

Runnymede Borough Council  
CORPORATE MANAGEMENT COMMITTEE

Thursday, 6 May 2004, at 7.30 p.m.

in the Council Chamber

at the Civic Offices, Addlestone



Members of the Committee

Councillors R.K. Habgood (Chairman), N. Thewlis (Vice-Chairman), J.R. Furey, P.A. Greenwood, C.J. Norman, Mrs. E.E. Price, Ms. C.M. Simmons, P.B. Tuley, P.J. Waddell and G.B. Woodger

and all other Members for information

## **A G E N D A**

Notes:

- i) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- ii) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr. G. Marson, Administration and Leisure Department, Committee Section, Civic Offices, Station Road, Addlestone (Tel. Direct Line: 01932 425625). (Email: gary.marson@runnymede.gov.uk).**
- iii) Agendas and Minutes are available on a subscription basis. For details, please ring Mr. B.A. Fleckney on 01932 425620.
- iv) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

#### **Matters in respect of which reports have been made available for public inspection**

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### **PART II**

#### **Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.**

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- (No reports to be considered under this heading)

1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

2. MINUTES

To confirm and sign as a correct record the Minutes of the meeting of the Committee held on 1 April 2004, attached at Appendix 'A'.

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

5. REVIEW OF CONSTITUTION (DAL)

(Ref: Minutes of Planning Committee, 31 March 2004, page 1471, para 811)

1. Purpose of Report

1.1 **The purpose of this report is to consider the workings of the Council's Constitution and whether any modifications are needed for 2004/05.**

2. Background Information

2.1 Under Section 37 of the Local Government Act 2000 each Local Authority must prepare and keep up to date a written Constitution including its Standing Orders, its Code of Conduct for Members, such information as the Secretary of State may direct, and such other information as the authority considers appropriate.

2.2 Articles 1 and 14 of Runnymede's Constitution provide that the Council will review the Constitution every year on a report from the Monitoring Officer (the Director of Administration and Leisure).

2.3 Changes to the Constitution require the authority of full Council.

3. Report

3.1 Runnymede's Constitution is based on guidance provided by the Secretary of State, together with appropriate local modifications, and has operated without undue problems.

3.2 On 31 March the Planning Committee considered the operation of the provisions regarding public speaking at the Planning Committee and decided that:

i) the Corporate Management Committee be advised that the relevant Standing Orders should be amended in order to:

a) prohibit public speaking on applications for Certificates of Lawfulness; and

b) require applicants to register their intention to speak (either when the application is recommended for refusal or where objectors have registered to speak) before 19.15 hours on the day of the Committee meeting;

ii) the operation and effect of public speaking continue to be monitored and reviewed in March 2005.

3.3 In addition to considering the above recommendations, the Committee may wish to consider public speaking generally. Significant use of the right has been made at Planning Committee and it appears to be appreciated by local residents. However, at Council, so far limited use has been made of the public right to address the Council or to ask questions. When it first

introduced public speaking rights the Council indicated that it would in due course consider their extension to Committees other than Planning and Members are asked for a view on this point.

- 3.4 The Review Board has always specifically invited representations from interested parties on particular topics of review and given its particular role of evaluation of policy, and scrutiny of particular issues, without decision making powers, Officers suggest that whatever the decision as to other Committees, public speaking at the Review Board should continue to be by invitation. This is to avoid the danger of the Board losing focus on its work programme.
- 3.5 Officers will also be considering modifications to the Constitution in the following areas:
- i) amendments will be made where possible, particularly to Standing Orders, to improve comprehension;
  - ii) the value limits in Contract Standing Orders will be reviewed;
  - iii) recently approved documents governing the Council's procedures will be added, such as the Consultation Guidance Note. Officers may also propose adding explanatory documents such as those for Financial Regulations and Contract Standing Orders;
  - iv) limited amendments will be proposed for improvement or clarification of particular provisions. These will be listed when the document is put forward for approval;
  - v) Officers will consider the inclusion of a note on communication with news media. This would be to ensure that legal requirements were observed and sensible procedure was followed, rather than to provide any guidance on effective media relations, which is not within the remit of the Constitution;
  - vi) provision will be made for changes such as the constitution of the new Licensing Committee;
  - vii) attention will be paid to the Scheme of Delegation to try to avoid minor matters being referred to full Council, which occasionally happens.
- 3.6 Members are asked to identify at the meeting any additional matters which they would wish to be considered.

#### 4. Procedure for Approval

- 4.1 Officers hope that it will be possible to report the updated Constitution to the 3 June meeting of this Committee for recommendation to Annual Council, to come into effect at the beginning of the new Municipal Year. If there are particular issues which are outstanding at the date of the June Committee meeting, they will be the subject of consultation with the Chairman and Vice-Chairman, and the Leaders of the two Minority Political Groups.

#### **THE COMMITTEE IS ASKED -**

**to offer such comments and instructions as it sees fit to Officers on the recommendation of the Planning Committee, and on other matters regarding the Constitution, to be taken into account in the revisions to the Constitution for 2004/05.**

#### **(TO RESOLVE)**

#### Background Papers

None.

