

Runnymede Borough Council

CORPORATE MANAGEMENT COMMITTEE

Thursday 30 September 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, Mrs L.M. Gillham, P.A. Greenwood, C.J. Norman, Ms. C.M. Simmons, P.B. Tuley, P.J. Waddell and G.B. Woodger

## 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. J. Gurmin, Administration and Leisure Department, Committee Section, Civic Offices, Station Road, Addlestone (Tel. Direct Line: 01932 425624). (Email: john.gurmin@runnymede.gov.uk).**
- iii) Agendas and Minutes are available on a subscription basis. For details, please ring Mr. B.A. Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [www.runnymede.gov.uk](http://www.runnymede.gov.uk).
- 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**

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#### b) Confidential Information

(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 2 September 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. FINANCIAL FORECAST (COMT)

To consider the updated financial forecast covering the period up to the 2009/10 financial year and to recommend a target budget for 2005/06, as set out in the Financial Forecast at Appendix 'B' circulated separately with this Agenda.

**(TO RECOMMEND)**

Background Papers

None.

6. WEBSITE CONTENT MANAGEMENT SYSTEM (CEO)

(Ref: Minutes of Corporate Management Committee, November 2003, page 927, para. 444)

1. Purpose of Report

1.1 **To inform members of the results of the investigation into the most appropriate Content Management System (CMS) to satisfy the needs of the Council and to recommend the purchase and implementation of the system selected.**

2. Background Information

2.1 In November 2003 a meeting of this Committee recognised the need for a CMS and the benefits this would bring to the Council to assist in achieving its objectives identified. In particular the primary benefits fell into four areas, namely the ability of such software to:

- allow for the delegation of the responsibility for the day to day maintenance of information on the websites to end user sections
- self document changes being made to the sites and identify changes required to the information being held
- provide comprehensive search facilities to assist in the discovery of information in what will become very large repositories of data
- optimise the sites for access by the disabled

2.2 A more detailed analysis of the benefits to be obtained from the introduction of a CMS can be seen in Appendix 'C', CMS Business Case.

- 2.3 A further investigation to identify the most suitable product was approved along with the funding to conduct this exercise.
- 2.4 A proposal was put forward to the February 2004 Corporate Management Committee identifying suitable software and recommending the purchase of one of the systems investigated. The preparation for this report included a comprehensive review of the content management marketplace and all systems in use in organisations with a similar requirement to this Council. The report was considered by the Information Strategy Member Working Group but was withdrawn before being considered by the Corporate Management Committee as in the period of time between the report being circulated and the meeting being held, the company that supplied the Council's Corporate Document Management System (Tower Technologies) was taken over by one of the leading enterprise wide content management suppliers, Vignette. This company's software had been rejected on the grounds of cost and because it had no distinguishing integration advantage over other suppliers.
- 2.5 In view of Vignette's stated plan to fully integrate the Tower software into their content management solution it was thought appropriate to suspend this decision until the full implications and costs of a Vignette solution had been determined.
- 2.6 In the period of time since the previous report was produced, the way the Office of the Deputy Prime Minister (ODPM) is leading local authorities with regards to Implementing Electronic Government (IEG) has become clearer and more prescriptive. At the same time the grant made available to fund the implementation of eGovernment projects is greater than had been anticipated and as a result of its IEG3 submission the Council has been awarded £350,000 in 2004/05 and £150,000 in the following year in order to implement outcomes specified in detail in "Defining e-Government Outcomes for 2005" circulated by the ODPM. This paper is set out in Appendix 'D'.
- 2.7 The Outcomes document details 29 "required" outcomes, 8 of which could only be achieved by the introduction of a content management system. An analysis of these outcomes can be seen in Appendix 'E'. Failure to achieve these required outcomes gives the ODPM the option of recovering all or part of the grant distributed and would also have a serious impact on the Council's Best Value Performance Indicator scores (BVPI 157) and its rating compared with similar Councils.
- 2.8 While these additional requirements have increased the scope of the task to be performed by the content management system and thus the development work that would have to be undertaken, the underlying requirements remain unchanged. For that reason the earlier work carried out concluding that Microsoft Content Management Server (MCMS) was a viable route forward still applies. This product was therefore assessed along with the Vignette application and a newcomer to this marketplace, Macromedia.
3. Vignette vs Microsoft CMS vs Macromedia Web Publisher
- 3.1 The additional supplier, Macromedia, was considered as the software from this company is currently used to create the Council's websites and staff have been trained in this company's products.
- 3.2 The Macromedia product is the Macromedia Web Publishing System (MWPS). This is an enhancement to Studio MX2004 currently used by the Council. Studio has itself incorporated a number of applications, Dreamweaver MX2004, Flash MX2004, Fireworks MX2004 and ColdFusion MX 6.1, all used by the Council. It also makes use of an upgraded version of another Macromedia product, Contribute, which is now version 3. While the Macromedia products have the great advantage of building on skills already developed in-house, MWPS is very new, having only been announced on 19 July 2004. There are, therefore, no established sites using the application for full content management. To adopt this software in the timescales stipulated by the IEG funding would require the Council to be an early adopter and to carry out much of the design in-house. The licensing costs indicate that these are similar to those charged by Microsoft.
- 3.3 In light of the need to use a product that has an established usage in the local government arena, the Macromedia option was not pursued in detail. However, a trial copy was downloaded and used to manage a backup copy of the Council's Web site. This confirmed that the product appeared easy to use and could provide a number of the facilities that will be required to achieve Runnymede's IEG outcomes but at this stage it does not have the same

functionality as the Vignette and Microsoft solutions and would require the introduction of further software to meet all of the outcomes covered in the specification.

