

## Decision Digest

Edition 156

**Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 29th April to 24th June 2015.**

### IMPLEMENTATION OF AUDIT ACTIONS

A report outlining performance in implementing agreed internal audit actions for the year ending 30th April 2015 has been presented to the Corporate Governance Panel.

Thirteen actions have not been introduced of which two were more than six months late and two were more than one year late.

As requested by the Panel, the Heads of Service who have outstanding audit actions attended the meeting to provide explanations as to why the internal audit actions relating to their individual service areas remain outstanding.

Management Team have modified the monitoring of internal audit actions and the Panel will begin to realise a different approach over the next few months.

The Panel expressed concern at the audit actions that are significantly overdue and wants these concerns highlighting to the Cabinet. Subsequently in addition to noting the report the Panel have recommended to Council that the concerns of the Corporate Governance Panel regarding the number of internal audit actions that are significantly overdue be noted and that the Council recommend to the Cabinet that appropriate action are taken to address these concerns.

### AUDIT ACTIONS DATABASE

At the request of the Panel a report has been presented to provide an explanation regarding the loss of data within the Audit Action Database following work to migrate the SharePoint based system.

The reasons for the loss of data have been explained and the Panel were assured that improvements have been made to processes to avoid a repeat occurrence in the future.

Some elements of the missing data related to findings arising from following up the implementation of internal audit actions. Whilst this information could be identified from copies of email correspondence it was not an efficient use of officer time to manually search and review this information and as a result this information would not be included in the Internal Audit Annual Report to the Panel.

### REVIEW OF FRAUD INVESTIGATION ACTIVITY

An overview of the activity of the Corporate Fraud Team during 2014/2015 has been provided to the Panel.

During the year the Fraud Team received 1028 allegations of fraud, investigated 345 cases and identified fraud valued at £464k, recovered 7 social housing properties and conducted 29 prosecutions.

The performance of the Corporate Fraud Team has been comparable to that of the previous year despite a number of factors including staff shortages and the transfer of benefit fraud work to the Department for Work and Pensions.

The Council continued to be involved in two county-wide fraud initiatives - the Cambridgeshire Tenancy Fraud Forum (CTFF) and is also the lead authority following a successful bid for funding to implement the Cambridgeshire Anti-Fraud Network (CAFN) as a successor to the CTFF.

It is anticipated that the CAFN will work to address fraud such as Council Tax Discount and Tenancy fraud.

### **ANTI-FRAUD AND CORRUPTION STRATEGY REPORT**

The Panel have approved the Council's Anti-Fraud and Corruption Strategy which has been revised to incorporate the recently published Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on managing the risk of fraud and corruption; the accompanying guidance notes published in December 2014; and the changes within the Corporate Fraud Team to focus on issues other than welfare fraud.

The Corporate Fraud Team were currently reviewing their workload post the introduction of the Single Fraud Investigation Service (SFIS) and the reduction in welfare related investigations. At the previous meeting the Panel resolved to disband the Fraud Working Group and that a new Fraud Working Group should feature as an item on the Corporate Governance Panel Progress Report. The Panel have agreed that a Fraud Working Group should not be re-established until the Corporate Fraud Team's Work Programme has been agreed.

### **RISK REGISTER UPDATE**

The Panel has received and noted a report regarding amendments that have been made to the Risk Register between 2nd September 2014 and 19th May 2015.

Future Risk Register Update reports to the Panel will differ in format. Detailed information on risk management matters will be presented to the Cabinet, to allow them to fulfil their responsibilities as contained in the Risk Management Strategy.

The Panel were interested to know whether there will be a change to the Risk Management Champion now that Councillor Harrison has been appointed to the Cabinet.

The Panel further noted that as per the Risk Management Strategy a report will be presented to the Cabinet for its consideration on the very high residual risks.

### **WHISTLEBLOWING POLICY, GUIDANCE AND CONCERNS RECEIVED**

Having received the annual report, the Panel has approved the revised Whistleblowing Policy and Guidance and noted the whistleblowing concerns received during the 2014/2015 financial year.

During the 2014 review the Panel recommended to Council that it become a signatory to the Public Concern at Work (PCaW) 'The First 100 Campaign', which was established to allow organisations to make a public commitment to support the PCaW Whistleblower Code of Practice.

