Councillors Gruen and Finnigan both declared personal interests in the item entitled, 'E-ACT Leeds East Academy Final Business Case', due to being members of Plans Panel (East), as the Panel was scheduled to formally consider the matter of full planning approval for the development later in the year (Minute No. 84 refers).

The Chief Executive declared a personal interest in the item entitled, 'Building Intelligence Capacity for the City and the City Region', due to being a former employee of Yorkshire Forward (Minute No. 70 refers).

**63 Minutes**

**RESOLVED** – That the minutes of the meeting held on 27<sup>th</sup> July 2011 be approved as a correct record.

**ADULT HEALTH AND SOCIAL CARE**

**64 Deputation to Council: TENFOLD, The Leeds Learning Disability Forum regarding People with Learning Disabilities who live in Leeds**

The Director of Adult Social Services submitted a report responding to the deputation to Council on the 13<sup>th</sup> July 2011 from Tenfold, the Leeds Voluntary Sector Learning Disabilities Forum, regarding people with learning disabilities living in Leeds and also in respect of the ‘Council Takeover Day’ which the group undertook in January 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED -**

- (a) That the positive impact that the ‘Council Takeover Day’ had on people with learning disabilities living in Leeds be noted.
- (b) That agreement be given to support a similar event to be held in the autumn of 2011 and thereafter on an annual basis.

**65 Transforming day opportunities for adults with learning disabilities**

Further to Minute No. 113, 3<sup>rd</sup> November 2010, the Director of Adult Social Services submitted a report outlining the progress made to date in respect of the day services transformation and changing places programme, whilst also seeking approval to implement the next phase of activity. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Having received reassurances in response to the enquiries which had been raised during the course of the discussion, Members emphasised their support for the proposals detailed within the report.

**RESOLVED -**

- (a) That the contents of the submitted report, together with the progress which has been made to date in the day services transformation and changing places programme, be noted.
- (b) That in relation to West North West Leeds, approval be given to the proposals which will by June 2012 lead to Horsforth Fulfilling Lives Centre becoming surplus to requirements through the creation of new community fulfilling lives service bases and the refurbishment of Bramley Fulfilling Lives centre, as detailed within the submitted report.
- (c) That in relation to Wetherby, the Board’s endorsement be given to further work being undertaken in Wetherby in order to develop a proposal in consultation with stakeholders, with this proposal forming the basis of a further report to Executive Board in due course.

- (d) That in relation to South South East Leeds, the proposed investment into the Rothwell Fulfilling Lives West building be noted, which will allow Adult Social Care to complete the transformation of services in the South and by April 2013 lead to West Ardsley Fulfilling Lives Centre and Rothwell Fulfilling Lives East building becoming surplus to requirements.
- (e) That an injection of £1,332,000 into the capital programme be approved to facilitate the delivery of the remaining asset requirements within the strategy, funded by the ring-fencing of future capital receipts, as identified within the submitted report.

**66 Leeds Holt Park Wellbeing Centre Project - Submission of the Final Business Case and Execution of the Contract for the new Holt Park Wellbeing Centre**

Further to Minute No. 15, 22<sup>nd</sup> June 2010, the Director of City Development and the Director of Adult Social Services submitted a joint report providing an update on the progress of the procurement via the Local Education Partnership (LEP) of the Holt Park Wellbeing Centre. In addition, the report sought confirmation and approval of the final scope of the project, the maximum affordability position for the City Council and the process which would facilitate the project's Commercial and Financial Close. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members received reassurance in respect of the provision of dedicated accommodation for young people as part of the proposed development.

The Director of Adult Social Services highlighted that there were several minor drafting errors within the report's recommendations which would be corrected via the formal minutes of the meeting.

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

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That the final scope of the Holt Park Wellbeing Centre Project (Project), as set out within the submitted report be confirmed and noted.
- (c) That the financial implications for the Council of entering into the Project be approved, and that agreement be given to the maximum affordability ceiling for the Leeds City Council contribution in relation to the PFI of £484,000 in the first full year of service commencement (2014/15), as set out within exempt Appendix 1 of the submitted report, but subject to resolution (e) below, should the SWAP rate exceed 5.00%.

