

# A G E N D A

## Strategic Monitoring Committee

Date: **Monday, 16th October, 2006**

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Time: **10.00 a.m.**

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

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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. <b>APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
2. <b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on this agenda.	
3. <b>MINUTES</b> To approve and sign the Minutes of the meeting held on 15th September, 2006.	1 - 6
4. <b>SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY</b> To consider suggestions from members of the public on issues the Committee could scrutinise in the future.	
5. <b>CALL-IN OF CABINET DECISION ON THE ROTHERWAS FUTURES PROJECT</b> To consider the Cabinet decision to enter into a co-operation agreement with Advantage West Midlands in order to progress the Rotherwas Futures Project.	7 - 18
6. <b>MEDIUM TERM FINANCIAL MANAGEMENT STRATEGY (TO FOLLOW)</b> To invite the Committee to comment on the Medium-Term Financial Management Strategy (MTFMS) prior to consideration by Cabinet.	
7. <b>THREE-YEAR STRATEGIC PROPOSALS: THE BASIS FOR THE CORPORATE PLAN (TO FOLLOW)</b> To seek the Committee's views on three year strategic budgets and associated service outputs and outcomes, which will form the basis of the Corporate Plan 2007-10 so that they can be taken into account by Cabinet in its recommendations to Council.	

<b>8.</b>	<b>UPDATE ON ACTIONS IN RESPONSE TO STRATEGIC MONITORING REVIEW OF THE STRATEGIC SERVICE DELIVERY PARTNERSHIP</b>	19 - 28
	To provide the Strategic Monitoring Committee with an update on the actions taken in response to their review of the Strategic Service Delivery Partnership between Herefordshire Jarvis Services, Owen Williams and Herefordshire Council.	
<b>9.</b>	<b>EMPLOYEE OPINION SURVEY 2006</b>	29 - 32
	To note the findings of the Employee Opinion Survey 2006.	
<b>10.</b>	<b>PROGRESS ON EQUALITY AND DIVERSITY</b>	33 - 36
	To advise the Committee on the Council's commitment and progress in delivering the Council's statutory obligations on the Equality agenda.	
<b>11.</b>	<b>OMBUDSMAN AND COMPLAINTS AND COMPLIMENTS MONITORING 2005/06</b>	37 - 46
	To note the Ombudsman Annual Letter 2005/06 and the figures for complaints and compliments recorded including complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31st March, 2006.	
<b>12.</b>	<b>SCRUTINY ACTIVITY REPORT</b>	47 - 50
	To consider the work being undertaken by the Scrutiny Committees.	
<b>13.</b>	<b>WORK PROGRAMMES</b>	51 - 58
	To consider the Scrutiny Committees' current and future work programmes	
<b>14.</b>	<b>SCRUTINY IMPROVEMENT PLAN</b>	59 - 68
	To note progress on the Scrutiny Improvement Plan.	

## **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**

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

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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.

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## **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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## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

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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, 15th September, 2006 at 10.00 a.m.**

**Present: Councillor T.M. James (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**

**In attendance: Councillors Mrs. J.P. French, R.J. Phillips, D.W. Rule MBE and R.M. Wilson**

**17. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Mrs P. A. Andrews.

**18. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**19. MINUTES**

**RESOLVED: That the Minutes of the meeting held on 20th July, 2006 be confirmed as a correct record and signed by the Chairman.**

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

There were no suggestions from members of the public.

**21. DRAFT MEDIUM TERM FINANCIAL MANAGEMENT STRATEGY**

The Committee considered the draft Medium Term Financial Strategy, which had been agreed by Cabinet in July as a basis for consultation.

The draft Strategy as presented to Cabinet had been circulated separately to Members of the Committee.

The Director of Resources presented the report. She explained that the Strategy was intended to integrate financial planning more closely with corporate and service planning so that those plans were developed and priorities set with a clear understanding of the financial context within which the Council was operating.

She commented on each section of the Strategy which included the national policy context, the national financial context, Herefordshire's policy context, Herefordshire's financial context, the financial management strategy and arrangements for consultation on and review of the Strategy.

She noted in particular that a second national Comprehensive Spending Review was

underway with the outcome due to be reported in 2007. This would cover the years 2008/09, 2009/10 and 2010/11. The expectation was that there would be a very tight settlement with public spending being reduced and there would be further, more challenging efficiency targets. The indications from the Lyons Review on the role and function of local government were that particular attention was being given to the scope for levying discretionary fees and charges as a way of paying for services, further suggesting that the financial settlement would be tight.

The Director's current view was that the Council may have some headroom in the 2007/08 budget but no growth in the following three years. The Council's ambitious improvement programme had to be seen in this context.

She concluded by explaining that the draft Strategy was the subject of ongoing consultation and, as was to be expected, would need to be updated to reflect developments since its publication. It was intended to report to the Community Forums in October and then again to the Strategic Monitoring Committee before the Strategy was submitted to Cabinet. There would also be further informal briefings for Members as they wished.

In the ensuing discussion the following principal points were made:

- In response to a question about action the Council was taking to make the case for fairer funding the Leader of the Council advised that the situation was constantly emphasised to Government but to date there had been little sympathy shown. In the case of Education, whilst funding per pupil in Herefordshire was low the results were good. This meant the Government was not inclined to increase funding. The Council was working with other rural authorities to try to demonstrate the escalating costs of providing services in rural areas. He was due to see Sir Michael Lyons shortly as part of his review and would have the opportunity to make the case to him. One particular concern was possible changes to the allocation of the Business Rates. Currently these were distributed on a national basis and Herefordshire, with a low business base, benefited significantly from the redistribution of these rates.

He added that in terms of increasing fees and charges for services it had to be borne in mind that rural households were already suffering the burden of increased transport costs.

- The Director of Resources added that the County was funded at 20% below the average level of funding per head of population. In every self-assessment return the Council made to Government care was taken to emphasise the poor funding position, supporting the case with statistical evidence. Locally the position had been set out in the Council's newspaper, Herefordshire Matters and presentations were to be made to the Community Forums.
- It was suggested that as not all rural authorities stood to lose from the redistribution of the business rates the Council should seek to make alliances on this point with those northern, urban authorities who would suffer as a result of a change.
- That the style of the Council's representations to Government was important. A quiet, reasoned approach supported by clear statistical evidence would be more likely to succeed than public rhetoric. In reply the Leader agreed with the importance of all Members supporting the Council's case in this way.
- It was suggested that some of the assumptions in the Strategy were optimistic.

- The planned further involvement of the Committee in the Strategy's development was welcomed.
- The Director of Resources noted the importance to the Strategy of the assumptions made about achieving the specified efficiency savings. In response to a suggestion that the analysis of spending pressures was open to question she added that the Strategy did try to identify the potential risks facing the Council and contingency sums had been established to provide for those foreseen risks.
- It was noted that the Strategy would need to be updated to reflect Cabinet's recent decisions to fund the Rotherwas Relief road as a priority.
- That the Council could not be expected to continue to improve services with fewer and fewer resources nor could it be expected to make endless efficiency savings.
- More needed to be done to ensure that the Council's funding position was clearly communicated to the public. In particular it was suggested that the implications for non-statutory services, which many people held dear and would protest strongly about if their continuation were to be in doubt, needed to be highlighted.
- It was noted that it was intended to make presentations to the next round of Community Forums. However, it was suggested that the Forums currently attracted quite small audiences and a communication strategy needed to incorporate other approaches.
- It was suggested that the Parish Councils might have a role to play as part of a communication strategy.

**RESOLVED:**

- That (a) **the need to update the draft Medium Term Financial Management Strategy and the arrangements for further consideration of the Strategy by the Committee be noted;**
- (b) **a robust, reasoned approach to making representations to securing fairer funding for the County based on clear statistical evidence be supported;**
- and**
- (c) **to recommend that further consideration be given to the Council's communication strategy at a local level to ensure that the Council's financial position is effectively communicated to the Public.**

**22. INTEGRATED PERFORMANCE REPORT**

The Committee considered the Integrated Performance Report setting out performance to the end of July 2006 against the Annual Operating Plan 2006-07, together with performance against revenue and capital budgets and corporate risks, and remedial action to address areas of under-performance.

The report also covered the progress being made against the Council's Overall Improvement Programme, which included the Joint Area Review (JAR) Action Plan, the Adult Social Care Improvement Plan and the Herefordshire Connects programme.

The Corporate Policy and Research Manager highlighted that 19 of the 89 strategic performance indicators in the Annual Operating Plan were in the category: not achieved, or not expected to be achieved, or no targets/milestones identified. This compared with 45 indicators at the time of the last report, which represented significant progress. The principal reason why there had been 45 indicators in this category had been due to the need to identify clear action plans and milestones. 14 of the remaining 19 red-flagged indicators still had these deficiencies, with most depending on agreeing the relevant material with partner organisations. Work continued to complete all to the necessary standard, with the expectation this should be done before the next performance report was published in October.

He noted that in considering the report on 7th September Cabinet had indicated its clear expectation that there should be continued progress and that now action plans and milestones were in place there was a need to ensure their delivery.

He reported that the Council's Overall Performance Improvement Plan would be reviewed and, as necessary, revised at the end of October. This would take into account suggestions and recommendations from the Audit Commission following their September review of the Council's progress in respect of performance management. The existing Plan had, however, been judged by the Commission to be currently fit for purpose. He noted that the assessment of the future social care needs of older people and adults with learning difficulties and services to meet them was nearing completion, with the intention of reporting to Cabinet in October.

Regarding the Joint Area Review (JAR), he reported that there had been good progress in increasing the number of cases of children being referred to the Council, to the extent that the target set to be achieved by March 2007 had been exceeded during July. However, this meant that many more assessments had to be carried out, which created pressures. The situation was being managed intensively.

The JAR in the autumn of 2005 had concluded that the arrangements for "Staying Safe" (the overall contribution of services to keeping young people safe) were inadequate. An independent review by the Department for Education and Science had now concluded that, following an intensive programme of remedial action by Children's Services with partner organisations, the arrangements for "Staying Safe" were now adequate. This was identified as high priority in the corporate risks in the Risk Register. It was important that this position was maintained.

He drew Members' attention to the position on the revenue budget and the capital budgets, noting particularly the estimated revenue overspend of £3.5 million on adult social care which needed continued management, but in respect of which a contingency fund had earlier been earmarked.

He also commented briefly on the corporate risk log noting, in addition to risks to the authority associated with safeguarding children, the Herefordshire Connects Programme and the response to the outcome of the social care needs analysis on Older People and Adults with Learning Difficulties.

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

- A question was asked about progress against the indicator for the number of adults with mental health problems helped to live at home per 1,000 population

aged 18-64 which showed performance below the bottom quartile. The Corporate Policy and Research Manager reported that there had been a significant improvement in 2005-06, with performance above the median level for English local authorities in 2004-05 (the latest available audited figures).

