

# Delivering the new **BUCKINGHAMSHIRE COUNCIL**

## **Shadow Overview & Scrutiny Committee Minutes**

Date: 24 October 2019

Time: 6.38 - 8.32 pm

**PRESENT:** Councillor A Collingwood (in the Chair)

**Members:** Councillors J Gladwin, P Birchley, L Clarke OBE, C Ford, B Gibbs, G Hall, S Lambert, R Newcombe, R Stuchbury, J Waters and C Whitehead

### **1. Chairman's Introductions**

The Chairman welcomed members and officers to the meeting and asked everyone to introduce themselves. As the agenda contained two substantial items, the Chairman requested that members restricted their questions to two minutes per question to officers, keeping their questions and comments succinct and only spoke once on each item.

### **2. Apologies for Absence**

Apologies were received from Councillor S Renshell, Councillor P Turner, Councillor R Bagge, Councillor G Hollis and Councillor A Cole. Councillor P Birchley left the meeting at 19.55 hours in order to attend another meeting.

### **3. Declarations of Interest**

There were no declarations of interest.

### **4. Minutes of the last meeting**

The Chairman asked for agreement that the minutes of the meeting held on 30 September 2019 were an accurate record. There was discussion regarding Item 5 – Council Access Points (CAP) as a couple of the members expressed concern that the Shadow Executive had agreed that the CAP at High Wycombe library should be removed from the list of venues; just leaving the Wycombe District Council offices in High Wycombe. One of the members suggested increasing the number of CAPs across the county. The Chairman explained that the new Buckinghamshire Council was aiming to be a better council and that it would be preferable to start with a robust service with an aspiration to open in the evenings and weekends if the evidence, feedback and budget were available rather than to withdraw services at a later date. It was important to provide a strong, robust service from day one. There was a discussion on whether there should have been a vote on the number of CAPs in High Wycombe; however, the Chairman stated that the Overview and Scrutiny Committee had agreed on the feedback to be provided to the Shadow Executive and ultimately it was the Shadow Executive's decision to remove the CAP in High Wycombe library.

The Chairman agreed to feedback the Shadow Overview and Scrutiny Committee's concerns to the Shadow Executive.

**ACTION: The Chairman**

**RESOLVED: The minutes of the meeting held on 30 September 2019 were AGREED as an accurate record and were signed by the Chairman.**

## **5. Equalities Policy Development**

The Committee welcomed Ms M Domigos, Solicitor, Aylesbury Vale District Council (AVDC), Ms N Donhou-Morley, Senior Strategy and Partnership Officer (AVDC) and Ms L Wright, Policy Officer, Buckinghamshire County Council (BCC). Ms Domigos explained that she was a member of the Equalities Working Group which consisted of seven officers from the five councils and was a sub-group of the Policy and Partnership Group in the Legal and Governance work stream. The new Equalities Policy was in the draft stage. Ms Domigos provided a presentation and the following points were highlighted:

- The legal implications - decisions could be overturned if Buckinghamshire Council did not comply with the required reporting. The new council would have to fulfil its public sector equality duty to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people.
- Decisions which were challenged would normally relate to closure or reduction of services and usually included an equalities related item.
- A challenge would made by judicial review; if successful the decision was normally overturned with the legal effect that the decision was never made and would have to be re-done. A judicial review could be extremely expensive and there was no guarantee that costs would be refunded if the council were successful in defending the review.
- The current approach across the councils was broadly similar; but there were different memberships and accreditations.
- All the councils carried out Equality Impact Assessments (EIA), monitoring reports and publications.
- The sub-group was looking at the Local Government Association (LGA) framework which had an emphasis on self-assessment and peer challenge.
- The LGA framework helped local councils to meet their obligations under the Equalities Act and included the public sector equality duty common performance framework for compliance.
- There were five performance areas and three levels of achievement; the best practice would be used from each of the councils to create a policy which worked for the new Buckinghamshire Council.
- There was a high level road map of what the team aimed to do in order to provide an ongoing requirement and commitment to equalities; some areas would have to be filled after 1 April 2020.
- There were long term aspirations under the LGA framework and eventually the Buckinghamshire Council **could consider** a peer review into the LGA framework.
- Ms Domigos asked for support for the suggested approach and asked for thoughts and ideas going forward.

