

Performance, Finance and Customer Focus Overview and Scrutiny Committee

Monday 10 October 2022

PRESENT:

Councillor Penberthy, in the Chair.

Councillor Hulme, Vice Chair.

Councillors Laing (substitute for Councillor Haydon), Laing, Lowry, McDonald, Partridge, Vincent and Wheeler.

Apologies for absence: Councillors Churchill, Finn, Haydon, Stevens and Tofan.

Also in attendance: Kim Brown (Service Director for HROD), Councillor Shayer (Cabinet Member for Finance and Economy), Andy Ralphs (Strategic Director for Customer and Corporate Services), Kevin McKenzie (Policy and Intelligence Advisor), Ross Johnston (Programme Manager), Ruth Harrell (Director of Public Health), David Northey (Interim Service Director for Finance), Ross Jago (Head of Governance, Performance and Risk), Louise Kelley (Sports Development Manager), Helen Rickman (Democratic Advisor).

The meeting started at 1.00 pm and finished at 3.50 pm.

Note: At a future meeting, the Panel will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

14. Declarations of Interest

There were no declarations of interest made by Members in accordance with the code of conduct.

15. Minutes

The Committee agreed that the minutes of 29 June 2022 were an accurate record of the meeting.

16. Chair's Urgent Business

There were no items of Chair's urgent business.

17. Policy Brief

The Chair advised Members that the Policy Brief would not be introduced by the author of the report in order to aid the effectiveness of the scrutiny panel; this item therefore went straight to questions of which there were none.

Members were encouraged, when considering the Policy Brief at future committee meetings, to send in questions to the Democratic Advisor in advance of the meeting so that answers could be provided during discussion.

The Committee agreed to note the report.

18. **Work Programme**

The Chair introduced the work programme and highlighted the following:

- (a) the Safer Plymouth update would focus upon hate crime reporting and what happened when hate crimes were made. Both Community Connections and the Chief Executive's Office were working to ensure this information was available from the Police. If by the next scheduled meeting the information was not available then this item would be moved to a future date;
- (b) the Review of the Plymouth Community Covenant had been moved to 7 November 2022 – three Conservative Members and one Green Party Member were still required to make up the select committee membership – two Labour Members had already been confirmed;
- (c) the Select Committee Review for “The support the Council is providing to those seeking resettlement from Syria, Afghanistan and Ukraine” was to be moved back as Councillor Penberthy was not available due to undertaking Deputy Lord Mayor duties.

In response to questions raised it was reported by the Chair that –

- (d) a meeting is to be scheduled with Councillor Penberthy, Councillor Lowry and Councillor Shayer (Cabinet Member for Finance and Economy) to discuss the Finance Monitoring Report, specifically the current timeline of the Council with regards to further opportunities for savings and the budget. Depending upon the outcome of the meeting, a further meeting of the Performance, Finance and Customer Focus Overview and Scrutiny Panel could be arranged to discuss this matter formally, or for a sub group of the committee to be called;
- (e) the Election Bill implications report was moved to 30 November scrutiny meeting at the request of officers as guidance from the Government, specifically regarding photo identification for elections, was not yet available. Concerns regarding the impact the delayed timescale would have upon successful implementation, specifically before the May 2023 elections, was noted however it was considered that a report detailing the implications for Plymouth as well as cost implications would be available for discussion at the November scrutiny meeting;

The Committee agreed:

- (1) a meeting is to be scheduled with Councillor Penberthy, Councillor Lowry and Councillor Shayer (Cabinet Member for Finance and Economy) to

discuss the Finance Monitoring Report, specifically the current timeline of the Council with regards to further opportunities for savings and the budget;

- (2) that Councillor Penberthy write to the relevant chair of the Local Government Association Board regarding the panel's concerns in the Government's delay in publishing guidance relating to the Elections Bill;
- (3) to note the work programme.

19. **Tracking Decisions**

The Chair introduced the Tracking Decisions item and advised the Committee that:

- (a) the actions greyed out in the table were complete and that actions still unshaded had yet to be finalised;
- (b) a response for the following action from a previous meeting was required otherwise the Chair would involve the Chief Executive of the Council:
 - (b.1) 1 December 2021 – Minute 25 'Finance and Capital Monitoring Report September 2021: Members were advised that a written response would be provided detailing the risk and affordability of the Council's business cases, specifically regarding construction'.