6. BEST VALUE PERFORMANCE INDICATORS 2004/05 - REVISIONS (CEO)

1. Purpose of Report

1.1 **The purpose of this report is to inform Members of the proposed changes to the Best Value Performance Indicators (BVPIs) for 2004/05.**

2. Background Information

2.1 The Government's Best Value regime is now in its fourth year of operation. For each of those years, every local authority in England and Wales has been required by legislation to collect and present a series of performance indicators.

2.2 This Committee has received a number of reports in the previous years highlighting the various additions, amendments or deletions to this set of BVPIs.

2.3 The Office of The Deputy Prime Minister (ODPM), other government departments, the Local Government Association, the Audit Commission and local authorities have been undertaking a detailed review of the Best Value regime. This review should have been completed by the end of 2003. However, this has not been possible for a number of reasons. Consequently, the revised set of Best Value Performance Indicators had been delayed.

2.4 On 30 March 2004 the ODPM wrote to the Chief Executives of local authorities in England and Wales detailing the latest position with regard to BVPIs. These changes take effect from 1 April 2004.

3. Report

3.1 There have been four deletions from the previous set of Performance Indicators for District Councils. These are:

- BV 107 – Planning cost per head of population.
- BV 188 – Number of planning decisions delegated to Officers as a percentage of all decisions.
- BV 78c – Percentage of housing benefit and Council Tax benefit renewal claims processed on time.
- BV 114 – Adoption of a local cultural strategy.

3.2 There have been four new Performance Indicators added for 2004/05. These are:

- BV 202 – The number of people sleeping rough on a single night within the area of the local authority.
- BV 203 – The percentage change in the average number of families, which include dependent children or a pregnant woman, placed in temporary accommodation under the homelessness legislation compared with the average from the previous year.
- BV 204 – Percentage of appeals allowed against the authority's decision to refuse planning applications.
- BV 205 – Quality of Service Checklist (regarding guidance and advice to applicants)

3.3 One Performance Indicator definition has been amended for 2004/05. This is:

- BV 82b – The definition has been amended to include waste that has been treated through a process of anaerobic digestion.

3.4 There have also been a number of changes to Best Value Performance Plans (BVPP). As Runnymede has been rated as 'Excellent' by the CPA, it no longer has to produce a BVPP as it has done in previous years. The only statutory requirement is to present the BVPIs each June along with a short statement on contracts. This has taken effect from 1 April 2004. The form of any revised publication for residents, businesses and partner organisations will be considered as part of the review of the Council's Communications Strategy.

4. Council Policy
- 4.1 The changes to BVPIs will affect some Service Plans across the organization and the revisions to the BVPP will have some impact on policy planning.
5. Resource Implications
- 5.1 There will be a £6,000 reduction (approximately) in printing costs for the BVPP if no additional costs are incurred in enhanced publication/material elsewhere.

**(FOR INFORMATION)**

Background Papers

None.

7. COMPREHENSIVE PERFORMANCE ASSESSMENT OUTCOME (CEO)  
(Ref: Minutes of Corporate Management Committee, October 2003, page 725, para 369)

1. Purpose of Report

- 1.1 **The purpose of this report is to detail the main findings of the Council's Comprehensive Performance Assessment (CPA).**

2. Background Information

- 2.1 The Local Government White Paper produced by the Government in 2001 outlined a process of Comprehensive Performance Assessment for all Councils in England. In 2002 all County and Unitary authorities were assessed using a framework developed and implemented by the Audit Commission.
- 2.2 In the spring of 2003 a pilot exercise was undertaken in the District Councils of West Sussex. Following this, a slightly different framework to that used in County and Unitary authorities was developed by the Audit Commission to assess District Councils.
- 2.3 The Corporate Management Committee has received a number of reports on the CPA over the past 18 months or so detailing Runnymede's preparations for the inspection process.
- 2.4 The cross-party Local Government Act Member Working Group has also been working on the Council's preparations for CPA during that time.
- 2.5 On 8 December 2003 a four person inspection team from the Audit Commission conducted a week long inspection of the Council. This included interviews/workshops with staff, Officers, Members, external partners and residents.

3. Report

- 3.1 Runnymede Borough Council's final report was published on Thursday 8 April 2004. Copies have been circulated to all Members and staff.
- 3.2 Seven other Surrey local authorities were also reported on this day. However, Surrey Heath, Epsom and Ewell, and Mole Valley appealed against their scores. This means that the publication of their results has been delayed.
- 3.3 Overall, Runnymede Borough Council was rated as 'Excellent', which is the highest judgement that can be awarded to a District Council. Below is a table of the strengths and weaknesses that formed the basis of the CPA team's judgements.