In response to members' questions the following points were noted:

- In response to being asked whether there was an Equalities Policy in place at the moment, Ms Domigos confirmed that the Shadow Authority did not have an Equalities Policy.
- A member of the committee queried whether the LGA framework was a policy which could be adopted or whether it was a skeleton which needed to be 'fleshed out'. Ms Domigos advised it was a skeleton of five performance areas to be completed.
- Members asked about the approach being taken to the development of the new policy; Ms Domigos explained that a great deal of the material from the policies in the existing councils would be incorporated but as there would be a larger number of councillors they needed to ensure that an easy to follow policy was in place and that the new templates were created. The new policy would be an amalgamation of the existing policies, using best practice, but would contain equalities objectives for the Buckinghamshire Council from day one to be embedded at the start of every project.
- A committee member asked for clarification on the analysis that had been undertaken on the demographics across the authority as there could be areas where more focus was required. Ms Donhou-Morley stated that they were looking at the overall policy and the demographic analysis would be carried out during an EIA. The EIA would include the data and the demographics in relation to the project and how it might impact on the protected characteristics and would be reviewed to ensure the demographics had been taken into consideration before it went through the public consultation process.
- In response to being asked whether there had been an analysis of the gender pay gap by district, Ms Wright explained the Human Resources team would be analysing the data from the year 2019-2020, [separately](#) across the five councils, at the end March 2020. [The following year, in March 2021, the first consolidated view for the new authority would be due.](#)
- A member of the committee requested consideration of employment opportunities, which needed to be agreed with trade unions and employee representatives and for it to be included in any future paper. The committee member suggested that the policy should respect the fact that Buckinghamshire was the home of the Paralympics. It was agreed that the new Buckinghamshire Council needed to be inclusive of everyone.
- In response to whether any areas of learning had been identified; Ms Domigos explained that the policy would be quite high level. There were five performance areas which would be expanded to take account of the current policies throughout the councils and implement an effective policy for the new council. The team would be looking at procurement practices, cumulative equality impact assessments, resource allocation, external forums and councillor involvement by having a councillor champion. Report writing would also be included in order to build up the equalities culture. The ideas would be subject to a further decision operationally, possibly by councillors. It may be that they would only be able to just meet the legal requirements but they wanted to go as far as they could, as early as possible, and see how the new policy embedded. It was an important area and the reason for referring to the legal challenges was to highlight the importance and resource implications for the council.
- Mr S Lambert declared an interest as Cabinet Member for People Equalities, Diversity Inclusion and Assurance for the Buckinghamshire Fire and Rescue Service and welcomed the work the sub-team were carrying out but also mentioned that it would be helpful to obtain input from other organisations such as the Employers Network for Equality & Inclusion (ENEI) as BCC and Bucks

Fire and Rescue Service were members of the ENEI. Mr Lambert supported the idea of a member champion as he felt it would add value to the new policy/culture. There were diverse communities in High Wycombe and Aylesbury and it would be useful to include external partners. Mr Lambert also recommended asking the ENEI for a peer review in the first year as it would be free as part of the membership.

- A member of committee was concerned about the amount of work that would be involved for officers as training would be needed for new members and officers and questioned whether it would be better to keep to the basics. It was felt the new equalities policy should be thoroughly debated by the new councillors in the new authority. Some of the points may be open to challenge e.g. would the submission of comments via online resources pass the equalities act as some people were unable to gain access to the internet? His preference would be for a two-stage approach, with the minimum being worked on now followed by a debate in the new council. Ms Donhou-Morley explained that the draft strategy would be ready in November 2019; it may be a three year policy with the option to review after the first year and review objectives annually. It would be legal on day one and there were some basics which needed to be embedded from day one.
- The Chairman agreed the 'culture' should start from now and set the tone as well as being safe and legal and stated that the feedback was two pronged; there would be a three year plan and the need to challenge after the first year. The Leader and the Chief Executive should be the equalities champions along with every Member as Members would be taking on much more of a community lead. The Chairman offered the officers the opportunity to return to the committee and/or task and finish groups for support as this was a developing process.
- The Chairman agreed all the points would be put forward to the officers and the Committee would support them through the process.
- A member of the forum stated she felt there was a good base to work from and would be building on good practice.

The Chairman summarised that the Committee wanted the policy to be safe and legal, to build on a good base and good practice and offered to help officers through the process; they could bring the draft policy back to the Committee before it went to the Chief Executive if they wished.