The Committee discussed –

- (c) some of the actions from the 29 June 2022 meeting that related to minute 9, specifically regarding Plymouth's low recycling rates which were below the national average, why the council disposed of waste other than recycled it, and if the garden waste collection service would be reintroduced in 2023;
- (d) what position would the council be in if it did not achieve targets set by the Government in terms of its recycling?
- (e) 29 June 2022 minute 9 (5) 'a workshop is held so Members can understand and help to positively influence the process of target setting regarding key performance indicators and discuss what performance information is most appropriate for the scrutiny function'. The Chair wanted to ensure that scrutiny were involved in setting KPIs;
- (f) if the information requested under the following minute was made available as it had not been sent to Councillor Laing's panel: minute 10 (4) 'information, as a result of the deep dive into Children's Services by the Strategic Director for Finance, the Portfolio Holder for Finance and Children's Services. And the Shadow Portfolio Holder for Finance, would be provided to Members of the panel as well as the Children and Young People scrutiny panel';
- (g) minute 6 (2) 'an update on the Government's £300m commitment to local authorities to prevent youth offending would be provided to Members when available'; it was confirmed that the response was chased and that the Council

had received a small part of the national amount. A response had been drafted and would be provided to the panel shortly;

- (h) minute 12 (1) 'a report would be provided at the next meeting to consider financial profit and loss for each leisure facility, including membership details, investment information and opportunities and risk' – it was highlighted by the Chair that a written report had not been submitted despite the requested made at the previous meeting and the impact this would have upon Members ability to scrutinise.

The Committee agreed that –

- (1) the tracking decisions document was noted;
- (2) more information on the action plan relating to question 1 was sought, specifically with regards to how recycling rates could be increased: (Minute 9 – 'a written response would be provided to Members providing more detail as to why there was a 39% target set for recycling as this was considered rather low');
- (3) more information on action (4) 'a written response would be provided to Members regarding if the Council received revenue from composting' and confirmation as to why the Council disposed of its waste other than recycling it?
- (4) a response would be provided as to if the garden waste collection service would be reintroduced in 2023;
- (5) a response to Minute 6 (2) 'an update on the Government's £300m commitment to local authorities to prevent youth offending' would be followed up and provided to Members;
- (6) all tracking decisions from previous meetings would be followed up and actioned.

20. **Return to Work Safely (6 month update)**

The Chair advised Members that the Return to Work Safely (6 month update) report was not to be presented by officers. Kim Brown (Service Director for HROD) and Councillor Shayer (Cabinet Member for Finance and Economy) were present to answer Members questions.

In response to questions raised it was reported that –

- (a) flu vaccinations for council staff were to be undertaken at the Guildhall other than Ballard House as the Guildhall was considered to be a more central location and was easier for more officers to access;
- (b) in order to protect staff and continue to deliver council services during a possible outbreak of both flu and covid, the Council was actively encouraging

the workforce to be vaccinated and was continuing to review the safe systems of work alongside public health colleagues to ensure they were fit for purpose. A traffic light system was in place to monitor the numbers of people contracting flu and covid and would help to mitigate potential risks;

- (c) in terms of timescales for the accommodation strategy, Windsor House was to be decanted in March 2023, and Midland House was to be decanted in the summer of 2023; some delays in work had been down to a range of complex factors including the Council's partners signing the lease for Crownhill Court later than expected and issues with the supply of goods. The redevelopment to the ground floor of Ballard House for childrens services was going out to tender currently;
- (d) the Council had free Lateral Flow Test kits which were for the use of front line staff as it was considered that office based staff could work from home if required. The procedure and data collected for the LFTs was kept under constant review as part of the safe system of work review and this could be provided to the committee once available;
- (e) the Director for Public Health would be consulted as to if Councillors should be provided with free Lateral Flow Tests due to the work they do within the community – a response would be provided to Members;
- (f) the high level results from the Big Listen survey including the number of respondents and their responses were due to be discussed at senior leadership team meetings as well as possible actions. An external provider was used for the survey in order to give the workforce confidence that their responses would be considered confidentially and would also allow benchmarking with other public sector organisations. It was anticipated that this information would be available in November and would be able to be shared;
- (g) during the covid pandemic a decision was made by the Council that if someone had experienced covid then their absence from work as a result of this would not trigger absence accumulation responses; this was reviewed by the Council in the Autumn as it was important the Council supported individuals to come back to work and not spread the virus within the organisation. The trade unions were of the opinion that those suffering with long covid should be allowed to have a significant length of time off work without it affecting their sickness levels or pay. The Council considered that a 'one size fits all' policy was not appropriate and cases would be considered on an individual basis – this was subject to further discussion with trade union representatives;
- (h) the pilot into the use of external sites for workspace such as Market Hall and Oceanstudio had concluded and was successful. The focus was currently on ensuring the Council was getting maximum use out of its own office space as it was only 25% occupancy however numbers were expected to rise over the winter months due to the increase in fuel costs.

