

A G E N D A

Strategic Monitoring Committee

Date: **Thursday, 26th January, 2006**

Time: **10.00 a.m.**

Place: **The Council Chamber,
Brockington, 35 Hafod Road,
Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

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**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Strategic Monitoring Committee

To: Councillor T.M. James (Chairman)
Councillor Mrs. P.A. Andrews (Vice-Chairman)

Councillors B.F. Ashton, W.L.S. Bowen, H. Bramer, A.C.R. Chappell,
J.H.R. Goodwin, Mrs. M.D. Lloyd-Hayes, J.P. Thomas and W.J.S. Thomas

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on this agenda.	
3. MINUTES To approve and sign the Minutes of the meeting held on 14th October, 2005.	1 - 6
4. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY To consider suggestions from members of the public on issues the Committee could scrutinise in the future.	
5. COMPREHENSIVE PERFORMANCE ASSESSMENT: CORPORATE ASSESSMENT AND JOINT AREA REVIEW To report formally to Strategic Monitoring Committee on the receipt of the Corporate Assessment and Joint Area Review undertaken earlier this year and to advise the Committee on the timetable for addressing the Improvement Plan.	7 - 10
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8. PAY AND WORKFORCE DEVELOPMENT STRATEGY To note the progress on the Council's Pay and Workforce Development Strategy operating plan for 2005-6.	25 - 28

9. CORPORATE PLAN 2006/2009	29 - 34
To note the Corporate Plan 2006/2009, subject to any changes that may be needed before Cabinet recommending it to Council for approval at its meeting on 10th March, 2006.	
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PUBLIC INFORMATION

HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

The Council has established Scrutiny Committees for Adult Social Care and Strategic Housing, Childrens' Services, Community Services, Environment, and Health. A Strategic Monitoring Committee scrutinises corporate matters and co-ordinates the work of these Committees.

The purpose of the Committees is to ensure the accountability and transparency of the Council's decision making process.

The principal roles of Scrutiny Committees are to

- Help in developing Council policy
- Probe, investigate, test the options and ask the difficult questions before and after decisions are taken
- Look in more detail at areas of concern which may have been raised by the Cabinet itself, by other Councillors or by members of the public
- "call in" decisions - this is a statutory power which gives Scrutiny Committees the right to place a decision on hold pending further scrutiny.
- Review performance of the Council
- Conduct Best Value reviews
- Undertake external scrutiny work engaging partners and the public

Formal meetings of the Committees are held in public and information on your rights to attend meetings and access to information are set out overleaf

PUBLIC INFORMATION

Public Involvement at Scrutiny Committee Meetings

You can contact Councillors and Officers at any time about Scrutiny Committee matters and issues which you would like the Scrutiny Committees to investigate.

There are also two other ways in which you can directly contribute at Herefordshire Council's Scrutiny Committee meetings.

1. Identifying Areas for Scrutiny

At the meeting the Chairman will ask the members of the public present if they have any issues which they would like the Scrutiny Committee to investigate, however, there will be no discussion of the issue at the time when the matter is raised. Councillors will research the issue and consider whether it should form part of the Committee's work programme when compared with other competing priorities.

Please note that the Committees can only scrutinise items which fall within their specific remit (see below). If a matter is raised which falls within the remit of another Scrutiny Committee then it will be noted and passed on to the relevant Chairman for their consideration.

2. Questions from Members of the Public for Consideration at Scrutiny Committee Meetings and Participation at Meetings

You can submit a question for consideration at a Scrutiny Committee meeting so long as the question you are asking is directly related to an item listed on the agenda. If you have a question you would like to ask then please submit it **no later than two working days before the meeting** to the Committee Officer. This will help to ensure that an answer can be provided at the meeting. Contact details for the Committee Officer can be found on the front page of this agenda.

Generally, members of the public will also be able to contribute to the discussion at the meeting. This will be at the Chairman's discretion.

(Please note that the Scrutiny Committees are not able to discuss questions relating to personal or confidential issues.)

Remits of Herefordshire Council's Scrutiny Committees

Adult Social Care and Strategic Housing

Statutory functions for adult social services including:

Learning Disabilities

Strategic Housing

Supporting People

Public Health

Children's Services

Provision of services relating to the well-being of children including education, health and social care.

Community Services Scrutiny Committee

Libraries

Cultural Services including heritage and tourism

Leisure Services

Parks and Countryside

Community Safety

Economic Development

Youth Services

Health

Planning, provision and operation of health services affecting the area

Health Improvement

Services provided by the NHS

Environment

Environmental Issues

Highways and Transportation

Strategic Monitoring Committee

Corporate Strategy and Finance

Resources

Corporate and Customer Services

Human Resources

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- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Strategic Monitoring Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 14th October, 2005 at 10.00 a.m.

Present: Councillor T.M. James (Chairman)
Councillor Mrs. P.A. Andrews (Vice-Chairman)

Councillors: B.F. Ashton, J.H.R. Goodwin, Mrs. M.D. Lloyd-Hayes and W.J.S. Thomas

In attendance: Councillors R.J. Phillips (Leader of the Council) and R.M. Wilson (Cabinet Member (Resources))

23. APOLOGIES FOR ABSENCE

Apologies were received from Councillors W.L.S. Bowen, H. Bramer, A.C.R. Chappell and J.P. Thomas.

24. DECLARATIONS OF INTEREST

There were no declarations of interest.

25. MINUTES

RESOLVED: That the Minutes of the meeting held on 26th September, 2005 be confirmed as a correct record and signed by the Chairman, subject to correcting the list of Members present which listed Councillor Mrs Andrews, who was present, twice.

26. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY

No suggestions were made.

27. STAFF OPINION SURVEY 2005

The Committee received an update on the initial findings of the Staff Opinion Survey 2005.

The Head of Human Resources presented the report, commenting that the work that the Council had already done, and was doing, to improve had made a difference to what employees thought. In many areas of the survey the message from employees was that things were getting better.

The report described some of the improvements which had been made, areas where responses had been significantly more positive than in either of the last two years and the two main areas where employees had said that things had not improved. It also set out how the results compared with other local authorities identifying areas both where it compared well and where it appeared not to compare so well.

In the ensuing discussion the following principal points were made:

- In response to a question the Head of Human Resources reaffirmed his view that the overall message from the survey was a positive one.
- In line with the practice adopted in recent years the survey had not included school based staff. The difficulty in seeking comments from school based staff on aspects of the Council's management when the management of individual schools was outside the Council's control was acknowledged. However, it was suggested that given the developing agenda for Children's Services it might be timely to consider whether some form of survey of school based staff might be helpful.
- The Head of Human Resources was questioned on the two main areas where employees had said things had not improved: the findings that fewer employees felt that they could meet job requirements without working long hours; and that fewer employees were satisfied with their work environment. He advised that these findings would be examined in more detail once the analysis of the responses was broken down on a departmental basis.
- The Leader of the Council commented that the progress shown by the survey needed to be sustained.

RESOLVED: That the report be noted with the suggestion that consideration be given to some form of survey of school based staff.

28. BUDGET CONSIDERATION 2006/07

The Committee received a report on clarifying the role of the scrutiny function in the preparation of the annual revenue and capital budgets.

The report explained how the consideration of the annual revenue and capital budgets needed to be seen in the context of the Council's Medium Term Financial Plan 2004/05 to 2007/08. The clear pressures on the budget over the remainder of this period made the alignment of resources to the Council's objectives essential and a review of base budget provision would be required.

It described the role of the Budget Panel in undertaking the detailed analysis of the budget and budget pressures before reporting on its findings and making initial recommendations to Cabinet. It also noted the acceptance to date that the Budget Panel should be representative of the political groups, the executive and the scrutiny function.

In conclusion the report recognised that it was important to review the effectiveness of the Budget Panel process and suggested that the appointment of the new Director of Resources provided an opportunity to do so. However, it was thought that it would not be practical to complete a review in time to contribute to the preparation of the 2006/07 budget and that the Director of Resources should therefore be asked to make recommendations to both the Committee and Cabinet on the process for the preparation of the 2007/08 budget.

In the course of discussion the following principal points were made:

- That providing individual scrutiny committees with the opportunity to contribute to the budget process had not proved productive in the past.

- That it would be helpful if provision could be made in the budget preparation timetable for a slightly longer period between the executive making a firm proposal and the recommendation of the budget to Council for adoption.
- In response to concern expressed about the involvement of other Councillors in the process the Leader of the Council indicated his intention to re-emphasise to Members the opportunity to make representations to Cabinet Members on their priorities.

RESOLVED:

That (a) the Director of Resources be asked to undertake a prompt review of the budget process and make recommendations to both the Committee and Cabinet on the process for the preparation of the 2007/08 budget;

and

(b) that it would be helpful if provision could be made in the budget preparation timetable for a slightly longer period between the executive making a firm proposal and the recommendation of the budget to Council for adoption.

29. CAPITAL STRATEGY

The Committee was invited to note the position on the Council's revised Capital Strategy.

The report to Cabinet on 29th September, 2005 was appended to the report, with the detailed Strategy enclosed separately.

The Assistant County Treasurer presented the report, highlighting key issues within the Strategy. He advised that the Strategy represented best practice and that capital resources were being used effectively.

In the course of discussion the following principal points were made:

- In reply to a question in relation to page 41 of the Strategy which set out the Property Strategy and referred to the consolidation of offices in Hereford in a non-city centre location the Leader of the Council agreed that the decision taken by Cabinet following a call-in of the decision on office by the Strategic Monitoring Committee had provided for consideration of options other than Plough Lane but advised that no other options had yet been forthcoming.
- In relation to page 51 of the Capital Strategy, which set out the Accommodation Strategy, it was asked when the disposal of freehold property, consequent upon the Council's rationalisation of its accommodation would be discussed. It was suggested that Members of the Council were not sufficiently well informed about the Strategy and were unaware of the detail of the planned disposals, which had been contained in a confidential Cabinet report.

The Leader of the Council replied that there would be a phased disposal of surplus property. As far as the provision of information to Members was concerned he considered that Members were kept informed about the business being conducted at Cabinet meetings. Some reports had to be treated as confidential to protect the Council's position but these were few in number.

Members had access to both public and confidential Cabinet reports, except in very particular circumstances. It was, however, to an extent incumbent upon Members themselves to request information if they wanted it. He was not aware of any Member having been refused access to information to which they were entitled. However, as it appeared that there was some concern about the matter he proposed to discuss the position with Group Leaders to see whether any further measures needed to be taken to strengthen communication.

RESOLVED: That the report be noted.

30. BEST VALUE REVIEWS

The Committee was invited to note the position in relation to Best Value Reviews, having asked for clarification of the approach at its meeting in July.

