

WYRE FOREST DISTRICT COUNCIL

CORPORATE RESOURCES SCRUTINY COMMITTEE

THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,
KIDDERMINSTER

THURSDAY, 10TH DECEMBER 2009 (6.00PM)

Present:

Councillors: G W Ballinger (Chairman), J Greener (Vice-Chairman), J Aston, J Baker, A J Buckley, H E Dyke, G H Eeles, P B Harrison, C D Nicholls, J W Parish, M A Salter, J Thomas and G C Yarranton.

Observers:

Councillors: J-P Campion, M B Kelly and F M Oborski.

CR.82 Apologies for Absence

Apologies for absence were received from Councillors J Holden, K J Stokes and N J Thomas.

CR.83 Appointment of Substitutes

Councillor G H Eeles was appointed as a substitute for Councillor K J Stokes. Councillor G C Yarranton was appointed as a substitute for Councillor J Holden.

CR.84 Declaration of Interests

No declarations of interest were made.

CR.85 Minutes

Decision: The minutes of the meeting held on 12th November 2009 be confirmed as a correct record and signed by the Chairman.

CR.86 Worcestershire Enhanced Two Tier Working (WETT) Regulatory Services Business Case

The Committee considered a briefing paper from the Interim Chief Executive on the Worcestershire Enhanced Two Tier Working (WETT) Regulatory Services Business Case.

The Chief Executive informed Members that as he had only been in post for one day, the report had been prepared by Diane Tilley, the Interim Chief Executive. He thanked her for the work she had done.

Members were informed that this was the first opportunity for a Scrutiny Committee to look at the possibility of a shared Regulatory Service across all authorities in Worcestershire. The proposed Shared Service would include Trading Standards,

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Licensing and Environmental Health. Members were advised that the main focus for the Scrutiny Committee was to listen to evidence from staff and unions about their concerns and responses. It was noted that the consultation period for the proposal had been extended to 21st December 2009. At the January 2010 Corporate Resources Scrutiny Committee meeting, a recommendation would be made to Cabinet and it would then be considered by Council in February 2010. Also at this meeting there would be a management response to any points raised in the presentation and a summary of the consultation responses.

Members were informed that the Chief Executive supported the proposal as it would contribute to better resilience across the Worcestershire County and efficiencies. The pre-budget report which had been announced by the Government on 9th December 2009 had indicated that a 6% cut in services outside health and education was predicted. In coming years, this would have an impact on the services the Council ran and what services it provided. It was unlikely that the Council would be able to offer the services that it did at present.

It was pointed out that the briefing paper stated that the consultation period ended 7th December 2009. This was incorrect and should read 21st December 2009.

The Chairman informed Members that extra meetings might be held before the next Corporate Resources Scrutiny Committee meeting on 14th January 2010 in order to enable Members to undertake scrutiny in further detail.

Members received a handout from Licensing and Environmental Health Staff that outlined the joint Staff and Unions response to the Regulatory Services business case.

A powerpoint presentation was given by Brian Kent, Licensing Manager and Peter Maloney, Principal Environmental Health Officer. The presentation is appended as Appendix 1 to these minutes. The following points were highlighted to Members:

1. In the handout members received, it included the business timeline, data on staffing levels at national level, a regulatory structure, a letter from the Health Authority, a letter from Worcester City Council and details of a Shared Service in Lincolnshire.
2. The document was a joint staff response confirming that staff did not want a Shared Regulatory Service.
3. The business case had been launched with staff on 10th November 2009 and local briefings had been held. Staff felt that the documents received had been inconsistent.
4. It was felt that key stakeholders had not been consulted by the WETT Project Team, i.e. the Primary Care Trust and the Environment Agency.
5. There were reservations about the ability to provide consistent performance standards and delivery with the intended reduction in staffing levels from 165 to 120. It was perceived that approximately 22 of the staff who would lose their jobs would be managers. It was queried whether a reduction in Officers would improve the service and how the current level of performance would be maintained.