The Committee agreed –

- (1) to note the contents of the report;
- (2) that data collected as part of the LFT review including numbers, costs etc (as part of the wider Safe Systems of Work review) would be provided to Members;
- (3) a response from the Director for Public Health regarding the feasibility of Councillors receiving free Lateral Flow Tests due to the frontline work they undertake within their communities would be provided;
- (4) the Return to Work Safely Update would be added to the work programme for the 30 November scrutiny meeting, to focus upon The Big Listen results and headlines. The Cabinet Member and three Trade Union leads to be invited in order to provide staff-side perspective;

21. **Finance and Capital Monitoring Report (To Follow)**

The Chair advised Members that the month 3 Finance and Capital Monitoring Report attached to the main agenda pack was superseded by the month 5 Finance and Capital Monitoring Report that was sent out as a supplementary document therefore only the most recent report (month 5) would be considered.

David Northey (Interim Section 151 Officer) highlighted the following key points to Members:

- (a) the report to be considered provided information up to August 2022 and showed the position to the end of the financial year (March) with an overspend of £6.656m – this was an improvement of the previous report;
- (b) unforeseen cost was identified in the report in terms of the impact of utilities, and the pay settlement – this has driven up the cost by approximately £6m – it could be considered that if it wasn't for those unforeseeable costs then the Council would be in a very good position at month 5 with a relatively small overspend.

In response to questions raised it was reported that –

- (c) the Council paid the Theatre Royal £350k per annum – Members would be advised if this figure was inclusive of the £100k reduction;
- (d) it was considered that bus shelter advertising would be an income generation opportunity for the Council – this linked to the £75k reduction in costs; more information on this contract would be provided to Members via a written response;
- (e) grants issued to the Theatre Royal came out of the Council's general fund – this was set up by discretion. The Council's Economic Development team worked closely with the Theatre Royal to ensure the decision to reduce

funding was acceptable to both parties;

- (f) at this time of the year it was not unusual for the Council to show an overspend on the idiom budget – it was recognised that an awful lot of work had gone into getting the Council to this financial position having gone from a £14m overspend to a £6.6m overspend. Officers were happy to revisit the childrens services budget and have a deep dive into the budget. During discussion of this item Members discussed their dissatisfaction that responses to a previous action from 29 June 2022 scrutiny meeting relating to the childrens services budget had not been provided as it was considered that this would provide the committee with greater clarity on this matter;
- (g) the Council’s working balance was at £8.4m against a net budget of £198m – this was 4.2%; the industry standard was to try and get as close to 5% - this was not a statutory requirement;
- (h) the collection of garden green waste would not be reinstated in this financial year however was expected to be reinstated next year;
- (i) the Council was considering a reduction in the voltage of street lighting; the council was advised that it wouldn’t affect the lux value that the lights gave out so Plymouth wouldn’t be deprived of lighting;
- (j) it was not known at this stage if there would be a cost for garden waste collections in the future.

The Committee agreed:

- (1) To note the contents of the report.
- (2) further information relating to the bus shelter advertising contract would be provided to Members.

22. **Corporate Plan Performance Report - Quarter I and Risk Update**

Ross Jago (Head of Governance, Performance and Risk) presented the Corporate Plan Performance Report – Quarter I and Risk Update.

The following key points were highlighted:

- (a) the second part of the report focused upon risk; this was a recommendation from the Audit and Governance Committee that risk was appropriately considered at scrutiny meetings. Both the performance information, and risk information in the report was due to be updated in November when submitted back to scrutiny for consideration;
- (b) good performance in the last quarter included the increase in the employment rate which was now rated green, the reduction in repeat referrals to childrens social care and some improved adult social care outcomes;

- (c) performance challenges included the increase in children that were subject to multiple child protection plans, the full time equivalent days lost to sickness as well as the spend against the budget;
- (d) in terms of risk, there were three red risk items on the strategic risk register which included the spend against the budget, cyber security (mitigations were included in the report), and supply chain issues and lead-in time for technology IT equipment.