The Corporate Policy and Research Manager presented the report. He noted that the original prescriptive Best Value Regime had been modified, the Government guidance stating that this was to enable authorities "to focus on priority areas arising from their Comprehensive Performance Assessments and other considerations." However, the broad principles for Best Value reviews remained.

The Council's Corporate Plan was now its Best Value and Improvement Plan providing the basis for Best Value review.

The Committee noted that it was for both it and the other scrutiny committees to consider which areas of the Corporate Plan should be made the subject of review as part of their work programmes.

31. REVIEW OF THE HEREFORDSHIRE PLAN

The Committee was informed of the work undertaken to date on the review of the Herefordshire Plan and the next steps in the review process.

The report noted that in developing the Plan in 1999, with a 10 year vision, it had been agreed that following an update in 2003 there would be a wider review in 2005 to test that the vision and ambitions were still appropriate.

The Herefordshire Partnership Manager explained that the first stage of the review had now been completed. The Partnership Board had agreed that there was a need for a simpler Plan which was easier to read and implement and more action orientated. The new vision was that contained in the new Local Area Agreement and the new Plan was to be structured around the Agreement's four themes. The outcomes agreed within the Agreement were to form the major part of the Partnership's work plan.

A draft plan and proposal for a new partnership structure was to be circulated for consultation in November 2005. It was intended to launch a new Plan in early 2006

A request was made that reporting on the work of the Partnership needed to be improved with future reports being standardised and providing clear evidence of progress against the Plan's objectives. The Herefordshire Partnership Manager reported that the ODPM would require reports on performance against the objectives in the Local Area Agreement and these could be readily adapted to report on the work of the Partnership.

RESOLVED

That (a) work undertaken and the consultation proposals be noted;

and

(b) future reports on the work of the Partnership should be standardised and provide clear evidence of progress against the Herefordshire Plan's objectives.

32. SCRUTINY REVIEW WORK

The Committee noted the terms of reference of the planned reviews of the Council's Strategic Service Delivery Partnership and ICT services.

33. SCRUTINY ACTIVITY REPORT

The Committee noted the work being undertaken by the Scrutiny Committees.

In closing the meeting the Chairman reminded the Committee that this would be the last meeting attended by Marie Rosenthal, County Secretary and Solicitor, before taking up a new appointment with another authority. He formally thanked her on the Committee's behalf and wished her well for the future.

The meeting ended at 11.02 a.m.

CHAIRMAN

COMPREHENSIVE PERFORMANCE ASSESSMENT: CORPORATE ASSESSMENT AND JOINT AREA REVIEW

Report By: Chief Executive

Wards Affected

County-wide

Purpose

1. To report formally to Strategic Monitoring Committee on the receipt of the Corporate Assessment and Joint Area Review undertaken earlier this year and to advise the Committee on the timetable for addressing the Improvement Plan.

Financial Implications

2. Any financial implications will be addressed through the improvement planning process.

Risk Management

3. If the Improvement Plan is not addressed then there is a continuing risk to the Council's reputation and, although the overall assessment of the delivery of service is positive, there are risk areas if the Improvement Plan is not robust.

Background

4. Although invitations were extended both to Cabinet and to Strategic Monitoring Committee and the opportunity was, therefore, given to attend the feedback sessions in relation to the Corporate Assessment and the Joint Area Review it is important that arrangements are made for those assessments to be formally received by Strategic Monitoring Committee and that the relevant individual Scrutiny Committee(s) have the opportunity to contribute to the development of the Improvement Plan process.

Considerations

5. It is worth recording that the Comprehensive Performance Assessment process was revised this year and Herefordshire Council was one of the first eight authorities to experience the new process of assessment which involved a Corporate Assessment and a Joint Area Review which were carried out at the same time. Those two assessments along with continuing service assessments then feed into the Comprehensive Performance Assessment, the outcome of which was announced in December. The new Comprehensive Performance Assessment also contains a new assessment on Direction of Travel which is expressed in terms of the capacity of the organisation to improve.

Further information on the subject of this report is available from N.M. Pringle, Chief Executive,
on 01432 260044

6. The Corporate Assessment and Joint Area Review are not re-issued. Most Members will already have received copies and copies of both documents have been available on the Intranet since they were published in December. If any Member wishes to have a hard copy then they are invited to contact Committee Services prior to the meeting.
7. The Chief Executive wrote to all Members of the Council on 7th December, 2005 to explain the outcome for the Council as a whole continued to be a positive one and when the Comprehensive Performance ratings were made public on Monday, 12th December the Council's overall score was that of a three star authority and under the new Direction of Travel statement, the authority was seen as "Improving Adequately".
8. Similarly, in overall terms there was a positive assessment of the review of Services for Children and Young People where the summary report commenced with the statement that "outcomes for most young people in Herefordshire are good overall". As the Chief Executive indicated, however, in his earlier letter to all Members in December there was a major qualification to that overall assessment and that was in relation to the important area of "Staying Safe" where the inspection had concluded that the arrangements for that area were "inadequate". Despite the strong showing in the other areas of the assessment, inevitably the Council must give immediate and direct responses to improvement in that area.
9. Alongside those assessments, the Council continued to receive reports through the Annual Audit and Inspection Letter received in December which, in turn, outlines areas where action is needed on the part of the Council which need to contribute to the Improvement Plan.
10. The Council continues to receive an assessment in relation to Use of Resources and also this year for the first time receives a specific assessment in relation to Value for Money. On both judgements, the authority scores a 3 on a scale which again ranges from 1 to 4. In the Annual Audit and Inspection Letter it is concluded

"We considered both the Council's achievement of Value for Money and the arrangements to manage and improve Value for Money. Overall we concluded that both good achievements and good arrangements are demonstrated. The Council has a low comparative spend and a good performance as assessed by external regulators."
11. Finally, the Council is also assessed under the Commission for Social Care Inspection (CSCI) star rating in relation to Adults and the authority is seen as Serving Some People Well with Uncertain Prospects for Improvement whilst in relation to children the impact of the "Staying Safe" judgement within the Joint Area Review has led to an assessment that the authority is Serving No Children Well with Poor Prospects for Improvement. As is spelt out earlier in this report, these are issues where the authority's response must be immediate and direct. This will form an important part of any improvement programme.

Improvement Planning

12. The improvement planning has already commenced and will build on the improvement actions outlined in the Corporate Assessment, the Annual Audit and Inspection Letter and the Joint Area Review report. Meetings have been arranged with the CSCI Regional Director and with the Chief Inspector of CSCI early in the new year. It is also anticipated that there will be early meetings with the Audit

Commission and our External Auditors in the new year to develop the Improvement Plan emanating from the Corporate Assessment.

13. In a sense the Improvement Plan is more important to the Council than receipt of the reports and it is important that the Council invests in the planning of this process. Further reports will be brought to Cabinet and to Strategic Monitoring Committee following the meetings referred to and as a comprehensive Improvement Plan is developed.

BACKGROUND PAPERS

- None

INTEGRATED PERFORMANCE REPORT

Report By: Director of Corporate and Customer Services

Wards Affected

County-wide

Purpose

1. To receive a progress report on the performance and other management activity necessary to successfully implement the Corporate Plan.

Background

2. The covering report to Cabinet on 12th January, 2006, is appended. The detailed Integrated Performance Report itself has previously been circulated to Members and is available to the public on request. Cabinet noted progress in implementing the Corporate Plan and towards a fully integrated performance management system.

RECOMMENDATION

THAT the report be noted, subject to any comments the Committee wishes to make.

BACKGROUND PAPERS

- None.

INTEGRATED PERFORMANCE REPORT

PROGRAMME AREA: CORPORATE AND CUSTOMER SERVICES

CABINET

12TH JANUARY, 2006

Wards Affected

County-wide

Purpose

To receive a progress report on the performance and other management activity necessary to successfully implement the Corporate Plan.

Key Decision

This is not a Key Decision.

Recommendation

THAT progress in implementing the Corporate Plan and towards a fully integrated performance management system be noted.

Reasons

The Council's Corporate Plan sets out the Council's objectives, priorities and targets for the three years 2005-08. The Annual Operating Plan (AOP) is the detailed action plan for the first of these years, 2005-06. This report summarises progress so far in the first eight months of this operating year.

Considerations

1. The majority of the ambitions in the Herefordshire Plan will be delivered through cross-service partnership working. The Corporate Plan and AOP reflect this, and represent the Council's contribution to the successful delivery of the Herefordshire Plan. Bringing all of the Council's service and financial management together in an integrated format encourages managers to work cooperatively, with mutual support where necessary, and also ensures that the whole managerial effort is directed towards pursuit of the agreed corporate objectives. Development work on the creation of a Performance Management Framework for and with the Council's principal external partners is now in hand, including the provision of a more comprehensive IT-based approach.
2. The layout of the AOP table has been changed slightly since it was last presented to Cabinet on 1st September, 2005 and there are other minor changes to format. In particular, as Cabinet requested, each performance indicator has been numbered, with appropriate cross-referencing of red-light indicators between the Integrated Performance Report and the full details in Appendix A. It is hoped that these changes will make it easier for Members to assimilate what is necessarily a large

Further information on the subject of this report is available from
Steve Martin, Corporate Policy and Research Manager on 01432 261877

amount of information. Work is continuing to refine the approach of the 2006/07 Operating Plan.

Alternative Options

For practical purposes there is no realistic alternative approach to be considered. The Local Area Agreement, to be successful, must rest on integrated performance management, and the recent CPA results confirm the importance of this.

Risk Management

As above, good integrated performance management produces efficiencies, and encourages successful partnership working. Its absence makes these benefits harder to achieve.

Consultees

Relevant internal officers have been consulted. No external consultation has been felt necessary.

Background Papers

None identified.

COMPREHENSIVE EQUALITY POLICY

Report By: Director of Corporate and Customer Services

Wards Affected

County-wide

Purpose

1. To receive a progress report on the implementation of the Comprehensive Equality Policy.

Background

2. The covering report to Cabinet on 12th January, 2006, is appended. Cabinet noted progress in implementing the Policy, endorsed the Action Plan and the recommendations for change and agreed to review progress at six monthly intervals.

RECOMMENDATION

THAT the report be noted, subject to any comments the Committee wishes to make.

BACKGROUND PAPERS

- None.

COMPREHENSIVE EQUALITY POLICY

PROGRAMME AREA: CORPORATE AND CUSTOMER SERVICES

CABINET

12TH JANUARY 2006

Wards Affected

County-wide.

Purpose

To receive a progress report on the implementation of the Comprehensive Equality Policy.

Key Decision

This not a key decision.