- 3.4 It is clear that in terms of functionality both remaining products can meet the aims of the Council in terms of the original criteria and the new more specific requirement put forward by the ODPM. Vignette and a Microsoft partner were approached to undertake a scoping exercise for an implementation that would deliver a product meeting all of these objectives. Both were able to do this using the products within the Vignette and Microsoft portfolios.
- 3.5 A major differentiator can be identified in the relative integration strengths when the two sets of products are compared. Vignette will be readily able to fully integrate with the Council's Corporate Document Management System (formerly Tower IDM). The company's product road map shows clear convergence of the existing Vignette product range and the acquired imaging system, already rebadged Vignette IDM. In addition, the version of the product that would be used, version 7, is highly scalable with sophisticated user interfaces and development potential. In particular the ability of the software to build web applications presented through "portlets" is attractive to an information provider such as the Council with many public interaction requirements.
- 3.6 The Microsoft product set combines readily with the other core technologies used by the Council. All servers use the Windows operating system. Active directory, fully integrated with Exchange 2003, is also fully implemented. The second release of Microsoft Content Management Server (MSCMS), when used with other Microsoft products, fits readily into this environment and would deliver a system meeting the Council's stated requirements.
- 3.7 The suppliers of both products have experience of implementing into the appropriate standards documented in eGif specifications, APLAWS reports and standards for accessibility. Furthermore, these are clearly documented and will form part of the contracted specification.
- 3.8 On the question of each company's commitment to the products, the situation is confused. Vignette clearly have a major commitment to their content management software as this is their core product. However, the future direction for the imaging system in its present form is less predictable. For Microsoft, content management is one of a number of products that has received recent investment and it is integrated with their other core products. However, this software in itself is not a core Microsoft product.
- 3.9 When comparing the relative cost of the two products, both sets of licences will cost approximately the same. Licences for scoping either product would be purchased directly from the manufacturer using existing supply contracts. Scoping the configuration and implementation that would be put out to tender to each company's supply channel shows that both will require a similar budget.
- 3.10 In order to achieve the ODPM outcomes identified using the Microsoft product set, licences will be required to be purchased for Microsoft products in addition to MSCMS, namely Biztalk, Sharepoint and Commerce Server. These products would also provide the additional functionality that will be required when the Council moves forward. With Vignette the Application Portal (VAP) and Application Builder (VAB) contain the functionality that will allow future development, without the need for further licences. The roadmap for Vignette products indicates that the content management and document management solutions will be converging in the next 12 months, giving the Council's Intranet and Internet sites ready access to the information stored within the imaging and workflow applications. Achieving the same end by interfacing the Microsoft product set will be more costly and complex.
- 3.11 As the objective of this first phase of IEG investment is to put in place a robust infrastructure that can be readily developed without recurring substantial additional investment, as the Councils' requirements develop from a licensing point of view, the cost should be viewed as a neutral factor. As both products can achieve the initial IEG targets the differentiator becomes the potential to achieve the Council's longer term objectives. In view of Vignette's greater scalability it is recommended that this product provides the route that should be pursued.

4. Council Policy

IT Strategy

- 4.1 The present IT Strategy favours the adoption of packaged solutions with support provided primarily by the original supplier. The strategy also favours solutions that have been proven to be effective, although not necessarily in a public sector environment.

Communications Strategy

- 4.2 One of the findings of the initial work carried out on the Communications Strategy is the need for the Council to establish a corporate identity in all its forms of publication. Adoption of CMS will enable this to be achieved more readily through the use of templates that can be readily modified as required.

5. Resource Implications

- 5.1 As indicated above, the amount of content in the Web sites is increasing rapidly and it is anticipated that this will continue for the foreseeable future. The adoption of the CMS solution will allow the activities of staff in all parts of the organisation to be refocused. In user departments, volatile information will be updated directly by staff closest to the data. In the Web team the three part time members of staff (one and a half full time equivalent) will require a degree of retraining to carry on development, administration and support of the sites. The team will refocus on making the sites facilitate realisation of the targets in the Councils IEG programme, specifically making the sites fully interactive with comprehensive on-line forms, providing access for Runnymede residents to personal information through the Web site such as financial balances or order tracking, rolling out new access channels such as kiosks, digital TV etc, delivering information through interactive maps and rolling out personalised Web sites.
- 5.2 Staffing costs will therefore be neutral, but will accommodate the year on year increase in site content, anticipated to be at least 60%, and the creation of new facilities within the sites.
- 5.3 Additional hardware will be required so that a reorganisation can make available a database server for the SQL server back end.
- 5.4 The total costs of this project are shown in Exempt Appendix '1'.

6. Legal Implications

- 6.1 There are no legal implications in the adoption of this software. The current Data Protection Act 1998 registration will cover the personal information held within this system.

**OFFICERS' RECOMMENDATION that -**

- i) capital programme provision and a capital estimate of £211,120 be made for the supply and installation of a Content Management System;**
- ii) the Council purchase Vignette Portal and Application Builder licences for use on the Councils Web site and intranets and install, configure and implement Web and Intranet sites in order to assist in achieving Implementing Electronic Government (IEG) and Best Value Performance Indicator (BVPI) 157 targets;**
- iii) the associated licences and installation be purchased for the sums set out in Exempt Appendix '1';**
- iv) suitable hardware be purchased to facilitate the implementation at a sum not exceeding £10,000;**
- v) the capital expenditure be financed from the IEG3 grant received from the Government; and**

- vi) a supplementary revenue estimate of £67,481 be approved, in respect of the annual support costs and capital charges.**

**(TO RECOMMEND)**

Background Papers

None stated.