Subsequently a number of changes have been made to both the Policy and Guidance to reflect the PCaW Whistleblower Code of Practice and a

recent Employment Appeal Tribunal decision where the first 'in the public interest' definition has been applied.

There were no significant amendments proposed to the Policy and Guidance. However, the Policy now applied to all Council employees and contractors working for the Council on its premises as well as suppliers and those providing services under a contract with the Council in their own premises.

The Chairman has noted that on occasions Councillors are approached by officers with concerns and in order to assist Councillors when dealing with these queries the Whistleblowing Policy and Guidance will be circulated to all Councillors.

### **A14 CAMBRIDGE TO HUNTINGDON IMPROVEMENT SCHEME**

The Cabinet has received a further update on progress with the development of the A14 on matters surrounding the Examination in Public, and documentation that the Council will submit to the Examination.

The Council has consistently supported the need for the improvement of the A14 since the Cambridge to Huntingdon Multi-Modal Study recommendations in 2001, as an upgraded A14 is vital to the continued economic prosperity of Huntingdonshire.

The Scheme now proposed continues to include the overall improvements that have been consistently sought, including the removal of the A14 Viaduct within Huntingdon. The Council therefore must continue to engage in the Examination process and in order to do this the Cabinet has approved the Joint Local Impact Report (which has been submitted to the Planning Inspectorate), the draft Statement of Common ground and the Written Representation by the Council to the Planning Inspectorate.

In the interests of expediency the Cabinet has also delegated authority to the Managing Director and the Executive Councillor for Planning and Housing Strategy regarding any minor amendments required to these documents.

### **CORPORATE PLAN – PERFORMANCE REPORT**

The Cabinet has received a progress report against the Key Activities and Corporate Indicators listed in the Council's Corporate Plan for 2014/2015 for the period 1st January 2015 to 31st March 2015.

Progress against the Corporate Plan objectives is reported quarterly. Performance data has been provided in the form of a narrative of achievement accompanied with a Red/Amber/Green status against each Key Action in the Corporate Plan.

Whilst considering the progress made against the Key Activities and Corporate Indicators the Cabinet has made comments on its aspirations for future performance monitoring.

### **CUSTOMER SERVICE STRATEGY 2015 – 2018**

The Customer Service Strategy is a key corporate document which establishes how customer service will be delivered across the Council and it is currently under review.

A summary 'on a page' document of the Customer Service Strategy has been presented to the Cabinet for feedback prior to a final version of the Strategy being presented to Members later in 2015.

### **DISPOSAL AND ACQUISITIONS POLICY: LAND AND PROPERTY**

The Disposal and Acquisition Policy provides a framework through which the Council is able to manage its estate of land and buildings within a commercial environment.

The former thresholds and procedures within the Constitution were considered too restrictive and to enable a more commercial approach to the management of the Council's property portfolio, a new Disposal and Acquisition Policy and governance arrangements has been approved by the Cabinet. In approving the new Policy the Cabinet also agreed the suggested amendments by the Overview and Scrutiny Panel (Economic Well-Being).

The formation of a Treasury and Capital Management Group (TCMG) has been approved whose functions will be:

- Treasury Management investment decisions (including the acquisition and disposal of all types of assets).
- The Capital Programme and the undertaking of all capital development, including the approval of Business Cases.
- Comment on Treasury Management performance.
- Call officer's to account in respect performance relating to capital projects.

The Cabinet has also recommended to the Corporate Governance Panel that it should approve all required changes to the Constitution (including the Code of Financial Management) to reflect the requirements of the Disposal and Acquisitions Policy.

### **PROVISIONAL OUTTURN 2014/2015 (REVENUE AND CAPITAL)**

The Cabinet has been presented with an analysis of the outturn against the original budget for the financial year ending 31st March 2015 and has:

- i. Noted, in respect of the 2014/15 provisional outturn the:
  - revenue net expenditure of £18.171m;
  - reasons for the £2.699m variance on the original service budgets;
  - capital expenditure of £2.999m;
- reasons for the £0.489m variance on the capital programme.
- ii. Approved, in respect of the revenue provisional outturn the transfer to Earmarked reserves of:
  - £0.100m - Alconbury and Molesworth Support and Challenge reserve.
  - £0.261m - Carry forwards to the 2015/16 service revenue budget.
  - £0.443m - Transformation Challenge Award Funding for Shared Service reserve.
  - £0.500m - Chequers Court Development reserve.
  - £2.728m - Commercial Investment Strategy reserve.
- iii. Approved, in respect of the capital and provision outturn the carry forward of committed expenditure on capital projects of £0.271m.
- iv. Approved a delegation for the Head of Resources to adjust the revenue contributions in consultation with the Executive Councillor for Resources and the Managing Director, if the actual outturn varies to that noted by more than 2.5%.