- There was discussion of the potential budgetary implications associated with this increased provision.
- The Corporate Policy and Research Manager referred to the work being undertaken on future needs and services for older people and adults with learning disabilities. The intention was to carry out similar review in due course in respect of the needs and future services for 18 to 65 year-olds with mental health problems or physical disabilities. The work on services for older people and adults with learning disabilities showed that it should be possible to meet future pressures with higher quality, more efficient services. There would be additional costs in any event but their extent could be substantially mitigated were services to be reshaped.
- Members discussed the need to get a clearer understanding of what the performance indicators were really saying and put them in context. It was noted, for example, that the increase in relation to the national indicator for the number of arrests for domestic violence offences could be attributable to a number of factors, such as an increase in the number of offences, and did not necessarily demonstrate that the actions of the Council and its partners were having a beneficial effect. It was suggested that some case studies should be provided to Members providing examples for discussion.

**RESOLVED: That the report be noted.**

### **23. REVIEW OF THE PROVISION OF SCHOOL PLACES**

The Committee considered progress on the review of school provision commissioned by Cabinet in March 2006.

As reported to the Committee on 26th June, following informal discussions about the scrutiny programme, consideration of the schools review had been included as part of that programme. At a subsequent informal meeting on 20th July it had been decided to proceed on the basis that when proposals from each of the school reviews came forward they would be reported to the Strategic Monitoring Committee for consideration and comment. The expectation was that the Committee would be given the opportunity to comment before any formal decision was taken by the Executive. In making comments the Committee would consider the reviews against a wider remit than just educational provision having regard to the Herefordshire Thinks Rural perspective, considering the part schools play in the community, and the link to other Council plans.

It was noted that two consultation exercises were currently underway: the Kington, Weobley and Wigmore area; and the Kingstone and Peterchurch area. It was intended that documents setting out a suggested way forward would be issued in September for a second round of consultation. Initial discussion documents would also be issued for the Bromyard and Leominster area and for the review of high school provision.

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

- In response to questions the Head of Commissioning and Improvement

commented on the significance of falling rolls and highlighted that although 4,372 houses had been built in the County between 1999 and 2005 the numbers of primary school pupils had dropped by 1,253. This demonstrated that extra housing in an area did not guarantee additional pupils. He added that consideration had been given to the potential impact of migrant workers but to date this was minimal.

- Members noted the work which had been undertaken by a consultant on scope for co-operation and federation between schools and that this would be something to monitor as the proposals were developed.

**RESOLVED: That the report be noted.**

The meeting ended at 12.15 p.m.

**CHAIRMAN**



## CALL-IN OF CABINET DECISION ON THE ROTHERWAS FUTURES PROJECT

**Report By: Director of Corporate and Customer Services**

### Wards Affected

County-wide

### Purpose

1. To consider the Cabinet decision to enter into a co-operation agreement with Advantage West Midlands in order to progress the Rotherwas Futures Project, which has been called in by three Members of the Committee: Councillor W.L.S Bowen, A.C.R. Chappell, and Councillor Mrs M.D. LLOYD-HAYES.

### Reason For Call-In

2. In accordance with Standing Order 7.3.1 and the Scrutiny Committee Rules set out at Appendix 2 of the Constitution, the decision of Cabinet on 28th September, 2006 in relation to the Rotherwas Futures Project has been called in for consideration by this Committee.
3. The stated reasons for the call-in are:
  - Lack of information on the funding shortfall and how this will be met
  - Lack of detail of what Phase 1 and 2 of the Rotherwas Scheme involves
  - Lack of information on what precautions have been taken in respect of inflation.
4. The decision notice (Ref No. 2006.CAB.076) is appended together with the report to Cabinet on 28th September, 2006.
5. It is for the Committee to decide whether it wishes to accept the decision of Cabinet or to refer the decision back to Cabinet for further consideration and if so what recommendations to Cabinet it wishes to make.

### BACKGROUND PAPERS

- None



## WRITTEN STATEMENT OF A KEY DECISION CABINET

<b>ITEM:</b>	<b>ROTHERWAS FUTURES</b>
Members Present:	Councillors: RJ Phillips (Leader), PJ Edwards, JC Mayson, DW Rule MBE (Deputy Leader), RV Stockton, DB Wilcox, RM Wilson.
Date of Decision:	28th September 2006
Exempt:	No
Confidential	No
This is a key decision because It is likely to result in the Council incurring expenditure above agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000. It is significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards	
The item was included in the Forward Plan.	
Urgent Decision:	No
Purpose:	To seek approval to enter into a funding agreement with Advantage West Midlands (AWM) in order to progress the Rotherwas Futures Project.
<b>Decision:</b>	<b>THAT Cabinet agrees that the Council enters into a co-operation agreement with Advantage West Midlands (AWM) in order to deliver the Rotherwas Futures Project.</b>
Reasons for the Decision:	At the Cabinet meeting held on 7th September 2006, Members were briefed on the recommendations arising from the Rotherwas Futures Report. Cabinet agreed that officers should commence negotiation on a joint venture/cooperation agreement with AWM in order to deliver the Rotherwas Futures Project. This report sets out the details of the proposed agreement.
Options Considered:	<u>Do Nothing</u> Under this Option, the current access arrangements and Estate constraints remain unchanged with the resultant underdevelopment of this key industrial site.
Declaration of Interest:	
Date the key decision is due to take effect:	5th October 2006

<b>COUNCILLOR RJ PHILLIPS</b> .....	Date: 28th September 2006
<b>LEADER OF THE COUNCIL</b>	



# ROTHERWAS FUTURES

## PORTFOLIO RESPONSIBILITY: ECONOMIC DEVELOPMENT AND HIGHWAYS AND TRANSPORTATION

CABINET

28TH SEPTEMBER, 2006

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### Wards Affected

Countywide

### Purpose

To seek approval to enter into a funding agreement with Advantage West Midlands (AWM) in order to progress the Rotherwas Futures Project.

### Key Decision

This is a key decision because it is likely to result in the Council incurring expenditure above agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000. It is significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

### Recommendations

**That Cabinet agrees that the Council enters into a co-operation agreement with Advantage West Midlands (AWM) in order to deliver the Rotherwas Futures Project.**

### Reasons

At the Cabinet meeting held on 7th September 2006, Members were briefed on the recommendations arising from the Rotherwas Futures Report. Cabinet agreed that officers should commence negotiation on a joint venture/cooperation agreement with AWM in order to deliver the Rotherwas Futures Project. This report sets out the details of the proposed agreement.

### Considerations

1. The estimated cost of delivering the Rotherwas Futures Project, which includes building the Rotherwas Access Road, the refurbishment of key buildings on Rotherwas Industrial Estate and Phases 1 and 2 of the preferred option recommended in the Rotherwas Futures Report is approximately £17.5 million.
2. AWM are committed to contributing up to £9.5million, to be secured through a co-operative agreement. A full copy of the draft Agreement is attached for Members attention. The key elements of the agreement are as follows:
  - Agreement by the Council to complete a full conditions survey of existing property holdings on the Estate;
  - Agreement by the Council to invest in existing stock with the additional revenue being

re-invested in the Estate;

- Agreement by the Council and AWM to a revised management and marketing strategy;
- Investment by AWM to support the implementation of Rotherwas Access Road and Phases 1 and 2 of development at an estimated cost of £17.5million;
- Agreement by the Council to contribute the £8million balance of the £17.5million package. The Council will seek developer contributions, recycle capital receipts and use its Capital Programme in order to achieve this contribution.
- A review of the costs of Phases 3 and 4 upon completion of Phase 2 with a view to further investment by the Council and AWM.

### **Financial Management Issues**

3. This section of the report highlights the key strategic financial management issues that Cabinet needs to consider in taking the decision to complete the co-operation agreement with AWM to deliver the Rotherwas Futures project.
4. The Council's draft Medium Term Financial Management Strategy (MTFMS) highlights the pressures on Herefordshire's relatively scant capital resources. The draft MTFMS identifies the Rotherwas Access Road as a potential pressure for the future depending on the outcome of the Local Transport Plan (LTP) funding decision for the scheme. The project outlined in this report is larger in scope than that currently envisaged when the draft MTFMS was approved for consultation purposes by Cabinet.
5. The draft MTFMS also proposes that all new capital schemes are included in future capital programmes on the basis of a corporate scheme selection process and that capital resources are treated as a corporate resource. The approach set out in the report for Rotherwas Futures will mean that this project by-passes this system, with this project becoming the Council's top priority and therefore having first call on available capital resources. The implications of this on other highly desirable priorities needs to be considered by Cabinet.
6. Based on the figures available, there is a funding gap of £8 million for the Rotherwas Futures Project towards which the Council is seeking a developer contribution. The Council will need to underwrite any funding gap that emerges if this level of developer funding is not achieved or the cost model changes which could have consequences for the approved capital programme.
7. For added clarity, AWM has stipulated that 50% of their potential £9.5m contribution to Rotherwas Futures will be classed as an investment and that they will expect to see a financial return on it in due course. They may decide to re-invest their return in Phase 3 if the project proceeds that far. Should developer funding not be secured to the level anticipated the Council may have to set aside funding from the capital receipts generated by the project. The £9.5m financing contribution from AWM is not therefore a 100% grant contribution.

## **Risk Management**

Tenders for the project are greater than anticipated or overall costs escalate due to unforeseen circumstances. Mitigation – Ensure robust project management systems in place.

Unanticipated delays in project construction leading to AWM funding not being spent within the next 18 months. Mitigation – Robust project management to minimise delays and impact of construction industry inflation.

## **Alternative Options**

### Do Nothing

Under this Option, the current access arrangements and Estate constraints remain unchanged with the resultant underdevelopment of this key industrial site.

## **Consultees**

The Rotherwas Futures proposal has been developed in consultation with AWM.

## **Background Papers**

None identified.





**Draft Co-operation Agreement between  
Herefordshire Council ('the Council')**

**AND**

**Advantage West Midlands ('the Agency')**

The purpose of this Co-operation Agreement is to provide a management and financial framework that will govern the work of the Council and the The Agency in bringing about the regeneration of the Rotherwas Industrial Estate, Hereford.

In general, Herefordshire Council and Advantage West Midlands establish this Agreement in accordance with the following principles:

1. Agreement is founded on a spirit of openness and partnership. Neither party will have recourse to the other in the event of a failure to adhere to the principles and terms of this agreement.
2. Herefordshire Council and the Agency will approve this agreement and both parties will inform relevant staff and members of their organisations of this Agreement and brief them on its content and implications for them.
3. Compliance with the agreement will be reviewed on a regular basis by the Chief Executive of Herefordshire Council and the (insert position) of Advantage West Midlands although the day to day aspects of this will be undertaken by a Joint Advisory Committee made up of one suitably qualified and experienced officer from both organisations. In the event of non co-operation both individuals will meet and agree measures to rectify problems and/or revise this agreement.
4. The Council will continue to be solely responsible for the ongoing maintenance of its property holdings at Rotherwas Industrial Estate. It will continue to collect and retain rental income in respect of occupational leases. The income from the granting of long term leases on phase 1 and 2 and the refurbished buildings will be ring fenced for re-investment into the estate.
5. The Council will and continue to promote the proper planning and economic development of the area in accordance with its statutory responsibilities and general and specific policies.
6. The Agency will not limit its role in bringing about the regeneration of sites and the wider economic development of the area in accordance with the Vision for the area as defined in the (document title, date).