Recommendations

- That
- (a) **the progress in implementing the Comprehensive Equality Policy be noted;**
 - (b) **the Action Plan be endorsed and Cabinet acknowledges its significance in achieving Level 2 of the Local Authority Equality Standard.**
 - (c) **the recommendations for change identified through the EIA process be endorsed, and drives the implementation in front line activity.**

Reasons

The changing and diverse nature of the community of Herefordshire should be recognised and acknowledged, along with the challenges this brings. This has been corroborated through the process of Equality Impact Assessment.

The Comprehensive Equality Policy (CEP) is the overriding document that sets out the Council's commitment to achieving excellence and meeting its responsibilities to promote and implement equality when it is:

- Providing services
- Purchasing services
- Employing staff
- Working in partnership with other organisations

The CEP provides the focus to ensure that the Council meets the criteria needed to reach Level 2 of the Equality Standard by 2007.

Further information on the subject of this report is available from
Carol Trachonitis 01432 260616.

Considerations

1. In 2002 Herefordshire Council adopted the Equality Standard framework for Local Government. The Standard is designed to enable local authorities to mainstream equalities in service delivery and employment, ensuring that discriminatory barriers preventing equal access to services are identified and removed.

There are 5 levels to this standard:

- ❖ Level 1: commitment to a Comprehensive Equality Policy
- ❖ Level 2: assessment and consultation
- ❖ Level 3: setting equality objectives and targets
- ❖ Level 4: information system and monitoring against targets
- ❖ Level 5: achieving and reviewing outcomes

The CEP forms the basis of our commitment to equality in service provision, employment and community leadership.

2. The CEP Action Plan shows the progress to date and the Council's commitment to implementing the CEP. It provides a clear focus in order to ensure that the detailed requirements of the Equality Standard are fully met.

Risk Management

Withdrawal of resources would mean that we would be unable to implement the Action Plan. This may result in the Council not obtaining Level 2 of the Equality Standard.

Alternative Options

None.

Consultees

Diversity Group, Race Equality Steering Group, Disability Working Group, Race Equality Staff Group, Disability Staff Group, Social Inclusion and Anti Poverty Ambition Group.

Appendix

Comprehensive Equality Action Plan.

Background Papers

None identified.

Herefordshire Council Comprehensive Equality Policy (CEP) Action Plan (otherwise known as “Corporate Equality Plan”)

Introduction

The Comprehensive Equality Policy (CEP) is the overriding document that sets out the Council’s commitment to achieving excellence and meeting its responsibilities to promote and implement equality when it is:

- Providing services
- Purchasing services
- Employing staff or
- Working in partnership with other organisations

The CEP provides the focus to ensure that the Council meets the criteria needed to reach Level 2 of the Equality Standard by 2007.

This Action Plan is the document that sets out how we are going to achieve this. It is the action plan that brings all the strands of the diversity agenda together. It should be noted that both the Race Equality Scheme (RES) and the Disability Scheme are sub-sections of the CEP and therefore their action plans sit as appendices to this Plan.

It should also be noted that both the RES and the Disability Scheme are driven by single focus steering groups where performance and progress is monitored. These steering groups make reports to the Diversity Group, which has overall responsibility for progress on mainstreaming diversity issues through the Council, and achievement of the local authority Equality Standard.

This document sets out specific actions to achieve corporate objectives based on service need. It is a tool that will be used to monitor progress and report on levels of achievement. It will focus on ensuring that the Council has mechanisms, processes and procedures in place to achieve Level 2 of the Equality Standard.

The Equality Standard is split into four main areas, and this action plan has been designed to reflect this:

1. Leadership and Corporate Commitment
2. Consultation, Community Development and Scrutiny
3. Service Delivery and Customer Care
4. Employment and Training

1) Leadership & Corporate Commitment

Action	Lead Officer	Evidence	Target Date	Progress
Publish CEP Action Plan in full range of appropriate formats	Corporate Diversity Team	CEP document	March 06	Draft ready for consultation Aug 05
Consult on Action Plan – review/amend Action Plan in line with consultation	Corporate Diversity Team	Consultation with stakeholders, minutes of meetings RESG, DWG DG	Sept 05	Draft to Diversity Group 23/8 RESG, DWG, and staff groups
Monitor and assess use of Y1 Impact Assessments and action plans	Performance Lead Officer	Action plans incorporated into service plans. Corporate guidance to indicate process	2006 service plans	Guidelines incorporated into service planning 06/07
Develop corporate mechanism for assessing development of service level equality objectives and targets	Performance Lead / Heads of Service to sign off	Service planning guidance incorporating EIA requirements – RES, DWG and DG to assess progress (minutes of meetings)	April 2006	
Create corporate structure for overseeing development of information and monitoring systems	Corporate Diversity Team	IT systems in place – Baseline data collected via research team. CRM –complaints monitoring in place	April 2006	Consultation on monitoring forms on going. CRM system in development stage
Ensure that mechanisms for responding to harassment on the grounds of race, disability and gender are in place	Corporate Diversity Team	Corporate complaints system and data of internal and external caseload from Personnel and HEP	January 2006	Temporary arrangements in place until CRM system goes live. CDT responding to all complaints of a discriminatory nature as of October 05
Adopt a timetable of self-assessment for Directorates to ensure progress for Level 2 is on track	Corporate Diversity Team	Briefing sessions given and assessment documentation completed.	Start of process April - 2007	

Action	Lead Officer	Evidence	Target Date	Progress
Develop corporate equality self-assessment and audit procedures	Corporate Diversity team	Briefing given and assessment documentation completed – (possible introduction of computerised monitoring system)	Start Process April 2006	Research into system on going. Visit to LA using the system scheduled for January 06
Assessment of required resources	Director of Corporate & Customer Service	Audit of work and resources identified. Introduce into budget cycle	Budget Cycle for 2006	CDT set up in the new structure, further capacity being built into re-structure of directorates
Allocation of resources	Director of C&C		April 2006	Further work on-going through business planning and budget cycle

2) Consultation, Community Development & Scrutiny

Action	Lead Officer	Evidence	Target Date	Progress
Develop a consultation strategy to cover EIA and Diversity policies including the RES, DWG, and CEP with all stakeholder groups (HEP)	Martin HR	Consultation strategy - coordinated internal and external process documented. Minutes of meetings.	Start process April 2006	
Review equality content in strategic documents/policies/ Community Strategy	RRAA – Chair of RESG Disability – Chair of DWG Other Equalities issues – Chair of DG	Through the Race Equality scheme / Disability action plan ensure that policies/functions are assessed across all diversity strands and regularly reviewed	2008 (3 year rolling programme)	Rolling programme of work linked to EIA and directorate service plans.
Develop consultation focus groups with stakeholders and the wider community on all aspects of equality policy	Chairs of staff groups / MHR	Minutes of meetings at staff groups (Race, disability) Community strategy / consultation strategy	On-going process to start April 2006	Staff groups established, minutes of meetings distributed

Action	Lead Officer	Evidence	Target Date	Progress
Consult with members, employee representatives and service areas on equality impact and needs/ requirements	Chairs of staff groups	Reports and member briefings, staff groups and focus groups as identified in community strategy	Start process April 2006	
Each department and service area to engage in equality self assessment and scrutiny and audit on its service delivery	All Service managers	Through EIA action plans and monitoring recorded for each service area	Rolling programme 2004 – 06/07	Y2 – of a three year rolling programme assessments completed - Actions to be identified in Service plans.
Ensure that the equality policy and objectives are incorporated in “partnership” arrangements and procurement arrangements engaged in by the Authority	Director of resources and procurement	Minutes of meetings. Contracts to reflect council’s diversity policies and the procurements strategy to incorporate diversity policies.	Process to start April 2006	

3) Service Delivery & Customer Care

Action	Lead Officer	Evidence	Target Date	Progress
Ensure planned programme of department / service area impact assessments are carried out	Director of C&C	Service area documentation EIA	3 year programme to be completed 2008	Year 2 assessments completed Oct 2005
Ensure planned agreed service area equality objectives and targets are agreed	Heads of service	EIA actions plans to be signed off through service planning process by Heads of service.	2006 Yr1 2007 Yr2 2008 Yr3	
Ensure the procurement function and all contracted services and partnership agreements are reviewed to reflect equality policies	Procurements Officer Contracts Officers	Timetable of contract reviews and procurement documentation	To be completed by 2007	

Action	Lead Officer	Evidence	Target Date	Progress
Set up equality criteria for External contractors/partnerships	Procurement lead officer	Procurement strategy	To be completed by 2007	
Ensure that each service area has approved and established planning groups for monitoring and information systems	Service managers	CRM system in place and data collection	To be completed by 2007	

4) Employment & Training

Action	Lead Officer	Evidence	Target Date	Progress
Implement a fair employment pay and reward policy	David Johnson	Comprehensive Equality Policy	1 April 2005	Completed – implementation of job evaluation and Single Status Council-wide.
Engage in Employment equality assessment of the Local Labour Market Area	David Johnson	BVPIs in the Council's Performance Plan	Ongoing annually – reported by 30 June each financial year end	Reported on annually as part of the Council's Performance Plan and informs the Council's Pay and Workforce Development Strategy,
Engage in workforce profiling and equal pay review	David Johnson	Comprehensive Equality Policy	1 April 2005	Completed. As for 'Fair Pay and Reward Policy' – above.
Ensure process in place to ensure that publicity for vacancies does not unfairly restrict the range of applicants	David Johnson	Equality statement and Disability Symbol on all advertisements	In place.	In place.
Produce a standard range of application forms and job descriptions that are clear and explicit	David Johnson	Application forms agreed and available on-line. Job descriptions and person specifications exist for every post.	In place.	In place.

Action	Lead Officer	Evidence	Target Date	Progress
Review personnel information systems for monitoring suitability including supporting the Council's statutory ethnic monitoring duties	David Johnson	Annual audit of BVPIs takes place. Current systems provide monitoring information. Comprehensive Equality Policy	In place.	In place. Currently an audit of recruitment and selection is taking place that includes an audit of recruitment monitoring processes.
Ensure all employment procedures are consistent with current legislation and all relevant employment codes and practices	David Johnson	Suite of HR policies in place and are regularly reviewed re. Compliance with legislation.	In place.	In place.
Develop a programme of equality training to support the CEP and service area objectives. Ensure that the training programme is consistent with the RES and DS.	Amanda Attfield	Programme developed. Information available from the Training Centre re. Courses run and attendees. Forms part of mandatory induction for all new employees. Programme includes diversity awareness, bespoke training for managers and teams, member training, impact assessment training – all of which support the CEP and service area objectives	In place.	In place. Programme to support Year 3 equality impact assessments commences in 2006.

