

BROMSGROVE DISTRICT COUNCIL

WORCESTERSHIRE REGULATORY SERVICES

MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE

THURSDAY, 23RD FEBRUARY 2012 AT 4.00 P.M.

PRESENT: Councillors Mrs. L. Hodgson (Chairman), M. Braley (Vice-Chairman), M. A. Bullivant, C. B. Taylor (during Minute No's 30/11 to 38/11), Mrs. B. Behan, P. Cummings (substituting for P. Grove), P. Mould, A. N. Blagg, Mrs. E. Stokes, K. Jennings (during Minute No's 30/11 to 38/11), P. Harrison (substituting for J. Baker) and M. Hart

Observers: Mr. V. Allison, Deputy Managing Director, Wychavon District Council and Mr. I. Pumfrey Head of Customer and Environmental Services, Malvern Hills District Council

Officers: Ms. J. Pickering, Mr. S. Jorden, Ms. C. Flanagan, Mr. M. Kay, Mr. S. Wilkes, Mr. M. Thomas and Mrs. P. Ross

The Chairman welcomed officers to the meeting.

27/11 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P. Grove, Malvern Hills District Council, F. Lankester, Worcester City Council, D. Thain, Worcestershire County Council and J. Baker, Wyre Forest District Council.

28/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

29/11 **MINUTES**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 24th November 2011 were submitted.

RESOLVED that the minutes be approved as a correct record.

30/11 **WORCESTERSHIRE REGULATORY SERVICES SERVICE PLAN 2012 / 2013**

The Committee considered a report that outlined the way in which the Worcestershire Regulatory Service (WRS) activities linked to National Priorities relevant to regulatory services. These National Policies would be mapped across the partners' local priorities.

Members were asked to note that under the Worcestershire Shared Services Partnership, Service Level Agreement, WRS had to produce a 3 year Service Plan for agreement and adoption by all of the Member Authorities. The Head of Worcestershire Regulatory Services highlighted that the operating environment was undergoing rapid change and the outputs of the transformation programme had not been fully implemented as yet, therefore a 3 year plan at this stage of the process would be premature.

The Head of Worcestershire Regulatory Services introduced the report and in doing so informed the Committee that the Service Plan had been lined up with national priorities as set by the Local Better Regulation Office (LBRO) 5 Priority Outcomes as detailed at page 3 of the report.

Members were informed that following the initial application of Systems Thinking approach to transform the service so that it was more customer focused, and after consultation with customers, WRS had established 3 purposes that would be used to underpin the way in which the Services would be developed and delivered in the future:

- Help me resolve my problem
- I want to assume everything is ok
- Help me trade well

Member's attention was drawn to page 5 of the report which detailed the Outcomes, Activities and Measures that would replace the performance indicators that Members had been used to.

Members were asked to focus on page 12 of the report which detailed training and development of multi-functional teams. The Head of Worcestershire Regulatory Services informed the Committee that the training and development budget was an extremely critical budget. The training of multi-functional teams would allow the service to have competent staff capable of undertaking a wider range of duties and confident to undertake a more diverse role as the service progressed in order to provide a more cost effective service.

The Committee was asked to note Appendix 2 of the report which detailed the Operating Environment and the Government initiatives and policy changes likely to impact in the short to medium term.

Appendix 3 of the report detailed the outcome measures which had been as a result of consultation with Committee Members and the Management Board. The Head of Worcestershire Regulatory Services informed the Committee that the service would continue to engage with Members and the Management Board throughout the year to clarify the level of detail Members wished to receive in respect of future outcome measures and reporting frequency.

The Head of Worcestershire Regulatory Services responded to Members' questions with regard to performance reporting and baseline data. The Committee was informed that performance against outcome measures would

be reported to the Management Board and the Committee either quarterly or annually depending on the measure. Members were asked to note that due to the lack of a single IT system the collection and analysis of measures data would be difficult therefore meaningful robust data would be unavailable for at least 12 months.

Following further discussion with regard to outcomes measures and performance the Head of Worcestershire Regulatory Services informed the Committee that if requested he could provide preliminary figures and some information in response to individual Member enquiries so that Members had something more tangible to take to their respective authority.

Mr. M. Kay, Business Manager (Acting role), Worcestershire Regulatory Services responded to Councillor M. Braley with regard to an update on the Licensing Act – Deregulation of Regulated Entertainment, which could mean that events of up to 5000 people would not require any form of licence unless they were selling Alcohol. Mr. M. Kay informed Members that the consultation period was now closed and that WRS had responded. Members would be informed of any consultations that were taking place and any future updates via the WRS Licensing Updates newsletter.

RESOLVED that the Worcestershire Regulatory Services, Service Plan 2012 / 2013 be approved.

31/11 **WORCESTERSHIRE REGULATORY SERVICES ICT PROJECT UPDATE**

The Chairman welcomed Mr. Martin Thomas who had been appointed ICT Project Manager, Worcestershire Regulatory Services in December 2011.

