

MINUTES OF A MEETING OF  
 PERFORMANCE SCRUTINY  
 COMMITTEE HELD IN THE  
 WAYTEMORE ROOM, COUNCIL  
 OFFICES, THE CAUSEWAY, BISHOP'S  
 STORTFORD ON TUESDAY, 4 MAY  
 2004 AT 7.30 PM

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PRESENT: Councillor Mrs D L E Hollebon (Chairman).  
 Councillors P R Ballam, S A Bull, R Gilbert,  
 A M Graham, D E Mayes, Mrs S Newton,  
 L Pinnell, J O Ranger, J Warren.

ALSO IN ATTENDANCE:

Councillor A P Jackson.

OFFICERS IN ATTENDANCE:

Miranda Steward	- Executive Director (Operations)
Dave Cooper	- Performance Officer
Simon Hawkins	- Performance Officer
Jeff Hughes	- Head of Democratic Services
Mary Orton	- Assistant Director (Policy and Performance)
Bernard Perry	- Assistant Director (Human Resources)
Ceridwen Pettit	- Head of Performance

810 APOLOGIES

Apologies for absence were submitted on behalf of  
 Councillors A D Dodd, J Hedley and G McAndrew.

811 CHAIRMAN'S ANNOUNCEMENTS

The Chairman, reminded Members that, at its last meeting,  
 the Performance Scrutiny Committee had expressed

considerable interest in scrutinising the work of the Safety Advisory Group. The Chairman stated that she considered that this was an excellent opportunity to set up a Member/Officer Working Party to consider this issue in detail. If any Members were interested in participating in this Group, they were invited to give their names to the Head of Democratic Services by no later than the eve of the next Performance Scrutiny Committee meeting. The Chairman commented that Members were presented with a good opportunity to “get out and about” to view events at first hand and talk to event organisers around the District.

The Chairman reminded Members that the next meeting of the Committee would take place on 1 June 2004.

The Chairman stated that Members may be interested to note that the Executive would receive a report, at its meeting in July 2004, on future options for Castle Hall, Hertford.

The Chairman advised that, at the next meeting of this Committee in June 2004, a report would be considered setting out a suggested Forward Plan for the Committee for the new Civic Year. If Members had any suggestions on items to be included within the Plan they should let her know.

The Chairman, with Members consent, advised that the order of business on the agenda would be changed. Item 8 had been withdrawn from consideration as this had been dealt with under the Chairman’s first announcement. Secondly, Item 7 would be considered immediately after Item 4.

Prior to the conclusion of the meeting, the Chairman thanked all officers and Members for their hard work and continued support throughout the past year.

812 DECLARATIONS OF INTEREST

Councillor S A Bull declared a personal interest in the matter detailed at Minute 816, as his wife was involved with a local Meals on Wheels service.

RESOLVED ITEMS

ACTION

813 MINUTES

RESOLVED - that the Minutes of the meeting held on 9 March 2004 be confirmed as a correct record and signed by the Chairman.

814 BEST VALUE REVIEW OF ORGANISATIONAL DEVELOPMENT

The Executive Director (Operations) submitted a report updating Members on the progress of the Best Value Review of Organisational Development.

The Executive Director reminded the Committee that, at its meeting held 15 December 2003, it had agreed that the aim of this particular Best Value Review would be “to identify current organisational values and culture and assess whether they would deliver the corporate vision and priorities”.

The Executive Director advised that this review was being managed through four phases of activity:

- clarifying the organisation values the Council aspired to and identifying the gap between its aspirations and its current culture
- Assessing the extent to which the Council’s systems, processes and policies supported the organisation’s values and determining options for change

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- Reviewing the structure and capacity of Human Resources
- Reviewing the capacity and competency of everyone in order to support them to deliver the corporate vision and priorities.

The Executive Director stressed that the development of credible core values was critical to the review and the success of the organisation. Therefore, to inform this phase of the review, a range of consultation and engagement exercises had now taken place.

The Committee noted the nature of the consultation engagement exercises that had been undertaken.

Subsequently, a statement of core values had been drafted. The statement of core values was appended to the Executive Director's report.