This agreement specially relates to the land identified as Phase 1 and 2 on the attached Rotherwas Futures Masterplan and the existing industrial and business property owned by the Council at Rotherwas Industrial Estate. Land and property shown as Phase 3 and 4 on the attached Masterplan are included in general terms of this Agreement, but with no specific commitment by either party to invest.

The agreed objective of both parties to achieve the regeneration and development of Rotherwas Industrial Estate are:

- A. Direct investment in existing vacant property to bring it back into use or partnering with the private sector to achieve the same objective (where there are benefits of doing so).
- B. The effective management of the estate so that Herefordshire Council's properties remain fit for purpose, rents are paid and collected in a timely fashion, lease obligations properly enforced, un-let properties are quickly re-let, buildings and public areas properly maintained and potential partnering opportunities with the private sector clearly defined and advertised.
- C. Securing the delivery of the Rotherwas Access Road in order to deliver the project objectives.
- D. Commissioning studies associated with planning, environmental issues, flooding, infrastructure and reclamation and ensuring that where required the studies/reports can be relied upon by a Third Party wanting to implement a project proposal.
- E. Direct investment in land reclamation, infrastructure, flooding relief work and environmental improvements necessary to bring site forward on Phases 1 and 2 of development.
- F. Marketing and disposal of serviced plots in Phase 1 and 2 to deliver financial return and economic development
- G. Commitment to review the Partnership at the completion of Phase 2 or earlier and give consideration to delivery of phases 3 and 4 of Rotherwas Futures.

The 'Agency' will:

- I. Agree to invest up to £9.5m of capital funds in the project, particularly items C, D and E above subject to full Agency approval. The principal terms of the agreement will include:
  - A return on investment based on proportion of disposal proceeds, potentially included a guaranteed return;
  - Draw down of investment in financial years '07 and '08;
  - Delivery of economic outcomes and outputs applicable to Phases 1 and 2, set out in the Rotherwas Futures Report;
  - Agency investment secured by way of a rolling charge against the Council's land interest in Phases 1 and 2
  - The Agency's standard terms and conditions
- II. Agree to review its commitment to the implementation of the Masterplan at the completion of Phase 2.
- III. Use all reasonable endeavours to promote Rotherwas Industrial Estate as a location for investment and to assist in marketing the development opportunities created through its wider activities.

The 'Council' will:

1. Deliver construction of Rotherwas Access Road and completion of Phases 1 and 2 of the Rotherwas Futures Masterplan.
2. Develop and implement a system of Key Performance Indicators that will be used to monitor the effective management of the Rotherwas Investment portfolio on an annual basis. Appropriate KPIs include the following:
  - 2.1 Rent arrears: -size, age and number of individual tenancies that are subject to arrears.
  - 2.2 Voids: - number duration and size (in terms of sq.m. and lost rent based on ERV)
  - 2.3 Time taken from prospective lessee returning completed application form to a lease being granted (in line with the Council's letting policy under the Comprehensive Equality Plan).
  - 2.4 Time to agree terms with respect to rent reviews and lease renewals including the number of tenants that are 'holding over' at any one time.
  - 2.5 Details of any outstanding dilapidations claims and progress in enforcing repair obligations as the law permits.
3. Complete a condition survey of existing properties under its ownership at Rotherwas by no later than April 2007. Invest up to £1.3m from capital reserves, or other sources, in an investment programme designed to bring all occupied and unoccupied properties to a standard that is 'fit for purpose' for general light industrial use by 30 May 2008, subject to each such property having an agreed minimum pay-back period or an agreed minimum Internal Rate of Return and subject to the provisions set out in Clause 7 below regarding the Council's requirements regarding the minimum level of income to be achieved each year from the Rotherwas estate.
4. Develop, implement and act on the findings of an annual or rolling survey of tenants aimed at achieving the right balance between the Council's economic development and commercial objectives. Such a survey would be completed by 30 September in each year commencing 2007 and cover:
  - 4.1 Name and size of company in terms of turnover, profitability and whether opting to tax rents would damage the viability of their businesses.
  - 4.2 A description of the main activities undertaken by Rotherwas.
  - 4.3 Number of employees both full and part time (ideally with a total FTE equivalent calculated).
  - 4.4 An assessment of whether tenants are complying with the conditions under the lease and the need to take action to ensure compliance where necessary.
5. The Council will be:

- 5.1 'Opting to tax' rents and lease premiums on such properties on all development where the Council has invested capital funds as a matter of course.
- 5.2 Continuing to grant non-FRI leases to occupiers as a way of ensuring compliance with lease terms where appropriate.
6. To establish a separate 'Rotherwas development account' from which all rental and land sales/lease premium income will accrue on a 12 months basis relating to the additional income. All direct costs associated with the effective management of the Rotherwas estate will be deducted from this account on an accruals basis. The Council will require a minimum level of net income (excluding capital charges) from the estate each year, to support its revenue budget as follows:
  - 6.1 In 2006/7: £912,960
  - 6.2 In 2007/8: £937,927
  - 6.3 In 2008/9 £963,518
  - 6.4 In 2009/10 £989,749
7. Commission and fund studies from the 'Rotherwas income account' (additional income) to support project objectives including the following:
  - 7.1 Relevant technical reclamation and flooding analysis as set in a brief to be agreed by November 2007.
  - 7.2 Management and marketing strategy for the Rotherwas Estate.
8. From the date of this Agreement to contribute all receipts received from the sale of long leaseholds for development land within the Masterplan boundary for investment in connection with the principles as set out above.
9. Agree to invest a limit of £5.5m in activities in C, D and E
10. Use reasonable endeavours to secure third party contributions to project funding.

The 'Rotherwas income account' will be maintained until after the completion of Phases 1 and 2 (unless otherwise agreed by both parties). After completion of Phase 2 the development account will be closed and the dispersal of any surpluses over and above the minimum income levels set out in Clauses 6.1-6.4 will be distributed equally between The Council and AWM.

**Updated 14th September 2006**

**UPDATE ON ACTIONS IN RESPONSE TO STRATEGIC  
MONITORING REVIEW OF THE STRATEGIC SERVICE  
DELIVERY PARTNERSHIP****Report By: Director of Environment****Wards Affected**

County-wide

**Purpose**

1. To provide the Strategic Monitoring Committee with an update on the actions taken in response to their review of the Strategic Service Delivery Partnership between Herefordshire Jarvis Services, Owen Williams and Herefordshire Council.

**Financial Implications**

2. Not applicable.

**Background**

3. The April 2006 report of the Strategic Monitoring Committee represented the first major scrutiny of the operation of the partnering arrangements that the Council has with Herefordshire Jarvis Services Limited and Owen Williams Limited since these arrangements were instituted in September 2003. An initial response was prepared for Cabinet and was presented at the Cabinet meeting on 15 June 2006. This included an overview of actions taken in response to the recommendations of the review and also set out an action plan. The current report provides a further update.
4. The Herefordshire Strategic Service Delivery Partnership (The Partnership) began on 1st September, 2003 with the award of initial 10-year contracts to Herefordshire Jarvis Services Limited (HJS) and Owen Williams Limited. Herefordshire Jarvis Services Limited is a joint venture between Herefordshire Council and Prismo Limited, a wholly owned subsidiary of Jarvis plc. The arrangements have their origins as a result of a decision in 2001 to review the operation of Herefordshire Commercial Services, the Council's in-house Direct Service Organisation, and to examine whether the private sector could offer a better service.
5. By July 2005 performance had been mixed and it was clear that all parties would have to continue to develop the joint working arrangements to extend good working practices across the services and overcome some initial problem areas. Nevertheless it was also the case that there had been significant improvements in many service areas since the partnership arrangements were instituted.
6. Against this backdrop, at its meeting on 1 July 2005, the Strategic Monitoring Committee agreed to scrutinise the operation of the Council's contract with Herefordshire Jarvis Services. The desired outcomes from the review were: to

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Further information on the subject of this report is available from  
Dr Peter Cross, Environment Support Manager, on (01432) 260099

establish that the aims and objectives contained in the Service Delivery Agreement are being met; to establish that the Council is receiving value for money; and to establish that the Partnership is meeting the priorities of the Council's Corporate Plan.

7. The review commenced in October 2005 and was reported in April 2006. The report set out a number of recommendations. An initial response was presented to Cabinet in June 2006 and was subsequently considered by the Strategic Monitoring Committee at their meeting on 26 June. An update on progress on addressing the recommendations of the review report is set out below. The recommendations are shown in bold type. The corresponding updated action plan is shown in Appendix 1.

## Progress

8. **That the scope for further improvements in the working practices of both HJS and the Council should be vigorously explored.** As noted in the previous report, there are already numerous examples of good working practices including health and safety practices, enhanced staff training, early contractor involvement in schemes, and an increased focus on the programming of works rather than a reactive approach. Nevertheless, working practices are always capable of improvement and a number of initiatives are being taken forward that are resulting in further improvements. These currently include:
  - Revisions to the way in which public rights of way (PROW) works are handled under the service delivery agreement, to better reflect the needs of the Council's PROW team.
  - Physical integration of the HJS and Council highways teams at Thorn. Good progress has been made with the physical integration, now substantially complete, although both partners recognise that more work is needed on embedded fully cooperative working before the full benefits of this integration are realised.
  - The use of an operations room and whiteboard process to improve the productivity and timeliness of service delivery. This is an innovation introduced by HJS which is also open to Council staff to participate in and contribute to.
  - A new joint approach to the routine and reactive elements of the highways maintenance works which is to be implemented early in October and will involve weekly joint programming and prioritisation of forward workload, daily review of work in progress using the above-mentioned whiteboard process, and a programming schedule based on a cyclic system of visits to parishes in line with the required frequency of inspection.
  - The key performance indicator set that is used to monitor the operational performance of the partnership is being radically redesigned to better focus on the partnership's aims and objectives as reflected in: safety, quality, time, cost and improvement.
  - The use of the Council's IMAFS system for valuing highways works in the 2006/07 construction programme has significantly reduced the administrative time that is devoted by Council staff to reviewing and checking the highways-related elements of the monthly payment applications from HJS, thereby freeing

up officer time for front line service delivery.