PAY AND WORKFORCE DEVELOPMENT STRATEGY

Report By: Head of Human Resources

Wards Affected

None

Purpose

1. To note the progress on the Council's Pay and Workforce Development Strategy operating plan for 2005-6.

Financial Implications

2. None.

Background

3. The Council's Pay and Workforce Development Strategy 2005-8, last reported to the Committee in July, 2005, adopted the Employers Organisation's five themes as key areas that Council needed to address - Pay, Reward and Recognition, Resourcing, Developing Leadership Capacity, Developing the Skills and Capacity of the Workforce, and Organisational development. There was an added emphasis in the Council's Strategy on ensuring workable pay, reward and recognition structures to help recruit, motivate, and retain the employees the Council needs to deliver its services building on the implementation of Job Evaluation and Single Status. The Strategy aims to ensure the Council:
 - has the right people in the right places, with the right skills, to deliver the agenda and priorities set out in the Corporate Plan – improved services with greater efficiency and better customer focus;
 - is well-placed to respond to environmental and societal changes, and emerging technology;
 - meets its statutory obligations as an employer, and where possible exceeds those to demonstrate best and leading edge practice as the largest local employer;
 - becomes an employer of choice amongst those seeking employment and career opportunities.
4. An Operational Plan 2005-6 was devised to ensure specific actions were in place address the key Strategic themes. Highlights to date have included significant progress towards:
 - Modernising recruitment processes and agency staff provision to deliver savings in time and cost to the Council;

Further information on the subject of this report is available from
David Johnson, Head of Human Resources on 01432 383055

- Development of a generic skills and careers pathway linked to pay progression;
 - Establishment of a Skills for Work Centre;
 - Improved Directorate consultation mechanisms;
 - Support post Job Evaluation leading to a 30% reduction in numbers of those employees in receipt of job evaluation protection;
 - Management Competencies are in place and are being rolled out;
 - Staff Review and Development has improved hugely – now well over three quarters of employees have a review at least annually. The SRD process is firmly linked to the Council's performance management cycle;
 - Improvements to communications have been implemented, for example, the Chief Executive and Leader now regularly hold Talking Point sessions for all employees;
 - Recognition of achievement proposals being developed;
 - Jobs Fair attended plus two careers evenings in schools, with more planned for January/February 2006;
 - The Council has signed up to achieving the Investor in People Standard, a light touch assessment has been carried out;
 - A programme of tailored Diversity awareness is in place, and a voluntary language register for employees established;
 - A new Directorate structure is taking shape, and is being fully communicated to employees as changes progress;
 - Improved response rate to Staff Opinion Survey;
 - Increased focus on managing attendance;
 - A successful Leadership Programme has been developed in conjunction with the seven Worcestershire Councils.
5. Employee opinions have improved across the vast majority of Staff Opinion Survey question areas. Employee turnover continues to be steady at just under 9% (8.05% for 12 months to end November 05). In 2004-5 the most commonly cited reason for leaving was insufficient pay or benefits (cited by 41% of respondents, and against 26% the previous year). Job content dissatisfaction, lack of job security and career prospects, lack of recognition, and management were also cited as prime reasons for leaving. However the Leaver Survey for the second quarter of 2005 reveals that 'change in domestic circumstances' as the most common primary reason for leaving. Career progression and pay were the most commonly cited attractions of a new organisation. The Pay and Workforce Development Strategy will address these issues through the identified actions for the operational plan 2006-7, and as part of the longer-term aims for 2008.

RECOMMENDATION

THAT the report be noted subject to any comments the Committee might wish to make for Cabinet to consider.

BACKGROUND PAPERS

None

Further information on the subject of this report is available from
David Johnson, Head of Human Resources on 01432 383055

CORPORATE PLAN 2006/2009

Report By: Director of Corporate and Customer Services

Wards Affected

County-wide

Purpose

1. To note the Corporate Plan 2006/2009, subject to any changes that may be needed before Cabinet recommending it to Council for approval at its meeting on 10th March, 2006.

Background

2. The covering report to Cabinet on 26th January, 2006, is appended. The detailed Corporate Plan itself has previously been circulated to Members as part of the Cabinet papers and is available to the public on request.

RECOMMENDATION

THAT the report be noted, subject to any comments the Committee wishes to make for consideration by Cabinet.

BACKGROUND PAPERS

- None.

CORPORATE PLAN 2006/2009

PROGRAMME AREA RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

26TH JANUARY, 2006

Wards Affected

County-wide

Purpose

To agree the Corporate Plan 2006/2009, subject to any changes that may be needed before recommending it to Council for approval at its meeting on 10th March, 2006.

Key Decision

This is not a Key Decision.

Recommendation

THAT the Corporate Plan be recommended to Council for approval subject to any changes being made to reflect the new *Herefordshire Plan*; depending on its timing, the *Local Area Agreement* with Government; and budget decisions.

Reasons

The Corporate Plan sets out what the Council intends to achieve in the coming three years and how it proposes to do so. It is therefore the basis for setting priorities and the means to achieve them, including the management of key risks. It also provides the basis for the Annual Operating Plan, directorate and service plans and performance management. Under the Constitution, the Corporate Plan has to be approved by the whole Council as part of the Policy Framework.

Considerations

- 1 At its meeting on 17th November, 2005, Cabinet approved a draft of the Corporate Plan to be used as the basis for the preparation of the Annual Operating Plan and directorate and service plans for 2005-06.
- 2 The proposed final Plan for Council approval (subject to any changes that are necessary following the approval of the new *Herefordshire Plan*; depending on its timing, the *Local Area Agreement* with the Government; and budget decisions) is at Appendix 1.
- 3 The Corporate Plan has been further developed taking into account:
 - the resources likely to be available, having regard to recent announcements of the UK Government about future grant in 2006/07 and 2007/08;
 - the UK Government's expectation that annual Council Tax increases will not

exceed 5%;

- ❑ the need to make significant efficiency savings over the period of the Plan, which will require substantial up-front spend-to-save investment, so as to achieve a balanced budget and ensure the sustainability of modern and effective services that meet customers' needs;
 - ❑ the need for targeted additional investment on high priority services, notably those for vulnerable adults, including older people, and to tackle homelessness amongst young people and families;
 - ❑ the likely content of the new *Herefordshire Plan*, which is scheduled to be approved by the end of March;
 - ❑ the key areas for improvement following the Comprehensive Performance Assessment 2005, including the Corporate Performance Assessment and the Joint Area Review of services for children and young people;
 - ❑ Cabinet's wish to see fewer, more strategic performance indicators; those selected include all those included in the *Local Public Service Agreement 2G*, which will be subsumed in the *Local Area Agreement (LAA)*; the indicators may need some further amendment in due course to reflect the LAA.
- 4 Although there have been numerous changes to reflect these considerations and improve the presentation, the priorities and the other fundamentals in the Plan remain. A foreword by the Leader has been added.
 - 5 The most important presentational change is the substitution of a narrative Action Plan for the tables that appeared in the earlier draft and in the existing Corporate Plan for 2005-08. This is intended to make the Plan easier to read; it also makes it considerably shorter.
 - 6 In addition to any changes needed to reflect the approved *Herefordshire Plan* and the LAA, some adjustments may need to be made to targets to take account of further work on their robustness, including the implications of budget decisions.
 - 7 The Annual Operating Plan (AOP) for 2006/07 will be finalised in the light of the agreed Corporate Plan. The AOP will be brought to the Cabinet for approval in February. Providing that it is consistent with the Corporate Plan, it does not need to be approved by the whole Council but will be reported to it.

Financial Implications

The Corporate Plan has to be affordable. It has been prepared in the light of prudent assumptions about available resources.

Alternative Options

Alternative options have been considered as part of the process by which the Cabinet has established the priorities included in the Plan.

Risk Management

The risks to the achievement of the Plan are identified as an integral part of it, as are the steps the Council will take to manage those risks.

Consultees

The Plan takes into account the outcomes of the in-depth public consultation on service and budget priorities in the late 2004 and subsequent consultation and public involvement, particularly that associated with the development of the new *Herefordshire Plan*. It also takes full account of partner involvement and will be sent to the Council's principal partners to give them the opportunity to comment before the Plan is finalised for Council approval.

Background Papers

None identified.

LOCAL AREA AGREEMENT

Report By: Director of Corporate and Customer Services

Wards Affected

County-wide

Purpose

1. To consider the current position in relation to the development of a Local Area Agreement (LAA) for Herefordshire.

Financial Implications

2. There are no immediate financial implications for the Council. In time, the pooling of partnership organisation funding could be very significant, in terms of service delivery and resource allocation.

Background

3. On the 19th May 2005 Cabinet gave consent for interest to be registered with Government Office for the West Midlands (GOWM) in obtaining an LAA. A Local Area Agreement is an agreement drawn up between the Local Authority and its partners on one hand and central government on the other. The LAA will set out outcome targets and key performance indicators, reflecting local as well as national priorities. It will also incorporate the LPSA2 agreement.
4. A successfully negotiated agreement will mean that certain existing funding streams can be pooled and the local area given discretion as to how to spend the money. LAAs will have to satisfy some national priorities but these would be fewer than is currently the case. There is also scope to negotiate some freedoms and flexibilities for current service delivery arrangements.
5. Herefordshire Council duly registered interest in being one of the second round LAAs. On 22nd June 2005 Herefordshire Council was advised that it had been successful, in securing an LAA, and that Herefordshire was to be one of thirteen areas to have a Single Pot LAA. On the 22nd September 2005 Cabinet approved outline LAA proposals to be submitted to GOWM by 30 September 2005.
6. On the 17th November 2005 Cabinet approved our first draft LAA, which was sent to GOWM on the 25th November 2005. A second draft has to be submitted by the 3rd February 2006, and the final submission has to be submitted by the 17th February 2006. Ministers have to sign off all the second round LAAs by the 24th March 2006.
7. The LAA will run for three years, and is based on 4 service blocks. These cover Children & Young People, Healthier Communities & Older People, Safer and & Stronger Communities and Economic Development & Enterprise.
8. For our part, the LAA has to be jointly signed off by the Local Strategic Partnership and Herefordshire Council. The LAA work continues to run in parallel with the review

Further information on the subject of this report is available from
Glyn West, Herefordshire Partnership Senior Policy Officer on 01432 261828

of the Herefordshire Plan and is being jointly project managed. The LAA Vision and Outcomes are the same as those proposed for the new Herefordshire Plan.

