



# Rutland County Council

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Catmose Oakham Rutland LE15 6HP  
Telephone 01572 722577 Facsimile 01572 758307 DX 28340 Oakham

Minutes of a meeting of the **RESOURCES SCRUTINY PANEL** held in the Council Chamber, Catmose, Oakham, at 7.00 pm Thursday, 7 February 2013

**PRESENT:** Mr B W Roper - Chairman (in the Chair)  
Mrs J K Figgis  
Mr D C Hollis  
Mr J M Lammie  
Mr J R Munton  
Mr D L Richardson  
Mrs C L Vernon  
Miss G Waller  
Mr A S Walters

**In attendance:** Mr T C King Portfolio Holder for Finance and Places Asset Management  
Mr M D A Pocock Portfolio Holder for Resources and Places Operations

**Officers present:** Mr S Della Rocca Strategic Director - Resources  
Miss M Gamston Democratic Services Officer  
Mrs A Hawkins Accountant

**Apologies:** Mr W J Cross and Mr J Dale

**Also in attendance:** Ms K Sawyer Head of Legal Services, Peterborough City Council & Rutland County Council

## **668 RECORD OF MEETING**

The Record of the Meeting of the Resources Scrutiny Panel held on 6 December 2012, copies of which had been previously circulated, was confirmed and signed by the Chairman.

The Record of the Special Resources Scrutiny Panel held on 17 January 2013, copies of which had been previously circulated, was confirmed and signed by the Chairman.

## **669 DECLARATIONS OF INTEREST**

No declarations of interest were made in respect of the items on the agenda for this meeting.

## **670 PETITIONS, DEPUTATIONS AND QUESTIONS**

No petitions, deputations or questions had been received from members of the public.

## **671 QUESTIONS WITH NOTICE FROM MEMBERS**

No questions had been received from members.

## **672 NOTICES OF MOTION FROM MEMBERS**

No Notices of Motion had been received from members.

## **673 CONSIDERATION OF ANY MATTER REFERRED TO THE PANEL FOR A DECISION IN RELATION TO A CALL IN OF A DECISION**

No matter was referred to the Panel for a decision in relation to call in of a decision in accordance with Procedure Rule 206.

### **SCRUTINY**

## **674 REVIEW OF LEGAL SERVICES**

Report No. 37/2013 from the Head of Legal Services was received. The Strategic Director for Resources, Mr Della Rocca, introduced the report, the purpose of which was to provide an update on the progress of the shared legal services arrangement between Peterborough City Council and Rutland County Council.

The following points were noted during the discussion:

- i) That Rutland County Council (RCC) and Peterborough City Council (PCC) had operated a shared legal service since May 2011;
- ii) That Members had previously received reports on this shared service;
- iii) That there was a memorandum of understanding between the two Councils governing how the service would operate. There was a shared commitment to provide a full range of legal services to the mutual benefit of both Councils for a period of 5 years, with annual reviews being undertaken;
- iv) That the intended benefits of the shared service were:
  - a) A more resilient team – RCC went from a legal team of 4 lawyers to a team of 26 lawyers, divided into specialist teams. PCC supplemented its specialist teams by the addition of two transferring layers.
  - b) Costs to be kept to a minimum by the continued future of non-profit legal service.
  - c) Both Councils had access to an in-house team with expertise in local government and law and governance.
  - d) Efficiency across the teams in avoiding duplication of training, library resources, external advice, etc. This area was seen as a work-in-progress that needed to be taken further forward.
- v) That RCC officers felt that RCC had been given greater resilience at no extra cost;
- vi) That the costs for Legal Services (table 3.7 in the report) were broadly stable and consistent with those prior to the introduction of the shared service. The costs of the service in any one year were dependent on caseload and the complexity of those cases. Benchmarking information showed that the amount paid under the Service Level Agreement (SLA) was lower than under EM Lawshare or private practice rates;
- vii) However, notwithstanding points v) and vi), RCC believed there were areas that could improve such as:
  - a) Consistency of timeliness of response to individual referrals/better notice period for information sought.
  - b) Quality of performance information. Efficiencies made through the SLA had enable PCC to invest in a new case management system to