7. TELEFORM UPGRADE TO IMPLEMENT IEG (CEO)

1. Purpose of Report

1.1 **To inform Members of the requirement to upgrade the existing Verity (formerly Cardiff) Teleform software**

2. Background Information

2.1 For approximately 3 years, Runnymede Borough Council has used Verity (previously Cardiff) Teleform software for the registration of data from questionnaires and forms. This software has provided the Council with the mechanism to poll customer opinions and provides a valuable step in providing a 'closed-loop' process.

2.2 The software enables users to design forms and questionnaires, import them (if the results are hardcopy rather than electronic) and verify the results (if required).

2.3 The software has been used successfully in a number of processes, including

- Comprehensive Performance Assessment (CPA)
- Best Value Surveys
- Single Occupancy Discount forms

2.4 The benefits for Runnymede Borough Council include

- Reduction of the amount of manual processes including data checking and data collection, as well as distribution and paper handling
- Increased accuracy and speed of data collection
- Support for the E-Strategy

2.5 Together with the Document Management System (DMS) and the workflow capability, Teleform is yet to be further exploited to fulfil Best Value Performance Indicators and IEG targets.

2.6 Verity is central to the success of the following processes which are under investigation:-

- Safer Runnymede (Q4 2004)
- The Local Development Framework (Q3 2004)

3. Report

3.1 Recently an upgrade to Teleform has been announced. The version is Teleform Release 9.2. Runnymede Borough Council currently runs on 8.1.1.

3.2 As the current maintenance contract stands (paid at 18% licence price), maintenance and software support are covered, though there is no provision for upgrades of the Teleform software. Therefore, when new versions of Teleform are released, the Council is obliged to renew the entire licence contract.

3.3 Risks of not upgrading include support being stopped for Version 8 under the Council's current maintenance terms of agreement. Verity has a policy of supporting the current and one previous version of the software only.

3.4 Therefore it is proposed to upgrade installation of Verity Teleform software to the current available version, 9.2.

3.5 The Information Strategy Member Working Group have considered this proposal and have agreed with the course of action suggested in this report.

4. Council Policy

4.1 This proposal conforms to all Council policies.

5. Resource Implications

5.1 The proposed course of action includes upgrading the software to Version 9.2. A 75% discount on list price has been negotiated-

- 1 x Teleform Workgroup v9 upgrade = £4,000
- 3 x Teleform Additional Designer upgrade = £4,600
- 3 x Teleform Additional Verifier upgrade = £4,600
- 1 x Teleform Eforms upgrade = £1,350

Total software upgrade= £14,550

5.2 As this software is essential to the achievement of IEG objectives, it is appropriate that it be funded from the IEG allocation received from the Office of the Deputy Prime Minister (OPDM).

5.3 It is also proposed that the annual maintenance is upgraded from the present licensing regime (18% per annum) to a full 'perpetual licence' (20% per annum) and includes version protection. In addition to this:

- Implementation costs are included
- No additional staffing costs are required
- No additional software or software upgrade is required at present to support this proposal
- No additional hardware or hardware upgrade is required at present to support this proposal

5.4 Additional maintenance costs associated with this upgrade are based upon 20% of the software cost. Therefore, a supplementary revenue estimate will be required in the sum of £2,900. In addition to this, the upgrade will produce additional annual capital charges of £3,400.

5.5 In order to use Teleform effectively, staff require a minimum of one day of training. While this can be readily accomplished, experience has shown that if the software is not used on a regular basis then the person trained loses the skill gained and the first form designed after a break takes a considerable time to complete.

5.6 It is therefore proposed that for the next 12 months all forms are designed by a small group of skilled staff who will be able to "keep their hand in". Payment will be accomplished by internally charging survey budgets for the work carried on a marginal cost basis.

6. Legal Implications

6.1 There are no legal implications in the adoption of this software. The current Data Protection Act 1998 registration will cover the personal information held within this system.

**OFFICERS' RECOMMENDATION that -**

- i) the Council purchase, configure and install the Teleform upgrade at a total cost of £14,550;**

- ii) **as this solution is required for implementation of the IEG statement the capital and installation cost be funded from the £500,000 IEG3 grant received from the ODPM;**
- iii) **the Council purchase the upgrade to a version-protected licence;**
- iv) **a supplementary revenue estimate in the sum of £6,300 be approved to cover the additional maintenance and on-going capital charges, to be met from existing provision; and**
- v) **the design of forms and surveys using Teleform be carried out principally by a small group of staff who will be able to make the most effective use of the software.**

**(TO RESOLVE)**

Background Papers

None

8. PROCUREMENT FITNESS CHECK (DF)

1. Purpose of Report

- 1.1 **To inform the Committee that the Improvement and Development Agency (IDeA) will be undertaking a fitness check of the Council's procurement activities on 20 and 21 October 2004.**

2. Background Information

- 2.1 IDeA is a company wholly owned by the Local Government Association. It is funded mainly from Government grant but is accountable to local government through its board of directors. Its purpose is to stimulate improvement within the local government community and details of its organisation and activities can be viewed on their website at <http://www.idea.gov.uk/>.
- 2.2 The Committee approved a revised Procurement Strategy at its last meeting on 27 July 2004.

3. Report

- 3.1 One of the services available from the IDeA is a procurement fitness check. This involves an analysis of the Council's policies and procedures together with interviews with Members and Officers. The exercise will be conducted in a similar way to last year's Comprehensive Performance Assessment inspection, whereby their team will be on-site for two days but will also conduct some of their research as a desk top exercise using material already provided by Officers.
- 3.2 Every district council is expected to carry out a health check on progress against the national procurement strategy by 2006 and the IDeA procurement fitness check satisfies this need. During the exercise the IDeA will benchmark the Council's performance against the national strategy and recommend actions to improve the Council's procurement activities.
- 3.3 The dates that have been arranged for the health check are 20 and 21 October 2004. The programme for the two days is as follows:-
  - 1 hour meetings separately with: Leader of Council, Member(s) with procurement responsibilities, Chairman of the Review Board, Chief Executive Officer, Officers responsible for procurement, Head of Law, Director of Finance;
  - 1 hour workshop with Members (as many as possible and representing a cross section);
  - 1½ hour workshop with senior officers (Heads of Service).