9. The LAA offers the opportunity to improve collaboration with partnership organisations, leading to improved service delivery, and should mean considerably reduced bureaucracy. The process streamlines reporting arrangements for funding streams, to gain efficiency savings, after the initial time investment.
10. The LAA is, effectively, an Action Plan of the Herefordshire Plan, and will be subject to rigorous performance management arrangements.
11. The LAA Board will be the Herefordshire Partnership Board. Cabinet will oversee the LAA, and Herefordshire Council will be the Accountable Body.
12. We are undertaking an engagement process with stakeholders to secure full support for the LAA. This is particularly challenging for the Voluntary and Community Sector.
13. The draft LAA is being negotiated and revised on a daily basis, and will continue to be amended until the final submission takes place. This means that the document, which will be circulated separately to the Committee, will almost certainly be subject to further amendment, and will look a little different from that to be submitted to GOWM.
14. Negotiations are robust, and in common with other Local Authorities that are negotiating LAAs, we are finding considerable Central Government resistance to our requests for freedoms and flexibilities. The majority of requests nationally have, to date, been turned down. However, these discussions will continue throughout the first year of the LAA.
15. The amount of pooled funding in year one of the LAA will be modest, and work will concentrate on aligning funds of partner organisations. The pooled funding could be much larger in years two and three.
16. LAAs are subject to a six monthly review, and, with the exception of the LPSA2 targets, can be revised. It is possible that over the period of the LAA, we will wish to see changes to such areas as performance indicators, targets and freedoms and flexibilities.

RECOMMENDATION

THAT the Local Area Agreement work to date and the proposed submission arrangements for the Agreement be noted, subject to any comments the Committee might wish to make.

BACKGROUND PAPERS

- Latest draft LAA (to be forwarded)

REVIEW OF THE CONSTITUTION

Report By: Director of Corporate and Customer Services

Wards Affected

County-wide.

Purpose

1. To consider updates to the Constitution to reflect changing legislative and Council requirements.

Background

2. The report to Cabinet on 26th January, 2006 is appended.

RECOMMENDATION

THAT the Committee considers the recommendations set out in the Cabinet report.

BACKGROUND PAPERS

- None

REVIEW OF THE CONSTITUTION

PROGRAMME AREA OF RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

26TH JANUARY, 2006

Wards Affected

County-wide

Purpose

To update the Constitution to reflect changing legislative and Council requirements.

Key Decision

This is not a Key Decision.

Recommendation

THAT Cabinet considers the recommendations set out below and recommends their approval to the Council.

- That
- (a) the duties previously assigned to the County Treasurer (including Section 151 Officer) be re-assigned to the Director of Resources;
 - (b) the duties previously assigned to the County Secretary and Solicitor (including Monitoring Officer) be re-assigned to the Head of Legal and Democratic Services;
 - (c) Cabinet Member portfolios be revised as set out in paragraphs 7 and 9 of the report;
 - (d) the Children's Services portfolio be renamed Children and Young People to reflect its enhanced role;
 - (e) in the case of unexpected vacancies arising in Cabinet the Leader be authorised to re-assign responsibilities within the Cabinet, until such time as the Council has an opportunity to review the situation or to appoint a Cabinet Member to the vacant post;
 - (f) SO 6.2.2.1 - Terms of Reference for Cabinet be amended to include responsibility for Risk Management;
 - (g) the following words be added to S.O. 2.11 of the Constitution "There are additional rights of access to documents for Members of overview and scrutiny committees as set out in Regulation 18 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000."
 - (h) Councillors' rights to inspect documents and proposals set out at paragraph 16 and 17 of the report be endorsed;

Further information on the subject of this report is available from
Christine Dyer, Members Services Manager and Executive Officer on (01432) 2602222

- (i) the rules relating to the co-ordinating role of the Strategic Monitoring Committee be revised as set out at paragraph 20 of the report;
- (j) the Independent Remuneration Panel at its next scheduled meeting in September 2006 considers whether the post of Chairman of the Audit Committee should be entitled to a Special Responsibility Allowance;
- (k) Appendix 4 - Financial Regulations, paragraph 6.2 be amended to include "Where the signature is printed on the cheque by a Council system, the signature will be that of the Director of Resources.";
- (l) Appendix 23 - Allocation of Miscellaneous Functions be revised to correct a number of anomalies and reflect recent changes in legislation;
- (m) a revised Appendix 6 Appointment and Discipline of Employees (attached) be approved; and
- (n) the Political Group Leaders be asked to consider what changes they might wish to make to the membership of the Constitutional Review Working Group to ensure that political proportionality across the Council is more closely reflected, and subject thereto, the Chief Executive be authorised to implement the appointments notified by the four Political Group Leaders.

Reasons

To ensure the Constitution meets all legal and operational requirements.

Considerations

Membership of the Constitutional Review Working Group

1. The current membership of the Constitutional Review Working Group includes the Leader and Deputy Leader of the Council, the Leaders of the other political groups, the Chairman and Vice-Chairman of the Strategic Monitoring Committee and the Chairman of the Council. Because of recent changes this means that currently the membership based on political groups is as follows:

Group	Number of Members in Political Group	Number of Members in Working Group	Postholders
Conservatives	21	1	Leader of the Council and Group Leader
Liberal Democrats	17	2	Group Leader and Chairman of Strategic Monitoring Committee Vice-Chairman of Strategic Monitoring Committee
Independents	16	3	Deputy Leader of the Council Group Leader Chairman of the Council
Labour	4	1	Group Leader

2. Clearly this means that the current Working Group is not politically proportionate. Political Group Leaders will be asked to advise Council what changes would be acceptable to ensure a closer reflection of the Council's political proportionality within the membership of the Working Group.

Review of the Constitution

3. The Constitution will need to be revised in the light of the recommendations of the Corporate Assessment and the Council's improvement plan. It is intended that those changes will be submitted to the Annual Meeting of Council in May for approval. In the meantime a number of other revisions need to be implemented and these were considered by the Constitutional Review Working Group at its meeting on 12th January, 2006. The key issues to be addressed are:
 - To update the Constitution to reflect recent changes to the senior management structure.
 - To consider arrangements for filling unavoidable vacancies in Cabinet Member posts.
 - To consider Members' access to information and availability of reports.
 - To consider a revision to the Scrutiny Rules concerning the process for calling in key decisions.
 - To review the Members' Allowances Scheme.
 - To review Appendix 6 of the Constitution - the Appointment and Discipline of Staff.

Review of the Senior Management Team

5. In March 2005, Cabinet approved a restructuring of the Senior Management Team which established new or revised Directorates for: Adult and Community Services; Children's Services; Corporate and Customer Services; Environment and Resources. The Constitution was amended in May to reflect these changes. Since then Directors have been appointed to all the vacant posts and the posts of County Secretary and Solicitor and County Treasurer have been deleted.
6. It is necessary to amend the Constitution to remove any reference to the two deleted posts and it is proposed that the duties previously assigned to the County Treasurer (including Section 151 Officer) be re-assigned to the Director of Resources. Similarly it is proposed that the duties previously assigned to the County Secretary and Solicitor (including Monitoring Officer) be re-assigned to the new Head of Legal and Democratic Services who is due to take up the post in April 2006.

Cabinet Portfolios

7. There are a number of functions which need to be re-assigned as a result of the senior management restructure set out above. These include:

	FUNCTION	CURRENT PORTFOLIO	PROPOSED PORTFOLIO
1	Responsibility for Common Land (including Council-owned Commons and determination of any complaints about the management of the Council's Commons)	Rural Regeneration and Strategy	Adult and Community Services
2	Public Rights of Way	Highways and Transportation (but not currently specified in the Constitution)	Adult and Community Services
4	Youth Services	Community Services	Children (see para 8 below)
5	Housing Benefit	Not specified	Resources

8. Councillor D.W. Rule, MBE. Cabinet Member (Children Services), has proposed that the Children Services portfolio be renamed Children and Young People's Services to reflect its enhanced role. This was accepted by the Working Group.
9. Responsibility for markets has previously been shared between the Cabinet Member (Economic Development) and Cabinet Member (Rural Regeneration and Strategy). Because of the vacancy which has arisen in the post of Cabinet Member (Economic Development) it is proposed that the Cabinet Member (Rural Regeneration and Strategy) takes responsibility for all markets in the County including the Hereford City Markets and associated business (including the Hereford Livestock Market).
10. Council appoints Cabinet Members at its annual meeting. When unexpected vacancies arise in Cabinet the Leader has the right to make any decisions in relation to the relevant programme area. At present it is not possible for the Leader to delegate any functions to another member of the Cabinet other than to the Deputy Leader (in the Leader's absence). It is proposed that, in the case of unexpected vacancies arising in Cabinet the Leader be authorised to re-assign responsibilities within the Cabinet, until such time as the Council has an opportunity to review the situation or to appoint a Cabinet Member to the vacant post.

Cabinet Terms of Reference

11. Following an Inspection on the Use of Resources the Audit Commission has recommended that the terms of reference for Cabinet be amended to include responsibility for Risk Management.

Members' Access to Information

12. The Working Group discussed Members' access to information including availability of "exempt" reports. The Working Group was advised of the current arrangements in relation to Members' access to information, drawn from statute and common law

as set out in the Constitution and also to the distribution of Committee and Cabinet papers.

13. It is suggested that the following words should be added to S.O. 2.11 of the Constitution "There are additional rights of access to documents for Members of overview and scrutiny committees as set out in Regulation 18 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000."
14. Information is currently routinely communicated to Members as follows:
 - Cabinet Papers are circulated to the Members of Cabinet, Members of the Strategic Monitoring Committee, Group Leaders, and Chairman of the Council, and those Members who have requested copies. Reports affecting particular wards are sent to the Local Ward Member(s).
 - Cabinet papers are also available to all Members on the intranet and internet.
 - The circulation of exempt Cabinet reports is restricted to Members of Cabinet Members of the Strategic Monitoring Committee, Group Leaders, and Chairman of the Council (both in hard copy and via the internet/intranet), but those reports are open to inspection by any Councillor (and will be sent to them on request) excepting where the business concerns a quasi-judicial matter or information relating to legal proceedings by or against the Council or information of a personal nature supplied in confidence, where a need to know must be demonstrated.
 - The Cabinet bulletin giving notice of forthcoming items on Cabinet is sent to all Members.
 - The Forward Plan listing Key Decisions that the Council believes are likely to be taken over a four-month period is sent to all Members.
 - In the case of a report which contains a key decision a letter is sent to the Chairman of the relevant Scrutiny Committee advising that a key decision is to be taken and when. Once that decision is made a further letter is sent to the Chairman of the Scrutiny Committee notifying the decision and advising that the decision will take effect unless it is called in within 3 working days of the date of the decision.

(It is accepted that this process does place the onus on the Committee Chairman to contact those Members of the Committee who have not requested copies of the Cabinet agenda.)