- c) Proactive working on emerging issues.
- viii) That RCC recognised that the Shared Service is a partnership and there needed to active engagement from RCC to drive performance improvements. Therefore, RCC was:
  - a) Carrying out a survey of all officers using the service to gauge how the officers felt the service performed.
  - b) Undertaking a review of the SLA to ensure it was fit for purpose and continued to reflect RCC's needs, for example, RCC would be responsible for Public Health from 1 April 2013 and this would need to be reflected in the SLA.
  - c) Committed to performance review meetings with the Head of Legal Services.
- ix) That as part of the introduction of the new case management the Legal Services team had reviewed processes and procedures for approximately 160 work types to make the system as efficient as possible. A set of templates had been produced to allow for much of the administrative work to be pre-programmed into the new system;
- x) That one of the main issues to come out of the SLA meetings was the need to free up more time for the senior lawyers undertaking the more complex legal cases. This had meant that there had been a further restructure of the Legal Services team to devolve managerial responsibility to other lawyers within the team;
- xi) That senior lawyers continued to work with RCC officers to develop internal procedures. Examples of this were:
  - a) RCC social workers had attended training delivered by lawyers to social workers at PCC on attending court as a witness which had helped reduce costs and ensured that common practices were being employed within both Councils.
  - b) The Legal Services team had agreed to take on the administration of estates where there had been Court of Protection appointments. This was being handled by the Benefits team but they were unfamiliar with the law therefore Legal Services had agreed to assume responsibility for the service in the interim whilst it trained the Benefits team on how to handle these cases.
- xii) Mrs Vernon commented, as Chair of the Development Control & Licensing Committee, that the shared service worked well with the same legal representatives attending the meetings at RCC, with good legal advice being received;
- xiii) A further report was requested for one year's time.

The Chair thanked Ms Sawyer and Mr Della Rocca for the report.

## **AGREED**

- 1) That the progress of the shared service be noted.**

## 675 Q3 PERFORMANCE MANAGEMENT REPORT 2012/13

Report No. 21/2013 from the Chief Executive was received. The Strategic Director for Resources, Mr Della Rocca, introduced the report, the purpose of which was to show the Council's Performance for the third quarter of 2012/13 and the year to date.

The following points were noted during the discussion:

- i) That in a change from the Quarter 2 report the Overall Performance Summary (4.2) now included charts highlighting performance against targets for the quarter and the direction of travel showing a comparison with the previous quarter, giving an indication of how much of an improvement had been made;
- ii) LI001 - % of creditor invoices paid within terms following the discussion of the Quarter 2 report paragraph had been added regarding the number of invoices paid within 30 days. 82% of invoices paid within terms, this was low due to delayed approvals and invoices received late due to the Christmas period. The Council paid 93% of invoices within 30 days, 98% when the significant number of invoices from one provider, which caused the majority of delays for the team, were discounted;
- iii) LI003 - % of audit recommendations implemented within the original timescales was 'in-hand' and needed to be updated;
- iv) LI004 - % of FOI requests replied to within 20 days had seen a drop in the number of requests received compared to Quarter 2, 128 from 185, and this had resulted in an improvement in performance from 71% to 78%;
- v) LI031 - % of agendas and reports published 5 days before meetings, 86% published on time during Quarter 3. Delays were due to an election during the period and the team had also lost two members of staff during November. Reports were also submitted to Democratic Services outside the agreed timetable, sometimes this was due to dealing with Government changes at late notice. A review of the service was being undertaken;
- vi) LI033 - % of IT Service Desk calls resolved within SLA was behind target but had improved within the quarter when there had been additional resources within the team which enabled the team to close more calls.
- vii) Concern was expressed at the number of days lost to sickness within the directorate and whether the Council acted quickly enough and if management had received appropriate training to deal with this issue. Mr Della Rocca explained that he could not comment on individual cases, however the Council was doing as much as possible to get people back to work. The Authority provided ongoing training to its managers and Mr Della Rocca undertook to ascertain the details and notify the Panel;
- viii) Freedom of Information (FOI) requests - that it was in the interests of the Council to publish as much information as possible on its website. This was an ongoing process due to the diversity of information sought. One of the largest area of questions came from the website What Do They Know.com where individuals could submit a question to any organisation. Mr Richardson suggested that a link be created on the Council's website to other websites dealing with FOI requests. Mr Richardson had details of a website showing FOI requests relating to Rutland and undertook to supply the link to Mr Della Rocca.
- ix) That the IT Department was looking to introduce a priority ranking system for calls received. The department would also be upgrading the operating system to Microsoft Windows 7 as Microsoft XP was no longer fully supported;