**(FOR INFORMATION)**

Background Papers

None.

9. REVIEW OF STAFF TERMS AND CONDITIONS (CEO)

(Ref: Minutes of Corporate Management Committee, May 2004, page 1532, para. 879)

1. **Purpose of Report**

1.1 **The purpose of this report is to update Members on progress regarding the introduction of a formal Job Evaluation Scheme in the Authority.**

2. Background Information

- 2.1 At the meeting of the Corporate Management Committee in September 2003, Members considered a report recommending the introduction of a job sizing/ranking system combined with data base salary comparisons/market supplements in order to address concerns raised at an earlier grading appeal considered by the Standards Committee and to address equal pay issues.
- 2.2 Members decided that it was their wish to appoint a consultant to undertake a more comprehensive review including, inter alia, the introduction of a formal Job Evaluation Scheme.
- 2.3 Following a tendering exercise Tribal GWT HR Consulting were appointed.
- 2.4 A considerable amount of work was undertaken by Tribal, Officers and Unison in the development of an in-house Job Evaluation Scheme. The original thinking behind this approach was that a simpler and more relevant solution would emerge rather than using an "off the peg" solution.
- 2.5 Of necessity in order to meet Equal Opportunities Commission (EOC) requirements and to ensure transparency and robustness, the scheme that was beginning to emerge was somewhat more complex than had been envisaged originally. It had become apparent that the original concept of designing a "simple" Job Evaluation Scheme that met EOC and operational requirements was not achievable. A decision needed to be made between continuing to develop the in-house scheme or to abandon that approach and purchase a suitable ready-made tried and tested product. Whilst ownership and control of a tailor-made approach would be lost, it was the Officers' view that the second of these options would be the pragmatic approach.
- 2.6 In reviewing potential suitable products, Officers had come to the view that the scheme produced by the Greater London Provincial Council (GLPC) would be suitable for use in Runnymede.
- 2.7 Members decided that the GLPC Job Evaluation Scheme offered the more satisfactory solution for the Authority and the services of Tribal Consulting were terminated.
- 2.8 Following a meeting of the cross party Member Working Group in May 2004, arrangements were made for presentations to be made to staff and Members by the GLPC and for appropriate Management, Unison and Personnel representatives to be trained as evaluators in the scheme.
- 2.9 Once trained, panels of three, comprising a Management, Unison and Personnel representative, worked in tandem during July, August and September 2004 undertaking trial evaluations of a 10% sample of jobs across the Authority in order to establish whether or not the GLPC Scheme was in fact suitable for use in Runnymede and to ascertain a measure of resource implications for the Authority if the scheme were to be implemented in full across the Authority.
- 2.10 This report summarises the findings following the trial evaluations.

### 3. Report

- 3.1 A random sample of 51 staff were invited to participate in the trial. This was a higher number than was needed in order to achieve a 10% sample of job types (35) as it was recognised that because of the amount of work involved, a number of invited staff might not want to participate. In the event 37 staff participated in the trial, of which the panels evaluated 28. It is considered that the sample used in the exercise yielded a representative indication of the implications for the Authority if the scheme were to be introduced.
- 3.2 It was essential that the individual details and findings from the trial remained confidential and therefore the results appear in summary form only.
- 3.3 The exercise proved to be much more labour intensive than had been envisaged originally. It involved individual staff together with their Managers completing and agreeing a questionnaire that provided evidence for the evaluation panels to use in undertaking the evaluations. The questionnaires were reported as generally taking between two to four hours each to complete.
- 3.4 Once completed, the questionnaire (often running in excess of 20 pages) together with job descriptions and organisation charts were passed to the panels for evaluation. Each evaluation took on average one hour to undertake.
- 3.5 The exercise, if it was to be rolled out to the whole Authority, would take in excess of 1,000 staff hours for evaluations and up to 1,500 staff hours for completion of the questionnaires.
- 3.6 The quality of information contained in the questionnaires varied considerably. This was due partly to the complexity of the questionnaire and the varying abilities of staff in its completion. It is evident that the collection of data needs to be undertaken in a different manner in order to provide greater consistency of approach, better data for the evaluators and reduction of time for staff and their Managers.
- 3.7 It is proposed that the services of a trained job analyst be used in future to interview staff and Managers and to prepare reports for use by the panels. Specific recommendations will be brought forward in due course.
- 3.8 With two panels working in tandem on each evaluation, a high degree of correlation was achieved for the rating of each factor. However, considerable debate often ensued about the interpretation of particular factor levels and how they should be applied in specific circumstances. Conventions have begun to develop that will attempt to ensure an even greater consistency of approach and interpretation.
- 3.9 The posts evaluated covered a wide range of job types from Cleaner to Director. Each job in the sample was evaluated using the GLPC 11 Factor Scheme culminating in a final points score for each post.
- 3.10 Following the trial evaluations the scores were then matched against a points grading schedule (based on the GLPC model) that identified the appropriate salary range for the post. An unexpectedly high number of jobs were found to fall outside the existing salary ranges. This was a surprising result as from regular independent salary surveys and benchmarking exercises Runnymede salaries were generally found to be within the market range. The GLPC have undertaken a sample quality check on the trial evaluations and have suggested that the panels were unduly harsh in their approach. One reason for this might be the difference in scale and individual staff duties and responsibilities between London Boroughs and smaller Districts such as Runnymede.
- 3.11 Consequently, further work needs to be undertaken in association with the GLPC in order to ensure that the panels are applying the scheme appropriately before it can be recommended for rolling out throughout the authority. This further work is essential to ensure credibility and confidence in the application of the scheme locally.
- 3.12 Whilst adopting this approach will inevitably result in some slippage in timescale, Officers believe that a delay in implementation will be worthwhile if the resultant scheme is credible and robust.

