



POLICY AND RESOURCES SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 4TH JUNE 2013 AT 5.00 P.M.

PRESENT:

Councillor Mrs J. Summers - Acting Chairman

Councillors:

L. Binding, C.J. Cuss, J.E. Fussell, C. Hawker, Ms. J.G. Jones, G. Kirby, A. Lewis, S. Morgan, D. Rees and R. Saralis

Also Present:

Cabinet Member(s): Councillors G. Jones and Mrs C. Forehead

Together with:

G. Hardacre (Head of Human Resources and Organisation Development), N. Scammell (Acting Director of Corporate Services and Section 151 Officer), P.S. Evans (Head of Information, Communications and Technology), H. Rees (Programme Manager), D.A. Thomas (Senior Policy Officer Equalities and Welsh Language), L. Rogers (HR Service Manager), J. Jones (Corporate Information Manager), C. Forbes-Thompson (Scrutiny Research Officer), E. Sullivan (Committee Services Officer)

Observing:

Councillor C. Durham

APOLOGIES

Apologies for absence were received from Councillors D.G. Carter, H.W. David, Mrs D. Ellis, C.P. Mann and J. Taylor. Mr N. Barnet (Acting Chief Executive)

1. DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the meeting.

2. MINUTES

RESOLVED that the minutes of the last meeting held on 16th April 2013 (minute nos. 1 - 11, on page nos. 1 - 5) be approved as a correct record and signed by the Chairman.

3. CALL-IN PROCEDURE

There were no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

4. CABINET REPORTS

The Cabinet reports listed on the agenda had not been requested to be brought forward for review at the meeting.

5. REPORT OF THE CABINET MEMBERS

Councillor Mrs C. Forehead, Cabinet Member for Human Resources and Governance/ Business Manager, gave a verbal report to Members and made reference to the Pay Award and gave an update on the pay negotiations. Employers have made a final offer of 1% across the board on all spinal column points. In addition, the lowest spinal column point in the NJC scales (SCP 4) would be removed. Trade Unions are currently consulting their members on what is described as the best available negotiated settlement with a view to whether industrial action should be pursued or whether the deal should be accepted. Members noted that as Caerphilly had already adopted the Living Wage, the removal of SCP4 had no impact for the Authority.

Members noted that the consultation period on a Green Paper from Welsh Government to legislate on workforce issues had closed and the consultation responses released to all interested parties. Welsh Government was currently preparing a draft Bill and it was anticipated that would come forward in the autumn. Once the specifics in the legislation are known, a more detailed briefing will be provided to Members.

Finally Members were advised that the recruitment process for the New Corporate Director of Social Services had commenced. An advertisement was currently live and it was anticipated that the process would conclude by mid-July.

Members noted that previously those Officers in an 'acting' position had been precluded from the recruitment process and sought clarification as to whether this was still the case. Officers confirmed that this restriction no longer applied.

Members thanked the Cabinet Member for her presentation.

SCRUTINY REPORTS

Consideration was given to the following reports.

6. EQUALITIES AND WELSH LANGUAGE ANNUAL REPORTS

The report informed Members of the progress made during 2012/2013 in relation to the Strategic Equality Plan and the Welsh Language Scheme and the submission of their annual monitoring and improvement reports to the Equalities and Human Rights Commission and the Welsh Language Commissioner's Officer.

Officers detailed the key success stories of the past year, which included securing additional income towards statutory duty requirements, now totalling approximately £70,000 of additional funds since April 2008. Caerphilly now leads the regional translation services for the Gwent Education Achievement Service as well as providing translation to the Gwent Police and Crime Commissioner. A screening tool developed with Procurement Services had been recognised as a model of good practice and this had also been adapted for use by smaller

businesses.

Members noted the development of flash cards and their use in the Welsh in the Workplace programme. It was noted that the local company that made the cards had received a regeneration grant to buy their printer, which was now being used to help with Welsh Language training.

Members thanked the Officer for his report and full discussion ensued.

Members were pleased to note the support given to smaller businesses during the procurement process but expressed concern with regard to the complex wording used. Officers fully explained the strict guidelines and statutory terminology that governed the procurement process. Members were reminded that the restrictions imposed were not meant to prevent small businesses from tendering but to provide the necessary legal safeguards.

Clarification was as sought as whether social care services could be provided in Welsh, particularly if this was the preferred language of the service user. Officers referred to the 'More Than Just Words' strategy and confirmed that these issues were currently under consideration at a national level, however the day-to-day practicalities of service delivery through the medium of Welsh would be a matter for the health provider.

Clarification was sought in relation to Equalities Impact Assessment screening process and the regularity with which this was carried out. Officers confirmed that all reports and policies received some degree of screening, the extent of which would be dependent on the nature of the report in question, however all major policies would be subject to a full Equalities Impact Assessment.