**Key: 1 – Weak 2 – Weaknesses outweigh strengths 3 – Strengths outweigh weaknesses 4 – Strong**

<b>Theme</b>	<b>Grade</b>	<b>Strengths</b>	<b>Weaknesses</b>
Ambition	2	<ul style="list-style-type: none"> <li>• High level aims</li> <li>• Organisation leadership</li> <li>• Community leadership</li> </ul>	<ul style="list-style-type: none"> <li>• Unclear basis for high level strategic objectives</li> <li>• Five corporate objectives do not drive service delivery</li> </ul>
Prioritisation	2	<ul style="list-style-type: none"> <li>• Understanding of local issues</li> <li>• Operational priorities well founded</li> </ul>	<ul style="list-style-type: none"> <li>• Strategic priorities are not clear</li> <li>• Not explicit about non-priorities</li> <li>• Communication of priorities is weak</li> </ul>
Focus	4	<ul style="list-style-type: none"> <li>• Leader's Statement</li> <li>• Determination to deliver results</li> <li>• Focused organisational mechanisms</li> <li>• Track record</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of long-term strategy</li> </ul>
Capacity	3	<ul style="list-style-type: none"> <li>• Managing human resources</li> <li>• Capable and enthusiastic staff</li> <li>• Staff and Councillor training</li> <li>• Financial capacity</li> <li>• Mixed economy of service provision</li> <li>• Working with partners</li> </ul>	<ul style="list-style-type: none"> <li>• Declining to work with the County Council Area Committee</li> <li>• Unclear scrutiny arrangements</li> <li>• Weak internal communication</li> <li>• Some inequalities in the workforce</li> </ul>
Performance management	3	<ul style="list-style-type: none"> <li>• Performance management arrangements</li> <li>• Performance monitoring</li> <li>• Financial Management</li> <li>• Project management</li> </ul>	<ul style="list-style-type: none"> <li>• Gaps in published service standards</li> <li>• Risk management</li> </ul>
Achievement in quality of service	4	<ul style="list-style-type: none"> <li>• Many Best Value performance indicators above average</li> <li>• Resident and customer satisfaction</li> <li>• Some positive external assessments</li> <li>• Delivering on issues of concern to local people</li> <li>• Delivering on national priorities</li> <li>• High quality improvements to the built environment</li> <li>• Delivering against partners aims</li> <li>• Ratio of Council Tax to spending</li> <li>• Providing community facilities</li> <li>• Economic use of resources</li> </ul>	<ul style="list-style-type: none"> <li>• Weak service performance in a few areas.</li> </ul>

Achievement of improvement	4	<ul style="list-style-type: none"> <li>Majority of BVPIs are improving</li> <li>Improving in areas of national priority</li> <li>Improving in cross-cutting areas</li> <li>Improving weaker performing services</li> </ul>	
Investment	4	<ul style="list-style-type: none"> <li>Consultation arrangements</li> <li>Use of new technology</li> <li>E-government</li> <li>Securing external funding</li> <li>Building community capacity</li> <li>Financial management</li> <li>Review of pay and grading</li> <li>Responsive to challenge</li> </ul>	<ul style="list-style-type: none"> <li>Inconsistent procurement practices</li> </ul>
Learning	3	<ul style="list-style-type: none"> <li>Learning from external assessments</li> <li>Learning from experience</li> <li>Using Best Value reviews and inspections</li> <li>Seeking best practices</li> <li>Comparing performance with others</li> </ul>	<ul style="list-style-type: none"> <li>Limited opportunities for learning across the organisation</li> </ul>
Future Plans	3	<ul style="list-style-type: none"> <li>Statutory plans</li> <li>Plans to improve weaker performing areas</li> <li>Plans to develop into new areas</li> <li>Involving partners in plans</li> <li>Plans to meet national and local priorities</li> <li>Plans to improve systems and processes</li> <li>Regular review of plans</li> </ul>	<ul style="list-style-type: none"> <li>Some strategies do not give a direction for the service</li> <li>Some key strategies underdeveloped</li> </ul>

- 3.4 Of the results published so far, Runnymede's weighted score of 52 ranks the Council as being the joint fourth best performing District Council in England.
- 3.5 The Council is currently developing a three year improvement plan in conjunction with the Audit Commission to address the weaknesses that were found during the CPA process. The Local Government Act Member Working Group will finalise the detail of this action plan before it is reported to the Corporate Management Committee in June 2004.
4. Council Policy
- 4.1 There will be a number of minor implications from the CPA which will be detailed in a report to the June committee.
- 4.2 "We will work to achieve a high rating in the Comprehensive Performance Assessment without compromising those services that we have delivered to residents beyond those required of authorities such as ours, such as CCTV and Day Centres" (Leader's Position Statement 2003-04)

- 4.3. "We will learn from and act upon the improvement plan that emanates from the Comprehensive Performance Assessment process, bringing about any necessary response at the earliest opportunity for the benefit of all within the Borough" (Leader's Position Statement 2004-05)
5. Resource Implications
- 5.1 There have been a number of 'freedoms and flexibilities' awarded to Councils that have been assessed as "Excellent". These include:
- Removal of all revenue ring fencing.
  - Removal of all ring fencing for capital resources.
  - Removal of all current plan requirements (apart from BVPPs and Community Strategies).
  - A 3 year inspection holiday.
  - Complete freedom over use of income from civil penalties.
  - Opportunity to take advantage of new powers to allow authorities to enter trading agreements.
  - Opportunity to take part in the Innovation Forum.
- 5.2 The CPA process itself has taken a great deal of Member and Officer time but most of this has been opportunity costs with other expenditure (e.g. printing) contained within existing estimate provisions. A revenue budget of £7,500 was approved for 2003/04 to meet consultancy and associated costs. The Peer Review conducted in July last year by SOLACE Enterprises cost £7,604 (£5,000 of which was met by an Audit Commission/ODPM grant contribution). Total net expenditure under this budget head stood at £4,257 on 31 March 2004.
- 5.3 The Audit Commission have announced that the fees for excellent district councils in the south-east would be £26,000 plus 0.0875% of gross expenditure, all of which is plus or minus 30% depending on the national and local risk profile for each Council. This means that the Council's fee will fall in the range of £44,300 to £82,300. The District Auditor has provisionally confirmed that they have in mind a figure in the middle of the range, i.e. £63,300. This compares with the budget of £97,700 (£16,000 for inspections and £81,700 for audit fees) and a potential saving of £34,400 is therefore possible.