### 4. UNISON Views

4.1 The views of UNISON are set out below:-

"The Job Evaluation pilot was an extremely worthwhile exercise and it is encouraging to hear that the GLPC has given useful feedback from which lessons can be learnt. UNISON is content with the slippage in the timescale to implement the scheme across the authority as this gives the Council an opportunity now to recruit and train more evaluators and develop the scheme's criteria and conventions from which they will work in order to ensure confidence in its application at Runnymede and account for the issues peculiar to a small authority such as ours.

UNISON would hope that the Member Working Group would wish to have an active involvement in the scheme as it progresses."

**(FOR INFORMATION)**

Background Papers

None

10. CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES - CONSULTATION (CEO)

1. Purpose of Report

1.1 **To seek Members' views on a response to an Office of the Deputy Prime Minister (ODPM) consultation paper.**

2. Background Information

2.1 The Local Government Act 2000 promised to local government a Code of Conduct for its employees.

2.2 The ODPM launched a proposed Code on 19 August 2004. It is inviting comments by 19 November 2004. It is asking 16 questions.

2.3 The effect of the Act (S.82) would be to make the Code a part of each Council's Standing Orders, and to incorporate the Code into the Council's employees terms and conditions. Breach of the Code would then be misconduct. This Code, alongside the Elected Members' Code, would, the ODPM says, give local government "*a common core of fundamental values that should underpin standards of conduct in local government*".

2.4 The Code would apply to all local authorities, including parish and town Councils, and to police authorities. The Code would not apply to Teachers and Firefighters (who have Codes already) nor to Community Support Officers. It would apply to police civilian employees. The ODPM is asking whether it should apply to school support staff.

2.5 The Code itself is a short document and is set out at Appendix 'F'. It builds upon the experience of local authorities, touching the matters included in most of their own Codes, and echoing the Seven Standards promulgated by Lord Nolan's Committee on Standards in Public Life in 1995.

2.6 The Code could be added to by a local authority. Many local authorities will already have in place their own locally devised Codes of Conduct. These may have been built around the voluntary Code produced by the Employers' Organisation in consultation with UNISON in 1994. There is no new material in this proposal from the ODPM. Nor is it new to have such a Code carried into the terms and conditions of individual employees' Contracts of Employment.

2.7 Detail on the proposal is at [www.odpm.gov.uk](http://www.odpm.gov.uk) - follow Local Government/Consultation Papers.

3. Report

- 3.1 Albeit somewhat belated in its arrival, the national Code is welcomed. This will provide a common standard across the country, giving consistency.
- 3.2 Most local authorities will need to add detail to the proposed Code. This is because the Code as drafted does not give sufficiently detailed guidance. Runnymede in common with most Councils, already has a Code of Conduct in place, with the rules thought to be required locally. This is reproduced at Appendix 'G'. This has served the authority well over the years and will not be easily or quickly abandoned, particularly as there are elements in the local code that are not covered in the national proposal. The ODPM needs more overtly to leave room for local additions, given the brevity of its own proposal. The national voluntary Code supplies examples, but even that has often been judged to require local explanation and enhancement.
- 3.3 In terms of the actual effect the Code will have, when compared with the more comprehensive local Codes that currently apply, there could be an argument that it would be better to keep the national code as wide and simple as possible, leaving individual authorities to fill in the detail.
- 3.4 In answer to the specific questions ODPM have asked, the following responses are recommended:

*Q.1 - Is the Government right to exclude Teachers, Firefighters and Community Support Officers?*

All local government employees should be covered by the one Code, albeit there will be a need to supplement this as necessary by individual groups or employers.

*Q.2 - Are there other categories of staff who should not be subject to the employees' Code, for example school support staff? If so, which categories, and why should they be excluded?*

Beyond those identified in the consultation paper, there does not appear to us to be any other group to whom this Code should not apply.

*Q.3 - Do you agree that Council Managers should be subject to the same Code as other employees?*

Our view is that the Council Manager should remain an employee. He or she is not an Elected Member. The Council Manager should be subject to the Code. There does not appear from the proposed text to be any argument to the contrary suggesting that this would be inappropriate.

*Q.4 - Should different rules, or a separate Code, apply to political assistants?*

Our view is that the political assistant should also remain an employee. He or she is not an Elected Member. He or she should be subject to the Code. There could perhaps be an exemption from Paragraph 2 and Paragraph 5 of the proposal, as in the national voluntary Code.

*Q.5 - Are the provisions relating to the use of public funds and property adequate to ensure effective stewardship of resources?*

These provisions are brief. They could be expanded. There is no reference to :

- Value-for-money (the national voluntary Code specifies gaining value-for-money as a duty).
- Loans (some Councils outlaw employees becoming security for loans).

It is difficult to understand how a Council can ever "properly authorise" the use of its "property or facilities" for an employee's personal use.

*Q.6 - Is it appropriate for the Code to impact upon an employee's private life or should it only apply to an employee at work?*

The issue is the public's perception of the integrity of the Council. Employees of local government have to accept that in working in the public sector they agree also that they do

nothing to bring the Council into disrepute. The public need to be assured that public duties are not subordinated to private interests, and that conflicts between private life and duty do not arise.

