

# Item 04

Time Commenced – 18:00  
Time Finished – 21:00

## Executive Scrutiny Board

**8 October 2019**

Present: Councillor Anderson (Chair)  
Councillors Ashburner, Care, Cooper, Eldret, Evans, Hudson,  
Pattison, Peatfield, Willoughby

In attendance:

Heather Greenan - Service Director for Policy, Insight, and  
Communications  
Kirsty McMillan – Service Director - Integration and Direct Services  
Liz Moore – Head of Human Resources  
Greg Jennings – Director of City Development and Growth  
Neil Sheard – Change Derby Programme Manager  
Paul Simpson – Strategic Director of Corporate Resources  
Lindsay Stephens – Democratic Services Officer  
Nicola Sykes – Service Director for HR & OD

### 34/19 Apologies for Absence

Apologies for absence were received from Councillors Shanker and Stanton and  
Andy Smith Strategic Director of Peoples Services.

### 35/19 Late Items

There were none.

### 36/19 Declarations of Interest

There were none.

### 37/19 Minutes of the meeting held on 10 September 2019

The minutes of the meeting held on 10 September 2019 were agreed as a correct  
record.

### 38/19 Forward Plan

The Board considered the contents of the Forward Plan published on 10 September  
2019.

The Board discussed and agreed to add an update report on the Sinfon Waste Plant  
to the future work programme for the next meeting on 12 November 2019.

**The Executive Scrutiny Board recommended that an update on the Sinfyn Waste Plant be brought to the next meeting on 14 November 2019**

**40/19 Executive Scrutiny Board Performance Plan  
2019/20**

The Board received a presentation on Sickness Absence which was given by the Head of Human Resources. The Board noted the improvement in completion of return to work (RTW) interviews within target timescales. As at August 2019, 79.8% of interviews had been completed. It was reported that sickness levels have reduced, 80% of employees have had less than 10 days absence in 12 months and 40% of these have had zero absence.

The Actions taken so far were reported to the Board:

- First Care, there has been improved use of the First Care Sickness reporting system, with monitoring and earlier contact with colleagues who are off sick.
- Directorate Targets and deep dive reviews, two targeted reviews had taken place with Adult Social Care & Early Help & Children's Social Care.
- Focus on emotional health and wellbeing, 125 Mental Health First Aiders (MHFA) trainers accredited, 16 were added between April & June 2019.
- Training and Support – weekly clinics take place with an HR Advisor present. Employee Assistance (EAP) with well-being support and counselling was in place on a 24 hours basis. Targeted coaching and support was available.

The Board noted the challenges of the organisation which included Cultural change, an Ageing Workforce, Mental Health Demands and effective use of Stress Risk Assessments (SRAs).

The priorities going forward were highlighted

- Attendance Management Group – which has been refreshed and more focused.
- Update of workforce profile
- Development of a Communications Plan to raise the profile of the support available
- Targeted recruitment of MHFA in vulnerable areas (locations outside of the Council House)
- Wellbeing Strategy, the focus was on the launch and embedding of this refreshed strategy and plan which was a major piece of work and illustrated how important staff wellbeing was for Derby as an employer.

A councillor was concerned that the Mental Health monitoring systems would be less formulaic and that the council should follow a set criteria of monitoring to reduce risk. It was confirmed that the specification would be in relation to SRAs, the form gives a

helpful framework as to what services are needed. Corporate H&S would audit how well SRAs are carried out.

A councillor queried whether the health and safety needs of staff in different Directorates had been examined. It was confirmed that each Directorate has been given individual targets and can run suites of reports on absence levels which could identify the common areas, and these could be focused on accordingly; for example high levels of musculoskeletal problems are identified for both manual workers and also care assistants.

The improvement in RTW interviews of 80% up from 60%, was noted by the Board however 20% of staff still do not have an interview on time; how would the missing 20% be captured. The officer confirmed that sometimes practical help could be offered by identifying other managers to carry out RTW interviews if officers are not available due to work pattern issues.

The Board considered the issues of DCCs ageing workforce with 49.6% being over 50 it was inevitable that sickness would increase in future years. The officer confirmed the need to look at trends and what forward planning could be undertaken. There was also a need to look at the demographics of the workforce which would inform the Wellbeing Plan.

The Board were informed how important the issue of sickness absence was being taken by the Corporate Leadership Team (CLT). Currently the direction of travel was going in the right direction but it was still a high priority issue to resolve.

**The Board resolved to note the report.**

#### 41/19 Council Cabinet Response to Scrutiny Recommendations

The Board considered a report of the Strategic Director or Corporate Resources which allowed the Scrutiny Board to receive responses from Council Cabinet on recommendations made at the previous Board meeting held on 10 September 2019.

**The Board resolved to note the report.**

#### 42/19 Delivering Differently Review

The Board received a report of the Chief Executive, which was presented by the Change Derby Programme Manager, detailing the projects, expenditure savings, income and efficiencies managed by the Delivering Differently (DD) programme between April 2016 and March 2019.

