

Performance and Finance Select Committee

4 July 2014 – At a meeting of the Select Committee held at 10.30 a.m. at County Hall, Chichester.

Present: Mrs Urquhart (Chairman)

Mr Acraman	Mr Lamb***	Mr Turner
Mr Burrett	Mr Metcalfe*	Mr Tyler**
Mr Glennon	Mrs Millson	Mr Waight
Ms James	Mr R T Rogers	

In attendance by invitation: Ms Goldsmith (Leader) and Mr Crow (Deputy Cabinet Member for Finance).

Apologies for absence were received from Mrs Evans, Mrs Kitchen and Mr Watson.

* Mr Metcalfe arrived at 10.40am

** Mr Tyler arrived at 11.40am

*** Mr Lamb arrived at 11.45am

Declarations of Interest

46. In accordance with the code of conduct, the following personal interests were declared:

- Mr Burrett and Mrs Urquhart as members of the Support Services Outcome (SSO) Partnership Board in relation to the SSO Contract Review item.
- Mr R T Rogers as a Governor at Durrington High School in relation to the Worthing Age of Transfer part of the Total Performance Monitor item.

Minutes

47. Members requested clarity on minute 23 regarding how online health checks had contributed towards the cardiovascular health check target. The Assistant Democratic Services Officer agreed to investigate the matter and circulate information to the Committee.

48. Resolved – that the minutes of the Performance and Finance Select Committee held on 16 May 2014 be approved as a correct record, and that they be signed by the Chairman.

Responses to Recommendations

49. The Committee considered responses from the Leader and the Cabinet Member for Finance on the recommendations agreed at previous meetings of the Select Committee (copies appended to the signed minutes).

50. The Committee welcomed the responses and noted their content.

Petition regarding the land policy in relation to badger culling

51. The Committee considered a petition that had been received regarding badger culling. The Committee considered a report by the Head of Law and Governance outlining the debate process for petitions; a written statement from the petitioners urging the County Council to stop badger culling and invest in a vaccination programme on West Sussex County Council owned land; and a report by the Director of Communities Commissioning and the Head of Capital and Infrastructure setting out the proposal for reviewing changes to West Sussex County Council land policy (copies appended to the signed minutes).

52. The Chairman informed the committee of the process for the debate. The Petitioner would begin with a five minute opening statement, followed by a statement by the County Council's Valuation & Estates Manager. The Committee would then debate the petition for thirty minutes followed by each representative making a three minute closing statement.

53. The Lead Petitioner, Tina Cooper member of Badger Group, made her opening statement outlining the issues identified by an independent panel with the badger culling trials in Somerset and Gloucestershire, this showed a failure to reduce counts of Bovine Tuberculosis (TB) and also a failure on humaneness. It was reported that no culled badgers had been identified as being infected with Bovine TB.

54. The Valuation & Estates Manager made his opening statement which explained that tenant farmers are permitted under tenancy agreements to control vermin on their land, provided that they are lawful and comply with the necessary regulations. It was explained that there are currently no reported risks of bovine TB in West Sussex.

55. The Committee made comments including those that follow. It:

- Queried if tenant farmers were required to ask the County Council's permission to shoot badgers. – *The Valuation & Estates Manager confirmed that if a farmer had the necessary licenses they did not need to ask permission as the practice was not unlawful and was permitted as part of the tenancy agreement. The County Council would only interfere if the regulations were not being complied with.*
- Sought clarity on commercial shooting on County Council land. - *The Valuation & Estates Manager confirmed commercial shooting was not permitted on land owned by the County Council and that this restriction would have been agreed when the tenancy agreements were signed.*
- Queried how a change in policy on badger culling could be implemented on current tenancy agreements. - *The Valuation & Estates Manager confirmed that it would only be possible to introduce changes when individual leases had ended and were up for negotiation. This could lead to inconsistent agreements across the County which would be unsatisfactory. If leases were changed mid-agreement there would need to be a re-negotiation exercise with tenants that could result in many different agreements. Tenancy agreements would only be changed to impose obligations on tenants if national scientific evidence led to new regulations for the County Council to follow.*

- Questioned whether the County Council should be taking more of a moral stance against badger culling on our land. - *Deputy Cabinet Member for Finance confirmed that the County Council had a responsibility to follow the guidelines set by DEFRA and that as there was no imminent threat of bovine TB there was no plan to cull badgers in West Sussex.*
- Agreed that any decision made by the County Council would have to follow national guidelines and be based on scientific data.
- Commonly agreed that the Committee were uncomfortable permitting badger culling on County Council land and sympathetic to the petition but believed we should take our lead from DEFRA.