- (d) (Noting that financial close cannot take place until and unless the Government confirms the availability of PFI Credits and the FBC approval), that approval be given to the arrangements to Financial Close and the implementation of the Project to include (but not by way of limitation) the award/entry into a PFI Project Agreement to a special purpose company to be established under terms agreed between the City Council and the Leeds Local Education Partnership (LEP), and
- in connection therewith, confirmation be given to the arrangements at paragraph 4.8.5 of the submitted report, and that (for the avoidance of doubt) the necessary authority be delegated for the functions, as set out at Part 3 section 3E of the Constitution (Officer Delegation Scheme (Executive Functions)) in relation to Public Private Partnerships/Private Finance Initiative and other Major Property and Infrastructure Related projects, to be exercised in relation to this Project by the Director of City Development (or delegee) in consultation with the Director of Adult Social Services (or delegee).
- (e) That the necessary authority be delegated to the Director of City Development or his nominee to approve the completion of the project should the SWAP rate exceed 5.00% but be less than 5.50% at the time of Financial Close to a maximum affordability ceiling of £484,000 for the Leeds City Council contribution in 2014/15 terms.
- (f) That the existing Holt Park Leisure Centre site be injected into the capital receipts programme for disposal.

## **67 Better Lives for Older People: Future Options for Long Term Residential and Day Care Services**

The Director of Adult Social Services submitted a report on the extensive consultation exercise that had been undertaken in relation to proposals regarding a number of residential care homes and day centres for older people. The report advised of the outcomes from the consultation exercise and detailed a number of recommendations for either closure or retention of each unit. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Following the introduction of the report, a detailed discussion ensued, with several specific enquiries and suggestions being made regarding a number of homes affected by the proposals. In summary, the main points of discussion were as follows:-

- Concerns were raised in respect of the caveats which accompanied some of the proposals, specifically with regard to NHS funding arrangements, with a request that Board Members were kept informed of any developments which occurred in respect of such NHS funding arrangements.
- Clarification was sought on the provision of independent sector beds in respect of specific homes and the criteria used to generate the data, as detailed within the report

- Emphasis was placed upon the need for residents to be allocated accommodation of their choice, prior to their movement and upon the need for residential and day care services provision to be based upon a mixed economy model and not solely via the private sector.
- Members discussed the proposed Community Asset Transfer of one of the homes in question and highlighted the role of Ward Members in this process, acknowledged the varying standard of provision which currently existed in the city and emphasised the need to ensure that the level of care for all was raised throughout Leeds.

Responses and assurances were provided to those representations which had been received following the publication of the agenda papers and also to those concerns which had been raised by Members during the discussion. It was emphasised that residents would be allocated accommodation of their choice prior to their movement, that the standards of care for all needed to be raised across the city and that all actions taken in respect of the proposals would be in line with the 'Care Guarantee', as appended to the report.

Copies of the documents accompanying the submitted report, namely, the Consultation Report and the Equality Impact Assessment, which framed the recommendations within the report, had been included within the agenda papers, whilst a statement of the Scrutiny Board (Health and Wellbeing and Adult Social Care) responding to the proposals contained within the report was tabled at the meeting for Members' consideration.

**RESOLVED -**

- (a) That the very extensive and wide ranging consultation exercise undertaken be noted, and that all contributors be thanked for their thoughtful and helpful comments which have informed the recommended outcomes.
- (b) That the commitment and process which will be followed to ensure all people affected by the adoption of the recommendations are provided with comprehensive care planning and support in identifying appropriate alternative provision, be noted.
- (c) That the proposals in respect of day care services be agreed, namely:
  - To retain as specialist services Middlecross, Apna, Springfield, Calverlands, Laurel Bank, The Green, Frederick Hurdle and Wykebeck
  - To decommission Spring Gardens, Firthfields, Rose Farm and Lincolnfields.
- (d) That the proposals in respect of specialist residential care homes be agreed, namely:
  - To retain as specialist dementia units, Middlecross, Siegen Manor and The Green
  - To recommission Richmond House as a specialist residential intermediate care home (in partnership with the NHS)