### **TREASURY MANAGEMENT ANNUAL REPORT 2014/2015**

The Council's Treasury Management processes are underpinned by the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management. The Code requires the Council to produce an annual Treasury Management Strategy and recommends that Members are

informed of treasury management activity at least twice a year. The Cabinet has been presented with the second of the two reports for comment and the Cabinet has noted the 2014/15 Treasury Management performance.

### **SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2015-16**

The Licensing and Protection Panel has considered the proposed Service Plan for 2015-16 and has recommended that it be presented to Council, for approval in accordance with the Council's Constitution.

The Council's food safety and hygiene enforcement function is undertaken by the Commercial Team and the purpose of the Plan is to explain how that service will be delivered. It also details the resources required to deliver the service and a review of the previous year's performance.

### **SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2015-16**

The Health and Safety Executive requires every local authority to outline how it will fulfil its duty to make adequate arrangements for the enforcement of the relevant statutory provisions within its area. For this purpose, the Licensing and Protection Panel has approved the contents of the Service Plan for Health and Safety Regulation for 2015/16. The Plan has been developed to comply with the requirements of the National Local Authority Enforcement Code and sets out how the health and safety function within the Council will be delivered, the resources available to deliver the service and the outcome of a review of the previous year's performance.

### **REPRESENTATIONS ON EXTERNAL ORGANISATIONS**

The Licensing and Protection Panel has appointed representatives to serve on

the following organisations for the ensuing Municipal Year -

- ❖ Cambridgeshire Consultative Group for the Fletton Brickworks Industry
- ❖ Little Barford Power Station Liaison Committee
- ❖ Needingworth Quarry Local Liaison Committee
- ❖ Warboys Landfill Local Liaison Committee

### **LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY**

The Licensing Act 2003 requires that for each five year period, the Council must determine its policy on how it will exercise its statutory duties related to its licensing function and publish a statement of that policy.

Having regard to the fact that the Statement of Licensing Policy must be consulted upon prior to it being adopted, the Committee has approved the contents of a draft Statement for this purpose. Consultation will be undertaken over a ten week period from 26 June to 4 September 2015 and a final draft will then be submitted to the Committee in October for endorsement, prior to its adoption by Cabinet and Council.

As there is likely to be a need for further amendments to the draft as a result of feedback from the consultation process or from revised guidance issued by the Home Office, the Head of Community has been authorised to make any amendments that are considered necessary.



## **GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES**

The Council is required to publish a Statement of Principles which outlines how it will exercise its functions under the Gambling Act 2015. The current Statement expires on 31st January 2015 and the Council must have adopted a further Statement in advance of this date. As part of this process, the Council must undertake a period of consultation and take into consideration any comments which are received.

For the purposes of the consultation, the Panel has reviewed and approved a draft Statement of Principles.. The consultation will run from 26th June 2015 to 4th September and a final draft will then be submitted to the Committee for endorsement, prior to its consideration and adoption by the Council.

The Committee has authorised the Head of Community to make any amendments to the draft Statement as are considered necessary as a result of the public consultation exercise or arising from any new guidance issued by the Gambling Commission to Licensing Authorities.

## **OPERATIONS REVIEW**

The Overview and Scrutiny Panel (Environmental Well-Being) has received a presentation from the Interim Head of Operations and the Corporate Director for Services.

It was agreed that task and finish groups for the Environmental Well-Being Panel will be disbanded during the Operations review and restructure in order for the Division to implement changes as identified in the review.

The Panel has agreed to receive regular updates on the Operations review through quarterly updates directly to the Panel. Additional monthly meetings will update the Chairman and Vice Chairman

of the Panel so they can provide appropriate feedback to Members.