**(FOR INFORMATION)**

Background Papers

Relevant papers on Chief Executive Officers CPA File

8. REVENUES AND BENEFITS SERVICES - BEST VALUE SCOPING AND CHALLENGE REPORT (DF)
1. **Purpose of Report**
- 1.1 **The purpose of this report is to review the objectives of the Revenues and Benefits Services, and consider the challenge phase of the Best Value Review.**
2. Introduction
- 2.1 This Committee needs to consider whether the services continue to meet the Council's aspirations, whether they need to be provided at all, and if so, in what form.
3. Report
- 3.1 Core information about the services is given in the boxes below in Section 1. The process and future phases are detailed in the following sections.

**Area Subject of Service Review**

**Revenues and Benefits**

**Lead Officer**

**Nigel Boyd – Assistant Director of Finance (Revenues)**

**Programme:**

Start Date	8 March 2004
Scoping and Challenge	Completed by 14 April 2004
First report to Corporate Management Committee	6 May 2004
Compare, Consult, Compete	7 May to 13 October 2004
Final report to Corporate Management Committee	4 November 2004

**Scale of Activity**

**Revenues and Benefits - 2004/05 Estimates**

Staffing cost	£865,700
Supplies and Services	£115,100
Communications and Computing	£307,200
Office accommodation	£102,000
Support services	£249,300
<b>Sub-total - administrative costs</b>	<b>£1,639,300</b>
Grant/Subsidy received	£565,100
Costs received	£32,000
<b>Sub-total - Government subsidies</b>	<b>£597,100</b>
<b>Net expenditure on administration</b>	<b>£1,042,200</b>

The staffing costs are for 33 full time equivalent staff

4. Process
- 4.1 This Service Review commenced on 8 March 2004 with a challenge workshop involving the Lead Officer, Mr Boyd, and others drawn from within the Finance and Housing Departments, Councillors and representatives from the Citizen's Advice Bureau and Surrey Heath Benefits service. (A full list of the attendees can be found in Appendix 'B').
- 4.2 It follows the format for Service Reviews and reporting arrangements to Members agreed by the Member Working Group and subsequently approved by the Policy and Resources Committee at its meeting on 3 February 2000. The structure of the review is broadly in a standard format reflecting the work carried out by external consultants and detailed in the copy of the Service Review Guide, supplied to all Members.
- 4.3 References to Members take place at the Challenge stage and once again following the completion of the other three stages, (Compare, Consult and Compete), where a Best Value Continuous Improvement Plan will be developed for Members' scrutiny and approval, through the Review process.

- 4.4 This is identified schematically in page 5 of the Service Review Guide. The Review and Continuous Improvement Plan will then be presented to this Committee.
5. Scoping and Challenge
- 5.1 The reports on the scoping and challenge associated with the service areas under review is attached at Appendix 'B'. Members are asked to consider carefully the various implications and satisfy themselves that there has been sufficient rigour in completing this phase of the Best Value process.
- 5.2 Officers will be present to answer questions on the papers, the view reached on the challenge stage and the arrangements for future phases, as well as any general questions or concerns as to the service areas under review.
6. Future Phases
- 6.1 The compare part of the process will involve taking relevant comparative service, quality and financial data and looking at similar service areas in other parts of the country. This will be achieved by comparing the Council's service with other Surrey Authorities, and will draw in part, on the findings of the Surrey Treasurers Benchmarking Group. In addition, data will be drawn from nationally published figures, where available, and other similar service providers (public or private), particularly where they are identified as appearing to provide a good quality service in the upper quartile of comparison.
- 6.2 As far as consultation is concerned, it is proposed to consult the following separate groups of stakeholders during June, July and August:-
- (i) Other Departments within the Council who use the facility
  - (ii) Current Users of the services
  - (iii) Tenant Services Group
  - iv) Citizens Advice Bureau
  - (v) Staff

**THE COMMITTEE IS ASKED TO -**

- i) review the objectives of the Revenues and Benefits Services to determine whether they continue to reflect the Council's aspirations for the provision of the services;**
- ii) endorse the proposal to examine the following matters further during the remaining stages of the review;**

**Council Tax and Business Rates**

- i) Should customers be offered more than one payment date?**
- ii) Are the current payment methods offered cost effective and in line with customer requirements?**
- iii) Is the provision of a free to customers Post Office service for Council Tax payments, which is currently funded by the Council, no longer necessary considering the increasing number of bank accounts resulting from State pensions and benefits now being paid by BACS?**
- iv) Should customers be offered early payment discounts?**
- v) Would cash flow be improved by sending reminders to defaulters including an instalment due within the next 7 days, e.g. instalment due for 1 April is unpaid and a reminder is sent on 25 April which includes a reminder for the instalment due on 1 May?**

