

CORPORATE OVERVIEW & SCRUTINY PANEL

MONDAY, 15 JUNE 2020

PRESENT: Councillors Lynne Jones, Julian Sharpe, Chris Targowski (Chairman), Leo Walters (Vice-Chairman) and Simon Werner

Also in attendance: Councillors John Baldwin, Christine Bateson, Gurpreet Bhangra, Simon Bond, David Cannon, David Hilton, Andrew Johnson, Shamsul Shelim and Helen Taylor

Officers: Mark Beeley, Nikki Craig, Fatima Rehman, David Scott, Duncan Sharkey, Karen Shepherd, Adele Taylor and Aron Kleiman (Deloitte)

APOLOGIES FOR ABSENCE

There were no apologies for absence.

DECLARATIONS OF INTEREST

No declarations of interest were received.

MINUTES

Comments had been received by Councillor Price and Andrew Hill, who was a public speaker at the previous meeting. It was agreed that the changes would be made to the minutes and the amended minutes would be brought back to the Panel in July for final approval.

ANNUAL GOVERNANCE STATEMENT 2019/20

Mr Hill had requested to speak on this item as a member of the public. He asked for assurances of good governance and asked how he could have confidence in the statement. Mr Hill pointed out that the Managing Director had not received the report, according to the consultee table. The recent Cabinet decision taken on allowing residents with Advantage Cards to benefit from free parking for a limited time was questioned. Mr Hill said that the Director of Resources at RBWM had said that the budget for this decision had not been fully costed, but Cabinet voted for the decision regardless. He concluded by asking if the Panel was happy with verbal declarations of interest.

Karen Shepherd, Head of Governance, explained that the statement was currently in draft version and included recommendations to the council to ensure appropriate corporate governance systems and controls were in place. All members of the Corporate Leadership Team had been consulted on the statement. An action plan formed part of the statement which showed areas where compliance could be improved, with each action being assigned a responsible officer. Progress reports had been requested by the Panel last year and these would continue to be brought to future meetings.

The Chairman said that it was much better compared to the statement last year. Areas for improvement had a good level of detail and allowed officers to have a grasp of what needed to be improved. He asked if training and development could be offered to improve governance.

Karen Shepherd said that training was constantly evolving in light of the Covid-19 situation and that they were currently looking at options available for virtual training sessions. Free online training was available, with details of this being sent to all Members. Specific chairing skills training had also taken place which had been successful especially now that chairing an

online meeting required a different approach. Nikki Craig, Head of HR, Corporate Projects and IT, said that they were now holding induction training for new employees at RBWM online. Checks with external training providers was taking place, and in many cases this was now taking place online.

Councillor Werner said that the statement was all about giving assurance to the public. He said that the section 151 Officer's advice had been ignored in regard to the Cabinet decision made about parking charges. Councillor Werner asked if decisions would be dealt with properly and when governance changes would be seen.

Duncan Sharkey, Managing Director, said that the statement reviewed the framework of governance that was currently in place. There had been problems in the past but improvements were being made to the framework. The report showed the areas that needed to be addressed and the progress reports would show the improvements that were being made.

Adele Taylor, Director of Resources, clarified the comments that had been raised by Mr Hill and Councillor Werner. She said that finance had not yet been identified for the decision that Cabinet had taken. However, she said that councillors make decisions based on advice provided by officers.

Councillor Jones asked about the customer satisfaction figures in the report when, as far as she was aware, no survey had been undertaken since the end of 2018. There was a higher code of conduct workload, she asked why this was, and that culture of the organisation was an important factor. She queried if all the actions in the action plan were achievable in the time limit?

Duncan Sharkey said that culture was about the way people behave. A corporate draft set of values had been created along with an action plan and it was important that everyone in the organisation accepted these values. Improvements to capacity would be looked at if needed but this would be done to ensure that taxpayers' money was used as efficiently as possible and would be something looked at in the budget setting process.

In her role as Deputy Monitoring Officer, Karen Shepherd confirmed that there had been a high number of code of conduct complaints, particularly related to activity on social media. However, many of the complaints did not reach the level required to be investigated.

Councillor Jones asked why the customer satisfaction was described as 'very high' seeing as the data was outdated. Duncan Sharkey said that 2018 was the last time a full survey was done and the statement this year was based on compliments and complaints data.

Councillor Jones said that she would like the wording of the statement amended to reflect this. Duncan Sharkey agreed to consider amending the wording.

Councillor Sharpe said that the statement was far better than had been done in the past and it clearly highlighted the problems. The statement showed that RBWM was moving in the right direction.

Duncan Sharkey commented that it was obvious when things were not working, but less obvious when it was. There was continued improvement each year and he gave assurance that it was moving in the right direction.

Councillor Werner commented that he believed RBWM did not have the resources in place for good governance, and asked which areas were lacking in resources. Duncan Sharkey said that more information would be in the budget later in the year, but additional short term capacity had been brought in, this would be reviewed to see if it was needed long term too.

Councillor Walters commented that there had been improvements.

The Chairman asked Panel Members what progress reports they wanted to see brought to meetings in future.

Councillor Werner said that there should be a focus on the financial side and decision making, with an overview on everything else.

Councillor Jones requested that capacity issues and finance were the priorities that should be looked at.

Duncan Sharkey suggested waiting until after the CIPFA report was published before making a decision, as the Panel may wish to take into account its findings. The Chairman agreed that this was a sensible approach.