Mr. M. Thomas presented the report and in doing so informed the Committee that his first task had been to develop a detailed Project Plan as detailed at Appendix 1 to the report. This was quickly followed by commencement of the procurement process in line with EU Procurement rules as agreed by the Management Board. 40 expressions of interest had been received from suppliers who wished to take part in the procurement process with more expected by the closing date. Mr. M. Thomas informed the Committee of the evaluation process / criteria which would lead to a shortlist of potential suppliers to take forward to the next stage. The next stage, invitation to tender, would start on 10th April 2012. Shortlisted suppliers would be invited to a suppliers' day where the Head of Worcestershire Regulatory Services (WRS) and the WRS Team would describe the vision of WRS, where they were going, how transformation would be key to the solution of going forward and the technicalities of linking to existing solutions within each of the partner authorities. By the 25th May 2012 all of the Invitations To Tender (ITT) would have been received with an evaluation of all of the ITT's to take place against set criteria. The set criteria would include site visits to existing supplier clients and suppliers would be invited to present their final solutions to WRS. The results would then be presented to the Management Board and Joint Committee during July 2011 for approval. Once the contract had been finalised implementation would start on 3rd September 2012.

Mr. M. Thomas and the Head of Worcestershire Regulatory Services responded to Members questions with regard to Bromsgrove District Council's procurement process and EU procurement rules.

Members were asked to note the complexity of the process of trying to link into seven different authorities systems and then into each individual member authorities systems located within that. Transformation had enabled a fundamental redesign of the Service, moving the strategic focus of the organisation to the customer and giving clarity of purpose. The decision was taken early on to do the business transformation first. Transformation had enabled a fundamental redesign of the Service, moving the strategic focus of the organisation to the customer and giving clarity of purpose. WRS had now reached a point in the transformation process where it could be determined what sort of flexible ICT system was required for the redesigned service in preference to an 'off the shelf' system.

RESOLVED that the report be noted.

32/11 **WORCESTERSHIRE REGULATORY SERVICES FINANCIAL MONITORING**
APRIL - DECEMBER 2011/2012

The Committee considered a report which provided details of the financial position of the service for April to December 2011 for both revenue and capital expenditure.

The Executive Director Finance and Corporate Resources, Bromsgrove District Council introduced the report and in doing so informed the Committee of the underspend due to savings arising from two Grade B posts remaining vacant and an overspend of £39,000 in relation to accommodation charges from member authorities prior to Worcestershire Regulatory Services move to Wyatt House. There was a predicted overspend on Transport namely car allowances of approximately £20,000 due to a disturbance allowance being paid to staff moving to Wyatt House for a period of 12 months ending June 2012. Members were asked to note on the capital side an actual spend of £95,000 against an anticipated budget of £1.1 million due to delays in the ICT system.

The Executive Director Finance and Corporate Resources, Bromsgrove District Council responded to Members' questions with regard to training, training and seminars and subscriptions.

RESOLVED that the report be noted.

33/11 **AUDIT COMMISSION ANNUAL AUDIT LETTER 2010 - 2011**

A copy of the Audit Commission Annual Audit Letter for 2010/2011 was considered.

The Executive Director Finance and Corporate Resources, Bromsgrove District Council introduced the report and highlighted that Worcestershire Shared Service had been implemented in June 2010 and therefore the

accounts represented a 10 month period. An unqualified opinion had been issued by the Audit Commission for this period and this opinion had been presented in detail to the Joint Committee in September 2011.

The Annual Audit Letter as detailed at Appendix 1 of the report summarised findings from the 2010/2011 Audit. The following 2 elements were considered:

- Audit of financial statements
- Assessment of Value for Money arrangements

Members were advised that the Audit Commission had made a number of recommendations in the Audit Letter. These had been considered by officers and discussed with the Audit Commission and it had been agreed that processes were now in place to address the issues raised. These were:

- Accounts should be allocated to more than one officer
- A clear plan should be agreed by the Commission
- Reporting of certain items need to be more defined between participating Councils
- Working papers to be improved

The Executive Director Finance and Corporate Resources, Bromsgrove District Council provided Members with detailed information on the figures shown on page 3 of the Audit Commission, Annual Audit Letter Audit 2010 / 2011, Key Messages, Audit opinion and financial statements.

The Committee was informed that the accounts for 2011 / 2012 would be audited to reflect the regulatory services body being classed as a Smaller Relevant Body. This would result in a simple Annual Return being prepared and therefore an anticipated reduction in fee.

RESOLVED that the recommendations included in the Audit Commission, Annual Audit Letter 2010 / 2011 be noted.

34/11 **HUMAN RESOURCES & FINANCIAL POLICES AND PROCEDURES**

The Committee was asked to consider a report which detailed the arrangements for ensuring that Human Resources (HR) and financial issues in relation to Worcestershire Regulatory Services were managed in line with robust policies and procedures.