The Executive Director advised that, following the production of the statement, it was not intended to undertake an assessment of current systems, processes and policies in order to determine how they contributed to achieving the Council's values. The assessment process would involve focus groups of both staff and Members.

The Executive Director outlined future work to be undertaken in the areas of structure and capacity of Human Resources and competency and capacity within the Authority.

In relation to the latter of these areas, the Executive Director clarified that work was being undertaken to identify skills for elected Members that would enable them to undertake their work in that capacity and also help towards achieving the Authority's values.

The Executive Director noted Members comments concerning the appropriateness of certain phrases used

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within the report now submitted.

The Executive Director, in relation to the “comparison” element of the review, confirmed that the Authority intended to compare itself with a range of private and public sector organisations in order to maximise its understanding and learning from best practice.

In relation to the “challenge” aspect, the Executive Director stated that a challenge workshop would be held at the end of June 2004. The workshop would involve the Council’s external challenger, staff and a Focus Group, representatives of the Directors Board and Heads of Service. Members would also be represented on a cross Council basis. Union representatives would also be invited to attend.

The Committee welcomed the progress being made in respect of the Best Value Review of Organisational Development.

The Committee agreed to receive the Executive Director’s report as now submitted.

RESOLVED - that the report be received.

815 BEST VALUE PERFORMANCE PLAN 2004 (TEXT ONLY)

The Committee considered a report by the Executive Member for Corporate Facilities on the Authority’s Best Value Performance Plan for 2004.

The Committee noted that the Best Value Performance Plan was a statutory plan that must be published by the end of June each year.

The annual Performance Plan provided an opportunity for local authorities to articulate their proposals for improvement for the coming year and detail targets for future performance.

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The Committee noted the requirements that the Authority needed to meet when preparing an annual Performance Plan. These requirements had been revised over the last few years. Recently, the Office of the Deputy Prime Minister had published an updated “Guidance of Best Value Performance Plans”. The Guidance contained updates on three key issues:

- audience for Performance Plans
- content of Performance Plans
- timing of Performance Plans.

The Committee noted that whilst Performance Plans should be public documents, local authorities should not view the public as the primary recipient. The primary audience of the Plan was the Authority itself.

In relation to the contents of Performance Plan, the Committee noted that for authorities categorised as “excellent” or “good” under Comprehensive Performance Assessment categorisation, the Government had reduced its Performance Plan requirements. For example, the Government would accept an Authority’s annual corporate plan as meeting the statutory requirement, provided that it was identified as a “Performance Plan”, and contained the following information:

- outturn data for Best Value Performance Indicators,
- targets for Best Value Performance Indicators in the current year and subsequent two years, and
- confirmation that an Authority was adopting the Code of Practice in their approach to workforce matters and contracting.

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Appended to the Executive Member's report was a draft document containing the proposed text for the Authority's Best Value Performance Plan 2004.

The Committee noted that it was proposed that the plan would be published in an A4 booklet format and on the Internet and issued to Members, staff and stakeholders as in previous years.

In addition to statutory information, it was intended that information on matters such as the Council's priorities and the Authority's service planning and financial management framework would be included within the Plan.

The Committee considered, in detail, the proposed text of the Best Value Performance Plan 2004.

Members commented on the need to ensure that the Plan addressed any issues identified within the Authority's Comprehensive Performance Assessment Improvement Plan.

The Committee made a number of suggested amendments to the text of the Plan as now detailed.

In reviewing the Plan, the Committee agreed that it would wish to scrutinise, at future meetings, the following services:

- Highways
- Affordable housing

The Committee noted that the current version of the Plan would be updated with further information and re-submitted to it for further consideration at its June 2004 meeting.

The Committee noted that the Authority needed to consider what, if any, Best Value Reviews it intended to undertake in 2004/05 in addition to those currently in progress. At the

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time of writing the report, officers were seeking the views of the External Auditor and the Audit Commission on this matter as part of the improvement planning process, following the Comprehensive Performance Assessment inspection. The Committee, at this stage, did not identify any further reviews to be undertaken.