Councillor Hilton, Lead Member for Finance and Ascot, asked why for equality impact assessments it stated "if appropriate". Karen Shepherd explained that the standard report template included a section on equalities. The report author would be responsible for undertaking an equality impact assessment. Councillor Rayner, Deputy Leader of the Council, Resident & Leisure Services, HR, IT, Legal, Performance Management & Windsor, said that it was part of the process that the EQIA had to be considered as part of the report.

RESOLVED UNANIMOUSLY: That the Corporate Overview and Scrutiny Panel notes the report and:

- i) Considers the draft 2019/20 AGS, identifying any specific matters which should be brought to the attention of Council or Cabinet;**
- ii) Recommends the 2019/20 AGS to the Leader of the Council and Managing Director for signature and publication with the council's Statement of Accounts.**
- iii) Requests that update reports be provided to the Panel summarising progress in achieving the governance action plan on those areas identified as requiring action in the Corporate Action Plan.**

COVID RISK REGISTER *PLEASE NOTE - THIS ITEM WILL NOW BE CONSIDERED IN THE PART II MEETING*

It was noted that when the agenda was published, this was on the Part I agenda. However, this item would now be discussed in Part II.

Councillor Werner asked why it was now being considered in Part II. He was told that there were elements to the register that were confidential but the presentation was Part I.

The Chairman agreed that the item would be discussed in Part II and reviewed so that if it could be released in Part I then it would be.

Q4 PERFORMANCE REPORT

Nikki Craig explained the background to the Performance Report. She said that the data came twice a year. In Appendix A, 9 out of 13 indicators were green, 4 were amber and 4 were red. The appendix set out the details for those indicators that were red and explained why these areas were not performing as expected.

The Chairman asked if the data had ended in February, and was therefore looking at what RBWM was like pre-Covid. Nikki Craig said that she believed the data was up until the end of March. She explained that March was the lowest month of the year for digital interactions, very

similar to December levels. Adele Taylor said that as the data included March there would be some impact from Covid.

Councillor Walters commented on the collection of business rates and that it was good that businesses in the borough had been given a business rate holiday. Adele Taylor explained that they were close to the target of business rate collection.

Councillor Werner asked about the housing figure particularly how inconsistent it was, and said that the council tax collection figure was much better this year than it was this time last year. Adele Taylor explained that the housing figure was never going to be flat, with changing circumstances common in different months of the year. With council tax, many residents chose to pay by direct debit while they had not seen too many business changing their direct debits over the last few months.

Councillor Jones asked if measures would be carried over to next year and asked if it was possible to see the targets as well as the actuals so that it would be clear where the issues are.

Councillor Sharpe asked how RBWM was doing compared to other local authorities. Duncan Sharkey responded by explaining that there was no national dataset and comparisons were used to set targets. Benchmarks on a national scale were usually set once a year. Councillor Werner said that finding and compiling this data could be a waste of officers time.

Councillor Rayner said that there were national comparisons and RBWM was a top performer, however not all councils measured things in the same way.

RESOLVED UNANIMOUSLY: That the Corporate Overview and Scrutiny Panel notes the report and:

- i) Notes the 2019/20 Corporate Overview and Scrutiny Panel Q4 and End of Year Performance Report in Appendix A.**
- ii) Requests relevant Lead Members, Directors and Heads of Service to maintain focus on improving performance.**

ANNUAL SCRUTINY REPORT

The Chairman thanked Councillor Jones for her contributions to the Annual Scrutiny Report. He said that there was a review of the audit and scrutiny function that would be coming to Full Council in July, and asked for the Panel's thoughts.

Councillor Jones said that a large proportion of the work programme was to do with audit and they did not have a lot of time to look at other things. Audit was a separate function that was designed to look back, while scrutiny was about looking forward.

The Chairman agreed and said that the Panel was performing its audit function well but not scrutiny.

Councillor Jones suggested that the Panel should recommend that there is a split as both functions should be given equal time. Councillor Werner agreed and said that he would like to see a recommendation go to Council for a split.

Councillor Sharpe said that the Panel was originally scheduled to have four meetings, but this number almost doubled over the course of the year. He suggested that some meetings could be reserved for audit and some for scrutiny.

Councillor Jones and Councillor Werner said that they wanted to see two separate Panels for audit and scrutiny, and that this was recorded as a minority comment.

Duncan Sharkey said that it would be delegated to the Head of Governance who would look at it and bring a report back to Council.

The Chairman said that he would work with Panel members to work out what recommendation they would be putting forward in July.

WORK PROGRAMME

The Chairman suggested an extra meeting be added in the Work Programme in October or November.

Councillor Werner said that he wanted to see the financial update come to the Panel every couple of months. The Chairman said that the CIPFA report would be coming to the Panel in July and that the financial update could be heard at meetings of Cabinet.

Councillor Jones believed that Cabinet was completely different to Overview and Scrutiny, and wanted to hear Panel members views. She asked about the Key Risk Report being on the Work Programme two meeting in a row.

Mark Beeley, Democratic Services Officer, explained that the item had originally been due to come to the Panel in April, but this meeting had been cancelled. Due to the small timeframe between the July and September meetings, the report would be dropped from the September meeting.

Councillor Jones further asked about the highways contract outsourcing task and finish group. The Chairman said that they would have a look at getting this started soon. Adele Taylor confirmed that the highways audit was still being finalised.

The Chairman asked for the Corporate Transformation Paper to be put on the programme for the meeting in October/November.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY; That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 6.15 pm, finished at 9.00 pm

CHAIRMAN.....

DATE.....