

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Constitution and Members Services **Date:** Thursday, 17 March 2011
Scrutiny Standing Panel

Place: Committee Room 1, Civic Offices, **Time:** 7.30 - 9.35 pm
High Street, Epping

Members Present: Mrs M McEwen (Chairman), K Chana (Vice-Chairman), W Breare-Hall, R Cohen, J Philip, Mrs M Sartin, D Stallan, Mrs J Sutcliffe and Mrs J H Whitehouse

Other Councillors:

Apologies: Ms C Edwards and Ms J Hedges

Officers Present: I Willett (Assistant to the Chief Executive), B Bassington (Chief Internal Auditor), S G Hill (Senior Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

46. NOTES OF THE LAST MEETING

RESOLVED:

That the notes of the last meeting of the Panel held on 15 February 2011 be agreed subject to an amendment to Minute 43 (Councillor Accountability Statements) to add the words "Standards Committee" after "that" on the last line of the preamble.

47. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

Noted that Councillor W Breare-Hall was a substitute for Councillor Ms C Edwards.

48. DECLARATIONS OF INTERESTS

There were no declarations of interest made pursuant to the Member's Code of Conduct.

49. TERMS OF REFERENCE/WORK PROGRAMME

Item 16 of the Work Programme – Supply of hot water for making tea and coffee to meetings held in Committee Rooms 1 and 2, was being followed up by Mr I Willett with the Superintendants.

50. MEMBER TRAINING REVIEW

The Panel received a report from Mr I Willett, Assistant to the Chief Executive, regarding Member Training 2011/12.

The report allowed members to carry out a forward review of member training for 2012/13. The report also enabled the Panel to indicate other training which could be added to the Member Training Programme. There was an available budget of £6,500

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for 2012/13 assisting with commissioning more specialist courses with external trainers.

(a) ITrain/Modern Councillor

ITrain was an on-line training initiative for individual learning by computer which had been developed by the Essex HR Partnership with a provider named Learning Pool. The programme was being developed and current courses available which were directly relevant to the members, were as follows:

- (i) Dealing with email stress;
- (ii) Managing priorities;
- (iii) Health and Safety introduction;
- (iv) Fraud awareness;
- (v) Data protection for beginners;
- (vi) Introduction to ICT; and
- (vii) GCSX Security – introduction

Modern Councillor was a commercial package available for the Council to purchase. There were specialist modules within the product, one of which was Local Government. It was available for subscribers at an annual price of £1,000 for up to 100 users. Therefore it was possible to accommodate all members of the Council, access was similar to ITrain. Example of the local government module courses were:

- (i) Equality and diversity;
- (ii) Charing meetings;
- (iii) Code of Conduct;
- (iv) Waste management;
- (v) Your role as Councillor;
- (vi) Public Speaking;
- (vii) Data Protection; and
- (viii) Overview and Scrutiny

(b) Officer Training Programme

The officer training programme was being developed for next year. It was considered where the subject matter was suitable for both members and officers, there was no reason why members should not join the sessions. It was felt that finance training should cover the Housing Revenue Account. It was noted that members booking should ensure that they attend, as missing a course took places away from others.

(c) Past Courses

Examples of other courses were provided, which had found support in previous years. Members felt that Awareness Sessions were very useful. An awareness session was needed on housing, tiers of local government and their responsibilities, courses on public speaking (also felt needed for officers), S106 agreements were also favoured.

(d) Other Ideas

It was advised that a company had circulated details of modules of member training. They were as follows:

- (i) Wardwork, Casework and Surgeries;
- (ii) Member/Officer Relationships;

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- (iii) Partnerships in Practice; and
- (iv) A Councillor, Who? Me?

Members supported (iii) Partnerships in Practice. They also suggested a basic guide to Overview and Scrutiny, decision making, where recommendations were referred to. It was felt that some training could be condensed from half day to perhaps quarter of an hour.

It was suggested that officers who had involvement with various functions and organisations would be useful facilitators of courses or workshops.

Members discussed the Councillor Development Programme 2011/12 Prospectus. It was felt that Course No M7 Development Control and Planning should be webcast. It was noted that Course No M5 Code of Conduct was being scaled down in the light of recent legislation. These two courses were being held on Saturdays.

The induction process would include clarification on service areas, plus tours of the district.

The new updated prospectus would be circulated in the Bulletin.

There was concern about the degrees to which all members committed themselves to training, both in new subjects and to keeping themselves up to date on courses attended previously. It was proposed that the following measures designed to demonstrate those who regularly undertook training and those who had not:

- (a) from 2011/12 – publication on the website of training courses undertaken by all members; and
- (b) clearer listing of these courses indicated as “mandatory” focussing particularly on the regulatory functions of the Council and the personal responsibilities of councillors.

It was suggested that attendance at past training courses should be circulated to all councillors so that:

- (i) they can check for any gaps in their training record; and
- (ii) they can assess the need for refresher training.

RECOMMENDED:

- (1) That the Member Training 2011/12 draft programme be noted;
- (2) That the following additional courses be added/publicised in the programme:
 - (a) e-learning (ITrain);
 - (b) joint courses with officers;
 - (c) previous courses;
 - (d) member preferences from the IDEA study in2010; and

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- (e) publication on the website of training undertaken by all members from 2011/12;
 - (f) attendance at past training courses to be circulated to all members;
 - (g) member comments via the Bulletin; and
- (3) That a consultation on the revised programme be carried out via the Bulletin.