56. The Lead Petitioner made her closing statement which acknowledged the Committee's discussion around scientific data and explained that current results indicated that culls do not help stem the spread of bovine TB. A concern was raised that following a lead from the Department for Environment Food & Rural Affairs (DEFRA) was difficult as there seemed to be a delay in action following results of the trials.

57. The Valuation & Estates Manager made his closing statement which reiterated the permission tenant farmers had to control vermin on their land and felt there were too many uncertainties at present to make any changes to tenancy agreements.

58. Resolved – That the Committee:

- (1) Agrees to follow guidance from DEFRA when the results of scientific research are published.
- (2) Asks the Cabinet Member for Residents' Services to contact the Government and make a request to end the pilot cull, collate the results and consider other methods of disease control.
- (3) Requests that the Valuation & Estates Manager investigates wording of tenancy agreements that would facilitate changes or potential future reviews of land policy.
- (4) Agrees that the County Council should review our land use policies which have grown up over time, taking on board our countryside responsibilities whilst supporting farmers and not imposing unnecessary burdens upon them.

Support Service Outsourcing – Contract Review

59. The Committee considered a report by the Director of Service Operations and Heads of Commercial Services and Business Change (copy appended to the signed minutes).

60. The Committee welcomed the Strategic Partnership Director and the Finance Director from CAPITA.

61. The Head of Commercial Services Group introduced the report and welcomed questions from the Committee.

62. The Committee made comments including those that follow. It:

- Queried if the Key Performance Indicators (KPI)s that had been agreed were still appropriate in holding CAPITA to account on key areas. - *The Head of Commercial Services Group explained that KPIs were regularly reviewed for effectiveness; removing inappropriate ones as well as introducing new ones.*
- Queried the high level of dissatisfied customers in the customer satisfaction survey with the pensions service. – *The Strategic Partnership Director apologised for the poor results and explained that the service was undergoing change. Many process changes had been introduced which had not all gone smoothly, however Capita strongly valued the contract with the County Council and were working hard to resolve these issues. The service was being carefully monitored and expected better satisfaction after the data migration in the following year. The Head of Business Change explained that there had been an introduction of more self-service options for the pensions service which some customers had not liked as they saw it as a reduction in service.*
- Queried how the data for the survey was captured, the low level of respondees and how a 100% response rate was achieved for the contact centre. – *The Head of Commercial Services Group reported that the majority of information was captured via phone surveys. The County Council were working with Capita to improve the survey process to encourage a higher response rate. The high response rate for the contact centre was due to the current inability to record the number of people who chose not to participate in the survey.*
- Asked if there was a process for the issues identified from the surveys to be picked up for further investigation, particularly if there are common themes identified. - *The Head of Commercial Services Group agreed that this should be investigated and that the process of customer survey collection was evolving.*
- Raised concerns that any negative reports on the Recruitment service could be from disgruntled, unsuccessful applicants. - *The Head of Commercial Services Group reported that the survey was centred around the applicant tracking system and had picked up problems that were now being identified.*
- Asked what level of income had been received through extending the contract to other organisations and whether other organisations were expected to buy into the contract. - *The Head of Commercial Services Group explained that the volume-based discount was being worked through with Capita at the moment and that work was underway with a number of other organisations looking to join the contract. The Cabinet Member for Finance had written to District and Borough Councils outlining the contract and the advantages that could be gained.*
- Queried how the income generated via the volume based discount for other authorities that joined the contract was recorded. - *The Head of Commercial Services Group reported that the income would be recorded separately and used to help with front line service costs.*
- Queried the cost savings and whether this was a result of recruiting staff at lower skill levels. Asked if CAPITA would look to reduce staff numbers in the future to lower their costs. - *The Head of Commercial Services Group confirmed that the contract was outcome focussed and therefore it was Capita's responsibility to deliver the services in the way that achieved the outcomes required. The Strategic Partnership Director reported that staff reductions would be likely to happen but explained that such reductions would occur if the services had remained in-house.*

- Queried how often the survey data is collected and if it could come to the Committee on a regular basis. - *The Head of Commercial Services Group agreed that the data could be gathered and reported to the Committee every six months.*

63. Resolved – That the Committee:

- (1) Encourages the flexibility of KPIs to ensure the CAPITA contract is continually monitored in the relevant areas.
- (2) Requests more accurate collation of customer satisfaction surveys.
- (3) Requests that a copy of the survey is circulated to the Committee every six months.

Total Performance Monitor

64. The Committee considered a report by the Head of Corporate Finance (copy appended to the signed minutes).

65. The Deputy Cabinet Member for Finance introduced the report which set out the County Council's end of year financial position and outlook 2014/15.