The Executive Director Finance and Corporate Resources, Bromsgrove District Council introduced the report and in doing so informed the Committee that following the establishment of the Worcestershire Shared Services Partnership for Regulatory Services it had been agreed that Bromsgrove District Council would act as the Host Authority for employment matters. It was essential that the wording of adopted policies correctly reflected the relationship between the Joint Committee and Bromsgrove District Council.

RESOLVED:

- a) that the adoption of the Human Resources policies and procedures of Bromsgrove District Council be approved, subject to revisions that are required to reflect the partnership arrangements;
- b) that authority be delegated to the Worcestershire Regulatory Services (WRS) Management Board to agree the wording revisions to individual HR policies; and
- c) that the adoption of the Contract Procedure Rules and Financial Regulations of Bromsgrove District Council be approved, subject to revisions in relation to the references to the shared service management hierarchy and committee approval arrangements.

35/11 **NUFFIELD SCHOLARSHIP AWARD - ANIMAL HEALTH OFFICER**

The Committee was asked to note a report which detailed the work of what was formerly Worcestershire County Council's Animal Health Team. The team played a key role in preventing notifiable animal diseases such as foot and mouth from having the devastating impact they could have on Worcestershire's rural economy.

Mr. S. Wilkes, Business Manager, Worcestershire Regulatory Services introduced the report and in doing so highlighted the Nuffield Scholarship award which recognised the level of excellence achieved by this team and its individual staff members, particularly Joanne Nash.

The award was one of only 20 awarded in the United Kingdom (UK) and required Joanne to apply her skills and professional knowledge outside of the UK to a range of animal health issues.

The Chairman requested that officers pass on the Committee's congratulations to Joanne on her success and that Members looked forward to hearing the results of her study meetings and visits held in the UK and abroad.

RESOLVED that the report be noted.

36/11 **DEPARTMENT FOR BUSINESS, INNOVATION & SKILLS ON TRANSFORMING REGULATORY OUTCOMES**

The Committee considered a report which highlighted the Government's views on the 'Better Regulation' agenda which had potential for direct impact particularly on the operation of some of the Trading Standards elements of service delivery.

The Chairman drew Members' attention to the revised recommendation.

Mr. S. Wilkes, Business Manager, Worcestershire Regulatory Services introduced the report and in doing so informed the Committee that the Government had published its responses to the Transforming Regulatory Outcomes consultation that took place earlier in the year. The Government's response stated that there was evidence of good practice of regulators and

business working together on compliance but there were too many areas where the enforcement of regulation was heavy-handed, inefficient, overly prescriptive and culturally risk-averse.

Members' attention was drawn to the Key Elements of the Government Response and Worcestershire Regulatory Services examples of good practice as detailed in the report.

The Government wished to reinforce the use of the Regulators Compliance Code and in its review of regulators it intended to check on how far they had applied the Code. Regulators would be asked to give more prominence to the Code in publications and websites.

RESOLVED that the principles identified in the report be adopted and included in future Service Plans.

37/11 **INSPECTION BY THE INTERCEPTION OF COMMUNICATIONS COMMISSIONER'S OFFICE (IOCCO)**

The Committee considered a report which detailed the positive outcome of a recent inspection by the Interception of Communications Commissioners Office (IOCCO).

Mr S. Wilkes, Business Manager, Worcestershire Regulatory Services introduced the report and in doing so informed Members that where a local authority used surveillance or obtained what is referred to as communications data, processes under the Regulation of Investigatory Powers Act 2000 and its associated Regulation must be observed. Authorities were audited by two bodies, the Office of the Surveillance Commissioner for directed surveillance and the IOCCO. IOCCO's inspection which took place during December was effectively an inspection of the host authority, Bromsgrove District Council.

Applications and notices were reviewed by the inspector. He was very impressed with the process that Worcestershire Regulatory had adopted although there were a number of areas for officers to improve their practice as detailed in the report. In light of the good standard of compliance the inspector observed he would not be returning for his next review for approximately 18 months.

RESOLVED that the report be noted

38/11 **ANNUAL MEETING OF THE COMMITTEE**

(The Chairman agreed that this matter be raised as an urgent item at the meeting as a decision on this matter could not wait until the next meeting of the Committee).

The Chairman reported that Members had been made aware during the previous item (Minute No. 31/11 refers), on Worcestershire Regulatory Services ICT Project update, of the specific deadline dates to be met under Bromsgrove District Council's and the EU procurement process for the

preferred ICT supplier. Following on from this process a report to the Joint Committee would not be made available until July 2012. Members were therefore asked to consider if the Joint Committee, Annual Meeting of Thursday 28th June 2012 could be rescheduled to Wednesday 11th July 2012 in order for the Committee to receive the ICT preferred supplier report.

RESOLVED that the Annual Meeting of the Joint Committee be held on Wednesday 11th July 2012 at 4:00pm at Bromsgrove District Council.

The meeting closed at 5.15 p.m.

Chairman