The Committee agreed to note the proposed format and content of the Best Value Performance Plan 2004 as now submitted.

RESOLVED - that the proposed format and content of the Best Value Performance Plan 2004, as now detailed, be noted.

APP

#### 816 BEST VALUE REVIEW OF HEALTH AND LIVING SUPPORT

The Assistant Director (Policy and Performance) submitted a report detailing the findings to date on the Meals on Wheels service. This service was one of the areas being considered under the Health and Living Support Best Value Review.

The Committee noted that the Review Team had gathered evidence which had indicated that the Meals on Wheels service was unsustainable in its current format, particularly with the potential future declining numbers of volunteers and ageing population. It was therefore important to consider the best way of providing a sustainable service to cope with increasing demands in the future.

The Committee noted the details of the Review Team's findings on this matter to date.

The Committee expressed concern over the nature of any potential assessment of an individual's eligibility to receive this service.

The Committee, however, agreed to accept the principle of assessment subject to officers submitting a more detailed

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report on this particular aspect to a future meeting before work thereon was actually undertaken.

Following comments from a Member, the Assistant Director undertook to ensure that the Review Team considered the provision of Meals on Wheels services within Uttlesford District Council.

The Assistant Director confirmed that Hertfordshire County Council was a full participant within the review now being undertaken on the Meals on Wheels service.

The Committee made a number of observations in respect of the progress of this Review. It agreed that these observations should be reported back to the Review Team.

The Assistant Director confirmed that a final report on the review of the Meals on Wheels service, together with an Action Plan, would be submitted to the Executive, via this Committee, for consideration. This final report would contain details of the "full cost" of providing the service.

RESOLVED - that the interim findings, as now detailed, regarding the Meals on Wheels service be noted and the comments of this Committee thereon be reported back to the Best Value Review Team for due consideration.

APP

#### 817 MANAGEMENT REVIEW/STAFF RESTRUCTURING AND REDUNDANCIES 2002

The Executive Director (Operations) submitted a report on the outcome of the Management Review following the adoption, in 2002, of an unlawful redundancy policy and subsequent ultra vires payments.

The Executive Director reminded the Committee that, prior to the recent Senior Management restructuring exercise and the introduction of the current management arrangements, the Council had adopted a policy on redundancy which was unlawful, principally because it

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fettered Members decision making.

The Committee recalled that the unlawful policy was subsequently withdrawn and replaced.

A Management Review was subsequently implemented to explore how an unlawful policy had been adopted and how a repetition of the adoption of an unlawful policy could be avoided in the future. The Committee noted the recommendations arising from this review.

The Executive Director commented that the lessons learnt from the Review centred around the introduction of a more structured and collaborative way of dealing with such issues. Management systems had been introduced to ensure, amongst other things, that appropriate officers were consulted and that effective audit trails on decision-making were kept and recorded.

The Executive Director stated that, at its last meeting, Council had adopted protocols which clarified the roles and responsibilities of the Authority's three statutory officers (Section 151 Officer, Monitoring Officer and Head of Paid Service).

The Executive Director stressed the importance of the relationship between the Council and its external auditor. The Committee noted the explanation within the Executive Director's report of the auditor's roles and responsibilities.

The Executive Director commented that the Authority's relationship with its external auditor was a critical one which had a positive benefit to all concerned.

The Committee noted that the external auditor had expressed satisfaction with the content of this report.

The Executive Director commented that the Authority had learnt from the experience of this matter by building on existing good practice and introducing further improvements to ensure that statutory and non-statutory

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officers could properly perform their duties.

The external auditor had indicated that, if Committee received this report, it would be possible for any accounts relating to the unlawful redundancy payments etc to be closed.

The Committee considered the Executive Director’s report. In response to Members comments, the Executive Director undertook to negotiate a protocol with the external auditor to ensure that, should they be minded to seek legal advice on any matter within the Authority’s accounts, they notify the Authority beforehand that they felt it was necessary to obtain such advice.

The Committee agreed to receive the report.

RESOLVED - that the report be received.

The meeting closed at 9.30 pm

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Chairman	.....
Date	.....