- To recommission Harry Booth House as a specialist nursing/residential intermediate care home commencing operation in April 2012 (in partnership with the NHS)
  - To set aside consideration of Amberton Court as a specialist care unit pending further work with the NHS and consideration of its long term future alongside other Local Authority residential care facilities not specifically covered in this report
- (e) That the implementation of proposals for the long term residential care homes be agreed, namely:
- To decommission Westholme, Kirkland House and Grange Court
  - To agree the decommissioning of Spring Gardens and Knowle Manor at a future date and on completion of new build Residential Care facilities in Otley and Morley respectively
  - To agree the decommissioning of Dolphin Manor at a future date through either the transfer of ownership to a community interest company (subject to satisfactory business evaluation and due diligence test) or on completion of new build residential care facilities in Rothwell
- (f) That discussions be commenced immediately with the company planning to build residential home facilities in Otley to bring forward the development at the earliest opportunity.
- (g) That approval be given to the proposals to identify land in Morley and Rothwell and that approval also be given to work with officers in City Development to advertise for residential/nursing care development at the earliest opportunity.
- (h) That approval be given to the immediate commencement of dialogue with interested community groups and stakeholders with regard to future building use.
- (i) That approval be given to proposals to bring forward further options in relation to the remaining six day centres and eight residential homes.
- (j) That approval be given to the ongoing review of remaining facilities, with such a review being undertaken with City Development and Environment and Neighbourhoods colleagues, in order to ensure that the choice of local housing, care and support options for older people are expanded.
- (k) That as part of this process, officers be authorised to take appropriate steps to secure appropriate partners to exploit development opportunities for the remaining facilities.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on decisions taken above, whilst Councillor A Carter emphasised that he was in agreement with

the resolutions, subject to the caveats he raised during the course of the discussion)

**68 Adult Social Services Procurement Efficiencies 2011/12 Care Home Fees**

The Director of Adult Social Services submitted a report providing information on the current position in achieving procurement efficiency targets in respect of fees paid to Leeds independent sector residential and nursing care homes, detailing issues that had arisen since the original budget setting process for 2011/12 was concluded, and recommending ways forward in seeking to progress efficiency, service modernisation and quality in the sector. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members received information regarding the circumstances which had led to the current position.

Following consideration of Appendix 2 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(5) and Appendix 3 of the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), both of which were considered in private at the conclusion of the meeting it was

**RESOLVED -**

- (a) That the difficulties in achieving the targeted procurement efficiencies in fees paid to independent sector providers to support publicly funded residents of residential and nursing care homes for older people in Leeds be noted.
- (b) That the immediate commencement of a negotiated implementation of a revised temporary fee structure for publicly funded residents taking up placements in Leeds homes from October 1<sup>st</sup> this year be approved.
- (c) That the content of exempt Appendix 3 to the submitted report be noted, which sets out the indicative level of temporary fees that will be negotiated with Independent sector providers following the adoption of resolution (b) above.
- (d) That the inflationary payment standstill, initiated in April 2010, be confirmed.
- (e) That the establishment by the Director of Adult Social Services of an advisory board to include representatives of all groups with a direct interest in commissioning, providing and receiving sustainable high quality care for older people, be approved.
- (f) That the advisory board membership, as referred to in resolution (e) above, be agreed with the Executive Lead Member for Adult Social Services.

- (g) That approval be given to the negotiation of the terms of reference for the board established at resolutions (e) and (f) above, which will include:-
- (i) that the Board be given the primary remit of bringing forward a long term sustainable fee settlement framework which incorporates the development of a quality framework linked to the fee settlement;
  - (ii) whilst also including proposals to deal with the issue of sector inflation against a background of reducing Council funding in the medium term, to ensure that any equality issues arising out of its work are assessed and addressed; and
  - (iii) to examine, with reference to best practice examples elsewhere in the country, the means by which quality standards could be embedded within the overall fee settlement framework.