In response to questions raised it was reported that –

- (e) information regarding multiple protection plans and the childrens services budget would be better discussed at the Education and Childrens Social Care Overview and Scrutiny Committee scheduled for Thursday 13 October 2022; it was considered helpful that the outstanding tracking decisions responses relating to childrens services be available for this meeting;
- (f) in order to provide assurance, the risks and mitigations surrounding the workforce and the impact from sickness rates, covid and flu on their ability to deliver services would be further considered by the Cabinet Member and officers;
- (g) key performance indicator (KPI) 15 (public satisfaction with traffic flow) was not rag rated because it was currently being reviewed;
- (h) the Cabinet Member for Finance and Economy committed to providing a written response to the committee on the implications upon the budget of the potential loss of grants/ fines/ the impact on household waste and Plymouth waste collection sites/ if garden waste was disposed of or recycled, due to stopping the garden waste collection service;
- (i) a written response would be provided from Community Connections as to what the Council was doing to try and close the gap in anti-social behaviour interventions and the increase in anti-social behaviour; this related to KPI (7) - anti-social behaviour incidents reported to the council, KPI (8) - number of early interventions to antisocial behaviour and KPI (9) – residents who felt safe in the city during the day’;
- (j) it was considered that an accounting solution had been arrived at in terms of the council’s pension fund deficit – this was being considered by the Audit and Governance Committee at every meeting and a further update would be provided in November – an update would be provided to this committee when available.

The Committee agreed –

- (1) to note the report;
- (2) the three amber risks contained within the risk register regarding insufficient

workforce resilience, the health, safety and wellbeing of the workforce, and the staff resilience at time of pressure would be included in the update on the Return to Work Safely – The Big Listen Update report at the 30 November 2022 scrutiny meeting. These risks would also be updated in the risk register when presented to the November committee;

- (3) a written response on the implications upon the budget of the potential loss of grants/ fines/ the impact on household waste and Plymouth waste collection sites/ if garden waste was disposed of or recycled, due to stopping the garden waste collection service would be provided to Members;
- (4) a written response would be provided from Community Connections as to what the Council was doing to try and close the gap in the downward trend of anti-social behaviour interventions and the increase in anti-social behaviour;
- (5) cyber security (in terms of attack, supply of equipment and data security) would be added to the committee's work programme.

23. **Business Support Review Update**

The Chair advised Members that this item would not be presented by Officers. Ross Johnston (Programme Manager – Finance) was present to answer questions.

In response to questions raised it was reported that –

- (a) the increased demand in childrens services was having a knock on effect on business support and back office support services; this was a continuing challenge for business support. Anna Constantine was now in post and this was a major part of her business plan in making business support a sustainable part of the organisation and driving out value where possible. A commitment to provide more detail of the approaches taken, the engagement taking place and how service level agreements were put in place to make sure they weren't having a negative effect on the areas business support were focusing upon, was offered;
- (b) two corporate reviews were currently being undertaken, one around process automation to focus on business support which would contribute to further savings and a review of corporate systems.

The Committee agreed:

- (1) to note the benefits and changes to Plymouth City Council's business support services;
- (2) that a response would be provided to members on the approaches taken, the engagement taking place and how service level agreements were put in place to make sure they weren't having a negative effect on the areas business support were focusing upon, specifically childrens services;

- (3) that Councillor Laing and the Cabinet Member for Children and Young People are invited to attend the 30 November 2022 Performance, Finance and Customer Focus OSP meeting in order to provide assurance to the committee that budgetary concerns in childrens services were being adequately mitigated;
- (4) that the panel's concerns regarding the childrens services budget and future mitigation would be raised at the next scheduled Management Board meeting, and for the Management Board to consider if a joint working approach between the Performance, Finance and Customer Focus OSP, and the Education and Children's Social Care OSP was required.

24. **Leisure Services Contract (To Follow)**

The Chair advised Members that a part I (public) report had not been provided for Members consideration; it was highlighted that this affected Members ability to adequately scrutinise the item. Officers were advised to provide written reports to Members, especially when specifically requested for key agenda items such as this.

Ruth Harrell (Director of Public Health) briefly highlighted that things were progressing well with Plymouth Active Leisure (PAL) and there was an increase in membership and participation. Management structures in PAL were being progressed and recruitment for a permanent Chief Operating Officer was underway.

Members did not have any questions.

Officers and staff linked to PAL were thanked for their hard work in delivering this project.

25. **Bereavement Services (To Follow)**

The Bereavement Services item was not presented by officers – a report was provided in the agenda pack.

Members did not have any questions.

The Chair offered the panel's thanks to officers in facilitating the crematorium site visit and the work undertaken to set up the cross party oversight group.

The Committee agreed to note the written update provided in the agenda pack.

26. **Exempt Business**

Agreed that under Section 100(4) of the Local Government Act 1972, to exclude the press and public from the meeting for the following items of business on the grounds that involves the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

27. **Leisure Services Contract**

The Committee discussed the Leisure Services Contract under part 2 (private) session.

A part 2 (private) minute is available for this item.

28. **Bereavement Services**

The Committee discussed Bereavement Services under part 2 (private) session.

A part 2 (private) minute is available for this item.