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6. Although additional staff would be employed at Perrywood Contact Centre, no thought had been given to the expected workload and how to maintain the current standards.
7. The business case stated that the proposed model had not been supported by all the project team and staff wished to know why? They stated that they had not been told who supported the first model and who had made the decision to take the plan forward.
8. Scrutiny of the IT costs needed to be carried out.
9. The current level of income in the County was almost £1 million, with the expenditure being £273,000. It was queried who would benefit from the balance between these figures.
10. In 4.3 of the report in the Joint Staff & Unions Response document, it gave details of the response from a leading Queens Counsel to the scenario of the business plan. It was queried how six levels of fees be achieved. It was also queried why the response came from a County solicitor and was not referred back to Queens Counsel.
11. The role of Members in the new structure was queried and how contact with Officers would be made.
12. It was noted that standard fees charged by authorities varied and this could mean that people could be paying more in future for a lower level of service.
13. There was a lack of consistency in the business plan. Staff asked for clarification on what was correct.
14. The Centre for Public Scrutiny (CfPS) recognised that the transfer of any service was complex and had recommended to Councils that scrutiny be carried out prior to making any recommendations to Cabinet.
15. A Shared Service in Lincolnshire had been scrapped on 12th November 2009 and an alternative solution was to be considered.
16. Staff asked Members to establish a Review Panel to address the concerns that they had raised and to seek any alternative solutions.

Members noted the following from Rebecca Dalton, the Unison Regional Representative:

1. Unison was not opposed to Shared Services but felt that consultation was a key necessity. They understood the pressures that Councils found themselves in but felt that the proposed business case would not work. The reduction in staff was a concern as these posts were specialist posts and if these posts were taken out, the service levels would decrease. It was also felt that the Council's Comprehensive Area Assessment (CAA) rating might be affected.
2. There were concerns should a major incident happen in the Wyre Forest area. Environmental Health Officers would need to react to such an incident and it

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was queried who would become responsible for this if a Shared Service went ahead?

3. Problems had been experienced with the Hub Shared Service answering calls. It was queried how staff would know how to respond to some questions that might be asked and would they know whom to direct these call. Would such calls be answered from a script?
4. Questions were raised regarding IT technology and whether it would be in place and if it would work bearing in mind the variances in the systems used by the different authorities.
5. The Wyre Forest Hub had been award winners and the Council knew it delivered an excellent service, but the performance of the Worcestershire Hub Shared Service was queried.
6. The public were used to going into the Wyre Forest Hub for their requirements, they knew who to contact and who helped them with their enquiries.
7. The letter from the Health Protection Agency indicated that there was a legal requirement for the Council to deal with an ecoli incident within one hour. It was queried whether the Environmental Health Officer would be informed within the one hour time frame.

Unison reiterated to Members their perception that it should not downgrade the service that Wyre Forest provided, and although they were not opposed to Shared Services, a Plan B should be sought as they considered the proposal had not been thought through.

Members heard from Pat Lewis, Branch Secretary for GMB Worcestershire and noted his comments.

1. It was appreciated that Shared Services were considered to be the way forward. This particular process had started 12 months ago but it had only been recently that staff and unions had received documentation and had been consulted. No one had been asked if there were any others options for a Shared Service. Staff did not appear to have been asked to consider an alternative plan. It was important that Staff were consulted at all times.
2. At the 10th and 26th November 2009 briefing sessions, staff had been told that further details would be provided, but this had not happened. It was queried when this could be expected.
3. Government guidelines stated that the consultation should run for 12 weeks. The new Chief Executive had given an overview at the beginning of the meeting, but as he was new in post, it was queried whether he knew about the services that Wyre Forest operated.
4. Concerns were raised as to how Wyre Forest would deal with an emergency if it occurred.
5. It was considered that dates needed to be circulated and that staff needed to be informed about what was going on and about any associated dates. Good

communication was considered to be key to this process.

6. There was concern about the pressures on the last Council to consider proposals and make a decision because one of the seven Councils would inevitably find themselves in that position.

