

**OVERVIEW AND SCRUTINY MANAGEMENT
BOARD
26 OCTOBER 2023**

PRESENT: COUNCILLOR A N STOKES (CHAIRMAN)

Councillors T J N Smith (Vice-Chairman), Mrs J Brockway, M Brookes, I D Carrington, R J Kendrick, K E Lee, C S Macey, C E H Marfleet and N H Pepper

Added Members

Councillors: R D Butroid, M J Hill OBE attended the meeting as observers

Councillor M A Whittington also observed the meeting via Microsoft Teams

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Andrew Crookham (Executive Director Resources), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), Emily Wilcox (Democratic Services Officer), Kiara Chatziioannou (Scrutiny Officer), Brendan Gallagher (Principal Planning Officer – Infrastructure), Andrew Hancy (Head of Business Support), Tony Kavanagh (Assistant Director – Human Resources and Organisational Support), Dave Pennington (Head of Property Development), Sophie Reeve (Assistant Director - Commercial), Sadie Rossington (Business World Project Manager) and Jayne Sowerby-Warrington (Assistant Director - Corporate Property)

51 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence had been received from Martin Kyle (Church Representative) and Emile Van der zee (Parent Governor Representative).

The Board also noted apologies from Councillor H Spratt (Executive Support Councillor for People Management, Legal and Corporate Property).

52 DECLARATIONS OF INTEREST

None were declared.

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53 MINUTES OF THE MEETING HELD ON 28 SEPTEMBER 2023

RESOLVED:

That minutes of the meeting held on 28 September 2023 be approved as a correct record and signed by the Chairman.

54 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLORS AND CHIEF OFFICERS

The Executive Councillor for People Management, Legal and Corporate Property expressed his gratitude to Fire and Rescue Colleagues, Lincolnshire County Council staff and volunteers who had worked hard over the previous days to support with flooding incidents across the County.

The Board echoed this and the Deputy Chief Executive and Executive Director – Resources also thanked that staff for their response and recovery efforts. The Board was advised that the Government had announced a Flood Recovery Framework and applications were open for immediate funding for Council's to support areas affected by flooding. Longer term reductions in Council Tax and Business Rates for individuals affected would also be made available. Updates would be provided when further information had been received.

55 CONSIDERATION OF CALL-INS

There were no Call-Ins to consider.

56 CONSIDERATION OF COUNCILLOR CALLS FOR ACTION

There were no Councillor Calls for Actions to consider.

57 LCC LANGUAGE SERVICE

Consideration was given to a report by the Head of Business Support, which invited the Board to consider a report on the procurement of a new contract for the LCC Language Service, prior to a decision by the Leader of the Council (Executive Councillor for Resources, Communication and Commissioning) between 30 October and 10 November 2023. The report to the Leader of the Council was set out at appendix A to the report.

The Board supported the recommendations to the Leader of the Council and during the discussion the following points were noted:

- It was possible that an increase in asylum seekers coming to Lincolnshire would increase demand for translation services. The Board was assured that the contract value for the procurement had been set slightly higher than current usage levels to anticipate the potential increase in volumes, providing the capacity to offer necessary services when required.

- Consideration had been given to the possibility of utilising internal staff within the Council who were proficient in various foreign languages, to further support the translation service. Although it was essential to balance this with their primary job responsibilities. This approach had been successfully implemented in other local authorities. Some concerns were raised in relation to safeguarding of individuals who required to use translation services in ensuring transparency and calling for accountability of any individuals acting as a translator. Officers agreed to review and mitigate these concerns accordingly.
- Translation services within the Children's Services Directorate were used for a variety of reasons, including to translate documents to court records when taking children into care, with specific requirements varying based on individual needs and the stage of service utilisation.
- The contract had been uplifted to accommodate potential increases in service requirements. Officers acknowledged the difficulty in predicting volumes but emphasised the need for a clear step-by-step process to determine when to use translation services or alternative options like Google Translate to ensure cost-effectiveness and guide staff appropriately.

RESOLVED:

1. That the recommendations to the Leader of the Council be supported;
2. That a summary of the comments made be passed on to the Leader of the Council as part of his consideration of this item.

58 DELIVERY OF PAYROLL, PENSIONS AND HR ADMINISTRATION

Consideration was given to a report by the Assistant Director – HR and Organisational Support and the Assistant Director – Commercial, which invited the Board to consider a report on the Delivery of Payroll, Pensions and HR Administration prior to a decision by the Executive Councillor for People Management, Legal and Corporate Property between 6 and 30 November 2023. The report to the Executive Councillor was set out at appendix A to the report.