- vi) **Would cash flow be improved if the Council reminded defaulters earlier than the current 25 day requirement on Council Tax and the 18 day requirement on business rates after their instalment due dates?**
- vii) **Does the level of summons and court costs charged for defaulting on payment cover the Council's costs of administration?**

**Benefits**

- i) **Has the Benefits Service completed its self-assessment against the DWP/BFI Performance Standards and produced an improvement plan?**
- ii) **Complaints are a good thing as they can highlight poor service or operational procedures. Are complaints about service or staff monitored and taken seriously enough for remedial action to be taken whenever required?**
- iii) **Is the system in the Civic Offices for customers to make written complaints adequate?**
- iv) **Benefits notifications of entitlement letters are long and complex, which makes them difficult for customers to understand. What can be done to make them more comprehensible?**
- v) **Are customers dealt with quickly and efficiently at the Benefits reception in the Civic Offices with a minimum of "hands offs"?**
- vi) **Is it possible for customers to apply for benefits over the telephone as they do for Pension Credit?**
- vii) **Retention of Benefits staff is difficult because of the high value placed upon their services by other local authorities. Should more staff be permitted to work from home to help with staff retention?**

**Questions raised common to the three services**

- i) **Will staff be consulted on the level and quality of service provided as part of the Consultation process of this Best Value review?**
- ii) **Increase the extent by which the sections' services can be accessed electronically, including the introduction of on-line forms.**
- iii) **Use benchmarking data to improve the quality of the services.**
- iv) **Review service levels and quality levels in the light of consultation.**
- iii) **endorse the means of consultation set out in paragraph 6.2 above as the prime source for the collection of customer satisfaction data for the consultation element of the Review;**
- iv) **endorse the use of the Surrey Treasurers Benchmarking Group and other countywide and national data as outlined in paragraph 6.1 above for the comparative element of the Review; and**
- v) **endorse the scope of this review and the challenge phase.**

**(TO RESOLVE)**

Background Papers

None.

9. IT HARDWARE REPLACEMENT PROVISION (CEO)

1. Purpose of Report

1.1 **The purpose of this report is to inform Members of a change in the timetable for replacing IT hardware and the funding implications thereof.**

2. Background Information

2.1 In order to ensure that the Council always has computer equipment that is fit for its purpose, the serviceability of older items is reviewed annually and items are systematically replaced where this is required.

3. Report

3.1 The period of time that elapses before the condition of equipment is reviewed and a decision made as to whether it is still adequate for its purpose and sufficiently reliable has, in the past, been 3 years for desktop computers, printers and monitors and 4 years for servers.

3.2 Increasing reliability of hardware has allowed the Council to extend the life of much of the equipment for at least one year and this has been reflected in underspends on the projected cost of replacements each year. It has been found that this longer life does not have a substantial effect on the delivery of the IT service as all items are covered by a maintenance agreement.

3.3 The longer potential life of hardware will now be recognised and a new timetable for review put in place. The life of all equipment will be extended to 5 years and each year the life of a further 20% of items will be further extended. As is the case at present, a review of the hardware scheduled for replacement will identify those items that can be retained.

4. Resource Implications

4.1 This new timetable for replacement of equipment will result in the capital expenditure over the next five years falling from an estimated £1.2m to £750,000.

4.2 The 2004/05 budget provides for a contribution of £205,000 from the General Fund to the Information Technology Replacement Reserve (see page 23 of the Budget Book), comprising £150,000 for the future replacement of hardware and £55,000 for the replacement of software.

4.3 Deferring the replacements and extending the lives of equipment will allow the annual revenue contribution to the IT Replacement Reserve to reduce by £100,000 per annum to £105,000.

5. Council Policy

5.1 This change contributes towards the Council's established savings target. Having achieved the present targeted savings by the year end, the Council has agreed to embark upon a further reduction in net revenue expenditure through targeted savings and income from capital receipts of at least £1m by the end of 2005/06.

5.2 "We will complete the current programme of reductions (£1m) in net revenue expenditure by the end of 2005/06" (Leader's Position Statement 2004/05).

6. Conclusion

- 6.1 It is possible to extend the life of equipment used by the Council without having an appreciable impact on its serviceability and thus on the services it is supporting. The changes about to be put in place will result in a saving to the Council of £100,000 per annum.

**(FOR INFORMATION)**

Background Papers

None stated.

10. CHILD PROTECTION POLICY (DAL)

(Ref: Minutes of Leisure Services Committee, January 1999, page 900, para. 611)

1. Purpose of Report

1.1 **The purpose of this report is to propose changes to the Council's current child protection policy and an action plan for implementing them.**

1.2 **The policy is being brought to the Corporate Management Committee as it has implications for all service areas.**

2. Background Information

2.1 The Council's child protection policy was agreed by the Leisure Services Committee in January 1999. Since then a number of national initiatives, events and local changes mean that the policy needs updating. These include:

- The Government's Green Paper: "Every Child Matters", which led to the publication of the Children Bill in March 2004.
- The Council's previous policy was focused on leisure, sport and recreation.
- In addition to the Officers in Leisure Services specified in the current policy, Officers from housing, benefits, Safer Runnymede and enforcement sections also come into contact with children and families who they might consider to be at risk.
- Surrey County Council's Social Services Department has been re-organised into Children's and Adult Services. The division responsible for investigating child protection cases is Children's Services.
- Introduction of the Criminal Records Bureau (CRB) (March 2002). This has been reflected in working guidelines, for the playschemes and Splash and in practice implemented by Personnel in undertaking police checks for relevant posts. However these matters of practice and implementation have not yet been incorporated in the policy.