*Q.7 - As with the Members' Code, should there be a standard list of interests and/or hospitality/benefits/gifts that must always be registered?*

Yes. Most local authorities already operate such an arrangement. In fact, sometimes depending upon their value, many absolutely forbid the receipt of hospitality, benefits and gifts.

*Q.8 - If so, what should the list contain? Should it mirror part 3 of the Councillors Code or be restricted to financial interests?*

It should not be restricted to financial interests. The provisions of the voluntary national Code are helpful.

*Q.9 - Should such a list be available to the public?*

This is not required. It should, however, be available to Elected Members.

*Q.10 - Alternatively, could the need for a list be restricted to Officers above a certain salary, as applies, for example, to the current political restriction regime?*

No. These considerations apply to all the Council's staff. For example, the integrity of the administration around an individual citizen's Housing Benefit claim can be as key to a Council's reputation locally, as the method whereby a major planning decision is made.

*Q.11 - Should this provision be explicitly limited to interests, gifts, etc., that may have a bearing on the way in which the functions of the authority are discharged by the employee?*

No. How could we then make such a provision work? Local authorities are corporate bodies, and integrated working would make it difficult to be certain that any gift had no bearing upon a Council's outcome or product. A blanket prohibition is essential.

*Q.12 - Does the proposal on the reporting of misconduct provide suitable protection for employees?*

The Code cannot provide for every eventuality. Some things must be left for local decision. A reference to appropriate and relevant statutory protections might enhance the effectiveness of this section.

*Q.13 - Should the Code impose a duty on employees to report misconduct?*

The Code cannot comprehensively define "misconduct". It would be good to see greater thought given to the organisational power given to senior staff, and their misuse of it. A reference to the misconduct which is bullying behaviour would be welcome.

*Q.14 - Is "friend" the appropriate term to use in the draft Code? If so, should it be defined, and what should the definition be?*

Friend is the right word. Beyond the dictionary definition, nothing further is required. The good sense of local government's decision making can supply a definition where one is required.

*Q.15 - Does the phrase "relative or friend" as defined above adequately cover all the relationships with which this part of the Code should be concerned?*

Yes.

*Q.16 - Do you have any comments on what arrangements might be appropriate for ensuring employees are informed about the code?*

Yes. The adoption of the Code would be a significant change to terms and conditions. The relationship of it to any local Codes would need to be explained. It would seem appropriate

to ensure that it is (a) overtly written into every future employee's terms and conditions, and (b) specifically drawn to the attention of every current employee that the Code applies to them. The use of e-mail will reduce the cost of such an exercise, but the final Regulations should require that the attention of every local government employee is drawn to the new Code. The ODPM then needs to be aware, in allocating grant, that it has given local government another task.

4. Consultation

4.1 Public sector Trade Unions are being consulted nationally on this paper

**OFFICERS' RECOMMENDATION that -**

**the responses set out in the report above be submitted to the ODPM.**

**(TO RESOLVE)**

Background Papers

ODPM Consultation Paper – a model code of conduct for local government employees

11. POLITICALLY RESTRICTED POSTS – CONSULTATION (CEO)

1. Purpose of Report

1.1 **To seek Members' views on a response to an Office of the Deputy Prime Minister (ODPM) consultation paper.**

2. Background Information

2.1 The ODPM is asking for views as to whether change is required to the regulatory regime governing the political activities of local government employees. The ODPM is asking for any response by 19 November.

2.2 In a consultation document published on 19 August, the Government has launched a discussion around the operation of the current rules. Details are at [www.odpm.gov.uk](http://www.odpm.gov.uk) - follow Local Government/Consultation Papers.

2.3 S.2 of the Local Government and Housing Act 1989 identifies certain posts on a Council's staff that are "*politically restricted*". These Politically Restricted Posts (PoRPs) are : the Chief Executive, any Chief Officer, any Deputy Chief Officer, the Monitoring Officer, any Officer identified by the employing Council as required by his/her job to give advice to the Council regularly, or to speak regularly to journalists or broadcasters, or any Officer who is paid at spinal column point 44 (currently £33,009 per annum) or above.

2.4 The Local Government Officers (Political Restrictions) Regulations 1990 then define how the people in these posts are restricted. He or she cannot be a candidate for election as an MP, or MEP, or a Member of a local authority, or be an election agent, or an officer of a political party, or canvass, or speak to the public or publish written or artistic work with the apparent intention of affecting support for a political party.

2.5 Employees not "caught" by these restrictions can be active politically. The Local Government Act 1972 prevents them being elected Members of their employer. Under the Employment Rights Act 1996, (although it does not specify the amount, nor that it should be paid) these employees have a right to time off if they are a Member of a local authority. S.10 of the Local Government and Housing Act 1989 had restricted this time off to 208 hours of paid leave per year. (This is not a political donation. (Political Parties, Elections and Referendums Act 2000, as amended by the Local Government Act 2003)). There may now be some issues arising from cross-boundary working.

2.6 Also politically restricted are posts of Political Assistant. The 1989 Act allows a Council to create up to three such Posts. An elected Mayor can also have such an Assistant. In their case, the restrictions as to speaking and publishing are different, allowing them to speak and publish to affect support for a political party, but preventing them speaking or publishing as

an authorised representative of a political party. The maximum salaries of such posts are fixed by Regulation, currently at £25,004 per annum. There are no such posts in Runnymede.

- 2.7 The European Court of Justice in 1998 received a challenge that the 1990 Regulations detracted from the human rights of local government employees. It did not agree.
- 2.8 The ODPM say that the Government is committed to the principle that *"at all levels throughout the local government sector, employees should be appointed on merit and impartially serve all members of their Council"*. However, while the Local Government Act 2000 was making its way through Parliament, ministers reportedly undertook to review the above provisions. As a result, the ODPM is asking a series of questions as to how this regime should be altered.
- 2.9 The ODPM is also discussing the role of the Independent Adjudicator, currently located in the ODPM. His/her role is primarily to determine applications from local authority employees for exemption from political restriction for their posts. There are in a typical year 23 disputes nationally, which are submitted to the Adjudicator for decision. (There is no room in the law for the Adjudicator to exercise any discretions).