The Board noted that the report identified a number of lessons learnt from DD which has informed the design, implementation and monitoring of the new Change Derby Programme (CDP). The Board also noted that the Council's financial position and outlook represent a significant challenge. There was still an urgent need to secure greater efficiencies and cashable savings through effective demand management,

lean process redesign, innovative technology and adopting a more commercial approach.

It was reported that the lessons learnt from the review of the DD Programme were highlighted in the report at 4.8 and 4.9 and that a breakdown of spend was available at Appendix 1

A councillor queried how the borrowing for the refurbishment cost for the Job Centre Plus co-location would be paid. Officers confirmed that the Department for Work and Pensions (DWP) paid for all the refurbishment costs. However the library was funded through borrowing and councillors queried how this would be paid. The officer would check and confirm to the Board.

The Counselling Service (4.7.3) was discussed. It was noted that, combined with the introduction of the First Care reporting system, the Council saw a reduction in staff absence from an average of 14.2 to 11.06 days in 2017/18 (but this reduction was not sustained in subsequent periods). An alternative service was now being used alongside First Care. Councillors were concerned that the reduction of staff absence was not sustained; they felt the underlying message was that there was improvement but now the trend was reversing. An officer confirmed that there had been a degree of under reporting of sickness absence in the past, but, staff now have to register sickness absence with First Care and Return to Work interviews take place.

A councillor queried whether the PAUSE project (4.7.2) had ever had any interaction with the father's of children to prevent them being taken into care; the officer confirmed only mother's had been contacted.

The Assessing Open Spaces study was also discussed and a councillor queried whether ward councillors had been made aware of the open space sites in their wards that were being looked at to see if they could accommodate residential housing. The officer confirmed that the project was currently with Regeneration and Property colleagues but that an answer would be obtained for the Board.

A councillor queried the rationale and criteria for the £99,391.00 spend on marketing of the 50 council pledges. The officer confirmed that a business case was approved by the DD Board to fund resources to market/publicise the 50 council pledges. The funding was spent partly on external consultant and partly on marketing.

#### **The Board resolved to**

**Note the projects supported by the DD programme between 2016 and 2019 and the associated spend and benefits derived to date.**

**Endorse the improved management arrangements in place for the Change Derby programme, including regular update reports to the Executive Scrutiny Board.**

43/19 Council Cabinet Agenda

The Board considered a report of the Strategic Director of Corporate Resources on the Council Cabinet Agenda. Members considered the Council Cabinet Agenda in its entirety for the meeting scheduled for Wednesday 11 September 2019 and made a number of comments and recommendations to Council Cabinet.

## **Key Decisions**

### **Item 8 – Adult Social Care Strategy**

The Board received a report of the Strategic Director for People Services seeking permission to engage in consultation to update the Adult Social Care “Your Life Your Choice “Strategy – as a refresh for 2019 and beyond. The previous strategy was approved by Cabinet, following a period of consultation and engagement, in April 2015

It was reported that the revised strategy will describe the key areas of focus for the Adult Social Care service in Derby over the coming years and set out to care providers, families, individuals and partners how the Council will support them.

It was reported that once consultation takes place to update the Adult Social Care Strategy, so that it could be refreshed for 2019 and beyond, a further report would be brought to Cabinet in February 2020 with the proposed new strategy Members noted the key priorities outlined in the report at paragraph 4.3

A Councillor was concerned that the new strategy would involve interaction with other parts of social care like transport, better pavements and bus services. It was confirmed that the transport strategy for Derby does not currently have alignment with Adult Social Care.

**The Executive Scrutiny Board recommended to Council Cabinet that consideration is given to ensure linkages are made between adult social care and transport strategies for the city. Of particular interest may be bus services and information, safe walking routes and transport aids such as mobility scooters.**

### **Item 9 – RAM Energy Fuel Poverty Fund**

The Board received a report of the Strategic Director for Communities and Place seeking approval for the creation of the RAM Energy Fuel Poverty Fund and the awarding of energy bill contributions to those in fuel poverty and to create a ring-fenced reserve from any surplus income arising at the end of each financial year to support the establishment of a Fuel Poverty Fund.

It was reported that one of the original key aims of RAM Energy was to help reduce fuel poverty by creating a RAM Energy Fuel Poverty Fund the Council could directly use to help people who are in fuel poverty.

Members noted that ring-fencing the funds so that any operational surplus at the end of the financial year was transferred to a reserve to support the Fuel Poverty Fund for

grant payments during the winter months, would help people in fuel poverty at a time when they needed it most.

It was reported that the RAM Energy's five year financial prediction indicates less than £10,000 surplus was expected in each financial year, with less than £5,000 surplus anticipated to be carried over in each of the next three financial years.

Councillors queried whether advice to people who are struggling to pay their fuel bills was provided now. It was confirmed that there was a range of advice available including some on insulation of homes.