9. **That each partner needs to have a clearer understanding of what each can contribute to the Partnership to improve service delivery and consider what can be done to remove the barriers which are impeding progress, with the Council proactively seeking to draw on the expertise available from Jarvis which HJS representatives have said is available.** The facilitated relationship development exercise launched in April and involving the senior management teams from both partners has made significant advances both in generating the improved mutual understanding and in the removal of barriers impeding progress. As noted previously, specific work streams undertaken by the senior management group that are addressing these include: the development of a clear joint understanding of the partnership's objectives and how the interests of the Council and HJS can be aligned in pursuit of these objectives, the rebranding of the partnership in terms of overall vision and mission statement, the promotion of autonomy and accountability throughout the management structures of the partners, and the development and rollout of integration between partner work teams. Work on these various streams has continued during the period under review and a further plenary session of senior managers from both partners has been scheduled for October 23 to review the outcome and the way forward.
10. **That HJS be encouraged to revisit its business planning process.** As noted in the June Cabinet response, the business planning process is operating in the manner intended with a draft business plan having been made available to the Council in line with the time schedule set out in the Shareholders Agreement and comments having been submitted by the Council before the start of the current financial year. The current plan is based on a number of challenging but deliverable initiatives expected to result in significant savings in both operational and overhead costs. It anticipates modest turnover growth in most business areas, the exceptions being Building Services and Catering. The Building Services decrease is as a result of the reduced property Joined Up Programme and HJS withdrew from school meal catering at the end of the summer term, following ongoing and unsustainable losses. The financial projections set out in the business plan are being used as a basis for operating and monitoring the business. Since the submission of the plan to the Council earlier this year HJS has put in place a process for updating its business planning at quarterly intervals. The updated budget based on three months actual plus a projection for the remaining nine periods was put to the HJS Board (including Council observers) on 11 September. The update included a breakdown of savings arising out of the work done with the Proudfoot consulting team and a reassessment of business development based on performance to date. Financial performance to the end of August, the latest date for which data are available at the time of writing, shows that key metrics such as turnover, gross profit and operating margin are all within +/- 5% of year-to-date budget and performance can therefore be said to be broadly on track.
11. **That action should be taken to ensure compliance with the provisions of the Shareholders Agreement.** As noted in the previous report, the Council's project manager for the service delivery agreement with HJS keeps operation of the Shareholders Agreement under regular review. Thus, as and when a particular provision of the Shareholders Agreement becomes triggered, steps are taken to ensure that the relevant party carries out the appropriate actions. There have been no instances of non-compliance in the period to which this report relates and no further specific actions are seen as necessary in response to this recommendation.

12. **That the Council's Observers on the Board should take a more proactive role.** The changes in local management at HJS in the past few months have seen a change in emphasis in the Board reporting from one that was primarily concerned with operational problems to one with a more strategic focus. This reflects an improved approach to resolving operational issues at the appropriate management level, which in turn has flowed from the senior management relationship development initiative described above and from better relationships at the general manager-project manager level. A consequence of this is that it has enabled the nature and quality of the Council's observer involvement at the Board to be much more strategic.
13. **That monitoring reports should be presented to the Corporate Management Board and to Cabinet by the Council's observers on a quarterly basis.** This report effectively provides such a monitoring report. It forms the second of its type since the publication of the Strategic Monitoring Committee's review in April 2006, so the quarterly reporting frequency envisaged has been met.
14. **That it be clearly understood that the 8% recharge relates only to that part of the turnover of the Company that is related to the work undertaken for the Council under the Service Delivery Agreement.** Whilst it was useful for the Strategic Monitoring Committee to have identified this point in their recommendations, it is considered that the basis of the 8% recharge is clearly understood by all parties and no further action is considered necessary.
15. **That the issue of the accruing HJS deficit needs to be addressed and firm representations should be made to Jarvis to write this sum off. As the Group could find no evidence that the Joint Venture Company received value for money from this fee it further recommends that the Council explore whether it is possible to ensure that future payments for management services are only made when evidence is received that these have been provided and that the payment therefore does represent value for money. A breakdown of costs of past services should be requested to inform this discussion.** In the previous report, the point was made that this is a contractual issue for which improvement can only be achieved by negotiation. Negotiations around this issue commenced in August and so far two meetings have been held. HJS have expressed willingness to re-negotiate the management fee but as part of a package of measures which are intended to improve the overall delivery of the contract. HJS have also made representations to Jarvis plc group financial management on the treatment of the existing cumulative liability in respect of the management fee; the outcome of these representations is now awaited. At this point in the negotiations, both partners have identified issues that they consider should form part of an overall realignment of the service delivery agreement and initial discussions have taken place to agree which of those issues should be included within the scope of the negotiations. A list of points to be addressed has now been agreed and a timetable for detailed negotiations to be completed, together with nominees responsible, has been set out. The current intention is to have the negotiations completed by the end of October 2006.
16. **That a robust updated contingency plan be prepared.** As noted previously an updated contingency plan has been prepared. It is considered to be substantially more robust than the earlier version reviewed by the Strategic Monitoring Committee. The revised updated plan is kept under regular review as part of the Council's formal risk management arrangements.
17. **That emphasis be placed on the development of good, closer working relationships between HJS and client officers and progress closely monitored**



**by Senior Management/the Corporate Management Board.** This recommendation continues to be addressed through day-to-day activities initiated by the operational management of both partners, through the Partnership Project Management Team, and through the facilitated relationship development activity involving members of the senior management group from both the Council and HJS. Recent points of note include the introduction of integrated working in the highways business segment, the steady resolution of a backlog of long-standing items that were in dispute, the open day held by HJS to which senior client officers were invited, and the continuation of daily dialogue between the Council's project manager and the HJS management team on a range of current issues. Real progress has been made, but there is still the potential for further substantial improvements, which will take time to achieve. The active involvement of the most senior management levels in the relationship development activity mentioned above automatically provides the close monitoring that has been recommended by the Strategic Monitoring Committee.

18. **That the need for staff to be familiar with the detail of the Contract with HJS should be reinforced and appropriate training provided, with refresher sessions for trained staff at appropriate intervals and a clear formal induction programme for new staff.** This activity has continued during the period since the last report at a level commensurate with the relatively limited management resource available. The guidance on the use of the contract that is published on the Council's intranet has been updated. An inventory of training materials and other materials that could be adapted for training purposes has been produced. Managers from the Council and HJS are working on reducing the information given to partners at the start of the contract to a manageable and coherent pack that can be used as a basis for joint training. The possibility of including a brief summary of the partnership arrangements, and how they operate, in the Council's induction programme for new employees is also being investigated.
19. **That the fee levels charged by Owen Williams require careful monitoring and examination with clear procedures in place to ensure fee levels are controlled.** Appropriate management arrangements are in place to ensure that the fee levels charged by Owen Williams are controlled. These arrangements include: the system of project briefs and project quality plans; regular operational meetings including minor projects progress meetings, transportation project meetings, construction manager meetings and property project progress meetings; regular senior management meetings; and reviews of invoicing. The overall fee levels will also be examined as part of the study into value for money aspects of the partnership arrangements that is in the process of being launched following the discussion and decision at the 15 June Cabinet meeting. This is described in more detail in paragraph 23 below.
20. **That the Partnership Board renews its focus on developing the Partnership to maximise the potential benefits.** Once again this recommendation is being addressed through the facilitated relationship development exercise launched in April and involving the senior management teams from both partners. Details of the relevant work streams that are contributing to the fulfilment of this development of the partnership have been described above and in the previous report and these are ongoing. The Partnership Management Board has recently endorsed a revised approach to performance management that will explicitly focus on the partnership objectives rather than on those of individual partners and this is expected to assist in maximising the potential benefits of the partnership approach.

21. **That HJS should change its name and adopt a new name which does not include the words Jarvis or Herefordshire.** The Chairman of HJS has been working with the Jarvis Group Company Secretary to check what dormant company names might be available as some of these might be considered, enabling a change of name to be implemented quite quickly. There is an outstanding action on the Chairman to provide a suggestion for a new name for the next joint venture Board meeting in October.
22. The above paragraphs report and update the position on actions relevant to the recommendations made by the Strategic Monitoring Committee.
23. At its meeting on 15 June when it reviewed the initial response to the recommendations made by the Strategic Monitoring Committee, Cabinet also recorded a decision that *“consideration should be given to engaging an external consultant to undertake a brief piece of work to verify a number of aspects of the services supplied by the Partnership”*. Outline terms of reference for such a consulting assignment have been drafted, with the prime focus being on the need to establish, once and for all, whether the current partnership arrangements represent value for money. Following input from a number of Members on the possible approaches to the engagement of a consultant, three consulting firms with relevant experience – Deloitte & Touche, PA Consulting Group and iMPower Ltd – have been approached and attended initial briefings with senior Council officers on 18 September. Subsequently, all three firms have been invited to submit technical and commercial proposals for a piece of work that would address the issue of value for money of the current arrangements. At the time of writing these proposals are awaited, with the due date for submission being 9 October. It will therefore be possible to present an update on the position at the Strategic Monitoring Committee meeting on 16 October.

## **Recommendation**

**THAT the update on actions being taken in response to the Strategic Monitoring Committee’s review of the Strategic Service Delivery Partnership be noted, subject to any comments the Committee wishes to make.**

### **Background Papers**

- Review of the Strategic Service Delivery Partnership – report by the Strategic Service Delivery Review Group, Strategic Monitoring Committee, April 2006.
- Response to the review of the Strategic Service Delivery Partnership, Cabinet, 15 June 2006.

## ACTION PLAN

## APPENDIX 1

ACTION PLAN ARISING FROM STRATEGIC MONITORING COMMITTEE REPORT - APRIL 2006						
Action to be taken	Lead partner	By when	Progress to date (end September 2006)	People	Target/success criteria	
Explore the scope for further improvements in the working practices of both HJS and the Council	HJS/HC	Ongoing	Physical integration of highways teams complete. Further integration to follow. Other initiatives have been launched as detailed in report.	Mark Thomas, Peter Cross, Stewart Barton	Improved performance as evidenced by KPIs. Reduced levels of dispute.	
Develop a clearer understanding of what each partner can contribute to the Partnership to improve service delivery and consider what can be done to remove the barriers which are impeding progress	HC/HJS	Oct-06	Facilitated relationship development exercise launched with clear work streams identified to address barriers. To be continued at next plenary session on October 23.	Neil Pringle, Roger Phillips, Graham Dunhill, Sonia Rees, Peter Cross, Andrew Martin, Michael Goldberg, Stan Gyford, Mark Thomas, Andy Lake, Richard Lewis	Improved relationships and improved levels of trust. Clear understanding of mutual objectives of partners.	
Revisit the HJS business planning process	HJS	Jun-06	Draft Business Plan produced for 2006/07 on schedule. Comments prepared by HC. HJS monitor business performance against regular updates of the plan. No further specific action considered necessary.	Stan Gyford, Richard Lewis, Peter Cross	Business outturn more closely in line with business plan projections than previously. Actual performance used to refine key assumptions in the plan.	
Ensure compliance with the provisions of the Shareholders Agreement	HC	Ongoing	All provisions clearly identified for ensuring compliance. No further specific action considered necessary.	Peter Cross	All ongoing provisions fully complied with.	
Council's Observers on the Board take a more proactive role	HC	Jun-06	Role of the Board re-examined in senior management group. Management changes at HJS have led to better operational problem-solving at the right management level, allowing the Board to be a vehicle for more strategic discussion. No further specific action considered necessary.	Neil Pringle, Roger Phillips	Improved strategic focus of Board with reduced emphasis on operational detail.	

