

## Minutes of the Corporate Review Committee Meeting held on 8 March 2019

Present: David Brookes (Chairman)

### Attendance

Charlotte Atkins	Bob Spencer
John Francis	Stephen Sweeney
Colin Greatorex	Martyn Tittley
Jeremy Oates	David Williams (Vice-Chairman)
Ian Parry	Susan Woodward
Jonathan Price	

**Also in attendance:** Philip Atkins and Mike Sutherland.

**Apologies:** Johnny McMahon.

### PART ONE

#### 44. Minutes of the meeting held on 24 January 2019

**RESOLVED:** That the minutes of the meeting held on 24 January were confirmed and signed by the Chairman.

#### 45. Declarations of Interest

Councillor Parry declared a personal interest in item 5 as his wife is an employee of the County Council.

#### 46. Equality and Diversity Training

The Chairman welcomed Diane Dunlevey, Equality and Diversity Manager at Staffordshire Fire and Rescue to the meeting.

Ms Dunlevey gave details of the Equality Act 2010 which came into force in April 2011. The Act simplified, strengthened and harmonised the previous legislation to provide Britain with new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The Equality Act 2010 (Specific Duties) Regulations 2011 introduced the Public Sector Equality Duty which required public authorities to publish equality objectives, at least every four years (from 6 April 2012), and information to demonstrate their compliance with the public sector equality duty (from 31 January 2012) this can sit within our overarching documents. To demonstrate “due regard” public authorities must demonstrate:

- that they are eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;

- that they are advancing equality of opportunity between people who share a protected characteristic and those who do not; and that they
- are fostering good relations between people who share a protected characteristic and those who do not.

The forerunner to the Equality Act was the MacPherson Report following the inquiry into the murder of Stephen Lawrence that showed that there was institutional racism in the Metropolitan Police Force.

Local authorities must therefore be able to demonstrate that in delivering our responsibilities we can ensure that all partnership and commissioning bodies are also subject to the Duty even if they are not publicly funded.

The Gender Pay Gap must be published by the end of the month and recognises that women do not have the equal opportunity to reach the higher echelons of organisations. The current gender pay gap in local authorities is 7 per cent, whereas the NHS gender pay gap is 24 per cent. Next year the government will bring in the Black and Minority Ethnic Pay Gap.

Positive action is a legal ability to attract under representative groups within the organisation, work place or community served. There is no legal requirement to undertake positive action, however it is in a Council's interest to have positive action in place. Ms Dunlevey concluded by stating that all public servants and elected representatives had a responsibility regarding equality and diversity. She offered to speak to other local authorities and the Leader responded that he would make this offer known to Leaders of Borough and District Councils.

Members considered that it might be helpful for individual Councillors to receive unconscious bias training when they are elected as County Councillors, as this focussed on identifying prejudices that individuals held so that this can be addressed. Members' attention was also drawn to the inequalities of female prisoners specifically the findings of the Howard League regarding female prisoners.

Note by Clerk: Link to the Howard League report on Women in the Penal System: <https://howardleague.org/publications/women-in-the-penal-system/>

The Leader of the Opposition stated that she had undertaken some research on gender bias by contacting all women Members to ask what their personal experiences were and asked that she bring the findings to the next meeting of the Corporate Review Committee. She referred to the duty and responsibility that Members had to address bias and the way Members are developed and promoted and given opportunity to progress. Also elected Members with protected characteristics are not represented at the Council. She stated that it was important that elected Members address the issues of gender bias.

She referred to Dame Louise Casey's comments over the past week regarding poverty and equality and suggested that poverty could be explored further when considering employment rates.

Members stated that from a strategic perspective it was important that we reassured ourselves that we did not 'sleep walk' to a position where we could be accused of being *institutionally* racist. With reference to 'due regard to a duty' in respect of the three elements of the legislation they asked if we had a 'due regard plan' is it performance managed and scrutinised so that we could demonstrate that we are looking at this strategically.

The interim Head of Organisational Development (OD) and interim Head of Human Resources (HR) responded that in developing the People Strategy little reference had been made to diversity in dialogue with staff. More work would be done on building in diversity by design into the organisation as diverse teams were shown to be better performing. The request for Members to receive unconscious bias training would be followed up.

**RESOLVED:** a) That the Scrutiny and Support Manager asks the ICT and Communications Support Officer to follow up the suggestion that Members receive unconscious bias training b) That the Leader of the Opposition's report on Gender Issues be added to the Work Programme and be brought to the next meeting of the Committee.

#### **47. Staffordshire County Council People Strategy**

The Leader introduced the Council's first People Strategy and invited Members to scrutinise the Strategy, identify any areas for follow up and make any recommendations to the Cabinet.