The Board supported the recommendations to the Executive Councillor and during the discussion the following points were noted:

- Members expressed concerns relating to ongoing issues within the payroll service, including late and incorrect payments to some members of staff. Officers assured Members that the Hoople system which went live in April 2023 was working well and that most challenges could be attributed to issues with individuals and managers not filling in forms correctly or meeting deadlines. This was an issue across all areas but schools and fire and rescue is more challenging due to the complexity of pay. These issues were being addressed through additional training and a focus on timely responses to form submissions as well as council process changes.

- The Leader of the Council emphasised the importance of not repeating past performance problems. It was stressed that proper system utilisation by both school staff and council personnel was essential for smooth operation.
- While there was complexity within the system, bringing it in-house was expected to give the council more control to streamline processes and improve the effectiveness of the payroll service, which was welcomed by Members.
- Members were pleased that action was being taken to mitigate risk, however concerns were raised over the contract negotiation process and why the contract with Hoople had not been fulfilled. Officers acknowledged that they had been working to a tight timescale throughout the process but were initially confident that timescales could be met. Despite commercial principles being met early within the process, contracts were unable to be agreed by both parties prior to September 2023 and risks were considered too high to continue with negotiations given the need for a transition by April 2024. Ultimately, tight timescales, contract management & staff absence had contributed to the decision to insource the contract.
- Transition costs were estimated to be around half a million pounds between October and April 2024.
- A question was raised as to why the contract hadn't been moved in house previously, given the advantages highlighted at 3.2 of the report. The Board was assured that the decision taken at the time was felt to be the most appropriate given market availability. The independent report carried out in 2022 was considered balanced and had concluded that the insourcing or transferring to Hoople were both reasonable.
- A suggestion to streamline employee contracts (particularly in Fire and Rescue and schools) to simplify the payroll system and save both time and money was acknowledged. However, there were limitations to this given that the Council were part of the National Pay Bargaining Scheme, constituting it challenging to make such changes to pay scales. This issue required a national resolution on behalf of the Local Government Association and the Leader of the Council had raised the outdated and unsustainable nature of the current system with the Local Government Association previously. The complexity of the payroll for part-time employees, particularly in Fire and Rescue and schools, also presented difficulties in streamlining the system.
- Leaving the National Pay Bargaining Scheme was not seen to be beneficial, as those local authorities that had chosen to depart from the scheme tended to align with national conditions to stay competitive.
- Members were assured that in relation to LCC LGPS Pension Scheme cost, the overall assessment had considered various factors, including the involvement of the Head of Pensions and relevant personnel, all of which had been factored into the decision-making process.
- It was clarified that the Council's role on Hoople's Board remained unchanged and they still held a 3% stake in the company. It was emphasised that the Council remained committed to this relationship, as it was important that the Council were part of discussions which contributed to the continued success and development of the system.

RESOLVED:

1. That the recommendations to the Executive Councillor be supported;
2. That a summary of the comments made be passed on to the Executive Councillor as part of their consideration of this item.

59 DRAFT INFRASTRUCTURE FUNDING STATEMENT

Consideration was given to a report by the Principal Planning Officer – Infrastructure, which invited the Board to consider a report on the Draft Infrastructure Funding Statement, prior to a decision by the Leader of the Council (Executive Councillor for Resources, Communication and Commissioning) between 6 and 10 November 2023. The report to the Leader of the Council was set out at appendix A to the report.

The Board supported the recommendations to the Leader of the Council and during the discussion the following point was recorded:

- In relation Section 106 money allocated but not spent (table 1 of appendix A), Members were assured that legal agreements with corresponding timeframes ensured the proper spending of planning obligations funds, particularly in the context of education and school places, which further aligned with the development timeline and local community needs to ensure that the money came forward at the right time to benefit local communities.

RESOLVED:

1. That the recommendations to the Leader of the Council be supported;
2. That a summary of the comments made be passed on to the Leader of the Council as part of his consideration of this item.

60 PEOPLE MANAGEMENT UPDATE - QUARTER 1

Consideration was given to an update by the Assistant Director – HR and Organisational Support which set out the performance of the HR service for Quarter 1 of 2023/24, as detailed in the report.