Action to be taken	Lead partner	By when	Progress to date (end September 2006)	People	Target/success criteria
Monitoring reports to be presented to the Corporate Management Board and to Cabinet by the Council's observers on a quarterly basis	HC	Initially June 2006 then ongoing quarterly	Initial response to the review prepared in June 2006. Current report is the second quarterly report.	Neil Pringle, Roger Phillips	Availability of regular monitoring reports on schedule for review on a quarterly basis.
Clarify to all parties that the 8% recharge relates only to that part of the turnover of the Company that is related to the work undertaken for the Council under the Service Delivery Agreement	HJS/HC	May-06	Complete	Neil Pringle, Roger Phillips, Graham Dunhill, Sonia Rees, Peter Cross, Stan Gyford, Mark Thomas, Andy Lake	Full understanding by all parties of the exact definition of the 8% management fee.
Address the issue of the accruing HJS deficit and make firm representations to Jarvis to write this sum off	HC	Oct-06	Negotiations commenced August 16 - in progress with target completion end October. Items for inclusion within the scope of negotiations have now been agreed.	Neil Pringle, Roger Phillips	<b>EITHER</b> a formal write-off of the sum involved <b>OR</b> a clear understanding of the circumstances under which the accruing deficit will be called in by Jarvis plc.
Explore whether it is possible to ensure that future payments for management services are only made when evidence is received that these have been provided	HC	May-06	Complete. The management fee is a contractual obligation and it is not possible to make the payments conditional in the manner suggested. Negotiations around the relaxation of the management fee are in progress.	Neil Pringle, Roger Phillips	See comment under progress to date.
Prepare a robust updated contingency plan	HC	Jun-06	Complete	Peter Cross	Robust updated contingency plan prepared.

Action to be taken		Lead partner	By when	Progress to date (end September 2006)	People	Target/success criteria
Place emphasis on the development of good, closer working relationships between HJS and client officers with progress closely monitored by Senior Management/the Corporate Management Board		HJS/HC	Ongoing	Facilitated relationship development exercise launched with clear work streams identified.	Stan Gyford, Graham Dunhill, Peter Cross, Mark Thomas	Systematic reduction in levels of disputed payments against monthly application.
Provide appropriate staff training on the detail of the Contract with HJS, with refresher sessions for trained staff at appropriate intervals and a clear formal induction programme for new staff		HC	Oct-06	Initiated. Inventory of training materials compiled. Intranet guidance updated.	Peter Cross, Clive Hall	A training module is available for induction for staff to provide basic familiarity with the contractual arrangements.
Monitor the fee levels charged by Owen Williams carefully and put in place clear procedures to ensure that fee levels are controlled		HC	Jun-06	Appropriate procedures are already in place. No further specific action necessary - complete.	Graham Dunhill, Peter Cross, Stephen Oates, Colin Birks	Fee levels for OW work items seen as competitive and in line with industry practice.
Renew the focus of the Partnership Board on developing the Partnership to maximise the potential benefits		HC/OW/HJS	Ongoing	A team activity has been undertaken to articulate and confirm the core values and vision of the partnership. A revised performance framework has been endorsed by the Partnership Management Board for introduction from April 2007 to ensure that progress towards the benefits can be measured.	Graham Dunhill, Andrew Martin, Ruth Jeffs	Benefits being realised. Quantitative evidence of good performance available through KPIs and benchmarking.
Change the HJS name to a new name which does not include the words Jarvis or Herefordshire.		HJS	Oct-06	Prismo name in principle available immediately for external tenders; active consideration being given to a new name for HJS. Jarvis plc Group Secretary has been consulted on availability of existing company names. Action in hand with HJS Chairman, who is to report back at the October 2006 Board meeting.	Andrew Martin, Michael Goldberg, Stan Gyford	New name agreed and introduced.
Note: items shaded are considered complete.						



## EMPLOYEE OPINION SURVEY 2006

Report By: Head of Human Resources

### Wards Affected

County-wide

### Purpose

1. To note the findings of the Employee Opinion Survey 2006.

### Financial Implications

2. There are no financial implications.

### Background

3. A report was presented to and noted by Cabinet on 28th September detailing the findings of the Employee Opinion Survey 2006 as follows below.
4. Actions taken during 2005-06 have clearly made a positive difference to employees and are mirrored by some significantly more positive differences in responses to the Survey. Some of the areas where Survey responses by employees are significantly more positive than in either of the last 2 years are:
  - More employees think the Council is good to work for – 69% against 65% in 2005 and 59% in 2004. In addition, 55% agree that morale in their work area is good, compared with 41% last year.
  - More people are confident that they will still be working for the Council in 12 months time – 64%; up from 61% in 2005 and 51% in 2004.
  - Around two thirds of respondents now agree that they get recognition for a job well done – a significant increase over the previous 2 years.
  - Three quarters agree that the organisation communicates with employees regularly when going through change, against 69% in 2005.
  - Confidence in immediate managers continues to be high, as does the proportion of employees having a clear understanding of their job objectives and priorities. More people are also feeling valued by senior management, and feel that relations between senior management and employees are good.
  - More people are finding their annual Staff Review and Development discussions worthwhile and 48% agree that opportunities for development within the Council are good, compared with 43% in 2005.
  - More agree that the Council takes into account the views and diverse needs of its service users, that the Council is open, honest, and accountable to all its

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

customers and that employees are treated fairly regardless of race, sexual orientation, age and position.

- The proportion who sometimes feel bullied or harassed by customers or service users has fallen from 39% in 2005, to 35%.
5. The main areas where levels of disagreement amongst employees have risen, are:
- In 2005, 31% disagreed that plans, processes and policies were understandable, whereas 40% disagree this year.
  - 4% more than last year disagree that they usually have the resources to do their jobs properly.
  - This year, 38% disagree that action will be taken on problems identified in the survey, compared with 29% last year and 34% in 2004.
  - There is a rise in disagreement that that people are encouraged to use their initiative and creativity, and to share learning and best practice.
  - Disagreement that people are satisfied with their physical work environment – from 30% in 2005, to 35% this year.
  - The level of disagreement has increased to 56% from 51% in 2005, regarding good understanding and co-operation between the Council's different service areas.
  - Disagreement about having opportunities for flexible working, has risen from 15% in 2004, to 16% last year and to 19% currently.
6. Employee Opinion Surveys are carried out annually by many Local Authorities. To get a picture of how we fare by comparison, the results are checked annually against other Councils. We compare well against the average for local government in many areas, including:
- Morale within work areas is up to 55% from 41% last year and 35% in 2004; compared with a 46% average for local government;
  - The proportion of employees feeling that they have the resources needed to do their jobs properly - 64%; the local government average being 55%;
  - Opportunities for flexible working that allow people to avoid problems in meeting home and work commitments is at 73% this year, compared with the local government average of 68%.
7. The areas where we do not seem to compare so well are:
- Our employees are not as inclined to speak highly of the Council to others outside – 47%; against the average of 56%;
  - The level of satisfaction with earnings here is at 42% as against a 44% average; and 64% intend to be working here in 12 months time against a 75% average (although our turnover is significantly below the Local Government average).



- That it's possible to meet job requirements without working excessive hours - 56% against an average of 61%.

## **RECOMMENDATION**

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

## **BACKGROUND PAPERS**

- None



## PROGRESS ON EQUALITY AND DIVERSITY

**Report By: Equality and Diversity Manager**

### Wards Affected

County-wide

### Purpose

1. To advise the Committee on the Council's commitment and progress in delivering the Council's statutory obligations on the Equality agenda.

### Financial Implications

2. Withdrawal of resources would mean that we would be unable to implement the Action Plans. This may result in the Council not obtaining Level 2 of the Equality Standard and not progressing to levels 3 and 4.
3. By not completing the timetabled programme of Equality Impact Assessments. This would reduce our chance of evidencing the corporate commitment to the Diversity agenda and this may result in the Council not obtaining Level 2 of the Equality Standard.

### Background

4. 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.
5. 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
6. The changing and diverse nature of the community of Herefordshire should be recognised and acknowledged, along with the challenges this brings. 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

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Further information on the subject of this report is available from  
Carol Trachonitis Equality and Diversity Manager 01432 260616

- Purchasing services
  - Employing staff
  - Working in partnership with other organisations
7. The CEP provides the focus to ensure that the Council meets the criteria needed to reach Level 2 of the Equality Standard by 2007. The CEP is underpinned by the Race Equality Scheme (RES) and the Disability Equality scheme (DES). It should be noted that both the RES and the DES are sub-sections of the CEP and therefore their action plans sit as appendices to this Plan.
8. The Disability Discrimination Act 2005 requires organisations across the public sector to be proactive in ensuring that disabled people are treated fairly. However, this duty is not necessarily about changes to buildings or adjustments for individuals; it's all about including equality for disabled people into the culture of public authorities in practical and demonstrable ways.
- Eliminate discrimination that is unlawful under the DDA
  - Eliminate harassment that is unlawful under the DDA
  - Promote equality of opportunity between disabled persons and other persons
  - Take steps to take account of disabled person's disabilities, even where that involves treating disabled persons more favourably than other people
9. The Race Relations (Amendment) Act 2000 (RRAA) places both general and specific duties on local authorities to promote race equality and prevent unlawful racial discrimination. The Act requires the Council to publish a Race Equality Scheme, illustrating how it intends to meet the RRAA obligations under the general and specific duty.
10. The General Duty requires:
- eliminate unlawful discrimination
  - promote equality of opportunity
  - promote good relations between people of different racial groups
11. The Specific duty requires:
- publishing of a Race Equality Scheme
  - publishing of a statement of the functions and policies, or proposed policies, which the Council has assessed as relevant to delivering the objectives of the RRAA. This assessment must be reviewed at least every three years.

12. The Council has taken a slower approach to the Equality Impact Assessment process, choosing a 3 year rolling programme to enable services to look at a number of equality categories, not just Race as required by legislation. This will enable us to progress through levels 3 and 4 of the Equality Standard more rapidly as the ground work and needs assessment with regards to other equality strands (age, gender and disability) will have already been completed in advance of legislation coming into force. It also demonstrates us developing a proactive response to the needs of our customers.

## RECOMMENDATION

**THAT the progress in implementing the Comprehensive Equality Policy, and on the development of the Disability Equality Scheme and the Race Equality Schemes be noted.**

## BACKGROUND PAPERS

- Comprehensive Equality Policy
- Race Equality Scheme
- Disability Equality Scheme



## **OMBUDSMAN AND COMPLAINTS AND COMPLIMENTS MONITORING 2005/06**

**Report By: Director of Corporate and Customer Services**

### **Wards Affected**

County-wide

### **Purpose**

1. To note the Ombudsman Annual Letter 2005/06 and the figures for complaints and compliments recorded including complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31st March, 2006.

### **Financial Implications**

2. None.

### **Background**

2. The report to Cabinet on 28th September, which was noted by Cabinet, is appended.

### **RECOMMENDATION**

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

### **BACKGROUND PAPERS**

- None





# OMBUDSMAN AND COMPLAINTS AND COMPLIMENTS MONITORING 2005/06

## PORTFOLIO RESPONSIBILITY: RESOURCES

**CABINET**

**28TH SEPTEMBER, 2006**

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### **Wards Affected**

County-wide

### **Purpose**

To inform Cabinet of the Ombudsman Annual Letter 2005/06 and the figures for complaints and compliments recorded including complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31st March, 2006.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

**THAT the report be noted.**

### **Reasons**

Cabinet ought to be aware that the Council's Complaints and Ombudsman's process is working well and that there have been no maladministration reports issued by the Ombudsman and to highlight areas of improvement.