## **6. Organisational Development Strategy - Focus on Vision, Culture and Values**

Ms J O'Neill, Head of HR and OD and Consultancy, BCC, provided a presentation and highlighted the following points:

- The values and behaviours were key in shaping the right culture for the new organisation to complement the corporate plan; they would help to align the employees and wider workforce with the organisational vision.
- The method and approach that had been used in shaping the new values had been to start with the existing values in each organisation.
- The Shadow Executive had been asked what was important to them.
- A paper had been to the Chief Executive's Implementation Group and shared with various teams, the trade union and employee representatives.
- Respect, pride and ambition emerged strongly as potential values.
- Accountable, collaborate and trusted were the possible behaviours.
- The behaviour statements would be built into performance management.

- There would be four key building blocks in the Organisational Development's People Framework – work place culture and design, personal development, employee engagement and inspirational leadership and a Bucks management programme.
- The values and behaviours would be woven into the wider workforce e.g. contract managers and volunteers to ensure a common purpose.
- Work would be carried out with the communications team to develop a diagram showing the values and behaviours.

In response to members' questions the following points were noted:

- A committee member felt that some of the wording in the paper could be better phrased and that the Member role should be given greater emphasis. It was suggested that the word 'positive' be used in place of 'great' in the following phrase, 'leaders who are great role models'. 'Residents' should be used instead of 'people'. The member suggested that, in terms of equality, everyone should be performance managed, not just staff.
- Another committee member commented that the council would need considerable drive and energy and that the values and behaviours were uninspiring.
- It was suggested that an alternative word be used for behaviour which was mentioned numerous times.
- It would be important to ensure that the Equalities Act came through the work place, that the employees were diverse and that the trade union was involved. Ms O'Neill commented that the theme of respect captured the point regarding diversity.
- One of the committee members felt it lacked passion; staff needed encouragement and to enjoy their work.
- A member of the committee felt it underplayed the importance of values; bad values bred complacency and cynicism. There was not a great deal of focus on delivery. He felt it was too inwardly focussed and should be about how the organisation was run, the culture and how business was carried out. Ms O'Neill stated that the intention was to weave the values and behaviours in with the corporate plan which would provide direction and vision. The corporate plan was being worked on by a different team but they would be pulled together.
- The Chairman added that the corporate plan (called the strategic plan in the work programme) would be presented at the meeting on 25 November 2019.
- A member of the committee stressed that the new organisation would not be static, it would be evolving continually and should be reflected in the culture of the organisation. It should be a learning organisation which encouraged staff to move forward but there had been no mention of staff development. The member suggested adding "fun" under the behaviours. He commented that he would like to see ownership of problems and one of the biggest challenges would be to ensure that all staff trusted each other; there was a lot of mutual suspicion between the district councils and the county council. The member stated he would like to see good performance recognised and was concerned that many of the executive appointments had been made to people from outside the organisation and the message this relayed to the staff. Staff needed to know they would be recognised and promoted if they worked hard. He questioned how the new organisation would develop and align the workforce and how they would know it had been achieved. Ms O'Neill advised that this was addressed in the draft OD strategy and the draft People

- Framework, outlined in the paper but she had been asked to focus on values and behaviours in her presentation.
- A member of the committee was concerned that there were staff and members who would think the values and behaviours did not apply to them and would carry on causing offence to people and asked what message would be given to say the council would not tolerate those behaviours. Ms O'Neill stated that staff would be recruited to the values and behaviours and that research had shown that people applying for jobs considered the values and behaviours culture of an organisation; they would be built into the people framework and people who did not perform would be performance managed using the values and behaviours framework.
  - It was suggested that 'aspiration' and 'learning' should be included. If an organisation was a learning organisation the passion would come.
  - Another member thought it lacked ambition as a headline. Members and officers should have the same values. There was no mention of 'being real' to our residents, no mention of 'courage' or 'the environment'. Partner agencies had to be respectful and co-operative and staff and members needed to have the same values with everyone they came into contact with e.g. parish councils, the police, the fire service etc. The commitment and passion for diversity inclusion was not shown. Everyone needed to be personally accountable. Ms O'Neill said she had considered many of the words suggested but wanted a small number with a clear message which people could focus on. Detail would be woven underneath the key headings and the individual behaviour statements included many of the words being suggested.
  - One of the committee members liked the word 'respect' but stated it was too easy to say 'with respect' and carry on with the sentence. He suggested the word 'listen' should be included as it was important for managers to listen to their staff. If the new council wanted to perform, it must listen to the members, members must listen to the staff and the staff must listen to the public.
  - 'Open' and 'straightforward' were also suggested.