## **RECAP UPDATE**

The Overview and Scrutiny Panel (Environmental Well-Being) has received an update on recent activities of the Recycling in Cambridgeshire & Peterborough (RECAP) partnership.

The Panel has agreed to receive updates from RECAP as and when they become available.

## **CUSTOMER SERVICE MONITORING REPORT**

A report updating Members on the work of the Customer Service Team and questioning whether current policies and practices are fit for the future of Customer Services in the Council has been presented to the Overview and Scrutiny Panel (Social Well-Being).

The Panel has agreed that monitoring reports for Customer Services will be received by Members annually. The Head of Customer Services has confirmed that a report on the update of the District Council's website and the proposed relaunch in the autumn will be presented to the Panel early in 2016.

## **PROGRAMMES AND PROJECTS, INCLUDING FACING THE FUTURE**

The Overview and Scrutiny Panels (Social, Environmental and Economic Well-Being) have received an update report on changes to the way that projects are managed within the Council.

All existing projects have now been categorised by priority and allocated to the appropriate Overview and Scrutiny Panel. The Programme and Projects Team has developed a Pre-Initiation Process Map, which concentrates on the early stages of projects, detailing

the steps taken in order to initiate new projects. A pre-project proposition form must now be completed, reviewed and approved before any financial or other resource requirements can be committed to take new ideas forward.

### ECONOMIC GROWTH PLAN REVIEW

The Overview and Scrutiny Panel (Environmental Well-Being) has received a report reviewing Huntingdonshire's Economic Growth Plan 2013-2023.

The Panel was informed that economic and market indicators are monitored in order to prevent overheating in the demand for housing and that there is a need to attract new employees with relevant skills to the area.

The Panel raised the issue of affordable housing provision in the county. The Economic Development Manager explained that this topic was not included in the report presented as it is not considered critical to economic growth; this would be dealt with by another department in the Council, although it may be beneficial to 'knit' the two together in future.

The Panel congratulated the Economic Development Manager on the work completed.

### WORKFORCE REPORT (QUARTER 4)

The Panel received a quarterly report on Human Resource matters impacting on the performance of the organisation during the period of 1st January to 31st March 2015. The report included the latest position and trends relating to:-

- ◆ employee numbers;
- ◆ salary costs; and
- ◆ sickness absence reporting

In reviewing the workforce information, Members were informed that the number of Full Time Equivalent (FTE) posts

within the organisation has decreased and this has led to a decrease of £63.5k in the monthly salary cost. As a result of a request from the Panel the report shows the reasons why employees have left the Council.

In terms of sickness absence the Panel noted that even though the number of sickness days per FTE figure has increased the number of sickness days has reduced by 473 days. Members were told the reason for this was because as a result of a fall in employees the number of sickness days is divided between fewer employees therefore resulting in an increase in the average.

Finally, the Panel has placed on record its recognition of, and gratitude for the excellent contribution made by Peter Hobbs during his employment in the local government service and has conveyed its best wishes to him for a long and happy retirement.

### LGSS MONITORING REPORT

The Panel considered the performance of LGSS Human Resources, Payroll and Organisational Workforce Development services across the key service measures agreed under the current contract during the period 1st January to 31st March 2015. LGSS performance is measured in four areas namely:

- ◆ General Service Standards;
- ◆ HR Strategic and Advisory;
- ◆ Recruitment and Payroll; and
- ◆ Organisational workforce development.

Members have been pleased to note that there are no issues to report in the four measured areas. The template of the report and the key performance indicators have been changed for future reports in order to provide a greater scrutiny of the LGSS contract. In

In addition an audit of the e-recruitment system took place in this quarter with the result being that LGSS have been asked to provide further analysis and targeted training for HDC managers.

### EMPLOYEE OPINION SURVEY PROGRESS REPORT

The Panel was updated on the actions as a result of the Employee Opinion Survey. The appraisal process was overhauled and 360 feedback forms have been introduced. The Code of Conduct was launched last Autumn and the Employee Handbook will be introduced shortly. The intention is to continue with the 'Meet SMT sessions' which are sessions where staff can attend to receive news from the Senior Management Team. The Panel was told that another Employee Opinion Survey will be carried out this summer.