Members asked what the Council was doing to recruit and retain social workers. The Head of OD and Interim Head of HR responded that a targeted recruitment campaign had been very successful and had closed the vacancies that the Council had and reduced its demand for agency staff. Going forward the Council was trying to understand the reasons why staff were leaving certain areas and creating skills gaps e.g. children's social work. The Leader added that there had been a period of uncertainty in Children and Families. In the West Midlands there was a shortage of children's social workers and this had led to Councils offering incentives to recruit staff. He referred to the recent positive Ofsted inspection.

Members asked how the Council was going to improve its absence and stress related absence levels by 8%. Members referred to the reference to agile and flexible working on page 16 of the Strategy and stated that this could lead to employees feeling more under stress as they could feel as though they were constantly 'on call' and asked what was being done to avoid staff suffering from stress. The Head of OD and interim Head of HR stated that there had been an increase in long term absences. The current absence policy was out of date and had been aimed at reducing the challenge at the time of writing, short term absences. The policy was being reviewed. The Thinkwell Service had been introduced, and Mindkind; part of the Council's Mental Health Strategy. This latter Strategy was aimed at raising staffs' awareness of their own and colleagues' mental health and had led to a number of staff being trained as mental health first aiders. Members expressed concern that if staff were off work with stress-related illness it placed additional pressure on staff who were trying to cover their jobs

(or jobs that had been deleted from the establishment) and that pressure could get worse rather than better. The Mindkind initiative was welcomed. The Council was higher than our benchmark local authorities regarding absence. The Council's average absence is 10.61 days (per year) so 8 per cent represented a target reduction of less than one day per year. The Council was looking to close the gap within a year and by the second year the Council would compare favourably with other benchmark local authorities.

The Leader of the Opposition stated that she endorsed the approach and the Plan on the Page on page 14 and was pleased to see the ambitious and aspirational Strategy. Members stated that they would like to see more performance management targets so that progress could be seen over time. It was important to value our employees as the ones who deliver for our communities.

Members regarded the People Strategy to be a generic strategy. Members stated that they would like to see more targets and progress measured against specifics. Members asked if there was a figure on the gender pay gap that was aspired to. Reference was made to the recruitment target, retention rates "remaining stable" and specific information regarding retention rates and long-term absence, where more statistical information could have been made available so that measurements could be made over time. Further examples of vacancy rates and how by what percentage we would like to see them improve and similarly what were the targets regarding library volunteers and how this was affecting the Council's staff. Members also asked where the data regarding employees' relationships and surveying.

The Head of OD and interim Head of HR stated that there was a considerable quantity of data sitting behind this Strategy, for example from the Staff Engagement Survey over the last three years and analysis of existing OD and HR data including headcount, turnover, grievance and disciplinary data. In addition, there was an open invitation to all staff. Face to face contact had been made with two hundred staff. There had been a 60 per cent response rate to the last staff survey.

Members stated that this wider engagement could have been mentioned in the Strategy and they would have liked to have seen more links to the data. The Leader stated that agile and Smart working was valued by employees and this was being continually reviewed. He drew Members' attention to the impact that this would have on Members and productivity.

In regard to the Community Impact Assessment (page 8) Members referred to the ageing workforce on pages 24 and 25 of the report and asked what actions were being taken to mitigate against the loss of experience on staff retirement. The Leader stated that work had been undertaken to ensure that the organisation was resilient.

Members asked stated that it was difficult to identify from the Strategy what the Council was trying to achieve and what difference the Council was trying to make i.e. does the Council have the right workforce with the right skill sets to respond to environmental, technological, social and economic changes. Members considered that the document could have been clearer in articulating how the Council was going to ensure that we had a workforce fit for now and the future. Members asked if there was a supplementary

document that addressed this. The Leader referred to a link in the Community Impact Assessment.

The Head of OD and interim Head of HR stated that a strategic needs learning analysis and technical needs analysis had been undertaken and this had informed the Strategy, specifically the new skills' areas that the Council will require and how these will be bridged. This information was in the Learning and Development Commissioning Plan, and she offered to bring this to a future meeting.

**RESOLVED:** a) That the Staff Engagement Survey, Connecting Us Survey and additional background information that supported the People Strategy be forwarded to Members; b) That the Learning and Development Commissioning Plan be added to the Work Programme c) That the comments regarding the content of the Strategy be considered by the Cabinet Member for Finance and Resources.

#### **48. Integrated Performance Report - Quarter 3**

The Leader of the Council summarised the Integrated and Performance report. He was pleased to report that the first patients had moved into Amber Wood, a purpose-built specialist dementia Centre of Excellence in Burton and recommended that Members visit. Highlights from Quarter 3 were detailed in the report and the Leader invited Members' questions. The Cabinet Member for Finance detailed the latest revenue forecast outturn detailed on page 36 of the report. He reported that the Council had been able to deliver a balanced budget for the next financial year and closed the forecasted shortfall of £35m. Efficiency savings continued to be made and spending controls remained in place.