The Chairman thanked Ms O'Neill for the presentation and stated that previously he had had experience of five values in other organisations. He felt it was important to capture the drive, enthusiasm and the need to listen to residents. Mrs S Ashmead, Monitoring Officer for the Shadow Authority reiterated that the Corporate Plan and the Organisational Development Strategy needed to come together and it would be beneficial to see them alongside each other at the meeting on 25 November 2019.

## **7. Task and Finish Group Updates**

Councillor B Gibbs advised that the next meeting for the Task and Finish Implementation Plan Group would be held on 5 November 2019. The group had asked officers to look at the 128 'must haves' on day one and Members would also prioritise the list to ensure a seamless opening of the new council. The task and finish group would also review the risk register, which consisted of some amber risks but the majority were green. Councillor Gibbs encouraged members of the committee to read the forward plan and the list of 'must haves'.

Councillor Gladwin reported that he had attended a Budget Task and Finish Group meeting earlier that evening. A budget building process presentation had been provided along with an overview of the social care budgets. The group would continue talking to the officers to gain more understanding of the budget process. Councillor

Gladwin was concerned that the budget indication was likely to be made in January 2020, however, his preference was for it take place in December 2019 as the group was due to talk to the portfolio holders in January 2020 and he wanted to be in a position of understanding their budgets. The group was also aiming to have informal budget discussion meetings with the portfolio holders in November 2019.

The Chairman added that the cabinet members would have the opportunity to discuss the plans and aspirations for each portfolio prior to the formal budget setting process which would take place in January 2020. The Overview and Scrutiny Committee would also need to hold informal discussions to provide help and support.

A member of the committee requested assurance that the budget be brought to the Overview and Scrutiny Committee in advance of going to the Shadow Executive meeting. The Chairman stated that it would come back to the committee; the actual budget scrutiny would be a week of meetings in public but pre-meetings would be held for any queries beforehand to work together on a robust legal budget by the end of February 2020.

Councillor Lambert advised he was aware of the process and felt it worked. However, he and other committee members were concerned about the capacity of officers and members to support the budget programme and the number of meetings to be held to set the budget. The Chairman disagreed as officers would not be asked for additional papers; he thought it was proportionate and the Overview and Scrutiny Committee would support cabinet members and officers. By the time the budget was put under public examination, no awkward questions should arise.

Mrs Ashmead stated that the budget dates were arranged in January 2020; however, she was concerned that diary availability before Christmas would be a challenge. The Chairman advised that the committee would still receive the paperwork and be able to provide support even if diary capacity meant meetings could not be arranged.

## **8. Shadow Executive Forward Plan**

Ms K Wager, Committee and Governance Manager, BCC, advised that an updated version of the Shadow Executive Forward Plan had been circulated earlier that day as there had been a couple of amendments. None of the changes would impact the scrutiny committee work programme. Ms Wager highlighted the item on Community Boards which was due to be considered on 3 December 2019; however, given the interest from members on the CAPs, Ms Wager recommended the Community Boards be discussed at the Implementation Task and Finish Group to inform feedback to the Shadow Executive.

In response to a query from a committee member who stated the Wycombe Community Governance Review had to be a decision before 10 December 2019 not 7 January 2020; Mrs Ashmead clarified that there was a legal requirement for Wycombe District Council to publish the report by 10 December 2019; the Shadow Executive was then obliged to consider its response to the report at the next meeting.

## **9. Committee Work Programme**

It was noted that the 'strategic plan' should read 'corporate plan'.

In response to a query from a committee member on the Regeneration Strategy for Wycombe which was going to the Shadow Executive on 12 November 2019 to note; the Chairman advised the strategy had been through the relevant scrutiny process.

#### **10. Meetings of the Committee**

The Shadow Overview and Scrutiny Committee meeting dates had been arranged until the end of March 2020. Councillor Clarke sent her apologies for the meeting on 25 November 2019.

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Chairman

#### **The following officers were in attendance at the meeting:**

K Wager	Committee & Governance Manager
S Ashmead	Monitoring Officer, Shadow Authority
S Taylor	Committee Assistant