### 3. Report

- 3.1 In Runnymede, it is not frequently the case that issues have arisen or are arising around the application of these rules. When introduced in 1989 they were seen as a statement of a position that was well understood as the framework within which a local government employee operated. The position was accepted at that time by the great majority of the Council's staff. Officers are not aware of this ceasing to be the case. Currently 64 posts are identified as being Politically Restricted.
- 3.2 As employers, and as local government elected Members, this Committee may agree that the Regulatory Framework, codifying what was previously accepted and understood, is working satisfactorily. It is important that the Council continues to promote an organisational culture in which impartial advice is provided to politicians of whatever political persuasion. However, there is a view that the criteria for identifying posts that are politically restricted could or should be relaxed so that more staff are enabled to act as representatives of their local community. This, in turn, could benefit the local government service in increasing the pool of able people available to stand as elected representatives. This could be achieved by retaining the other criteria safeguards but deleting the salary criterion, so that whether an employee was "caught" by these criteria would depend solely on the functions which they performed, and not on what they were paid. A recommended position could be that, with this exception, the Council indicates to the ODPM that the review should result in no change.
- 3.3 However, in order to enable the Committee properly to frame the Council's response, the questions being asked by the ODPM are summarised below, and the Committee is invited to discuss the issues.
- 3.4 There may be concerns that an unnecessarily large number of the Council's employees are covered by the current regime, so the ODPM asks:
  1. Would reducing the number covered by the restrictions be compatible with maintaining the apolitical nature of local government employees?
  2. If a reduction in the number is considered desirable, how could this best be achieved? Should this be done by raising the salary threshold, and if so, to where?
  3. Would broad exemptions from the restrictions based on job descriptions be appropriate and workable? If so, what categories of work should be considered exempt, and why? Conversely are there areas of work not covered by restrictions that should be? If so, which?
  4. Should the nature of the restrictions be redefined? If so, how?
- 3.5 Where the employee not in a PoRP is an elected Member of a Council other than his/her employer, the ODPM asks:

1. Is the threshold of up to 208 paid hours right? If not, where should the threshold be?
2. Is it right to continue the prohibition that employees cannot be elected members of their employing Council?

3.6 On Political Assistants, the ODPM asks :

1. Should political groups contribute to the salary of their assistants?
2. Should the salary of their posts continue to be subject to national regulation?
3. Should the salaries of Mayor's political assistants be similarly regulated?
4. Should the restrictions on their political activities be altered?

3.7 On Independent Adjudicators, the ODPM asks:

1. Is there any need to change the current arrangement for independent adjudication? If the Independent Adjudicator is to be retained, should he continue to be appointed by the Secretary of State and operate through the ODPM?
2. Would it now be appropriate for Monitoring Officers to take over the role of determining whether posts should be exempt from restrictions?
3. Should a local authority itself be able to authorise exemptions? If so, should such decisions be made at Officer or Member level? If authorities were empowered to make such decisions, what safeguards should there be to ensure that standards are maintained? Would the Independent Adjudicator have any role in this?
4. Could the adjudication role, or a similar one created in the light of the response to this consultation, be performed by a non-departmental body such as the Standards Board for England?

4. Consultation

- 4.1 Public sector Trade Unions are being consulted nationally on this paper.

**OFFICERS' RECOMMENDATION that –**

**with the exception of deleting the salary criterion for identifying Politically Restricted Posts, the Council indicates to the ODPM that the review should result in no change.**

**(TO RESOLVE)**

Background Papers

ODPM Consultation Paper – Review of the regulatory framework governing the political activities of local government employees

12. LONG TERM SICKNESS ABSENCE (CEO)

1. Best practice suggests that a pro-active approach to absence management together with a system for a phased return to work can be beneficial for both staff and the employer.
2. For a number of years, this authority has adopted a pro-active approach to sickness management which has contributed to the containment of sickness absence levels. The 2003/04 Personnel Report quoted performance being within the upper quartile for District Councils (at an average of 7.9 days per annum).

3. Following detailed consultation with Unison, the procedure detailed at Appendix 'H' is commended to Members to be incorporated in the Authority's Sickness Absence Policy. The system is to be reviewed after a period of twelve months.

**OFFICERS' RECOMMENDATION that -**

**the policy detailed at Appendix 'H' be incorporated in the Authority's Sickness Absence Policy and reviewed after a period of twelve months.**

**(TO RESOLVE)**

Background Papers

Sickness Absence Policy (Personnel Policies and Procedures Handbook)

13. APPOINTMENTS TO OUTSIDE BODIES (DAL)

1. The following appointments to outside bodies were deferred at the meeting of the External Appointments Committee on 13 July 2004 and of the Corporate Management Committee on 2 September 2004.
  - (a) A substitute Member for the Surrey Museums Consultative Committee. Councillor Moore was the previous substitute, but did not wish to be considered this year. The actual representative for 2004/2005 is Councillor Ray.
  - (b) The suggestion of a Community Governor to the Englefield Green Infant School for a four year term.
  - (c) The appointment of a Minority Authority Governor to the Grange Community Infant School, the term of office to be until such time as the school reconstituted under the Education Act 2002. The school have subsequently written to the Council to state that they have reconstituted and therefore do not wish to receive a nomination from this Council.