The Member felt that the impact of the assessment process might have been better reflected within the report in order to establish any changes made as a result and any associated costs accrued as a consequence. Officers acknowledged the issues raised but noted that the costs of meeting equalities requirements by service areas were met through established operational budgets, not as distinct elements that could be easily identified.

Members fully discussed issues in relation to the order of bilingual road signage and Officers confirmed that in order to meet statutory requirements all road signage must be produced bilingually however the order of the wording was not legislated; the Council's locally determined policy allowed for flexibility. In terms of permanent signage under Council control however, in practice the English working is displayed above the Welsh.

Members fully discussed the costs and practicalities of translation services and were advised of the statutory requirements in this regard.

The provision of Youth Services through the medium of Welsh was discussed and it was agreed that further information from Education Services would be provided to the Member in this regard.

The report was moved and seconded and by a show of hands the Scrutiny Committee unanimously endorsed the Strategic Equality Plan 2013 and the Welsh Language Scheme Annual Monitoring and Improvement Report 2013 and recommended that Cabinet approve their submission to the relevant Commissions by the 28th June 2013.

7. WELSH AUDIT OFFICE REPORT - HUMAN RESOURCES AND WORKFORCE THEMATIC REVIEW FOR LOCAL GOVERNMENT.

The report updated Members on the Audit Committee report of the 14th May 2013 with regard to the Wales Audit Office, Human Resources and Workforce Thematic Review for Local Government.

The four key recommendations were outlined and the action plan detailed in Appendix 1 of the report highlighted. Officers confirmed the review methodology, its outcome and the Council's response was noted.

Members thanked the Officer for her report and full discussion ensued.

The Scrutiny Committee having fully considered its content noted the report.

8. INFORMATION GOVERNANCE

The report informed Members of the progress made in assuring the effective governance of information across the Council and the requests received under the Freedom Of Information Act 2000 and other associated legislation.

The key progress made during 2012 was detailed and included progress made by the Information Governance Project Team since formation in early 2011 in response to an audit report. Their role in increasing staff awareness of how to manage and keep information secure and embedding effective information governance into the Council's day-to-day work was outlined.

Corporate training sessions on FOI and Data Protection had been supplemented with workshops and a Members training session is planned for September 2013. An e-learning package has been circulated to all staff for completion mid July and a data protection breach reporting procedure launched.

Officers confirmed that a successful bid had been made to improve the safe and legal sharing of personal information between the Council, Gwent Police, Aneurin Bevan Health Board and the Voluntary Sector.

The requests received for FOI and EIR were summarised and noted an increase of 3.7% from 2011 with Corporate Finance, People Management and Social Services receiving the most requests. 77% of requests were processed in compliance with legal timescales however this figure was down on 2011. Officers confirmed the reasons for the decrease and advised that the increased complexity of the information being requested and the continuing increase in the number of requests received were contributing factors. The numbers of exemptions applied during 2012 were detailed, including refusals of requests due to being vexatious or repeated.

Members were advised that there had been 15 requests for internal appeals received during 2012. Eight of these appeals are still being considered, and in the case of the other 7 appeals the Head of Legal Services upheld the original decision. Three of these appeals were then submitted to the Information Commissioner, who upheld the Council's decision, and 1 was escalated to the Information Tribunal, who also upheld the Council's decision.

Members thanked the Officer for her report and full discussion ensued.

Clarification was sought with regard to the costs associated with dealing with all FOI requests and Officers confirmed that collating evidence to calculate costs to the local authority would be a bureaucratic and costly exercise and the importance of balancing costs against the need to be open and transparent was emphasised.

Having fully discussed its content the Scrutiny Committee noted the report.

9. REQUESTS FOR AN ITEM TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

There were no requests for any reports to be prepared for consideration at a future meeting of the Scrutiny Committee.

Councillor Binding referred to his previous request in relation to the roll out of high speed broadband in the county borough. Phil Evans, Head of ICT apologised that the Chief Executive of BT had been unable to attend as previously agreed but confirmed that he would be making a presentation at the next available meeting. Members were advised that a joint presentation to both the Regeneration and Environment Committee and the Policy and Resources Committee was being considered, however the logistics of this were still under discussion.

Members were of the opinion that the presentation should come back to this Committee, where the request originated but welcomed the attendance of the Regeneration and Environment Scrutiny Committee.

10. INFORMATION ITEMS

The following reports were received and noted without discussion:

1. Members Attendance (Quarter 4);
2. Forward Work Programme;
3. Pensions /Compensation Committee Minutes - 30th April and 20th May 2013;
4. Caerphilly Local Service Board Minutes - 16th January 2013;
5. Caerphilly Homes Task Group Minutes - 4th April 2013.

The meeting closed at 6:09 p.m.

Approved as a correct record, and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 16th July 2013, they were signed by the Chairman.

CHAIRMAN