Consideration was given to the report and during the discussion the following points were noted:

- Attraction and retention premiums were used in the recruitment of high demand or specialist roles, which was proving successful in some areas. However, it was acknowledged that this was not appropriate as a long-term solution. In the long term, the Council continued to invest and support in apprenticeship programmes for hard to recruit areas, of which many included retention clauses to ensure a return on investment and support workforce planning. Other strategies were being considered

for the medium term, which included re-employing retired staff members on a part time basis to retain knowledge.

- Due to changes in the Council's Requirements, a focus on statutory work for Special Educational Needs and Disability (SEND) pupils was necessary. The shift from a mix of non-statutory and statutory work to only statutory work was not favourable with many Educational Psychologists, resulting in a need to use agency staff, where a focus on statutory only work could be facilitated within contractual agreements. Specialist teacher teams were used to support schools with non-statutory work as well as supporting the statutory processes.
- Working in high pressure environments, needing a physical presence, and working with people vulnerable to illnesses were some of the reasons for a higher rate of sickness absence in the Adult Care and Community Wellbeing and Children's Directorates.
- The Chief Executive expressed concern about the proposed SEND reforms at a national level and felt that more radical change was needed across the system. Budgetary pressures surrounding SEND were an area of concern for many Councils and this issue had been raised with the County Council network as significant cost pressures were expected in coming years. There was a fundamental need for a reform of SEND support given the cost pressures faced by Council's.
- The Chief Executive was pleased that Lincolnshire County Council, as one of the only a few Council's operating within their budget for SEND, would be included in the policy review into SEND policies, meaning an opportunity to influence national policy, which was welcomed.

RESOLVED:

That the report be received and that assurances provided by Officers on performance elements be noted.

61 SCRUTINY COMMITTEE WORK PROGRAMMES

Consideration was given to an update from the Chairman of the Adults and Community Wellbeing Scrutiny Committee, which invited the Board to consider the recent work and the planned work programme of the Adults and Community Wellbeing Scrutiny Committee, as detailed in the report.

Consideration was then given to an update from the Chairman of the Health Scrutiny for Lincolnshire which invited the Board to consider the recent work and the planned work programme of the Health Scrutiny Committee for Lincolnshire, as detailed in the report.

Consideration was given to both updates and during the discussion the following points were recorded:

- A question was raised around the level of information that could be shared with Councillors on a 'need to know' basis for people at immediate risk, particularly those

who were unable to consent to their details being shared. Officers agreed to investigate this issue further outside of the meeting.

- One Member suggested that the proposals for a change in opening hours for some services within North and North-East Lincolnshire seemed sensible given budget pressures and that people requiring an A&E service would be taken to an alternative larger hospital anyway. The ageing workforce within the NHS was also cause for concern.
- In response, the Chairman of the Health Scrutiny Committee for Lincolnshire reiterated his concern for residents in North and North-East Lincolnshire in losing a 24-hour service and highlighted the use of triage through 111 or 999 as an effective tool to assess whether individuals needed to attend urgent treatment centres. He also expressed disappointment in the failing of the NHS to undertake a thorough and adequate consultation on these issues.

RESOLVED:

1. That satisfaction be recorded for the work undertaken by the Adults and Community Wellbeing Scrutiny Committee and the Health Scrutiny Committee for Lincolnshire;
2. That the work programmes of the Adults and Community Wellbeing Scrutiny Committee and the Health Scrutiny Committee for Lincolnshire be endorsed.

62 OVERVIEW AND SCRUTINY MANAGEMENT BOARD WORK PROGRAMME

The Board was advised of two changes to the work programme:

- The addition of a report on Devolution to the to the work programme for the meeting on 30 November 2023.
- The deferral of the report on the Deepings Leisure Centre from the meeting on 30 November 2023 to 22nd December 2023.

RESOLVED:

That the report be noted.

63 CONSIDERATION OF EXEMPT INFORMATION

RESOLVED:

That in accordance with Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that if they were present there could be disclosure of exempt information as defined in Paragraph of Part 1 of Schedule 12A of the Local Government Act.

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64 PROPERTY RATIONALISATION

11:56am – The meeting adjourned for a short break and Councillor Brockway, Carrington, Lee and Brockway left the meeting.

12:08pm – The meeting reconvened.

Consideration was given to an exempt report by the Assistant Director – Corporate Property and the Head of Property Development which invited the Board to consider a report on Property Rationalisation.

The Board considered the report and supported the recommendations in the exempt report.

RESOLVED:

That the recommendations in the exempt report be agreed.

The meeting closed at 12.20 pm