**69 Shadow Health and Wellbeing Board for Leeds**

The Director of Adult Social Services submitted a report providing an update on the changes to the NHS following the publication of *Equity and Excellence: Liberating the NHS* and, in particular, outlining the progress made to establish a shadow Health and Wellbeing Board for Leeds. In addition, the report also highlighted the development of the Joint Strategic Needs Assessment (JSNA) since 2010 and the emerging themes, whilst outlining the future central role of the JSNA within the new Health and Wellbeing Boards and Joint Health and Wellbeing Strategy. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Executive Member for Adult Health and Social Care clarified that in respect of the proposed membership for the Shadow Board, this would include the opposition group Leaders, or their representatives.

**RESOLVED -**

- (a) That the progress which has been made in developing a shadow Health and Wellbeing Board for Leeds be noted.
- (b) That the recent clarification of public health functions to be transferred to the Local Authority be noted along with the intention to submit further reports on issues and implications once further information is known.
- (c) That the progress which has been made in delivering the work programme identified in the first JSNA report in April 2009 be noted along with the implications of the new role of the JSNA as central to the new commissioning structures.
- (d) That it be noted that a further update on the JSNA will be published in the autumn as part of the State of the City report.
- (e) That the ongoing refinement of the priorities and indicators within the City Priority Plan, following NHS Leeds Board, partnership and scrutiny contributions, be agreed.

## **RESOURCES AND CORPORATE FUNCTIONS**

### **70 Building intelligence capacity for the city and city region**

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report outlining the rationale underpinning the proposal to transfer Yorkshire Forward's Chief Economists Unit to the Council, detailing the actions being taken to secure an appropriate operating and funding model, whilst seeking formal agreement to transfer the Chief Economists Unit to the Council from 1st November 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Emphasis was placed both upon the importance of possessing high quality intelligence in order to inform the Council's strategic and operational planning and also upon the opportunities that this initiative would offer the Council and others.

In response to Members' comments that this initiative needed to be self financing, assurances were received that it was anticipated that this would be the case and that a further report would be submitted to the Board in March 2012, in respect of such matters.

#### **RESOLVED -**

- (a) That the rationale underpinning the proposal to transfer Yorkshire Forward's Chief Economists Unit to the Council be noted.
- (b) That the actions being taken to secure an appropriate operating and funding model which will fully mitigate the financial impact on the Council be noted.
- (c) That the transfer of the Chief Economists Unit to the Council, subject to satisfactory consultation with the trade unions, effective from 1st November 2011, be formally agreed.
- (d) That a further report be submitted to the Board in March 2012 in respect of the initiative.

### **71 Financial Health Monitoring 2011/12 - Month 4**

The Director of Resources submitted a report setting out the authority's projected financial health position, after four months of the 2011/2012 financial year. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Board received an update in respect of income generation from events and in response to a specific enquiry, officers undertook to provide the Member in question with a breakdown of the financial details regarding the projected shortfall in respect of car parking income.

Enquiries were made regarding the Council's attempts to recruit greater numbers of foster carers in Leeds and it was proposed that a further report was submitted to the Board on this matter in due course.

**RESOLVED –**

- (a) That the projected financial position of the authority after four months of the 2011/12 financial year be noted.
- (b) That the release of £800,000 from Housing Revenue Account reserves be approved in order to fund the remaining acquisition and demolition costs as outlined in paragraph 3.4 of the submitted report.
- (c) That approval be given to the budget adjustments, as detailed within paragraph 3.5 of the submitted report.
- (d) That a report be submitted to the Board in due course, regarding the Council's attempts to recruit greater numbers of foster carers in Leeds.