66. The Committee made comments including those that follow. It:

- Queried the level of underspend recorded in the report and if it was as a result of good housekeeping or miscalculation of the budget. – *The Head of Corporate Finance confirmed there had been prudent management of portfolio budget as well as underspends on non-portfolio budgets, especially those held for contingency purposes.*
- Sought clarity on how the risks of using the Volatility Reserve were being reduced. – *The Deputy Cabinet Member for Finance reported that business rates had produced more than had been expected and that the extra fund would be put into the volatility reserve. The Head of Corporate Finance confirmed that the volatility reserve would be carefully managed as there was some uncertainty as to when it may be required.*
- Asked for the criteria and reasoning behind the carry forwards that had not been approved. - *The Head of Corporate Finance agreed to circulate this information to the Committee.*
- Queried why the Special Educational Needs (SEN) grant had not been ring-fenced and raised concerns that it could be used for other purposes. – *The Head of Corporate Finance confirmed that local government had asked central government to reduce ring-fencing to increase flexibility. It was confirmed that the intention was to use the grant for its intended purpose in relation to SEN.*
- Questioned the level of underspend recorded in Public Health and how this linked to the risk included in the risk register regarding staff recruitment issues and whether services were not being delivered. - *The Head of Corporate Finance reported that there had been an underspend recorded due to staff not being in post and agreed to send an update to the Committee regarding staff recruitment and appointments.*

- Requested details on how the £3m allocated to the transformation programme would be used. – *The Head of Corporate Finance explained that the £3m would be used on staff to support the increased savings programme, external consultants, efficiency honing projects and implementation of the senior management restructure.*
- Queried the intended use of the fund carried forward into the Capital Expenditure Reserve (£3.2m). – *The Head of Corporate Finance confirmed the fund was being held potentially for a site identified by PropCo for investment. Members raised concerns on their lack of knowledge of the plans, processes by which projects are identified and a move away from the original objectives of PropCo. Officers explained that the plans were at an early stage of development. Members requested further information on the site and a future agenda item on PropCo. The Chairman resolved to write to the Leader and the Cabinet Member for Finance to express the Committee's concerns and request an update on all PropCo's plans.*

67. Resolved –

- (1) That the Monitor be noted.
- (2) That clarity is sought from the relevant Cabinet Member on the underspend in the Community Wellbeing portfolio.
- (3) That the relevant Cabinet Member is asked to ensure the SEN grant is used appropriately.
- (4) That clarity is sought on PropCo activities via a response from the Leader/Cabinet Member for Finance and a future agenda item.

Annual Scrutiny Performance

68. The Committee considered a report by the Head of Law and Governance and Service Manager, Democratic Services (copy appended to the signed minutes).

69. The Senior Advisor introduced the report and invited the Chairman of the Service Select Committees who were present to comment on any best practice and working procedures they felt had been particularly useful throughout the year.

70. The Chairman of the Environmental and Community Services Select Committee (ECSSC) explained that their use of informal sessions to discuss upcoming issues with officers had been seen as very effective.

71. The Chairman of the Children and Young People's Services Select Committee (CYPSSC) reported that support from the Democratic Services Unit had been very helpful. The Committee reported regular attendance from Cabinet Members was useful and that their Business Planning Group (BPG) had been effective at planning Committee meetings. Webcasting was also promoted as an effective method of ensuring important topics were made accessible to the wider public.

72. The effectiveness of the call-in procedure in relation to the scrutiny of decisions was discussed. The Senior Advisor advised that all call-in requests received were considered by the appropriate BPG. The Chairman of CYPSSC confirmed that the reason the CYPSSC BPG had rejected a call in request was due to the fact that the decision had previously been scrutinised by their Committee. The Forward Plan was reported as a useful document to highlight important upcoming decisions.

73. Some members of the Committee raised concerns on the success of call-ins at changing the outcomes of decisions. The Chairman reported that a recent call in to the Committee had seen changes to the decision recommendations. It was suggested that concerns on call-ins could be raised through the Member Development Group.

Forward Plan of Key Decisions

74. The Forward Plan of Key Decisions August – November 2014 was tabled at the meeting, as it had been published following the dispatch of the agenda (copy appended to the signed minutes).

75. Members requested that local members be invited to the ECSSC meeting for the Airport Consultation item.

76. The Forward Plan was noted.

Date of Next Meeting

77. The Committee noted that its next scheduled meeting will take place on 3 October 2014 at 10.30am at County Hall, Chichester.

The meeting closed at 1.45 p.m.

Chairman.