- Notification that an exempt key decision is to be taken is sent to the Chairman of the relevant Scrutiny Committee in the same way as an open report.
- The same process is followed for key decisions by individual Cabinet Members.
- Non-key decisions can be taken by Cabinet Members without giving advance notice. The policy is that non-key decisions by Cabinet Members should also normally be based on a written officer report. Because single non-key decisions can be taken immediately, reports relating to these will not be circulated in advance, unless the Cabinet Member has asked for this to happen. However, Councillors will be entitled to request a copy of any such report from the time that it is available.
- Any Councillor can ask to receive reports for particular Cabinet Members.

- A list of key decisions taken by Executive Members and officers and non-key decisions by Executive Members is sent on a weekly basis to the Cabinet Members and any other Member who requests it. A register is available for inspection in the Members' Room and the decision notices may also be viewed on the intranet and internet.
15. Clearly, there is a considerable amount of information distributed directly to Members and available to Members on request. In considering how to take this matter forward four assumptions are made:
- that it would be unrealistic and indeed unwelcome to Members to send every Member every agenda and report and, that being the case, the onus must be to an extent on Members themselves to request information;
 - that the Council must protect its position by restricting the circulation of exempt and confidential reports;
 - that there is no wish to change the definition of a key decision;
 - that there is no wish to extend the call-in powers to allow non-key as well as key decisions to be called-in.
16. On this basis the Working Group agreed the following proposals:
- The last survey by Members Services asking Members which agendas they wanted to be posted to them was carried out in May 2004. It is proposed that a written guide be produced explaining clearly what information is available.
 - In the case of a report which contains a key decision it is proposed that in addition to informing the Chairman of the relevant Scrutiny Committee that a key decision is to be taken and when, notification is also given to Members of the relevant Scrutiny Committee. Once that decision is made, in addition to sending a further letter to the Chairman of the Scrutiny Committee notifying the decision and advising that the decision will take effect unless it is called in within 3 working days of the date of the decision, a letter will be sent to each Member of the Scrutiny Committee. (This notification will be by e-mail).
 - At present if a Key Decision is **not** included in the Forward Plan and the decision is for Cabinet, a separate letter is sent to the Chairman of the relevant Scrutiny Committee along with the Cabinet agenda, to satisfy Section 15 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 which requires that: "that decision shall only be made where the proper officer has informed the Chairman of the relevant overview and scrutiny committee ... by notice in writing of the matter about which the decision is to be made". To streamline this process it is proposed that a notice be included on the front of the Cabinet agenda which will highlight any key decisions contained in the report, whether included in the Forward Plan or not. This could be along the lines of:
- HEREFORDSHIRE COUNCIL - NOTICE UNDER REGULATION 15 OF THE LOCAL AUTHORITIES - (EXECUTIVE ARRANGEMENTS) (ACCESS TO INFORMATION) REGULATIONS 2000 (AS AMENDED)***
- Notice is hereby given that the following reports contain key decisions. When a decision has been made the Chairman of the relevant Scrutiny Committee will be sent a copy of the decision notice and given the opportunity to call-in the decision.*

Item No	Title	Cabinet Portfolio	Scrutiny Committee	Included in Forward Plan Yes/No

- A similar notice could appear on the Cabinet Bulletin.

17. The Working Group agreed that the current arrangements appeared to work well and emphasised that, in the case of Cabinet reports, it was up to individual Members to request copies of Cabinet reports that were of interest to them. It was also agreed that the Chairman of the Scrutiny Committees had a responsibility to their Committee Members to alert them to any significant reports (especially exempt reports) which affected their particular programme area. It was also proposed that any exempt reports to Cabinet be highlighted in the Cabinet Bulletin so that members could spot them more easily.

Communication between Cabinet Members and other Councillors

18. A further aspect of communication is that between individual Cabinet Members and other Councillors. In the past Cabinet Members have set aside time to see other Members to discuss matters of mutual interest (eg budgets). It would be fair to say that there has been very little take up of these opportunities. One suggestion made in discussions earlier this year in developing an Improvement Plan for Scrutiny was that smaller briefing sessions might be preferable to large seminars. The Working Group endorsed this view. Group Leaders also agreed to brief their Members on how to make representations to Cabinet Members.

Process for calling in key decisions

19. It is only when parts of the constitution are tested in practice that the need for refinement or fine tuning becomes apparent.
20. One such example relates to the Scrutiny Rules and the provisions for call-in as set out in appendix 2 to the Constitution. In the recent call-in of the Cabinet decision relating to the livestock market the matter was referred first to the Community Services Scrutiny Committee as the body responsible for that programme area. The Chairman of the Strategic Monitoring Committee took the view that the issue was of strategic importance and as such should be determined by the Strategic Monitoring Committee, exercising its co-ordinating role. The call-in was accordingly referred to that Committee based on rule 16. The rule, as drafted was not as clear as it might have been, The current rules on the co-ordinating role and a proposed revision is set out below:

"Co-ordinating Role of the Strategic Monitoring Committee

The Strategic Monitoring Committee will have powers of oversight in relation to the operation of the Scrutiny Committees and, in particular, in relation to the call-in procedure. The Chairman of the Committee will have power, ~~subject to Rule 16~~, to direct that any call-in by a Scrutiny Committee shall be ~~subject to approval by his/her Committee~~ considered instead by the Strategic Monitoring Committee. When this

happens a meeting of the Strategic Monitoring Committee shall be held to determine the matter within the time limits applying to consideration of the matter by the Scrutiny Committee. In addition, following consideration of a call-in by a Scrutiny Committee the Strategic Monitoring Committee may call a meeting to review that decision prior to a recommendation being made to Cabinet or a Cabinet Member. When this happens a meeting of the Strategic Monitoring Committee shall be held within 10 working days of consideration of the matter by the Scrutiny Committee or such longer period as may be agreed by the originating decision maker and/or the Leader on behalf of the Cabinet.

~~Where he/she directs a meeting of the Strategic Monitoring Committee shall be held to determine the matter within the time limits applying to consideration of the matter by the Scrutiny Committee.~~

In exercising its call-in powers a Scrutiny Committee shall only refer a matter to Council in those circumstances where either the original proposal or the alternative action contemplated by the Scrutiny Committee would require a decision by Council on the Policy Framework and Budget. All references to Council under the Scrutiny Committee's powers will need the approval of the Strategic Monitoring Committee.

In dealing with cases other than call-in, where a Scrutiny Committee has reached a view on a matter which it is scrutinising and wishes to make recommendation to Council, its views will normally be submitted first to the Cabinet. The Strategic Monitoring Committee will be responsible for regulating the flow of reports to Cabinet and on to Council."

Councillors' Allowances Scheme

21. At its meeting on 29th July, 2005, Council approved the establishment of an Audit Committee to replace the Statutory Accounts Committee.
22. The current scheme prohibits any Member from receiving more than one SRA in addition to the Group Leader's Allowance. The current Chairman of the Committee is Councillor A.C.R. Chappell. As Councillor Chappell currently draws an SRA for holding the offices of Group Leader and Chairman of Community Services Scrutiny Committee, he would not be entitled to draw any additional allowance for chairing this Committee. However, it is important to establish whether the Chairman of this Committee (if entitled to claim SRA) would be paid for this appointment.
23. In order to decide on the appropriate level of SRA, the Council would need to have regard to the recommendations of the Independent Remuneration Panel which is due to meet in September 2006 to review the Councillors' Allowances Scheme prior to the elections in 2007. The Working Group recognised that it was important for the Chairman of the Audit Committee to be properly remunerated but considered, in the current circumstances, it would not be necessary for the Panel to meet before September.

Appendix 4 - Financial Regulations

24. The Working Group agreed to recommend that Appendix 4 - Financial Regulations - Banking Arrangements, paragraph 6.2 be amended to include: "Where the signature is printed on the cheque by a council system, the signature will be that of the Director of Resources."

Appendix 6 - Appointment and Discipline of Staff

25. The Working Group has recommended a revised Appendix 6 - Appointment and Discipline of Employees (attached) which reflects recent changes to the Senior Management Structure together with changes in employment law and Local Authority Regulations.

Appendix 23 - Allocation of Miscellaneous Functions

26. The Scheme of Delegations will need to be revised to correct a number of anomalies and reflect recent changes in legislation particularly in relation to public rights of way. It is intended to draft a revised appendix for the report to Council in February.

Alternative Options

There are no alternative options recommended.

Risk Management

Ensuring that the Constitution remains up to date and relevant will avoid legal challenge and uncertainty.

Consultees

The Constitutional Review Working Group
Directors

Background Papers

None identified.

APPOINTMENT AND DISCIPLINE OF **STAFF** EMPLOYEES

1. INTRODUCTION

- 1.1 In this Appendix "Director", for the purpose of this Appendix, applies to the following officers of the Council:
- a. Chief Executive (Head of Paid Service)
 - b. Director of Adult and Community Services
 - c. Director of Children's Services
 - d. Director of Corporate and Customer Services
 - e. Director of Environment
 - f. Director of Resources ([Section 151 Officer](#))
 - g. ~~County Secretary and Solicitor (Monitoring Officer)~~ [Head of Human Resources](#)
 - h. ~~County Treasurer (Section 151 Officer)~~

This Appendix (except paragraphs **8** and **9**) shall not apply to teachers.

2. DIRECTORS - APPOINTMENTS

- 2.1 When a vacancy occurs in any of the posts mentioned in paragraph **1.1** the Chief Executive, after consultation with the relevant Cabinet Member, shall review the terms and conditions of employment attaching to the post and determine if any alterations are required.
- 2.2 The Chief Executive shall arrange for the post to be advertised in a manner designed to attract the maximum interest from suitably qualified persons following consultation with the relevant Cabinet Member.
- 2.3 The Chief Executive in consultation with the relevant Cabinet Member or the Leader, shall:
- a. Agree a statement specifying the duties of the vacant post, the qualifications and qualities sought in the person to be appointed, and a copy of this documentation shall be supplied to any person on request;
 - b. Make arrangements for the shortlisting and ~~appointment-~~ [interview](#) of applicants by a Panel of Members to which appointments will be made by the Chief Executive in consultation with political group leaders. The composition of the Panel shall, as near as may be, reflect the rules on proportionality between the political groups on the Council and must include at least one member of the Cabinet. In addition to the powers for shortlisting and appointments, the Panel shall also have responsibility as required to determine the terms and conditions of Director's contracts of employment. The Chief Executive will be invited to advise the Panel.