### **Considerations**

1. The Local Government Ombudsman has recently decided to issue Annual Letters for all councils reflecting on the complaints they receive against individual authorities and any recommended action. The Herefordshire Council Annual Letter for 2005/06 is appended to this report as Appendix A
2. The Ombudsman comments favourably on several aspects of our complaints handling arrangements.
  - During this period 61 complaints were determined. Of these 13 complaints were referred back to the Council because they were premature, 4 were outside his jurisdiction, 21 showed no or insufficient evidence of maladministration and he decided not to investigate a further 19 under his general discretion, mainly because complainants had not suffered significant injustice from the fault claimed.
  - No reports issued against the Council.
  - 13 out of 61 complaints were received back by the Council because they were premature. This represents 21% of the complaints that were received

against the Council and is lower than the average of this group of complaints for all councils for the period (27%).

- Favourable comments that the Council's complaints procedure is well publicised in comparison with other councils.
  - Commended that the Council's website includes helpful information for complainants on how to complain to him if they are unhappy with how we have dealt with their complaints
  - Grateful to the Council for taking steps to improve its performance with regard to reducing the time taken to respond to enquiries from his office from 47.9 days to 31.8 days, a significant improvement.
  - His staff consider they have a very good working relationship with Council officers and following a visit to the Council on 15th September 2005 was pleased to see the Council's very positive attitude to complaints handling.
3. The Ombudsman commented that during the period 73 complaints were received against the Council which is an increase of 103% compared with the previous year and that the increase was largely due to a group of ten complaints about Education transport matters and a significant increase in planning complaints, up from 15 in 2004/5 to 35 in 2005/6. Although planning complaints rose slightly countrywide over this period, he suggested that the Council may wish to consider whether special factors have caused the Council's increase.

### Performance 2005/06

4. The table below shows the total number of complaints received by the Ombudsman for Herefordshire in 2005/06 and the two previous years.

	2003/04	2004/05	2005/06
Total number of complaints determined by the Ombudsman	37	36	73
Total number of complaints to the Ombudsman settled locally.	3	1	4

5. The table below sets out the number of complaints received by the Ombudsman by subject area, as classified by the Ombudsman, for 2005/06.

Complaints received by subject area	Education	Highways	Housing (not incl HB)	Housing Benefit	Local Taxation	Other	Planning	Social Services	Total
2005/06	12	8	5	3	0	7	35	3	73
2004/05	3	7	0	3	3	3	15	2	36
2003/04	3	9	2	0	1	6	12	4	37

## Response Times

6. The table below shows the average time the council takes to respond to the Ombudsman's first enquiries on a complaint. It is measured in calendar days from the date they send their letter/fax/email to the date that they receive a substantive response from the Council.

	First Enquiries	
	No. of First Enquiries	Avg no. of days to respond
2005/06	34	31.8
2004/05	15	47.9
2003/04	16	36.7

7. The Ombudsman has also commented that on 3 of the 37 cases handled in his office, staff had concerns that the Council's initial responses were not as thorough as they might have been.

## Herefordshire's Comments and Complaints Procedure

8. Recording of the Level I, II and III comments, complaints and compliments received within each Directorate / Department, are currently maintained by the relevant Complaints Administrator using a combination of the Customer Relationship Management (CRM) and ComTrac, the Council's computerised recording system. Reports can be produced for each respective Directorate Management Team from COMTRAC.
9. Leaflets are available at receptions, libraries and Info Shops or Points to enable the public to register their comments, complaints and compliments. This leaflet now incorporates a cut-off section to enable the Council to monitor the ethnicity of complainants and report accordingly.
10. The public can also register their feedback on line by accessing the Herefordshire Council website to complete the electronic complaints form.
11. BVPI 174 and 175 states that all complaints concerning diversity should be recorded, investigated and reported thoroughly. As COMTRAC is unable to capture this information, development work within Northgate CRM was undertaken during 2005/06 to record all Level I complaints, comments and compliments this work also incorporated Diversity. This went live on 4<sup>th</sup> October 2005. Complaints are investigated by the Diversity Team and fed back to the relevant Directorate with recommendations for action, which are subsequently monitored by the Diversity Team.
12. A breakdown of the informal and formal complaints received, by Directorate/Department, is shown in Appendix B.
13. A project is already underway to consolidate the Corporate Complaints process into a single client database. A programme of staff training will precede its planned introduction in early 2007.

## Herefordshire's Compliments Procedure

14. All Compliments are now recorded on Northgate CRM as of 4<sup>th</sup> October 2005. Appendix C shows the number of compliments received during 2003/04, 2004/05 and 2005/06.

### **Ethnicity Monitoring**

15. Diversity monitoring is included in all totals for 2005/06.

### **Complaints Panel**

16. The Complaints Panel (Level III) met to hear unresolved complaints from members of the public following review at Level 1 (by the local manager) and Level II (by Director). The Panel comprises the Chief Executive and two Group Leaders advised by the County Secretary and Solicitor. During 2005/06 it heard 15 complaints. 1 was partially upheld.

<b>Directorate/ Department</b>	<b>No. of Complaints / Section</b>	<b>Outcome</b>
Environment	9 – Planning 2 – Highways and Transportation	8 Not upheld / 1 Partially upheld 2 Not upheld
County Treasurer	1 – Revenues and Benefits	1 Not upheld
County Treasurer/	1 – Revenues & Benefits/Engineering & Transportation	Not upheld
County Secretary & Solicitor	1 – Public Services	Not upheld
Corporate and Customer Services	1 – Member Services	Not upheld

### **Alternative Options**

There are no alternative options

### **Risk Management**

To avoid findings of maladministration by the Local Government Ombudsman against the Authority.

### **Consultees**

None

### **Background Papers**

Letter from Local Government Ombudsman.

21 June 2006



The Commission for  
Local Administration in England

Mr K O'Keefe  
Legal Practice Manager  
Herefordshire Council  
DX 135296  
Hereford 3

Jerry White  
Local Government Ombudsman

Neville Jones  
Deputy Ombudsman

Our ref: JRW/RMS  
(Please quote our reference when contacting us)

**If telephoning contact: Mr R Stephen on 024 7682 0035**  
**Email [r.stephen@lgo.org.uk](mailto:r.stephen@lgo.org.uk)**

Dear Mr O'Keefe

### **Annual Letter 2005/06**

I am writing to give you my reflections on the complaints received against your authority and dealt with by my office over the last year. I hope that in reviewing your own performance you will find this letter a useful addition to other information you hold highlighting how people experience or perceive your services.

This year we will publish the letters on our website and share them with the Audit Commission as there was widespread support from authorities for us to do this. We will wait for four weeks after this letter before making it more widely available in these ways to give you an opportunity to consider and review the letter first. If a letter is found to contain any factual inaccuracy we will reissue it.

In addition to the narrative below there are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

### **Complaints received**

During the period we received 73 complaints against your Council, an increase of 103% compared with the previous year, when we received 36 complaints. The increase is largely the result of a group of ten complaints about Education transport matters and a significant increase in planning complaints, up from 15 in 2004/5 to 35 in 2005/6. Planning complaints rose slightly countrywide this year, but you may wish to consider whether special factors have your Council's increase.

### **Decisions on complaints**

We determined 61 complaints during the period. Of these we referred 13 complaints back to your Council because they were premature (i.e. you were unaware of them or had not

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DX 702110 Coventry 6  
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had a reasonable opportunity to investigate them), four were outside my jurisdiction, 21 showed no or insufficient evidence of maladministration and we decided not to investigate a further 19 under my general discretion, mainly because complainants had not suffered significant injustice from the fault claimed.

### **Reports and local settlements**

When we complete an investigation we must issue a report. But there is a significant proportion of investigations that do not need to be completed because a 'local settlement' is reached during the course of the investigation and it is therefore discontinued.

I am pleased to note that I did not issue any reports against your Council during the period. However, your Council settled four complaints where there appeared to have been maladministration causing the complainants injustice. In one complaint about Highways, your Council failed to advise the complainant that it had erected footpath markers but did tell his neighbour, causing difficulties including a boundary dispute. There was also a delay in dealing with his complaint about the matter. Your Council agreed to apologise to the complainant and to review its policy and procedures.

In a complaint about homelessness, your Council's agents failed to deal properly with the complainant when she presented as homeless and did not make her an offer of temporary accommodation. Your Council agreed that there had been problems and that it had concerns about the agents' performance and readily agreed to pay the complainant £750 compensation.

In a third complaint about Housing Benefit, your Council paid benefit to the complainant's lodgers instead of to her as it had agreed. It agreed to pay the money to the complainant and to compensate her for her time and trouble in pursuing the complaint.

The total compensation paid by your Council during the period was £800.

### **Your Council's complaints procedure and handling of complaints**

As I have already mentioned, we referred 13 out of the 61 complaints we received back to your Council because they were premature. This represents 21% of the complaints we received against your Council and is lower than the average of this group of complaints for all councils for the period (27%). This suggests that your complaints procedure is well-publicised in comparison with other councils.

I note that your Council's website includes helpful information for complainants on how to complain to me if they are unhappy with how you have dealt with their complaints. This is most helpful and I commend your Council for doing this.

### **Training in complaint handling**

Our training in complaint handling is proving very popular with authorities and we continue to receive very positive feedback from participants. Over the last year we have delivered more than 100 courses from the range of three courses that we now offer as part of our role in promoting good administrative practice.

/...

Effective Complaint Handling was the first course we developed, aimed at staff who deal with complaints as a significant part of their job. Since then we have introduced courses in complaint handling for front line staff and in handling social services complaints.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the range of courses available together with contact details for enquiries and bookings.

### **Liaison with LGO**

The average time taken to respond to enquiries from my office was 31.8 days, a significant improvement on the previous year, when you replied, on average, in 47.9 days. I am grateful to your Council for taking steps to improve its performance in this regard and for helping to provide determine complaints promptly. I hope that further improvement this coming year will bring the Council's times within our target of 28 days.

My staff consider that they have a very good working relationship with officers in your Council. I visited your Council on 15 September 2005 with Mr Reynold Stephen, Assistant Director, to present the Annual letter 2004/5 to your Scrutiny Committee and was pleased to see your Council's very positive attitude to complaints handling.

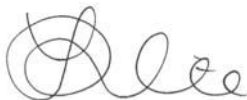
### **Conclusions/general observations**

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services. I would again very much welcome any comments you may have on the form and content of the letter.

I would again be happy to consider requests for myself or a senior colleague to visit the Council to present and discuss the letter with councillors or staff. We will do our best to meet the requests within the limits of the resources available to us.

I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the council and post it on your website should you decide to do this.

Yours sincerely



J R White  
Local Government Ombudsman

Encs

<b>Complaints received by subject area</b>	<b>Education</b>	<b>Highways</b>	<b>Housing (not incl. HB)</b>	<b>Housing Benefit</b>	<b>Local Taxation</b>	<b>Other</b>	<b>Planning</b>	<b>Social Services</b>	<b>Total</b>
<b>01/04/2005 - 31/03/2006</b>	12	8	5	3	0	7	35	3	<b>73</b>
<b>2004 / 2005</b>	3	7	0	3	3	3	15	2	<b>36</b>
<b>2003 / 2004</b>	3	9	2	0	1	6	12	4	<b>37</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

46

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2005 - 31/03/2006</b>	0	4	0	0	21	19	4	13	48	<b>61</b>
<b>2004 / 2005</b>	0	1	0	0	7	5	9	11	22	<b>33</b>
<b>2003 / 2004</b>	0	3	0	0	12	10	11	6	36	<b>42</b>

See attached notes for an explanation of the headings in this table.