51. CONTRACT STANDING ORDERS

The Panel received a report from Mr I Willett, Assistant to the Chief Executive, regarding the Review of Contract Standing Orders.

The report outlined the annual review of Contract Standing Orders which was conducted by a cross-directorate officer working party.

(a) Review of Contract Standing Orders

The appendix to the report set out detailed changes to Contract Standing Orders arising from this year's review. None of the changes proposed represented fundamental differences with the version which had been in use for a number of years. The Panel's attention was drawn to the more significant proposals namely:

- (i) provision for tender acceptance terms, agreed in advance to avoid the need for the Cabinet or a Portfolio Holder to accept tenders;
- (ii) introduction of a 10% tolerance when comparing pre-quotation estimates with the value of quotations received in determining whether a Portfolio Holder needed to accept the lowest tender;
- (iii) transfer of responsibility for approving ad hoc tendering lists from Portfolio Holders to Chief Officers, maintaining confidentiality; and
- (iv) more controls on sub-contracting by main contractors.

Following approval from the Panel, the report's recommendations would be submitted to the Overview and Scrutiny Committee and the Council.

(b) Guidance and Training for Staff Engaged in Procurement

The review of Contract Standing Orders had been accompanied by the usual consultation with directorates. It was felt that improved guidance on procurement was required. The Essex Procurement Hub was available to the Council but there remained some lack of clarity as to how Contract Standing Orders related to that system. A flowchart was being drafted which would be an operational document, guiding procurement officers through the steps and choices in the process. It would also be used as a training aid.

(c) Future Reviews of Contract Standing Orders and Financial Regulations

Reviews of Contract Standing Orders and Financial Regulations were currently carried out once a year. In the case of Financial Regulations, very few changes had arisen in recent years. For Contract Standing Orders there had been a number of

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changes but this trend had been counter productive in some ways because the various changes have merely served to require ore clarification with relevant staff.

The officer group recommended that reviews of Financial Regulations and Contract Standing Orders should be in alternate years, with the next review of Contract Standing Orders taking place in 2012/13 and Financial Regulations during 2011/12. This would provide more stable rules and give greater weight to training and guidance as the means of dealing with problems. It was noted that procurement via Contract Standing Orders would increasingly be secondary to use of the Essex Procurement Hub and the Council should not need to review these procedures so often.

RECOMMENDED:

That a report be submitted to the Overview and Scrutiny Committee and the Council recommending:

- (a) that the schedule of amendments to Contract Standing Orders be approved; and
- (b) that Contract Standing Orders and Financial Regulations be reviewed in alternate years as follows:
 - (i) 2011/12 Financial Regulations; and
 - (ii) 2012/13 Contract Standing Orders

52. OFFICER DELEGATION - 2010/11 Review

The Panel received a report from Mr I Willett, Assistant to the Chief Executive, regarding Officer Delegation – 2010/11 Review.

Each year a cross Directorate Working Party of officers carried out a review of Financial Regulations, Contract Standing Orders and Officer Delegation. These reviews were designed to keep these documents up-to-date and to reflect current statutory requirements and operational needs. The report brought forward updates to the delegation schedule, including those which had already been approved by the Council during the last 12 months.

Proposed Changes

The proposed changes were to delegation of Council functions and Executive functions. The Panel's attention was drawn to the format for the new officer delegations in respect of the Planning Directorate. This format dealt with different functions of the directorate's work like "Core of the Environment" and then set out the legislation and details. This was considered more user friendly for the public, officers and members and made updating the schedules easier.

The Panel recommended the changes to the Overview and Scrutiny Committee and the Council, those proposals relating to executive functions would be submitted to the Leader of the Council for approval.

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RECOMMENDED:

- (1) That a report be submitted to the Overview and Scrutiny Committee, and the Council, recommending that the schedule of changes to and new Council delegation be approved;
- (2) That the Schedules of Executive Delegations be recommended to the Overview and Scrutiny Committee and leader of the Council for approval by the latter;
- (3) That the revised schedule be incorporated in the Constitution once the approval of the Council and the Leader is given; and
- (4) That the Schedules of Delegation be re-configured on a Directorate basis in future; and
- (5) That the Overview and Scrutiny Committee be asked to review planning delegation in respect of householder applications and further clarification of the previous decision of the District Development Control Committee be included in the Panel's report.

53. REFERENDUM FOR AN ELECTED MAYOR

The Panel received an information pack "Petitioning for an Elected Mayor" from Mr I Willett, Assistant to the Chief Executive. The Panel had requested an information report on the process for petitioning for and polling for an Elected Mayor. It was advised that there was a petition for an Elected mayor within the district currently.

RESOLVED:

That the information pack "Petitioning for an Elected Mayor" be noted.

54. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

The following reports were being put before the forthcoming Overview and Scrutiny Committee on 11 April 2011:

- (a) Member Training 2011/12;
- (b) Officer Delegation – 2010/11 Review; and
- (c) Review of Contract Standing Orders

55. FUTURE MEETINGS

This was the last Panel meeting of the Council year. The Chairman acknowledged that the Panel had progressed through an enormous amount of work, requiring two additional meetings. She thanked the Panel members and officers for their work over the last year.

CHAIRMAN