#### **Health and Care**

A Member raised concerns regarding an experience of an elderly vulnerable person that demonstrated the lack of communication between health partners in the north and south of the county and the reliance that the Council had on partners to deliver and what sanctions were in place when they failed to deliver. The matter had been brought to the attention of the Director of Health and Care. The Member was advised to take up discussions with the Chairman of the Healthy Staffordshire Select Committee.

Members drew the Leader's attention to the funding risk associated with the NHS reducing the amount of money to fund community care. The CCG were currently consulting on the closure of nearly 200 community hospital rehabilitation beds in north Staffordshire on the basis that care at home will be better for patients. There was concern that there would not be the care needed to support patients on discharge. Members asked if the Council would be bearing some of the financial responsibility for funding community care for patients discharged home including care for six weeks post discharge which is normally funded by the NHS and specifically the CCGs. The Leader offered to obtain a written response to this question.

Members stated that they were pleased to see that Nexus Care had been in place and had resolved difficulties following the collapse of Allied Healthcare and asked if scrutiny of Nexus Care could be added to their Work Programme at an appropriate time to consider what we have achieved, and lessons learned.

The Leader added that staff were to be congratulated on their response to the Council's financial situation and in particular to their response to the emergency created by the collapse of Allied Healthcare.

## **Families and Communities**

Members asked why schools' pensions costs showed a saving of £0.5m and were informed this was because of academisation.

Members raised concerns regarding the high level of vacancies for social work staff, particularly in safeguarding and case management teams (paragraph 30) and asked if this was being addressed. The Leader drew attention to increase in the numbers of children coming into care and the need for additional agency staff to bring down the individual workloads of social work staff.

Members raised the issue regarding the savings that had been made regarding the reduction in sleepover arrangements at a Lichfield school. The Leader of the Opposition asked if the Cabinet Member could consider tapering the reduction in spend to give some flexibility. The Cabinet Member for Finance stated that all families affected had been communicated with. The Cabinet Member for the Opposition had taken up a discussion with the Cabinet Member for Children and Families on this matter.

Members asked what the arrangements were for the joint scrutiny of SEND. A joint working group of Safe and Strong, Prosperous Staffordshire and Healthy Staffordshire Select Committees had been set up and would meet on 29 March to consider the report and draft action plan. The Working Group would meet again in June to monitor the action plan prior to a visit to the Council in August by representatives of the Department for Education. Concerns were expressed regarding the recent joint local area SEND inspection in Staffordshire and Members asked if they could receive a report back on the joint scrutiny of this matter given the implications for corporate finance.

Members expressed concern at the forecast overspend of £6.6m in the High Needs Block (paragraph 34).

## **Finance and Resources & ICT**

In paragraph 83 of Appendix 1 reference was made to "10 new welfare "Treka Buses" being purchased and Members requested detailed information on this purchase.

Members raised concerns regarding the potential financial risks associated with the actions of external partners e.g. care home providers, and the financial implications of responding to the criticisms in the joint local area SEND inspection report.

Members asked for further detail on the level of outstanding sundry debt over 6 months old - £12.851m. that exceeded the revised target of £5m by £7.851m detailed in paragraphs 90 and 91 of the report. The Deputy Director of Finance stated that work was being undertaken to address the level of outstanding historic debt. The Council's ability to collect our sundry debt had got more difficult. The level of debt was just under 6 per cent of the amount that we collect and generate. Dialogue was continuing with the Chief Operating Officer and Director of Finance of the CCG to recover debt. Recovering

debt associated with care packages could be more difficult and lengthy. The reference to commercial organisations' debt could be subject to legal arrangements particularly around Section 106 developer agreements. The level of write off is small, at .1 of 1 per cent.

### **Financial Health Summary**

Members stated that they were pleased to see progress on the financial controls and identification and achievement of savings and asked if these were reflected in the Quarter 4 forecast final outturn. The Deputy Director of Finance stated that there were no significant variances that were expected to come out at Quarter 4. A small underspend was expected.

**RESOLVED:** a) That the Leader obtain a written response to the Members' question regarding the possible financial impact of the closure of community hospital rehabilitation beds in north Staffordshire, currently under consultation b) That further information be obtained and forwarded to Members on the purchase of Treka buses c) that scrutiny of Nexxus Care and the outcomes of the joint scrutiny of the joint local area SEND inspection in Staffordshire be added to the Work Programme.

### **49. Work Programme**

**RESOLVED:** That the Work Programme be accepted with the following additions:

- The Leader of the Opposition's report on Gender Issues
- The Learning and Development Commissioning Plan
- Scrutiny of Nexxus Care
- Outcomes of the joint scrutiny of the local area SEND inspection of Staffordshire.

The focus of the next meeting will be on Assets and Property in preparation for more detailed scrutiny of the Property Strategy in June.

The Leader of the Opposition requested that her PA be informed if a date reserved for call in was to be used for a main Committee meeting, so they could be added to her personal diary.

### **50. Exclusion of the Public**

**Chairman**