**THE COMMITTEE IS ASKED TO –**

**make appointments to the Surrey Museum Consultative Committee (substitute representative) and a suggestion for Community Governor to the Englefield Green Infant School.**

**(TO RESOLVE)**

Background Papers

None

14. REFERENCES FROM OTHER COMMITTEES (DAL)

- (a) HOUSING AND COMMUNITY SERVICES COMMITTEE – 8 SEPTEMBER 2004

Housing Computer System - i-World Implementation

At its meeting on 1 April 2004 the Corporate Management Committee had agreed the upgrade of the current housing software (from SX3 to i-World). The upgrade needed to be completed by November 2004 as very soon after this it would be necessary to deal with rent increases and other vital end of year work. However, the Housing and Community Services Committee was advised at their meeting on 8 September that two of the staff with vital knowledge of their service modules would not be available for the upgrade. One had obtained alternative employment and the other was about to go on maternity leave. It would therefore be necessary to train other staff to deal with the upgrade. In turn arrangements also need to be made to cover the work of these staff. The training required is specialised and consequently expensive. In addition to the staffing difficulties it has also been necessary to arrange for unforeseen changes to the desktop integration elements of the system. In

order to meet the extra costs of these elements of work, and to allow for a contingency to meet any other difficulties that might arise, it was necessary to seek an additional £20,000. This amount was considered to be the maximum and would only be used entirely if this proved necessary.

**HOUSING AND COMMUNITY SERVICES COMMITTEE'S RECOMMENDATION that -**

- i) an additional capital estimate in the sum of £20,000 to enable the Housing i-World computer system to be implemented successfully and a supplementary estimate in the Housing Revenue Account in the sum of £2,000 to cover the cost of capital charges in 2004/05, be approved; and**
- ii) the associated full-year cost of the capital charge in the Housing Revenue Account in the sum of £5,000 be noted.**

**(TO RESOLVE)**

Background Papers

None stated

(b) ECONOMIC DEVELOPMENT COMMITTEE – 9 SEPTEMBER 2004

Civic Offices Reprovision

At its meeting on 9 September 2004 the Economic Development Committee received details of progress with the reprovision of the Civic Offices. It was noted that three architectural practices have been shortlisted for interview by the Member Working Group with a view to appointment of the Architectural Project Manager by the end of October. A Notice has also been placed in the Official Journal of the European Community inviting Chartered Quality surveying practices with relevant experience to register their interest in the project. Preparations are now sufficiently advanced to require a capital estimate of £1.25m in order to progress the design, detailed costings and associated works.

**ECONOMIC DEVELOPMENT COMMITTEE'S RECOMMENDATION that -**

**a capital estimate of £1.25m be approved for the professional and associated fees required to carry forward the detailed design and costings for the Civic Offices.**

**(TO RESOLVE)**

Background Papers

None

15. RUNNYMEDE CARE AND REPAIR - CHANGE TO ESTABLISHMENT POST (DHCS)

At its meeting on 8 September the Housing and Community Services Committee noted that the Care and Repair Technician post had now become vacant, and needed to be advertised. In 2001 Runnymede's former Executive Committee had agreed that the hours of this post should be increased from 18 hours to 30 hours per week because of the high demand for the service and that this should continue for as long as the Government funding for Care and Repair remained in place. Government funding is still being received and is expected to continue in the foreseeable future. The workload of the post remains high and there is still a demand for the service. It would be difficult and confusing to advertise a post in which part of the hours are permanent and the rest are temporary. The Committee therefore considered that the post should be amended so that it was for 30 hours on a permanent basis.

The current cost of 30 hours is included in the budget and revenue forecast and this change will not have any financial implications to the Council as long as the Government funding continues. Any change in this funding would require a review of the service as a whole.

**HOUSING AND COMMUNITY SERVICES COMMITTEE'S RECOMMENDATION  
that -**

**an amendment of the working hours of the establishment post of Care and Repair Technical Officer to 30 hours per week be approved.**

**(TO RESOLVE)**

Background Papers

None stated

16. DECRIMINALISED PARKING ENFORCEMENT – PROGRESS REPORT (DTS)

To follow.

17. REPLACEMENT OF IT HARDWARE - UPDATE (CEO)

1. Purpose of Report

1.1 **To update Members on the result of the review of monitor requirements.**

2. Background Information

2.1 At the Corporate Management Committee in July 2004 it was decided that replacement monitors should only be flat panel where there was a Document Management System (DMS) or space requirement.

3. Report

3.1 A review was carried out of each monitor to be replaced and DMS/space requirement criteria used to determine how it would be replaced. As a result of this exercise the number of flat panels required was adjusted to 44 from the previous 85.

3.2 These numbers were reported verbally to the Information Strategy Working Member Group at their first meeting following the July Corporate Management decision.

4. Financial Implications

4.1 Selection of a Cathode Ray Tube instead of a flat panel monitor has resulted in a saving of £100 per unit, thus delivering a projected underspend of £4,100 on the budget allocated.

**(FOR INFORMATION)**

Background Papers

None stated

18. EXCLUSION OF PRESS AND PUBLIC

**OFFICERS' RECOMMENDATION that -**

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

| <b>a)</b> | <b><u>Exempt Information</u></b>  | <b><u>Paras</u></b> |
|-----------|---|---------------------|
| 19.       | WRITE - OFFS  | 7                   |
| 20.       | SELECTION OF FUND MANAGERS  | 7                   |
| 21.       | PURCHASE OF TWO DSO VEHICLES CURRENTLY ON LEASE HIRE                          | 8                   |
| 22.       | PLANNED AND REACTIVE MAINTENANCE MEASURED TERM CONTRACT – TENDERS (TO FOLLOW) | 8                   |
| <b>b)</b> | <b><u>Confidential Information</u></b>  |                     |
|           | (No reports to be considered under this heading)                              |                     |