- x) That the drop in the number of employees between Quarter 2 and Quarter 3 could be explained by the removal of a number of casual workers who had been incorrectly retained on the system for longer than the period necessary after they had last been paid (12 months). These workers had been identified during a recent data audit and removed. There had been no financial impact;
- xi) That Rutland was above the average rate for working age employment with the East Midlands. Indicator P1151 related to those in employment.

#### AGREED

- 1) **That the overall position in relation to performance for the year 2012/13 be noted.**
- 2) **That the Strategic Director for Resources, Mr Della Rocca, would ascertain details of training undertaken by managers in relation to sickness management.**
- 3) **That Mr Richardson would supply the Strategic Director for Resources, Mr Della Rocca, with details of the website link referred to under viii).**

#### 676 Q3 FINANCIAL MANAGEMENT REPORT 2012/13

Report No. 22/2013 from the Strategic Director for Resources was received. The Strategic Director for Resources, Mr Della Rocca, introduced the report the purpose of which was to inform Cabinet on how the Council was performing against its revenue and capital budgets and report a forecast year end outturn position as at the 31 December 2012.

Member were informed of the following:

- i) That there had been no variance from Quarter 2 for the Resources Directorate, within the Council's overall revenue position;
- ii) That the transfer of audit provision would result in a saving which had been identified in the 2013/14 budget;
- iii) That variance for Democratic Services was the impact of two vacancies having been put on hold pending a review of the service, and buying in support for Peterborough City Council;
- iv) That savings had been made due to a number of contracts having been reviewed and a review of system usage.

The following points were noted during the discussion:

- i) That the scope of the review of the Democratic Services team also included the SMT Admin Support team as there were vacancies in both teams and that both teams performed similar tasks there was the potential for duplication. The review would look at the synergies and differences within the two teams. This was a service review not a formal restructure and given the Performance Indicators it would have been remiss not to have been reviewed.
- ii) In relation to the £10k annual contribution to the Leicestershire Social Care Development Group, and in light of information given under Minute No. 674 regarding court training, Miss Waller requested further information on the cost per member of staff that this worked out at and the consideration given to value for money in negotiation. The Director for Resources, Mr Della Rocca, advised Members that the training was bought in as it would not be cost effective for Rutland to deliver its own training. As he did not control the budget he would need to look at the

**AGREED**

- 1) That the contents of Report No. 22/2013 be noted.
- 2) That the Director for Resources, Mr Della Rocca, would provide the requested information in relation to the £10k annual grant to the Leicestershire Social Care Development Group.

**PROGRAMME OF MEETINGS AND TOPICS**

**677 REVIEW OF FORWARD PLAN**

The following items were noted as being of interest for future Panels:

- i. Customer Service Team
- ii. Risk Register

**678 REVIEW OF RISK REGISTER**

New agenda item to give attention to the issue of Risk Management in terms of items discussed at this Panel. A referral would need to be made to the Audit and Risk Committee regarding any concerns that the Panel might have.

**679 ANY OTHER URGENT BUSINESS**

Report No. 45/2013, Medium Term Financial Plan (MTFP) and Budget Members Update from the Strategic Director for Resources was received.

The Strategic Director for Resources, Mr Della Rocca, informed Members that the Chair had agreed to consider this report as an item of urgent business as the paper had been prepared following questions raised by Mr Richardson at the Special meeting of the Resources Scrutiny Panel on 17 January 2013, and further questions received by email, in order to help councillors get a better understanding of the MTFP and Budget.

Mr Richardson thanked Mr Della Rocca for the report.

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Mr Roper thanked Mrs Hawkins for her attendance.

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**680 DATE AND PREVIEW OF NEXT MEETING**

Thursday 11<sup>th</sup> April 2013 at 7.30 pm

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The Chairman closed the meeting at 8.23pm

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Chairman