**Average local authority response times 01/04/2005 to 31/03/2006**

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2005 - 31/03/2006</b>	33	31.8
<b>2004 / 2005</b>	15	47.9
<b>2003 / 2004</b>	16	36.7

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt; = 36 days %</b>
District Councils	53.2	25.3	21.5
Unitary Authorities	41.3	34.8	23.9
Metropolitan Authorities	41.7	30.5	27.8
County Councils	55.9	26.5	17.6
London Boroughs	39.4	39.4	21.2
National Park Authorities	100.0	0.0	0.0



**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 October 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	Scrutiny of Homelessness Every Child Matters Transition to Adult Life – Scrutiny Review
External Scrutiny	
Improvement (Performance Management and Review)	Budget 2006/07 Performance Monitoring
Other	Work Programme

6. The Committee held a homelessness consultation event in October 2005, involving representatives from the Council and relevant agencies across the County. The event, which was held to facilitate the Committee's review of homelessness, focused on exploring the main causes of homelessness in Herefordshire and considered opportunities for closer working arrangements in the future. A series of recommendations were agreed for submission to the Cabinet Member for Social

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

Care Adults and Health, The Committee has received a report setting out progress in response to its recommendations. In pursuing its scrutiny of this important area of its remit a further event involving representatives from the Council and relevant agencies across the County is planned for November.

7. The Childrens Services Scrutiny Committee met on 6th October, 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	The 14-19 Strategy Progress on the Joint Area Review Improvement Plan
External Scrutiny	
Improvement (Performance Management and Review)	
Other	Work Programme

8. The Community Services Scrutiny Committee is to meet on 18th October and on 8th November 2006. It will consider the following issues:

Theme	Reports
Holding the Executive to Account	Call-in of Cabinet Members' Decision on relocation of Ledbury Tourist Information Centre Annual Report from Cabinet Member – Rural Regeneration and Smallholdings
Best Value Reviews	
Policy Development and Review	CCTV in Herefordshire Churchill House Museum and the display of the Brian Hatton art collection
External Scrutiny	
Improvement (Performance Management and Review)	Update on Progress with High Town Refurbishment Community Services Division Budget Performance Monitoring
Other	Work Programme

9. The Environment Scrutiny Committee met on 25th September, 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	-
Best Value Reviews	
Policy Development and Review	Review of the Travellers Policy Review of Household Waste Recycling in Herefordshire Hydropower Briefing
External Scrutiny	Safety on the A49 and A465 Trunk Roads
Improvement (Performance Management and Review)	Capital Budget

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

and Review)	Revenue Budget Performance Indicators
Other	Work Programme

10. The Committee has approved a scoping statement for a review of household waste recycling in Herefordshire, one of the themes identified by the Strategic Monitoring Committee in its recent discussions on the content of work programmes.
11. It has also nominated a small team to review the draft travellers policy before it is passed to the Cabinet Member (Environment ) for approval.
12. The Health Scrutiny Committee met on, 5th September, 2006 and 12th October 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	
External Scrutiny	Hereford Hospitals NHS Trust – Foundation Trust Status Specialist Children’s Services Development “A Stronger Local Voice” A Framework for Creating a Stronger Local Voice in the Development of Health and Social Care Services. Scrutiny Review of Communication in the Local Health Service Scrutiny Review of GP out of hours Services Director of Public Health’s Annual Report
Improvement (Performance Management and Review)	
Other	Work Programme

13. The Committee is responding to the current public consultation exercise launched by the Hereford Hospitals NHS Trust inviting views on the Hospitals Trust seeking Foundation Trust Status.
14. The Committee will also be responding to a statutory consultation exercise on the possibility of developing a central building for specialist community services for children with developmental problems/disabilities.

#### BACKGROUND PAPERS

- None



## WORK PROGRAMMES

**Report By: Director of Corporate and Customer Services**

### Wards Affected

County-wide

### Purpose

1. To consider the Scrutiny Committees' current and future work programmes.

### Background

2. In accordance with the Scrutiny Improvement Plan a report on Scrutiny Committees' current work programmes will be made to each of the scheduled quarterly meetings of this Scrutiny Committee. Copies of the current work programmes are attached.
3. The work programmes incorporate the themes identified by the Strategic Monitoring Committee in its recent discussions on the content of work programmes, as considered by the Committee in June.
4. Should Members become aware of any issues they consider may be added to the scrutiny programme they should contact the Chairman to log the issue so that it may be taken into consideration when planning future agendas or when revising the work programme.

### RECOMMENDATION

**THAT the current Work Programmes be endorsed, subject to any comment the Committee wishes to make.**

### BACKGROUND PAPERS

- None



## Adult Social Care and Housing Scrutiny Committee Work Programme 2006/07

<b>December 2006</b>	
Items	<ul style="list-style-type: none"> <li>• Budget</li> <li>• Performance Monitoring (including the Adult Social Care improvement Plan)</li> <li>• Process for providing minor adaptations to properties</li> <li>• Executive's Response to Review of Learning Disability Services</li> <li>• Older Peoples Strategy (including report on needs analysis assessment of needs and services)</li> <li>• Adult Placements</li> <li>• Homelessness</li> </ul>
Reviews	<ul style="list-style-type: none"> <li>• Every Child Matters – Transition to Adult Life</li> </ul>
<b>March 2007</b>	
Items	<ul style="list-style-type: none"> <li>• Budget</li> <li>• Performance Monitoring (including the Adult Social Care improvement Plan)</li> </ul>
<b>Other issues to be Progressed</b>	

**Further additions to the work programme will be made as required**

### **Childrens' Services Scrutiny Committee Work Programme 2006/07**

<b>15th December 2006 at 10 a.m.</b>	
Officer Reports	<ul style="list-style-type: none"> <li>• Issues arising from the Children's and Young Peoples Plan, Extended Schools and School Transport issues.</li> <li>• Monitoring performance against JAR Improvement Plan.</li> </ul>
Scrutiny Reviews	<ul style="list-style-type: none"> <li>• Outcome of the Behaviour and Discipline Management in Schools Review</li> </ul>

<b>December 2006</b>	
Review	<ul style="list-style-type: none"> <li>• The Scrutiny Review Group to undertake and report on the Transition from Leaving Care to Adult Life.</li> </ul>

<b>19th March 2007 at 10 a.m.</b>	
Officer Reports	<ul style="list-style-type: none"> <li>• Current School issues e.g. School Performance, Healthy Schools, School Meals.</li> <li>• Monitoring performance against JAR Improvement Plan.</li> <li>• Annual Review of Directorate Service Plans.</li> </ul>
Scrutiny Reviews	-

#### **Further additions to the work programme will be made as required**

Items for consideration as the programme is further developed:

- External representation on the Committee – Following an approach by “The Alliance” the non-councillor membership of the Committee will be further considered by the new Council.
- Performance of the Youth Service.



## Community Services Scrutiny Committee Work Programme 2006/07

<b>October 2006</b>	
Items	<ul style="list-style-type: none"> <li>• Probable Call-in of Key Decision Re: Relocation of Ledbury TIC</li> <li>• Performance Monitoring</li> </ul>
<b>November 2006</b>	
	<ul style="list-style-type: none"> <li>• CCTV in Herefordshire</li> <li>• Annual Report from Cabinet Member – Rural Regeneration and Smallholdings</li> <li>• Update on Progress with High Town Refurbishment</li> <li>• Churchill House</li> <li>• Community Services Division Budget</li> <li>• Work Programme</li> </ul>
<b>December 2006</b>	
Items	<ul style="list-style-type: none"> <li>• Final Report of 18-35 Review Group</li> <li>• Final Report of Museum Review Group</li> </ul>
<b>March 2007</b>	
Items	<ul style="list-style-type: none"> <li>• No Items Identified</li> </ul>

**Further additions to the work programme will be made as required**

## Environment Scrutiny Committee Work Programme 2006/07

<b>4th December 2006</b>	
Officer Reports	<ul style="list-style-type: none"> <li>• Good Environmental Management (GEM) Monitoring</li> <li>• Capital Budget</li> <li>• Revenue Budget</li> <li>• Report on Performance Indicators</li> </ul>
Scrutiny Reviews	<ul style="list-style-type: none"> <li>• The findings of the Travellers Policy Development Review Group.</li> <li>• The findings of the Polytunnel Review Group.</li> <li>• The findings of the Household Waste Recycling in Herefordshire Review Group.</li> </ul>
<b>12th March 2007</b>	
Officer Reports	<ul style="list-style-type: none"> <li>• Biodiversity Strategy Issues</li> <li>• Capital Budget</li> <li>• Revenue Budget</li> <li>• Report on Performance Indicators</li> <li>• Annual Review of Service Plans</li> </ul>
Scrutiny Reviews	

### Further additions to the work programme will be made as required

Items for consideration as the programme is further developed:

- Scrutinising progress with the Local Transport Plan (LTP2) and any associated issues.
- The effect on Herefordshire of changes to the Single Farm Payments system (e.g. hedge cutting, drainage ditch clearance)
- Implications arising from the Hampton Review (concerning regulatory inspections and enforcement – within the context of this Committee).
- Any specific issues arising from Council Strategies or Plans.
- Contribute to policy development of LTP3.
- Consideration of revised/reviewed Flood Defence Policy.

## Health Scrutiny Committee Work Programme 2006/07

<b>9 November 2006</b>	
	<ul style="list-style-type: none"> <li>• Informal meeting re Ambulance Trust</li> </ul>
<b>November (TBC)</b>	
	<ul style="list-style-type: none"> <li>• Stroke Services</li> <li>• ENT Update</li> <li>• Response to Communication Review</li> <li>• Response to GP Out of Hours Services Review</li> <li>• Emergency Planning Update</li> <li>• Palliative Care</li> <li>• Update on National Service Framework</li> </ul>
<b>December 2006</b>	
Items	<ul style="list-style-type: none"> <li>• Local Development Plan Briefing</li> <li>• Response to consultation on Specialist Children's Services</li> <li>• Report on Public Service Trust</li> </ul>
Scrutiny Reviews	<ul style="list-style-type: none"> <li>• Access to Health (Buses/hospital parking etc)</li> </ul>
<b>March 2007</b>	
	Local Development Plan update
<b>Scrutiny Reviews</b>	<ul style="list-style-type: none"> <li>• Access to Health (Buses/hospital parking etc)</li> </ul>
<b>Other issues to be Progressed</b>	
<b>PUBLIC HEALTH</b>	
<ul style="list-style-type: none"> <li>• Scrutiny Review of Key Public Health issues including inequalities in the South Wye Area</li> <li>• Delivery of the Priorities in the Choosing Health White Paper – How effectively Partners are Working Together</li> <li>• Councillors' potential role in managing public expectation within their constituencies</li> </ul>	
<ul style="list-style-type: none"> <li>• Cancer Services</li> </ul>	

**Further additions to the work programme will be made as required**

**4 October 2006**

## Strategic Monitoring Committee – work programme 2006-07

<b>November (TBC)</b>	
	<ul style="list-style-type: none"> <li>• Council's Improvement Plan (process)</li> <li>• Planning (Development Control) policies</li> <li>• Integrated Performance Report</li> </ul>
Scrutiny Review	<ul style="list-style-type: none"> <li>• Final report on ICT Review</li> </ul>
January 2007	<ul style="list-style-type: none"> <li>• Corporate Plan</li> <li>• Pay and Workforce Development Strategy monitoring (inc Staff Opinion Survey)</li> <li>• Comprehensive Equality Policy</li> <li>• Work Programme</li> <li>• Work Programmes of other Committees</li> <li>• Executive's Response to Recommendations in ICT Services Review</li> <li>• Integrated Performance Report</li> <li>• Understanding And responding to Customers</li> </ul>
February 2007	<ul style="list-style-type: none"> <li>• Revenue budget consideration</li> </ul>
April 2007	<ul style="list-style-type: none"> <li>• Community Strategy Action Plan Monitoring</li> <li>• Annual Efficiency Statement</li> <li>• Service Plans</li> </ul>

**Further additions to the work programme will be made as required**

### **Other issues**

- Reports on School Reviews as appropriate

## **SCRUTINY IMPROVEMENT PLAN**

**Report By: Director of Corporate and Customer Services**

### **Wards Affected**

County-wide

### **Purpose**

1. To note progress on the Scrutiny Improvement Plan.

### **Financial Implications**

2. Any financial implications will be met from within existing budgets.

### **Background**

3. The Committee endorsed the Scrutiny Improvement Plan at its meeting on 26th June.
4. A copy of the Plan showing progress to date is appended.