**72 Sex Establishment Statement of Licensing Policy**

The Director of Resources submitted a report presenting the Sex Establishment Statement of Licensing Policy for the purposes of formal adoption, ready for the start of the transitional period on 1st October 2011, whilst also presenting the related Working Group report for approval as the Council's response to the public consultation on the draft Statement of Licensing Policy. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Copies of the Sex Establishment Statement of Licensing Policy, together with the report of the Working Group had been circulated to Board Members for their consideration.

**RESOLVED –**

- (a) That the report of the Working Group be endorsed as the Council's response to the public consultation on the draft Statement of Licensing Policy.
- (b) That the Sex Establishment Statement of Licensing Policy be approved.

**DEVELOPMENT AND THE ECONOMY**

**73 Design & Cost Report for Re-location of the UTMC (Urban Traffic Management Control) Service and the Provision of Upgraded and New UTMC Infrastructure**

The Director of Resources and the Director of City Development submitted a joint report seeking approval of a funded injection into the Capital Programme and the related authority to spend, in respect of the move and upgrade of the Urban Traffic Management Control (UTMC) Unit. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Following consideration of Appendix 1 to the submitted 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 an injection into the capital programme of £2,321,000 be approved, of which £716,000 is allocated from the Changing the Workplace Programme, £244,200 is contributed by Calderdale Council, with the balance of £1,360,800 being the subject of a prudential borrowing business case, and funded by annual revenue savings accruing from the project.
- (b) That authority to spend the amount of £2,480,000 on the relocation of UTMC and provision of upgraded and new UTMC infrastructure be approved.
- (c) That by giving the authority to spend as detailed at resolution (b) above, it be noted that the Board are committing £716,000 to complete the UTMC relocation, in advance of the formal consideration of the Changing the Workplace business case later in the year.

**74 Deputation to Council: Carr Manor Road Safety Group regarding Road Safety Issues in the Carr Manor Area**

The Director of City Development submitted a report in response to the deputation to Council on 13<sup>th</sup> July 2011 from Carr Manor Road Safety Group regarding road safety issues in the Carr Manor area. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED –**

- (a) That the concerns of the local residents, as raised within the deputation to Council on the 13<sup>th</sup> July 2011 be acknowledged and recognised.
- (b) That it be noted that the approval of the proposal for additional primary provision does not presuppose the outcome of the planning application.
- (c) That as part of any planning application submission for new primary provision, road safety issues of concern be addressed as part of the transport statement

**75 Approval to the Submission of a Best and Final Bid for Funding of the A58M Inner Ring Road Highway Structures Essential Maintenance Scheme**

The Director of City Development submitted a report seeking approval for the submission of the Best and Final Bid for the A58M Leeds Inner Ring Road Highways Structures Essential Maintenance Scheme to the Department for Transport by 9th September 2011, whilst also seeking agreement on the level of local contributions needed to ensure that the scheme had the best possible chance of securing government funding. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED –**

- (a) That the submission of the Best and Final Bid for the A58M Inner Ring Road Highways Structures Essential Maintenance Scheme to the Department for Transport by 9<sup>th</sup> September 2011 be approved.
- (b) That the local contribution to the scheme of £3,000,000 be agreed and that approval be given to the injection of this funding into the Inner Ring Road scheme within the approved capital programme.

(The matters referred to in this minute, were not eligible for Call In due to the external deadline set by the Department for Transport for the submission of Best and Final Bids, which if not met, would have negative implications upon the funding of the scheme)

**76 Informal City Centre Commuter Car Parking Policy**

The Director of City Development submitted a report seeking approval to introduce an informal interim policy to deal with commuter car parking sites in the city centre. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members discussed the process and the timescales by which the informal interim policy had been developed, in addition to the level of cap on spaces which had been proposed.

**RESOLVED -**

- (a) That the City Centre Commuter Car Parking Policy, as set out within Appendix A to the submitted report be approved as a material consideration in planning decisions.
- (b) That as a temporary policy, officers be requested to monitor the impact of the policy in the context of public transport improvements and development in the city centre.