3. Report

3.1 The County Council (as the Social Services authority) and Police Authority have statutory duties and powers in relation to child protection, as defined in the Children Act 1989. Primarily these are the duty under Section 17 (1) to:

- a) safeguard and promote the welfare of children within their area who are in need;
- b) provide a range and level of services appropriate to those children's needs.

and powers to :

- a) seek help from other authorities and professionals in other sectors if they believe it would assist them to perform their functions of providing services for children and families under Part III of the Act (Section 27)
  - b) make enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare. (Section 47 (1))
- 3.2 A number of other agencies, including Ofsted with whom the Council's playschemes are registered, have powers of inspection in order to ensure a good standard of childcare. Other agencies, and the general public, have a general duty of care to report concerns about child abuse to the investigating agencies.
  - 3.3 The Surrey Area Child Protection Committee (ACPC) has established procedures for dealing with child protection. This reflects the child protection structure nationally. The ACPC consists of representatives from health authorities, the voluntary sector, the armed forces and district authorities (represented by the Housing Officer from Tandridge District Council) in addition to the Police and Children's Services.
  - 3.4 All agencies in an area are expected to work within the ACPC procedures. The Surrey ACPC procedures were revised and re-launched in 2003. Borough Council functions of Housing and Leisure services are specifically mentioned, in relation to information sharing (prior to and during an investigation) and planning actions arising from a child protection investigation.
  - 3.5 The ACPC is not a statutory body. Under the Children Bill 2004 a Statutory Local Safeguarding Board will replace the ACPC. The purpose of the Board "is to co-ordinate and ensure the effectiveness of local arrangements and services to safeguard children." Its core partners are prescribed in the Bill as: local authorities (Social Services, under the Children Act definition), NHS bodies, the police, local probation boards, Connexions, local prisons, Young Offender Institutions, the Children and Family Court Advisory and Support Service and district councils "where relevant."
  - 3.6 The proposed policy (attached at Appendix 'C') is consistent with the new ACPC guidelines. The main changes from the previous policy (attached at Appendix 'D') are:
    - Clarification of where the Council's policy sits in relation to the ACPC procedures
    - Removal of actions relating specifically to leisure, sport and recreation, in favour of making this a policy document, relating to all sections of the Council
    - A proposal to nominate representatives from all departments to be trained, organise relevant awareness training for staff and be involved in a council-wide meeting to share information about child protection
    - Updates to the procedure to ensure it reflects current structures elsewhere (eg. the Criminal Records Bureau and Social Services), legislation and good practice.
  - 3.7 Members are also requested to consider whether they would undergo voluntary checks via the CRB. Members of at least one other Surrey authority do this in view of the contact it is possible for Members to have with families, children and vulnerable people. Should Members agree CRB checks for themselves, it is logical to provide in the policy that a Member who had not had such a check would be subject to the same restrictions as Officers who had not had one as regards Council events and formally organised activities.
4. Council Policy
    - 4.1 The Council's present child protection policy was approved by the Leisure Services Committee in January 1999 as referred above.
  5. Resource Implications
    - 5.1 The current policy nominates the Projects and Support Services Manager in the Leisure Services Division as the Council's Officer who will make referrals to the Social Services Assessment Team. This is not practical in a number of situations and therefore the proposed policy is that each department nominates a child protection co-ordinator, whose responsibility will be:

- To undertake the two-day multi-agency child protection training organised by the Surrey Area Child Protection Committee (and raise awareness of the procedures)
- To be responsible for arranging child protection awareness training for staff in their department who come into regular contact with children and families
- To be the contact within their department through whom referrals to Social Services (now the Children's Services assessment team) will be made
- To attend quarterly meetings to ensure that all co-ordinators are aware of any areas of concern.

This is not intended to be an onerous responsibility, but to ensure that the Council's processes in relation to child protection are consistent.

- 5.2 It is estimated that the annual cost of the revised policy in staff time and incidental expenses is approximately £6,200. This will largely be absorbed into existing posts, but may alter workload priorities.

## 6. Legal Implications

- 6.1 The statutory framework for child protection is set by the Children Act 1989. The Police Act 1997 established the Criminal Records Bureau and the grounds of disclosure were extended by the Protection of Children Act 1999.