- c. Following the shortlisting described in **2.3.b** above, interviews shall be conducted by a Panel of Members which, as near as may be, shall reflect the rules on proportionality between the political groups on the Council. The appointments to the Panel will be made by the Chief Executive in consultation with political group leaders. The Chief Executive and Head of Human Resources will be invited to advise the Appointments and Contracts Review Panel (Part **9**) save in the case of the appointment to the post of Chief Executive when the Head of Human Resources and the Monitoring Officer shall be invited to attend to give advice on personnel and procedural issues respectively.
- d. The Panel shall submit to every member of the Cabinet for comment by a specified date and time the name of the candidate recommended for appointment save that additionally in the case of the Head of Paid Service the name of the candidate recommended for appointment shall be submitted to the Council for **appointment approval**.
- 2.4 An offer of employment as Director shall only be made where no material ~~or~~ **and** well-founded objection has been received by the Chief Executive from the Leader on behalf of the Cabinet within the specified time limit.
- 3. DIRECTORS - DISMISSAL OR OTHER DISCIPLINARY ACTION RELATING TO ALLEGED MISCONDUCT**
- 3.1 Save in the case of the Head of Paid Service, Monitoring Officer and Section 151 Officer, any question of dismissal, non-renewal of contract, or disciplinary action relating to alleged misconduct in regard to any Director shall be determined by a Panel convened in accordance with paragraph **2.3(b)**.
- 3.2 No disciplinary action, ~~other than suspension on full pay for a period not exceeding two months for the purpose of investigating the alleged misconduct occasioning the action,~~ shall be taken against the Chief Executive, Monitoring Officer and Section 151 Officer, otherwise than in accordance with a recommendation to the Council for a decision in a report made by a designated independent person under Regulation 3 of the Local Authorities (Standing Orders) Regulations 1993 and Regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct).
- 3.3 Any Director subject to possible dismissal or other disciplinary action shall have the right to be informed as to the basis of any action which may be taken and to appear before the Panel (see **3.1** above).
- 3.4 The Director concerned shall also have the right to appeal in accordance with the Employment Act 2000 (Dispute Resolution) Regulations 2004 to a Special Committee convened by the Chairman of the Council and comprising the Chairman of the Council, the Leader of the Council and the relevant Cabinet Member, together with not less than one and not more than two other Councillors in accordance with the rules of "political proportionality" required by Section 15 of the Local Government and Housing Act 1989.
- 3.5 The Panel or Special Committee (as the case may be) shall submit to every Member of Cabinet for comment by a specified date and time the name of the Director recommended for dismissal.
- 3.6 Notice of dismissal shall only be given where no **material and** well-founded objection

has been received by the Chief Executive from the Leader on behalf of the Cabinet.

4. APPOINTMENTS

~~4.1 Every appointment other than is mentioned in paragraph 1.1 shall be made in accordance with the Council's appointments procedure incorporated in the Personnel Handbook.~~

4.1 Other than in relation to the procedural points contained within this appendix, appointments to the posts listed in paragraph 1.1 above will be in accordance with the Council's Recruitment and Selection procedure. In particular issues of confidentiality and the proper formal seeking of references are to be observed.

4.2 Appointment of officers below deputy chief officer is the responsibility of the Head of Paid Service or his/her nominee and may not be made by Councillors.

5. VACANCIES TO BE ADVERTISED

5.1 All vacancies shall be publicly advertised, except where otherwise determined by the Chief Executive following consultation with the Leader.

6. VOTING ON APPOINTMENTS

6.1 Where two or more candidates are being interviewed for an appointment to a post with the Council, and there is not a majority of votes cast at the relevant meeting in favour of one candidate, the candidate receiving the least number of votes shall be disregarded and a fresh vote taken, and so on until one candidate receives a majority of the votes.

7. PAYMENT OF EXPENSES

7.1 Every candidate, who attends for interview in connection with any vacant appointment, shall be reimbursed their expenses in accordance with the conditions of service approved by the appropriate Joint ~~Industrial Council~~ Negotiating Committee or other similar Negotiating Committee as amended, adopted or varied by the Council. In the event of no scale of allowance having been prescribed, the candidate shall be paid their actual and reasonable travelling and out-of-pocket expenses.

8. CANVASSING OF COUNCILLORS

8.1 Canvassing of Councillors or of co-opted members of any committee or other body directly or indirectly, for any appointment under the Council, shall disqualify the candidate concerned for the appointment. This requirement shall be stated in any application form issued.

8.2 A Councillor or a co-opted member of a committee or other body shall not solicit for any person any appointment under the Council, but shall not be precluded from giving a written testimonial, where named as a referee by the candidate, of a candidate's ability, experience or character.

9. RELATIVES OF COUNCILLORS OR OFFICERS

9.1 Every candidate for any employment by the Council who knows that they are related to any Councillor, any co-opted member of a committee or other body or senior

officer of the Council, shall disclose that relationship in their application. Failure to do so ~~may shall~~ render the candidate disqualified for the appointment and, if appointed, liable to dismissal. The intent of this paragraph must be made clear in any form of application for a relevant appointment or, where no such form is issued, be notified to every shortlisted candidate prior to interview.

9.2 Every Councillor, co-opted member of a committee or other body and senior officer of the Council, shall inform the ~~County Secretary and Solicitor~~ Head of Legal and Democratic Services in writing of any relationship known to them to exist between themselves and any person whom they know is a candidate for an appointment under 9.1 above, as soon as they are aware of that person's candidature. The ~~County Secretary and Solicitor~~ Head of Legal and Democratic Services shall report any such disclosure to the persons or body making the appointment. No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.

9.3 For the purpose of this Appendix, 'senior officer' means Director, Head of Service and any other officer holding an appointment at Service Manager level or Principal Officer's Grade 1 or equivalent or above, ~~and persons~~ shall be deemed to be related if they are the spouse, partner, parent, grandparent, child (including step child and adopted child), grandchild, brother, sister, uncle, aunt, nephew, niece or first cousin of an existing Councillor, or senior officer or of the partner of such a person.

10. **SUSPENSION AND DISMISSAL OF ~~STAFF~~EMPLOYEES**

10.1 Councillors will not be involved in the dismissal of any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, through the Council's disciplinary, capability and related procedures or as adopted from time to time to allow a right of appeal to members in respect of ~~disciplinary action~~ dismissal.

10.2 The following paragraphs (10.3 – 10.67) are subject to:

- a. Any conditions of service approved by the National Joint Council for Local Government Services as amended, adopted or varied by the Council;
- b. Any conditions of service approved by the Joint Negotiating Committees for Local Authorities' Services (Building, Civil Engineering and Engineering Craftsmen) as amended, adopted or varied by the Council;
- c. Any conditions of service approved by the Joint Negotiating Committee for Youth Workers and Community Centre Wardens as amended, adopted or varied by the Council;
- d. Any conditions of service agreed between the Council of Local Education Authorities and the recognised trades unions in relation to teaching staffemployees in schools as amended, adopted or varied by the Council, and also to any provisions relating to teaching staffemployees in the Articles of Government of such establishments;
- e. Any special conditions of service prescribed by the Articles of Government of ~~colleges and~~ Voluntary Aided schools in relation to non-teaching staffemployees in such establishments;

~~10.3—A Director shall have the power to dismiss any employee:-~~

- ~~a. Who is employed under a fixed-term or temporary contract of employment which is about to expire;~~
- ~~b. Whose post is or is about to become redundant;~~
- ~~c. On the expiry of an agreed probationary period where performance of their duties has been unsatisfactory;~~
- ~~d. Who has been medically certified to be incapable of discharging their duties by reason of ill-health; or~~
- ~~e. Who has reached normal retirement age.~~

10.34 A Director, or ~~any employee member of their staff~~ nominated by them for the purpose of this Appendix, shall have the power to suspend any employee suspected of potential gross negligence or gross misconduct where such suspension shall, ~~in the opinion of the Director or nominated officer,~~

- a. Be necessary to enable the alleged negligence or misconduct to be investigated, or
- b. Be otherwise desirable in the interests of the Council or the employee.

10.45 During any such period of suspension, the employee shall be entitled to ~~full salary normal pay. or wages, subject to any agreement to the contrary that they may reach with the Council.~~

10.56 A Director, or any ~~member of their staff~~ employee nominated by them for the purpose of this Appendix, shall have the power:-

- a. To dismiss with due notice any employee ~~whose standards of conduct or efficiency are unsatisfactory~~ in accordance with the appropriate procedures;
- b. To dismiss any employee without notice where satisfied on reasonable enquiry that the employee has been guilty of gross misconduct;

10.67 Any employee dismissed in pursuance of paragraph 10.65 shall have a right of appeal. ~~as described in the Council's Disciplinary Procedure.~~ Where a dismissal is confirmed ~~by the Employee Appeals Panel, following an appeal,~~ the employee shall not be entitled to payment of salary ~~or wages~~ in respect of the period between the date of the dismissal and the date of the appeal if he or she was dismissed under paragraph 10.56.b above, or in respect of the period (if any) between the expiry of the notice and the date of the appeal if he or she was dismissed under paragraph 10.56.a above. Where an appeal against dismissal is upheld, the employee shall be entitled to payment of salary ~~or wages~~ in respect of any such period.

11. APPOINTMENT AND DISMISSAL OF DEPUTY CHIEF OFFICERS (HEADS OF SERVICE)

11.1 The appointment of Deputy Chief Officers is the responsibility of the Chief Executive as Head of Paid Service or his/her nominee.

11.2 The ~~Chief Executive~~ Head of Human Resources shall submit to every member of Cabinet for comment by a specified date and time the name of the candidate recommended for appointment as Deputy Chief Officer.

- 11.3 An offer of employment of a Deputy Chief Officer shall only be made where no material ~~or~~ and well-founded objection has been received by the ~~Chief Executive~~ Head of Human Resources from the Leader on behalf of the Cabinet within the specified time limit.
- 11.4 The ~~Chief Executive~~ Head of Human Resources shall submit to every member of Cabinet for comment by a specified date and time the name of any Deputy Chief Officer recommended for dismissal.
- 11.5 The dismissal of a Deputy Chief Officer shall only be made where no material ~~or~~ and well-founded objection has been received by the Chief Executive from the Leader on behalf of the Cabinet within the specified time limit.