Councillors were concerned that RAM Energy provided value for money. It was confirmed that RAM Energy provided 100% green energy and was available to people who have poor credit ratings, but potential customers are advised to compare costs with other providers prior to purchase.

**The Executive Scrutiny Board recommended to Council Cabinet that if the council is not already offering "affordable warmth" advice to customers, especially those struggling to pay, then this funding should be used for this purpose as a priority over financial aid as this will help reduce future energy bills and customers' fuel usage.**

### **Item 10 – Purchase of Land at Infinity Park to Enable the Delivery of the Science Park**

This report was considered at item 13.

### **Item 11 – Compliance with Contract and Financial Procedure Rules**

The Board received a report of the Strategic Director of Corporate Resources seeking approval under Contract and Financial Procedure rules for the following:

- to approve the change of use of reserves to fund £0.056m to support consultancy costs for the dry recyclables contract procurement;
- to approve entering into a Partnership arrangement and delegate authority to the Strategic Director for Peoples Service to approve the Council entering into such contractual arrangements for the Emotional Health and Wellbeing Service;
- to approve Derbyshire County Council to lead on the procurement of the Emotional Health and Wellbeing Services contract on behalf of Derby City Council and to approve a contract period of up to 5 years.

**The Executive Scrutiny Board recommended to Council Cabinet that if not already being done, to include in the remit to the consultant on dry recyclables how to maximise the value of collected recyclables, and how the public can help minimise the waste collection and disposal costs, ie to look more broadly at waste rather than simply a like for like procurement process to the current standards.**

### **Item 11B – Addendum: Compliance with Contract and Procedure Rules**

The Board received a report of the Strategic Director of Corporate Resources seeking approval for a block contract with Agincare for the provision of adult residential beds.

It was reported that in November 2015 Council Cabinet agreed to the "commencement of a public consultation exercise to gain feedback on an alternative service model for Council owned care homes and day services". Subsequently in December 2016 Cabinet delegated authority to the Strategic Director of Place, following consultation with the Strategic Director of People, to sell five of the Council's Care Homes, Merrill House, Raynesway View, Coleridge, Arboretum House (including Moreleston Day Centre) and Bramblebrook, to achieve the best possible outcome for the Council and to ensure that the existing residents are provided with quality care service for the remainder of their lifetime, at no additional cost to them.

The Board noted that three of the homes have been exposed to the market and a sale agreed with Agincare for Coleridge House, Merrill House and Raynesway View. Arboretum House is now being retained by the Council and Bramblebrook (a closed home) is being considered for redevelopment.

It was reported that exchange of contracts is now due with Agincare. However approval is needed to enter into a block contract up to a maximum value of £615,000 to purchase up to 25 residential beds at the homes, on a phased basis to manage demand and occupancy.

It was reported that these are Council owned Care Homes and as a part of the contract of sale the buyer has to be a provider of care. Currently there are 19 people living in the Care Homes; they will continue to live there and their residential care would still be paid for by the Council. Agincare will open up the potential for 120 more bed spaces for the people of Derby and encourage development of a vibrant care market.

The Board noted that Agincare would carry out required building developments to ensure the care homes are modernised and offer good quality residential provision in Derby. The block contract guarantees both the Council and Agincare that older people will access and benefit from these residential care beds.

It was reported that it would be necessary to waive the Council's Contract Procedure rules which state that a competitive tender process should be carried out when procuring goods and services.

A councillor queried whether the waiver would be an "avoidable" or "unavoidable" waiver. It was confirmed that it would be "unavoidable". A councillor asked whether the procurement processes were followed. It was confirmed that the process was of a sale of a council asset so no procurement process was involved.

Councillors asked that, as part of the sales process what checks were undertaken to ensure that a good care provider was selected. It was reported that this was not a procurement, as a part of the condition of sale the potential purchaser needed to be

registered with the Care Quality Commission (CQC) and would need to be financially solvent.

Councillors queried whether a procurement process should be undertaken now ? It was reported that as a part of the condition of purchase, the provider would continue to provide care. Councillors felt that a waiver was still needed.

**The Executive Scrutiny Board was concerned about the lack of background provided on this item, especially regarding the change of administration since the initial decision was taken in 2016. They recommended to Council Cabinet that this item is withdrawn and a fuller paper provided at the next meeting.**

### **Item 12 – Exclusion of the Press and Public**

A resolution to exclude the press and public was put to the vote and carried.

**The Board resolved that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

### **Key Decisions**

#### **Item 13 – Purchase of Land at Infinity Park Derby to enable the Delivery of the Science Park**

The Board considered exempt detail in the report of the Strategic Director for Communities and Place seeking approval to purchase land at Infinity Park Derby (IPD). The purchase will be funded from Local Growth Funding from D2N2, the Local Economic Partnership.

The Council has negotiated the opportunity to purchase 6.1 acres of employment land at Infinity Park Derby to the rear of the iHub.

The strategic purchase of this land will form the second phase of the Science Park at Infinity Park Derby.

**The Executive Scrutiny Board resolved to note the report.**

MINUTES END