**NEIGHBOURHOODS, HOUSING AND REGENERATION**

**77 Deputation to Council: Lingfields and Fir Trees Residents Group regarding Resources in the Moor Allerton Area with Particular Reference to the Open House Community Centre**

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report in response to the deputation to Council on 13<sup>th</sup> July 2011 from the Lingfields and Fir Trees Residents Group regarding resources in the Moor Allerton area with particular reference to the Open House Community Centre. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

It was noted that local Ward Members had been involved in the drafting of the report and that further consultation would be had with them in due course.

**RESOLVED -**

- (a) That the Area Leader, East North East Leeds, in consultation with the relevant Ward Members, develop an interim package to ensure the continued operation of the Open House community centre until end of March 2012.
- (b) That the options for the future, long term management arrangements for the Open House community centre be explored, involving and including a consultation with local residents.

**78 Developing a Locality Approach between Leeds City Council Services and Police Community Safety Officers (PCSOs)**

The Director of Environment and Neighbourhoods submitted a report providing an overview of the progress which was being made to develop more joined-up working arrangements between locality based City Council services and Police Community Safety Officers (PCSOs). In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Superintendent Simon Whitehead, Chief Officer Leeds Community Safety, was in attendance at the meeting to respond to Members' enquiries.

Members highlighted the vital role played by PCSOs in respect of combating crime of all levels and regarding information gathering, whilst also emphasising the role played by PCSOs in other areas such as the children's agenda. In addition, the superintendent stressed the vital nature of the cross partnership approach which was needed to effectively combat crime in the city.

In response to Members' enquiries, the Executive Member for Neighbourhoods, Housing and Regeneration undertook to progress the formalisation of the joint protocols between the Council and West Yorkshire Police in respect of PCSOs.

**RESOLVED -**

- (a) That the progress which has been made to develop more joined up working within localities between Leeds City Council services and Police Community Safety Officers be noted.
- (b) That a report be tailored for each Area Committee on Police Community Safety Officers and the proposed areas of closer working for local environmental priorities.

**79 Proposal to lease and sell miscellaneous Council properties to Unipol Student Homes**

The Director of Environment and Neighbourhoods submitted a report presenting a proposal for Unipol Student Homes to lease 73 Council properties and purchase 15 of such properties from the Council over a 4 year period. In determining this matter, the Board took into consideration all matters contained within the accompanying report.



Following consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rules 10.4(2) and 10.4(3), and consideration of Appendix 2, designated as exempt under Access to Information Procedure Rule 10.4(3), both of which were considered in private at the conclusion of the meeting, it was

**RESOLVED -**

- (a) That the granting of a 21 year lease at less than best consideration for 73 properties to Unipol be approved.
- (b) That the sale of 15 of the properties referred to in resolution (a) to Unipol Student Homes on an individual market value basis over the next 4 years be approved, the first of such properties has been declared surplus by the Director of Environments & Neighbourhoods.
- (c) That approval be given for the Director of Environments and Neighbourhoods to authorise future surplus declarations for those properties identified to be sold, through the Delegated Decision process.

**80 Employment and Skills**

The Director of Environment and Neighbourhoods submitted a report providing an update on current claimant rates for out of work benefits, detailing the progress achieved under current programmes to support priority groups back into employment, summarising the Government's revised delivery framework of employment support activity and the resultant changes required in local provision. In addition, the report also identified key initiatives proposed to be taken forward by the Council in partnership with others in response to business needs, whilst also supporting recovery and growth and maximising opportunities for local people to secure employment. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members emphasised the need for a partnership approach to be taken between participating companies, agencies and the Council, in order to ensure that the apprenticeship opportunities provided were in line with demand.

**RESOLVED -**

- (a) That the activity undertaken to date to support local people to improve their skills and secure employment be noted.
- (b) That in principle support be given to the proposals to develop an Apprenticeship Training Agency and further develop the Retail Academy in order to provide a national centre of excellence, subject to the consideration of further detailed feasibility and delivery plans.

## **CHILDREN'S SERVICES**

### **81 Recent Examination Results**

Following the high levels of attainment which had been achieved in the examination results over the summer, the Executive Member for Children's Services paid tribute to and congratulated all of the students and staff involved.