Richard Williams – Principal Pollution Control Officer stated that he had attended the meeting on 26th November 2009 when the Project Team and the Interim Chief Executive had been in attendance. He had worked with other agencies and it was important to deliver health services in the Wyre Forest area. A question was asked at that meeting for the WETT project team to provide staff, within 5 working days, with an answer as to what business stakeholders had replied to the consultation. He queried why staff had not received this response.

John Bulmer – Assistant Licensing Officer stated that the current Wyre Forest Licensing staff had many years of experience between them. If they were to be transferred to the Perrywood Contact Centre, what could Wyre Forest expect in terms of efficiency, expertise, etc?

Nick Fowler – Food & Safety Technician stated that Members were no doubt aware of the outbreak in South Wales in 2005. Members felt about less numbers of staff to fulfil not only the enforcement role but also that of assistance under the regulatory recommendation.

Adrian McCormick - Project Team Leader stated that he had heard a lot of new information at the meeting tonight and he considered that a few points stood out.

1. The organisational diagram in the staff handout was not the one from the executive pack, although it was similar.
2. The four hub staff would be additional staff.
3. It was perceived that the questions and answers raised by staff had been circulated, but this would be clarified.

Staff reported they had not received any information with regard to questions and answers.

Staff were confused about which version of the business case they had been consulted on and said that responses received had been different to the ones published.

The Chief Executive informed staff that a response would be provided on all key points in order for a recommendation to be made.

Members asked for further information in relation to the letter from HPA West Midlands West to Dr Gillies, Environmental Health Manager at Worcester City Council. Answers would be required before Members could make any recommendations to Cabinet.

In response to a Member's question, it was confirmed that staff would be based in offices where they currently worked. However, it could be that staff might wish to work at another location.

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It was also confirmed that Members would still have the liaison they currently had with staff.

Adrian McCormick stated that although he worked for County, he represented all the authorities in the Regulatory Services business case.

Members asked for a Review Panel to be set up but were conscious that there was not much time to undertake a detailed scrutiny exercise.

Members were informed that the reduction of 45 staff across all the authorities would not happen straight away, it would occur over a phased period. It was considered it would take approximately two years to reduce staff numbers.

A report on the WETT Project had first been presented to all Members at the Council meeting in July 2009.

It was not known at this stage how many staff would be able to work from home.

Councillor G Yarranton left at this point, 7.20pm.

Rebecca Dalton reported that it might not be possible for some staff to work from home, i.e. Environmental Officers.

Councillor G Yarranton came back in at this point, 7.23pm.

Brian Kent asked for clarification as to what the position was with regard to the business case at this moment in time.

The Unions requested a correct copy of the business case.

The GMB Union representative asked for a guarantee that staff would not be required to work elsewhere.

The Chief Executive informed members that if the Shared Service went ahead, staff would be employed by one Council. However, there was no guarantee that staff would be asked to move location. This would be addressed by the management of the Shared Service.

Steve Jordan stated that page 8 of the executive summary gave the official structure and talked about natural wastage.

The unions stated that they were happy to meet Members if they required them to do so.

All staff and union members left the meeting at 7.25pm.

In response to a Member's question, it was confirmed that the Joint Regulatory Board would not be subject to political balance.

Agreed:

1. The information be noted.
2. A Review Panel be set up for the first week in January 2010 to scrutinise the Regulatory Services Business Plan. The Committee/Scrutiny Officer to contact Members of the Corporate Resources Scrutiny Committee to arrange meetings as required.

CR.87 Exempt Information

Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of “Exempt Information” as defined in paragraphs 2 of Part I of Schedule 12A of the Act.

CR.88 Summary of Minutes

The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as “exempt Information” would be disclosed if the minutes were published in full.

CR.89 Exempt Minutes

The exempt minutes of the meeting held on the 12th November 2009 were confirmed as a correct record and were signed by the Chairman.

The meeting ended at 7.34 pm.