### SAFEGUARDING POLICY

The Panel reviewed and approved the updated Safeguarding Policy. The Panel noted that the Council have a statutory obligation under Section 11 of the Children Act 2004 to ensure its functions, and any services that are contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

### LEAVE POLICIES

The following leave policies were presented to the Panel for comment: Adoption Leave Policy, Shared Parental Leave Policy, Flexible Working Policy and Leave Arrangements Policy.

- ◆ Adoption Leave Policy  
Members were told that no focus groups have been held as the policy is not above and beyond the provision of the maternity policy in place although Staff Council have been consulted for feedback.

- ◆ Shared Parental Leave Policy  
This policy is a new policy which has been introduced as a result to a change in legislation.
- ◆ Flexible Working Policy  
The policy is revised and is an amalgamation of 11 different documents. Two amendments were proposed including allowing employees to accrue more than 14.8 hours during a month so long as they don't carry forward more than 14.8 hours from one 4 week accounting period to the next. The second amendment is that time off in lieu (TOIL) can only be agreed by a member of SMT.
- ◆ Leave Arrangements Policy  
The policy is in existence however there is an update to the unpaid leave section.

### SENIOR OFFICER DISCIPLINARY PROCEDURES

The Senior Officer Disciplinary Procedures was brought before the Panel in response to a statutory change. The report will be presented to Council on 29th July.

### DEVELOPMENT MANAGEMENT PANEL DECISIONS

In the course of two meetings in May and June the Development Management Panel has determined 12 planning applications. Ten of the applications have been approved and two refused. Of those that have been approved, one is supplemental to the redevelopment of RAF Brampton and relates to revised obligations as a result of the application of the new Vacant Building Credit policy. In line with a submission made by the applicant, an affordable housing contribution will not be secured.



Councillor Dew, in his capacity as Executive Councillor will make representations to the Government and to local Members of Parliament on the implications of the Vacant Building Credit policy. The Council will continue to liaise with the developer outside of the planning obligation process on the mix of housing to be provided on the site.

Another of the approved applications relates to residential development of up to 90 dwellings on land at the junction of Field Road and Blenheim Road, Ramsey. The application is for outline permission and includes access.

### **DEVELOPMENT MANAGEMENT – GODMANCHESTER**

The Development Management Panel has approved a scheme of improvement works to the A1198 in substitute for the scheme approved as part of the original grant of outline planning permission.

The Panel has further approved a Design Code (revision N) as a material consideration in the determination of future reserved matters applications for the development of land at Bearscroft Farm, Godmanchester.

### **DEVELOPMENT MANAGEMENT – SECTION 106 AGREEMENTS – LITTLE PAXTON**

The Development Management Panel has approved a change to the previously approved permission for development at Riversfield Mill, Mill Lane, Little Paxton. This application is CIL liable and will require a variation to the S106 Agreement

### **STATUTORY DISMISSAL PROCEDURES FOR HEADS OF PAID SERVICE, MONITORING OFFICERS AND THE RESPONSIBLE FINANCIAL OFFICER**

In conjunction with the Panels for Corporate Governance and Employment, the Standards Committee has been advised of changes to the statutory disciplinary and dismissal procedures that apply to holders of various statutory posts within the Council.

### **UPDATE ON CODE OF CONDUCT COMPLAINTS**

It has been reported to the Standards Committee that, in the last year, the Monitoring Officer has received 16 complaints under the Code of Conduct. Of these, 15 have progressed and one had been cancelled. Further details on the split between parish and district complaints will be provided to Members of the Committee.

### **REVIEW OF COUNCIL CONSTITUTION**

The Standards Committee has been update on progress of the review of the Council's Constitution. An external firm of Solicitors, Bevan Brittan, have been appointed to carry out the review. Their initial assessment has been reported to Members. A Member working group is to be established to oversee the process. It is likely that it will be concluded later this year.

### **REQUEST FOR DISPENSATION**

The Standards Committee has renewed a dispensation for Councillor Mrs P A Jordan. The dispensation will allow her, as an employee within the NHS, to speak and vote at meetings of the Overview and Scrutiny Panel (Social Well-Being) when business relating to the NHS arises. However, Councillor Mrs Jordan will not be able to participate in business that affects her own personal terms and conditions of employment and matters that impact on

her directly as an employee. The dispensation last until 30th April 2019.