### **82 Primary Basic Need Programme - Outcome of statutory notices for the expansion of primary provision in 2012**

Further to Minute No.226, 18<sup>th</sup> May 2011, the Director of Children's Services submitted a report detailing the outcomes arising from the publication of the statutory notices regarding the expansion of primary provision in 2012 and sought a final decision on the proposal in respect of Roundhay School Technology and Language College. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** - That the age range of Roundhay School Technology and Language College be changed from 11-18 to 4-18 years, with a reception admission limit of 60, and with the expansion of the school's capacity using land off Elmete Lane for the primary provision.

### **83 Public reports of the local government ombudsman regarding complaints**

The Director of Children's Services submitted a report providing details of a recent finding of maladministration with injustice in three reports issued by the Local Government Ombudsman. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In presenting the report, the Chair and the Board conveyed their unreserved apologies for the service which the children involved and their families had received. In addition, tribute was paid to the families for their resilience and determination throughout the process. The Director of Children's Services also took the opportunity to outline the actions which had been and continued to be taken to ensure that such instances of maladministration did not occur again.

Following consideration of the supplementary information tabled at the meeting, designated as exempt under Access to Information Procedure Rule 10.4(1) and (2), which was considered in private at the conclusion of the meeting it was

#### **RESOLVED –**

- (a) That the contents of the covering report along with the three Ombudsman reports be noted.
- (b) That the actions taken by the Council to remedy the issues raised be noted.

**84 E-ACT Leeds East Academy Final Business Case**

Further to Minute No. 12, 22<sup>nd</sup> June 2011, the Director of Children's Services submitted a report presenting the Final Business Case for the E-ACT Leeds East Academy for the purposes of approval and submission to the Partnerships for Schools. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** - That the submission of the Final Business Case to the Partnerships for Schools (PfS) for E-ACT Leeds East Academy (BSF Wave 1, Phase 5) be approved.

**LEISURE**

**85 Scrutiny Board Recommendations - Cemeteries & Crematoria Horticultural Maintenance**

Further to Minute No. 232, 18<sup>th</sup> May 2011, the Director of City Development submitted a report further considering the recommendations arising from the former Scrutiny Board (City Development) inquiry into 'Cemeteries and Crematoria Horticultural Maintenance' and detailing proposals in response to the recommendations made, with particular reference to recommendation 2 of the inquiry report. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** - That the report be withdrawn from the agenda, with a further report being submitted for consideration in due course.

**DATE OF PUBLICATION:** 9<sup>TH</sup> SEPTEMBER 2011

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 16<sup>TH</sup> SEPTEMBER 2011 (5.00 P.M.)

(Scrutiny support will notify Directors of any items called in by 12.00 p.m. on 19<sup>th</sup> September 2011)

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**FORWARD PLAN OF KEY DECISIONS  
(relating to Resources and Council Services  
Scrutiny Board)**

1 September 2011 – 31 December 2011

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Former Beckett Park Primary School Building: Refurbishment works Approval to proceed with works to refurbish part of the former Beckett Park Primary School Building, and to incur expenditure from the approved capital programme.	Director of Resources	1/9/11	Relevant Stakeholders	Design and Cost Report	gary.milner@leeds.gov.uk
Playspaces Project Approval to proceed with works to provide new of refurbished play facilities, to inject grant funding into the approved Capital Programme, and to incur the necessary capital expenditure	Director of Resources	1/9/11	Relevant Stakeholders	Design and Cost Report	charlotte.foley@leeds.gov.uk
Supply and Maintenance of Vehicle Tyres To agree the award of Tender for the Supply and Maintenance of Vehicle Tyres	Chief Commercial Services Officer	1/9/11	Fleet Services, Procurement Unit, Chief Officer concerned	Tender Submissions	Carl Snowden carl.snowden@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Awarding of the Framework Agreement for vehicle bodywork repair services for a period of 3 years from the 1st April 2011 with the option to extend a further 12 months To award the Framework Agreement for vehicle bodywork services	Chief Commercial Services Officer	1/9/11	Fleet Services, Procurement Unit, Chief Officer affected	Tender Returns	Carl Snowden carl.snowden@leeds.gov.uk
Monthly Financial Health Report 2011/12 In noting the financial position for the month for the Authority a decision will be required as to the treatment of any variation identified	Executive Board (Portfolio: Resources and Corporate Functions)	7/9/11	n/a	The report to be issued to the decision maker with the agenda for the meeting	Doug Meeson, Chief Officer (Financial Management) doug.meeson@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Sex Establishment Statement of Licensing Policy Approval of Sex Establishment Statement of Licensing Policy	Executive Board (Portfolio: Resources and Corporate Functions)	7/9/11	Policy development with Licensing Committee, 12 week public consultation ending 26/06/11 (inc all Ward Members)	The report to be issued to the decision maker with the agenda for the meeting	susan.holden@leeds.gov.uk