### **RECOMMENDATION**

**THAT progress against the Scrutiny Improvement Plan be noted, subject to any comments the Committee wishes to make.**

### **BACKGROUND PAPERS**

- None



## Scrutiny Improvement Plan 2006

Abbreviations:

CSMC – Chair, Strategic Monitoring Committee

TB – Tim Brown

RB – Robert Blower

AM – Alan McLaughlin

TG - Tony Geeson

SR – Sonia Rees

MH -Martin Heuter

CD – Christine Dyer

SH – Scrutiny Handbook

	Action to be taken	Lead	By When (end of month)	Outcome/Success Criteria	Progress to date
<b>1</b>	<b>Providing Critical Friend Challenge</b> – to improve: effectiveness of challenge to the Executive; impact on the work of the Executive; challenge to corporate strategy and budget; involvement of external partners in scrutiny; effectiveness of relationship with the Executive and senior management.				
1.1	Cabinet Members to make annual presentation to relevant Scrutiny or Strategic Monitoring Committee presenting future plans, identifying key issues, reviewing past performance, highlighting areas of good practice/success, and summary of scrutiny impact.	CSMC/TB	June 06	Presentations made.	Achieved for 2006 with Cabinet Member (Rural Regeneration and Strategy) reporting in October.
1.2	Hold informal meetings of SMC and Cabinet to provide focus for development of effective relationship	CSMC/TB	End September/early October 06  March 07 (post budget being set)	Six monthly joint meetings at critical stages in work planning. Clear communication links; identification of key issues where engagement will be advantageous.	Ongoing
1.3	Informal meetings of SMC to provide focus for development of the role of Scrutiny.	CSMC/AM	May 06	Six monthly meetings scheduled. (September/March)	Ongoing

21

	<b>Action to be taken</b>	<b>Lead</b>	<b>By When (end of month)</b>	<b>Outcome/Success Criteria</b>	<b>Progress to date</b>
1.4	Review use of the Forward Plan in identification of issues and revise guidelines in SH accordingly.	AM	July 06	Guidelines updated. Consideration by Constitution Review Working Group (September)	Ongoing
1.5	Prepare guidelines for inclusion in SH on powers to scrutinise external bodies.	TB	July 06	Prepared for inclusion in revised handbook in September – see 3.1)	Ongoing
1.6	Publish procedure note on arrangement/remit of Officer Briefings. Include in SH.	TB	July 06	Procedure note included in SH.	Ongoing
1.7	Establish schedule of Integrated Performance Reports for consideration by SMC and referral to each Scrutiny Committee as required.	TG/TB	June 06	Integrated Performance report on each SMC agenda (including progress in relation to Council's overall Improvement Plan.) Evidence of referral of relevant individual items to individual Scrutiny Committees.	Ongoing SMC 26 June (Done) SMC 15 September (Done) SMC 16 October SMC 15 January SMC 12 February (TBC)
1.8	Establish process and timetable for challenging the budget.	SR/TB	July 06	Process established	Ongoing (15th September presentation on Medium Term Financial Plan -done)
1.9	Provide progress reports on the Overall Improvement Plan to each SMC meeting.	TG/TB	June 06	See 1.7 above	Ongoing SMC 26 June (Done) SMC 15 September (done) SMC November (tbc) SMC 15 January SMC 12 February (TBC)



	<b>Action to be taken</b>	<b>Lead</b>	<b>By When (end of month)</b>	<b>Outcome/Success Criteria</b>	<b>Progress to date</b>
1.10	Provide progress reports on detailed improvement plans for individual service areas (eg JAR etc which should go regularly to each meeting of the relevant Scrutiny Committee. Directorate Plans to be presented in March 2007, with additional reports on selected service plans throughout the year at the relevant Scrutiny Committee's discretion.	TG/TB	ongoing	Reports made	Ongoing Children's Services - JAR Action Plan 19 June (done) 6 October (done) 15 December 19 March  Adult Social Care and Strategic Housing –adult Social Care Improvement Plan  2 October 1 December 23 March
1.11	Document process for scoping of reviews in SH.	TB	July 06	Process recorded	Ongoing
1.12	Hold seminar(s) for Scrutiny Members on the newly developed network of Policy & Performance officers able to provide information/research to support scrutiny activity, and how this is accessed.  Include workshop on Communication as well.	TG/RB/TB	Sept 06 See 1.13 below	Seminar held	To be held 30 October.
1.13	Hold workshop(s) for Scrutiny Members on how Scrutiny can interact with Corporate & Financial Planning and Integrated Performance Report processes and	TG/SR	Link to 1.13 above	Seminar held	See 1.12 above

	<b>Action to be taken</b>	<b>Lead</b>	<b>By When (end of month)</b>	<b>Outcome/Success Criteria</b>	<b>Progress to date</b>
	consistently and effectively scrutinise them.				
1.14	Implement an annual review of compliance and effectiveness of the revised performance management framework.	TG	Internal audit to provide baseline by <del>June 06</del>	Report to Audit Committee/SMC in September/October Recommendations made as a result	Ongoing Baseline date revised to October 2006
1.15	SMC to oversee all Scrutiny Committee work plans to monitor levels of consideration being given to corporate priorities and major risks. Annual Review and update to take place. Updates in-year to be reported to SMC as they occur. Include in update of handbook.	CSMC/TB	Ongoing	Standing item to SMC	Ongoing SMC 26 June (Done) SMC 16 October (Done) SMC 15 January SMC 30 March
<b>2.</b>	<b>Reflecting the voice and concerns of the public and its communities</b> – to improve: how the work of scrutiny is informed by the public; how scrutiny makes itself accessible to the public; how scrutiny communicates internally and externally;				
2.1	Through the Community Involvement Strategy to clarify the role of scrutiny in public consultations.	MHR/RB	June 06	RB to put programme together with a timetable.	Ongoing
2.2	Develop and publicise the link between Scrutiny and Community Forums. Information on what scrutiny can do and is doing should be presented to the Forums. Matters raised by Forums to be considered by Scrutiny as appropriate.	RB/CD	September 06	Agenda item for Forums and issues picked up by Scrutiny from the Forums.	Ongoing
2.3	Develop protocols and guidelines to ensure a consistent approach in publicising the activities and outcomes of Scrutiny. (Include in handbook)	RB	September 06	Protocols in place.	Ongoing

	<b>Action to be taken</b>	<b>Lead</b>	<b>By When (end of month)</b>	<b>Outcome/Success Criteria</b>	<b>Progress to date</b>
2.4	Following 2.3, conduct a communications workshop for Scrutiny Members and officers to promote use of the protocols etc	RB	September 06 (see 1.12 above)	Workshop held	Ongoing To be held 30 October
2.5	To establish a Scrutiny Web presence.	TB/RB	Dependent on resources available.	Presence established	Ongoing
<b>3.</b>	<b>Take the lead and own the scrutiny process</b> – to improve: the political impartiality of scrutiny; scrutiny ownership of its own work programme; scrutiny members' views that they have a worthwhile and fulfilling role; the development of a constructive working partnership with officers including support arrangements for scrutiny				
3.1	Produce revised SH with clear guidelines and protocols on the scrutiny processes and relationships with the Executive and officers.	CSMC/AM	September 06	Handbook produced	Ongoing
3.2	Develop a programme of enquiry visits for scrutiny members to authorities successfully using scrutiny to drive performance improvement combined with invitations to representatives of other authorities to come to Herefordshire to explain their approach/provide critical friend advice and adopt any best practice points.	AM/TG/TB	September 06 (see 4.2)	Visits held and invitations accepted.	Visits to Derby City, East Riding of Yorkshire, and Shropshire to be progressed.
3.3	Explore the development of 'critical friend' role for scrutiny members in relation to specific services as part of the new performance improvement cycle.	TG	May 07	Identify successful use of critical friend approach from the programme of visits. Identify Member interests at seminar (see 1.12).	Ongoing

25

	<b>Action to be taken</b>	<b>Lead</b>	<b>By When (end of month)</b>	<b>Outcome/Success Criteria</b>	<b>Progress to date</b>
3.4	Undertake annual survey of Scrutiny Members to establish satisfaction with the scrutiny process to date, and to establish Member enthusiasms/ideas for future work programmes.  Develop robust monitoring systems for the scrutiny process to inform an agreed set of performance indicators	TG/TB  TG/TB	Feb 07	Survey Undertaken  Performance Indicators agreed, monitoring system in place and report made back to SMC.	Ongoing  Ongoing
3.5	SMC to co-ordinate annual work programmes of all scrutiny committees, and review quarterly. (See 1.15 above)	TB	June 06	Standing item on SMC agenda.	Ongoing See 1.15 above
3.6	Revise Member Development Programme in response to changes in scrutiny focus.	CD	July 06	Revised programme in place	Ongoing
<b>4.</b>	<b>Make an impact on service delivery</b> – to improve: how the scrutiny workload is co-ordinated and integrated in to corporate processes; the evidence available to show that scrutiny has contributed to improvement; how well information required by scrutiny is managed.				
4.1	Scrutiny Chairs to agree a work programme focussing on priority areas for improvement taking account of views of other Scrutiny Committee Members Cabinet Members and Directors.	CSMC/TB	June 06	Programme agreed	Ongoing
4.2	Following 4.1 – identify and visit authorities with upper quartile performance in these priority areas	TG	September 06 (see 3.2 above)	Visits agreed	Ongoing

	<b>Action to be taken</b>	<b>Lead</b>	<b>By When (end of month)</b>	<b>Outcome/Success Criteria</b>	<b>Progress to date</b>
4.3	Implement standardised reporting procedure setting out recommendations made and executive action/response. Explore the development of scrutiny member 'rapporteurs' to monitor and report on progress following a scrutiny review. Include in SH.	TB	September 06	Procedure implemented.	Ongoing