- 6.2 The recent inquiry into events at Soham illustrated the need for a proper appreciation of the Human Rights Act and the Data Protection Act. Article 8.1 of the former states:

*"Everyone has the right to respect for his private and family life".*

The right is qualified by Article 8.2 that states:

*"There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."*

Article 3 states:

*"No one shall be subjected to torture or to inhuman or degrading treatment or punishment."*

- 6.3 Therefore, in some situations public authorities have a duty to prevent third parties from infringing other people's human rights; if a child is in real danger of serious mistreatment and Social Services fail to act to protect the child using their powers under section 47 of the Children Act 1989, they could be in breach of Article 3.
- 6.4 There is no specific duty for district authorities in the Children Act, but all public authorities have a duty to co-operate with the investigating authorities. Surrey Children's Services normally expects referrals from agencies to be made to them after the parents have been informed. However, Officers' contact with children and families is over a limited time. To date, therefore, Officers have not needed to do this, following discussion with the Social Services assessment team, on the basis that they do not have sufficient knowledge about whether or not a child is sufficiently at risk to make this assessment. Concerns have therefore been raised to Children's Services without informing parents in advance and have been taken up by the Assessment Team.
- 6.5 There are also issues surrounding the Data Protection Act 1998. Most of the data held by the Council about children is classified as personal data; much of it is also sensitive data (where health needs are declared, for instance). As with the Human Rights Act, crime prevention, detection and prosecution can permit processing of the data (which includes sharing information with other agencies or individuals), subject to a number of conditions.

6.6 The Council is a member of the Surrey Information Sharing Protocol and information about individuals involved in Child Protection cases will be shared in accordance with that protocol.

7. Unison Comments

7.1 The Runnymede branch of Unison has commented as follows:

"The safety and protection of children has to be paramount and this policy is undoubtedly necessary and one which must be adequately resourced. In order for this to be achieved, UNISON supports the Officers' Recommendation, but would like to emphasise that any staff who agree to take on this additional responsibility must be properly trained and supported."

**OFFICERS' RECOMMENDATION that -**

- i) the child protection policy as set out at Appendix 'C' be adopted;**
- ii) each department be instructed to establish guidelines relevant to their areas of work; and**
- iii) Members indicate the extent to which they feel they should be included in child protection awareness training and CRB checking.**

**(TO RECOMMEND)**

Background Papers

Publications - "Working Together to Safeguard Children"  
Surrey Area Child Protection Committee guidelines  
Explanatory Notes to the Protection of Children Act 1999  
Children and Young People's Unit – "Information Sharing to Improve Services for Children"  
Local Government Association briefing 234: "Children Bill and Every Child Matters: Next Steps" –  
March 2004

11. AUDIT CONSULTANCY (DF)

(Ref: Minutes of the Standards and Audit Committee, September 2003, page 647, para. 311 and February 2004, page 1276, para. 703).

1. Purpose of Report

1.1 **The purpose of this report is to request approval to using part of the Internal Audit budget to appoint consultants instead of recruiting a new member of staff to a vacant post.**

2. Background Information

2.1 The Internal Audit section in the Finance department comprises two audit posts reporting to the Chief Internal Auditor. This resource is supplemented by a consultancy budget of £7,500.

2.2 The Accounts and Audit Regulations 2003 (SI 2003 No. 533) place a statutory requirement on the Council to maintain an internal audit of its accounting records and of its system of internal control in accordance with proper internal audit practices. In September 2003 the Standards and Audit Committee approved terms of reference for the provision of the Council's internal audit services (Minute 311, page 647) and these are reproduced at Appendix "E".

2.3 Members have been kept informed of the staffing difficulties experienced in the Internal Audit section over the past two years. These have been twofold: prolonged absence as a result of long-term sickness and the inability to recruit and retain staff in the current marketplace. This has been reported in the last two Annual Personnel Reports and also in the regular reviews of Internal Audit reported to the Standards and Audit Committee. At the last meeting of the Standards and Audit Committee on 17 February 2004, it was reported that one of the audit posts was vacant and the other post was held by the third postholder in the last twelve

months. At the time of writing the report, that postholder was on long-term sickness absence following an accident.

2.4 In view of these staffing problems, the Committee was informed that it was proposed to put approximately half the section's workload out to external consultants and tenders had been invited.

2.5 In March, the auditor resigned so there are once again two vacancies in the section.

### 3. Report

3.1 Turnover in the Internal Audit section has generally been higher than other sections within the Finance Department for at least the last ten years because of the demand in the employment market for people to undertake this work. This applies to unqualified as well as qualified staff. It is clear from recent experience both in Runnymede and elsewhere that this situation will continue. In order to provide greater certainty and eliminate the risk of both audit posts falling vacant at the same time, a new approach is recommended. As reported to Standards and Audit Committee, this would involve giving more work to consultants, thereby splitting the work between internal and external provision under the Chief Internal Auditor. As a result, it is proposed to reduce the establishment by one post.

3.2 The advantages of this approach are

- the ability to draw on the larger audit resources of an external organisation;
- greater certainty of achieving the audit plan;
- the flexibility to call on additional resources if this is required;
- continued ownership of the service within the organisation;
- access to specialist skills e.g. computer auditors;
- use of existing standard audit briefs for routine audits (e.g. Benefits);
- ability to draw on experience of good practice in other organisations.

3.3 An alternative approach would be to place more work with consultants than the amount proposed. This could be achieved either by the Chief Internal Auditor providing the service with consultants and removing two posts from the establishment or by outsourcing the service in its entirety. The costs of all the options are similar and therefore the choice revolves around the preference for the way the service is delivered. Officers are keen to preserve an internal resource because it maintains the high profile achieved by audit over the years and there is also the added value of having access to internal expertise in situations where advice would otherwise have to be purchased.

3.4 A variation on these alternatives would be to consider some form of partnership with neighbouring Councils. However, this would only be feasible if the staff were to undertake most of the audits. The current position is that the management resources are available but the staff to undertake most of the audits are not. This would therefore not address the problem.