<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>ICT Services – Changing The Workplace - Application Deployment Infrastructure replacement Replace the council’s end of life ICT ‘Application Delivery’ technology with a modern equivalent that will allow staff to work more flexibly in line with the council’s ‘Changing The Workplace’ (CTW) programme. To be delivered under the ICT Services Essential Services Programme (ESP). This will be undertaken through existing contract arrangements.</p>	<p>Executive Board (Portfolio: Resources and Corporate Functions)</p>	<p>7/9/11</p>	<p>CTW Programme Board, ESP Programme Board, ICT Monthly Commissioning Board, departmental communication ongoing and planned.</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>david.maidment@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Sport Prices 2012 To approve a pricing schedule for Sport and Active Recreation Services 2012	Chief Officer Resources and Strategy	30/9/11	Executive Member, sports managers, finance and equalities staff	Latest income and usage forecasts, latest activity levels and numbers enrolled for lessons, prices of authorities and local competitors	david.oloan@leeds.gov.uk
The Manufacture, Supply and Installation of Passenger Lifts, Stair Lifts and through the Floor Lifts to Leeds City Council Buildings Property Maintenance's procurement exercise for the award of a framework contract for the manufacture. Supply and installation of passenger lifts, stair lifts and through the floor lifts to Leeds Council Buildings	Chief Commercial Services Officer	1/10/11	None	The award report from the tender process	sarah.martin@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>Changing the workplace/customer access programmes - Improving Council Wide Customer Services</p> <p>Approval to modernise the range of face to face customer services delivered by Leeds City Council in the City Centre, with specific authorisation for funding to deliver phase 1 of the project, an interim single customer facing facility in the City Centre at 2 Great George Street 2GGS, as an early win for the Changing the Workplace/Customer Access Programmes</p>	<p>Executive Board (Portfolio: Resources and Corporate Functions)</p>	<p>12/10/11</p>	<p>Changing the Workplace Programme Board Customer Access Delivery Board</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>jane.watson@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>Review of discretionary relief scheme for Business Rates to provide assistance for Social Enterprises To approve changes to the Business Rates discretionary relief scheme to provide relief to Social Enterprises</p>	<p>Executive Board (Portfolio: Resources and Corporate Functions)</p>	<p>12/10/11</p>	<p>Executive Members, City Development Director, Director of Resources, Chief Finance Officer</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>mark.amson@leeds.gov.uk</p>
<p>The design and build of a new electrical infrastructure for the Apex Data Centre To award a contract to an appropriate contractor following a regulated tender process</p>	<p>Chief ICT Officer</p>	<p>30/10/11</p>	<p>N/A</p>	<p>Delegated Decision Report</p>	<p>andrew.byrom@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Changing the Workplace Programme Approval of detailed Business Case including funding approval for delivery of phase 1. Draft Heads of Terms approval plus agreement on delegated decision for final HOT.	Executive Board (Portfolio: Resources and Corporate Functions)	7/12/11	CLT, Cabinet	The report to be issued to the decision maker with the agenda for the meeting	jane.watson@leeds.gov.uk