WORK PROGRAMMES 2006/07

Report By: Director of Corporate and Customer Services

Wards Affected

County-wide

Purpose

1. To consider the Committee's own work programme and updated work programmes of the other Scrutiny Committees.

Background

2. This Committee last approved a work programme for itself on 15th April, 2005. This incorporated items identified as requiring periodic monitoring and attention and it was envisaged that this would be added to as required. The Programme was subsequently augmented by the inclusion of reviews of the Strategic Service Delivery Partnership and ICT Services.
3. The Committee was informed at that time of the work in hand to agree a new suite of reports to Cabinet and the Committee. This would be based on the Council's Annual Operating Plan and integrating risk, expenditure and the Local Public Service Agreement wherever possible. The Committee considered an Integrated Annual Outturn report in July 2005. A copy of the Integrated Performance Report for April – November 2005 appears elsewhere on this agenda.
4. The Committee was also informed last year that the Annual Operating Plan itself could be used to identify priorities for scrutiny to focus upon in the current year to add both to this Committee's work programme and those of the other scrutiny Committees. This approach has still to be developed.
5. The Council's Corporate Assessment, referred to elsewhere on this agenda, contains a number of comments upon the role of the scrutiny function noting in particular a need for an increased focus on performance management. The Committee's work programme will need to reflect, as appropriate, issues identified in the resulting Improvement Plan.
6. The work programme of each Scrutiny Committee is summarised below, with more detailed programmes appended where available, to enable the Committee to fulfil the co-ordinating role prescribed for it in the Constitution.
7. **The Adult Social Care and Strategic Housing Scrutiny Committee** has not yet prepared a detailed programme. However, in addition to monitoring performance and the Budget position the Committee has identified homelessness and learning disability Services as areas upon which it will wish to focus.
8. **The Children's Services Scrutiny Committee** considered and agreed its 2006/7 work programme on 16th December, 2005, which was prior to the publication of the Joint Area Review (JAR). A copy of the agreed programme is appended. The last

Further information on the subject of this report is available from Tim Brown, Committee Manager (Scrutiny)
on 01432 260239

meeting in the current programme is due to meet on 13th March 2006, and proposed issues for scrutiny are: the Every Child Matters agenda and the Change for Children Programme alongside the outcome of the JAR, and Young People's Health e.g. teenage pregnancy; sex education; sexually transmitted diseases.

9. At its meeting on 16th December, 2005 the Committee also suggested the following issues to be taken into consideration as the programme evolves during the year: Pupil transition arrangements; Disruptive Behaviour in Schools (to be examined in a Committee workshop setting); implications arising from the Steiner School becoming an academy and School performance, particularly the 2005 exam results, including vocational training.
10. **The Community Services Scrutiny Committee** considered its 2006/7 work programme on 14th December, 2005. A copy of the agreed programme is appended. The last meeting in the current programme is due to be held on 24th March, 2006 and proposed issues for scrutiny are HALO; the report of the 18-35 Review Group; and the scoping of a proposed scrutiny review of the Museum Service.
11. Much of the 2006/7 work programme has been kept clear so that the Committee can focus on current issues for scrutiny within its remit.
12. **The Environment Scrutiny Committee** considered and agreed its 2006/7 work programme on 5th December 2005, as appended. The last meeting in the current programme is due to be held on 27th March, 2006 and proposed issues for scrutiny are: Clean Neighbourhoods and the Environment Act 2005 and regular monitoring items e.g. capital & revenue budgets, performance indicators; best value review improvements and contributions to the Herefordshire ambitions.
13. The following issues have also been identified for inclusion in the programme as it develops: issues arising from the Corporate Plan; Waste Management; implications of the 'Hampton Review' relating to regulatory inspections and enforcement; progress following the Parking Review; and progress with the Local Transport Plan 2. In view of ongoing concerns about safety on the A49 and A465 the Chairman will keep the question of a further scrutiny meeting with the Highways Agency under review.
14. **The Health Scrutiny Committee** has identified a number of meetings with health partners as part of its work programme to review progress and future proposed activity. It is hoped to draw on independent support available under the Health Support Programme to help inform the programme's development.

RECOMMENDATION

- THAT (a) the Committee's work programme be considered at a future date, reflecting where appropriate issues identified the Council's Improvement Plan, subject to any comments the Committee wishes to make; and**
- (b) the Committee note the position on the development of work programmes for the other Scrutiny Committees.**

BACKGROUND PAPERS

- None

Further information on the subject of this report is available from Tim Brown, Committee Manager (Scrutiny) on 01432 260239

CHILDREN'S SERVICES SCRUTINY COMMITTEE 2006/7

June 2006	
Officer Reports	<ul style="list-style-type: none"> • The effect of Homelessness, and associated issues, on Young People in Herefordshire. • Presentation By Cabinet Member.
Scrutiny Reviews	
September 2006	
Officer Reports	<ul style="list-style-type: none"> • Progress in achieving the outcomes identified in the Area Wide Inspection 14 – 19 Year Olds
Scrutiny Reviews	
December 2006	
Officer Reports	<ul style="list-style-type: none"> • Issues arising from the Childrens and Young Peoples Plan, Extended Schools and School Transport issues.
Scrutiny Reviews	
March 2007	
Officer Reports	<ul style="list-style-type: none"> • Current School Issues e.g. School Performance, Healthy Schools, School Meals.
Scrutiny Reviews	

COMMUNITY SERVICES SCRUTINY COMMITTEE 2006/7

January 2006	
Items	<ul style="list-style-type: none"> • The economic impact of the experiment to pedestrianised Widemarsh Street, Hereford
March 2006	
Items	<ul style="list-style-type: none"> • HALO • Report from the 18-35 Review Group • Scoping Statement for the Proposed Scrutiny Review of the Museum Service • Community Youth Service
June 2006	
Items	<ul style="list-style-type: none"> • Reports from Cabinet Members
September 2006	
Items	<ul style="list-style-type: none"> • Town Centre Issues
December 2006	
Items	<ul style="list-style-type: none"> • No Items Identified
March 2007	
Items	<ul style="list-style-type: none"> • No Items Identified

APPENDIX

ENVIRONMENT SCRUTINY COMMITTEE 2006/7

June 2006	
Officer Reports	<ul style="list-style-type: none"> • Presentations by the Cabinet Members • Good Environmental Management Issues (GEM) • Presentation on Bio Fuels • Capital Budget • Revenue Budget • Report on Performance Indicators • Best Value Review Improvement Plans
Scrutiny Reviews	<ul style="list-style-type: none"> • Polytunnel Review Working Group to be reconvened early in 2006. Note: This may be subject to the outcome of two local public inquiries.
September 2006	
Officer Reports	<ul style="list-style-type: none"> • Travellers Policy and Site Provision Review – Consider work so far and invite Member involvement in the further development of the Travellers Policy and review of site provision. • Report on. • Capital Budget • Revenue Budget • Report on Performance Indicators • Best Value Review Improvement Plans
Scrutiny Reviews	<ul style="list-style-type: none"> • The findings of the Poly tunnel Review Working Group. • Travellers Policy and Site Review Group underway.
December 2006	
Officer Reports	<ul style="list-style-type: none"> • GEM • Capital Budget • Revenue Budget • Report on Performance Indicators • Best Value Review Improvement Plans.
Scrutiny Reviews	<ul style="list-style-type: none"> • The findings of the Travellers Policy Development Review Group.

March 2007	
Officer Reports	<ul style="list-style-type: none"> • Biodiversity Strategy Issues • Capital Budget • Revenue Budget • Report on Performance Indicators • Best Value Review Improvement Plans
Scrutiny Reviews	

SCRUTINY ACTIVITY REPORT**Report By: Director of Corporate and Customer Services****Wards Affected**

County-wide

Purpose

1. To consider the work being undertaken by the Scrutiny Committees.

Financial Implications

2. None

Background

3. This report summarises the matters considered by the Scrutiny Committees since the last report by this Committee to Council. It is intended to help keep Council aware of the work being undertaken.
4. The work of the Committees is analysed below as far as practicable under the following five roles for overview and scrutiny: holding the executive to account, best value reviews, policy development and review, external scrutiny, and improvement (performance management and review).

Summary

5. The Adult Social Care and Strategic Housing Scrutiny Committee met on 2nd December, 2005 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	Learning Disability Service. Homelessness Consultation Event – Outcome. Joint Team with Pension Service and Voluntary Sector.
External Scrutiny	
Improvement (Performance Management and Review)	Performance/Budget Monitoring 2005/6.
Other	

6. Attention is particularly drawn to the Homelessness Consultation Event held in October, 2005. This involved representatives from relevant agencies across the County and the Committee has made several recommendations as a result of this scrutiny event.

Further information on the subject of this report is available from Tim Brown Committee Manager (Scrutiny) on 01432 260239

7. The Children's Services Scrutiny Committee met on 16th December, 2005 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Cabinet Member Briefing
Best Value Reviews	
Policy Development and Review	Integrating Services for Children and Young People in Herefordshire.
External Scrutiny	
Improvement (Performance Management and Review)	
Other	Review of Statutory and Co-opted Members on Children's Services Scrutiny Committee – Update. Committee Work Programme.

8. The Community Services Scrutiny Committee met on 14th December 2005, at 6.00 p.m. in the Town Hall, Hereford, and 11th January 2006, at 6.00 p.m. at the Green Dragon Hotel, Hereford (reconvened on Friday 13th January at 2.00 p.m. at Brockington), and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	Overview of Heritage and Museum Services. Hereford City Centre Refurbishment. Tourism Development in Herefordshire. Adult & Community Services Directorate. St. Katherines Site – Update. Review of the Experiment to Pedestrianise Widemarsh Street, Hereford.
External Scrutiny	
Improvement (Performance Management and Review)	Performance Monitoring
Other	Work Programme

9. The meeting on 11th January considered the experiment to pedestrianise Widemarsh Street. The Committee heard evidence from a range of key groups. About 40 Members of the public also attended. The Committee reconvened on 13th January to debate the evidence heard and made recommendations to the Cabinet Member (Highways and Transportation).
10. The Scrutiny Review of The Courtyard Centre for the Arts is progressing. The scrutiny review of how to retain 18-35 year olds in the County is nearing completion.
11. The Environment Scrutiny Committee met on 24th October at the Shire Hall, Hereford and 5th December, 2005 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	

Further information on the subject of this report is available from Tim Brown Committee Manager (Scrutiny) on 01432 260239

External Scrutiny	
Improvement (Performance Management and Review)	Revenue Budget Monitoring. GEM Performance 2005/6 Half-Year Report. Development Control Performance
Other	Work Programme

12. The Health Scrutiny Committee met on 8th December, 2005 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	
External Scrutiny	Presentation by Hereford and Worcester NHS Ambulance Trust. Primary Care Trust Briefing. Review of Communications Review of GP Out of Hours Services.
Improvement (Performance Management and Review)	
Other	Scope for a Health Park in Herefordshire.

13. The meeting with the Ambulance Trust which was called to advise the Committee on options being considered to manage the Trust's financial situation is highlighted. The invitation had been prompted in part by reports in the press that the Trust was proposing to close/relocate the four existing ambulance stations at Bromyard, Kington, Ledbury and Ross-on-Wye. However, it also provided the Committee with the opportunity to receive its first formal report from the Ambulance Trust. It is considered that the meeting was of benefit both to the Committee and the Trust. A number of issues were identified which the Trust has been requested to address.

BACKGROUND PAPERS

- None