3.5 There is a well-developed market for internal audit services and tenders have been invited for providing 130 days audit work. There were responses from six firms and discussions were held with four of them at the beginning of April to clarify points in their tender submission. Their daily rates range from £225 to £242 for standard audit work and £370 to £385 for computer audits. One firm quoted a composite rate for all audits of £260 per day. At the time of writing this report, Officers are still evaluating the tenders.

3.6 The audit plan presented to the Standards and Audit Committee provided for 380 audit days, including 50 days for contingency and audit advice. The revised proposals will provide for 342 audit days, which will be sufficient to accomplish the plan if the number of days incurred on contingencies can be limited to 12 days. Unfortunately, there is a backlog of 75 days work from the 2003/04 audit plan because of the prolonged sickness in the section. It is proposed to undertake a further review of the audit plan once an appointment has been made to the remaining audit post to establish how much of the backlog can be accommodated within the available days in 2004/05.

- 3.7 The vacancy in the remaining audit post is unlikely to be filled before the beginning of July. In order to manage the workload in the meantime, it is proposed to buy in a further 40 days consultancy.
4. Resource Implications
- 4.1 The budget for internal audit in 2004/05 is £116,300. This forms part of the Financial Services budget (page 238 of the Budget Book).
- 4.2 In order to increase the number of days provided by consultants from 30 days to 130 days per annum, it is proposed to delete the post of Auditor (on scale C/D) and transfer the budget to consultancy. This will require a virement from employees to consultancy of £25,000.
- 4.3 Providing temporary cover for the remaining audit vacancy by using consultants will require an additional virement of £9,000. The total virement required is therefore £34,000.
5. Council Policy
- 5.1 The Leader's Position Paper includes a corporate standard of being "Committed to sound financial management, maximising flexibility and achieving value for money".
- 5.2 The Position Paper also states that the Council will "continue to work with adjacent boroughs to achieve better service delivery targets and to share best practice for the benefit of residents".
- 5.3 Financial Regulations authorise Chief Officers to make virements within revenue budgets without the need for Committee approval but virements which have spending implications for future years, or which involve a significant issue of principle, or a significant proportion of the original budget need the approval of Corporate Management Committee (Financial Regulations 2.12 and 2.15).
6. UNISON Consultation
- 6.1 The Runnymede branch of UNISON has commented as follows:-
- "UNISON'S preference is obviously for the provision of an Audit service to be kept in house and to be adequately resourced to enable this to happen. The Branch Committee recognises the problems which the Audit Section has faced with both the recruitment and retention of staff and would not want the proposal for the employment of consultancy staff to be utilised elsewhere in the organisation where recruitment and retention of staff is a problem and any market supplements and other benefits offered fail to secure replacement staff. Equally the Branch Committee would expect the post to be reinstated if and when the employment situation eases."

**OFFICERS' RECOMMENDATION that -**

- i) the post of Auditor be deleted from the establishment and the savings be used to fund the provision of audit consultancy; and**
- ii) a virement of £34,000 be approved within the Financial Services budget from salaries to consultancy.**

**(TO RESOLVE)**

Background Papers

None

12. LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY 2004/2005 (DAL)

1. The Annual Meeting of the Local Government Association (LGA) General Assembly will be held in Bournemouth on Tuesday 6 July 2004. Another meeting of the Assembly will be held on 15 December 2004. The Council is asked to nominate a representative for both meetings.

2. Runnymede is permitted one representative. Historically, this has always been the Leader of the Council. Observers (either Officers or Members) are also permitted to attend the Annual Meeting on 6 July but need to be appointed by the Council and the LGA informed officially. There is no charge for attendance.
3. The Leader of the Council will be attending the LGA Annual Conference and Exhibition, which is being held at the same venue from 6 - 9 July. The Chief Executive Officer will be attending on 7 - 8 July.

**OFFICERS' RECOMMENDATION that -**

- i) **the Leader of the Council be nominated as the Council's representative on the LGA General Assembly for 2004 - 2005; and**
- ii) **the Committee consider whether any observers should be appointed to the Annual Meeting on 6 July 2004.**

**(TO RESOLVE)**

Background Papers

LGA Alert 116/04

13. INFORMATION STRATEGY MEMBER WORKING GROUP - MINUTES

The Minutes of the meeting of the Information Strategy Member Working Group held on 4 March 2004 are attached at Appendix 'F'.

**(FOR INFORMATION)**

Background Papers

None.

14. COMMUNICATIONS STRATEGY MEMBER WORKING GROUP - MINUTES

The Minutes of the meeting of the Communications Strategy Member Working Group held on 17 March 2004 are attached at Appendix 'G'.

**(FOR INFORMATION)**

Background Papers

None.

15. EXCLUSION OF PRESS AND PUBLIC

**OFFICERS' RECOMMENDATION that -**

**the press and public be excluded from the meeting during discussion of the following report under Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in paragraphs 7, 8 and 9 of Part I of Schedule 12A of the Act.**

**(TO RESOLVE)**

**PART II**

**Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection**

**a) Exempt Information**

**Paras**

16. REVIEW OF STAFF TERMS AND CONDITIONS

7, 8 and 9

**b) Confidential Information**

(No reports to be considered under this heading)