

Minutes of a Meeting of the Corporate Scrutiny Committee

At 7:00pm on Thursday 12 September 2024

Held in the Council Chamber, Corby Cube, George Street, Corby

Present:

Members

Councillor Lyn Buckingham (Chair)	Councillor Scott Brown (Vice Chair)
Councillor Martin Griffiths	Councillor Andy Mercer
Councillor Anne Lee	Councillor Steven North
Councillor Paul Marks	

Officers

Claire Edwards – Executive Director of Finance and Performance
David Watts – Executive Director of Adults, Health Partnerships and Housing and
Interim Executive Director of Children’s Services
George Candler – Executive Director of Place and Economy
Sanjit Sull – Director of Law and Governance (Monitoring Officer)
Guy Holloway – Assistant Chief Executive
Marie Devlin-Hogg – Assistant Director of Human Resources
Jo Tucker - Workforce, Policy and Projects Specialist
Tom Barden – Head of Performance, Intelligence and Partnerships
Kunwar Khan – Interim Scrutiny Manager
Louise Tyers – Senior Democratic Services Officer

Also Present:

Councillor Lloyd Bunday – Executive Member for Finance and Transformation
Brad Sinclair – OPUS People Solutions
Selena Ayling – OPUS People Solutions

10. Apologies for Non-Attendance

Apologies for non-attendance were received from Councillors Anup Pandey and Russell Roberts.

11. Members’ Declarations of Interest

The Chair invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations of interest were made.

12. Notification of Requests to Address the Meeting

There were no requests to address the meeting.

13. Minutes of the Meetings held on 11 June 2024

The minutes of the meeting held on 11 June 2024 were approved as a correct record and signed by the Chair.

The Executive Director of Place and Economy provided an update on the issue raised on self-repairing roads. He advised that the issue had been raised with the Council's contractor, Kier, who would be liaising with their wider organisation at looking at possible trials within the wider group. Kier would keep us informed on the outcome of familiarisation tests.

14. Presentation on OPUS

The Chair welcomed Brad Sinclair and Selena Ayling from OPUS People Solutions to the meeting. A presentation was given on who OPUS were and how they worked with the Council. The key points of the presentation were:

- OPUS was a joint venture partnership of which North Northamptonshire Council, West Northamptonshire Council and the Children's Trust were partners in.
- OPUS was a wholly owned Local Authority Trading Company, owned by Suffolk County Council and established in 2014.
- They had grown significantly since 2014 and operated across a number of regions, offering temporary and permanent recruitment, supply teaching and people solutions.
- They had generated income of c£3m for their public sector shareholders and partners.
- There had been reduced council agency spend, realising savings of more than £40m and reduced active temporary workers by 18.6% in the last three years.
- The local government recruitment market was currently difficult with 94% of council leaders surveyed saying that they were experience recruitment and retention difficulties, with 905 of councils experiencing at least one capability skills gap.
- It was better to work in strategic partnership and create a workforce strategy to reduce reliance on agency workers.
- The Council's highest spend on agency staff during 2023/24 had been within Children's Services, Adults Services and Place and Economy.

During discussion on the presentation, the following key points were made:

- i. Members asked of the Assistant Director of Human Resources whether the Council had an agreed Workforce Strategy in place. The Assistant Director advised that a Strategy was being developed. The Council was looking to develop links with schools and colleges to encourage young people to consider working in the public sector. It was important to get our "branding" out there and highlight what we could offer. The Assistant Director was happy to share the Strategy at a future meeting.
- ii. It was accepted that roles within services such as planning were difficult to recruit to nationally and members asked what was being done to train and develop our own staff to fill "hard to fill" posts from within existing resources. The Assistant Director advised that the Council was keen to assist staff who wanted to upskill and develop their careers. Internal apprenticeships were also offered to staff who wanted to change their career.

- iii. The Executive Director of Place and Economy advised that within the Council's planning service there had been 31 agency staff employed. Three had been self-funded, where a developer paid for the staff. The number of agency staff had now reduced and further permanent recruitment was ongoing. The Local Government Association had established Pathways to Planning, a graduate scheme to fast-track talented individuals as planners in local government and three graduates would be joining the Council. Different approaches to recruitment were being looked at and there was a lot of activity going on.
- iv. It was stated that often local authorities could be very rigid on job descriptions and person specifications and did not look at an individual's skill sets. There was a need to recruit potential and look to develop people as many people had transferable skills.
- v. The Committee thanked Brad and Selena for attending and providing a very useful presentation.

RESOLVED:

- (i) That the Committee scrutinises the draft Workforce Strategy in around six months.
- (ii) That the Council examine ways of investing in our people to fill "hard to fill" posts to enable us to become an employer of choice and by pursuing Investor in People status.
- (iii) To receive an update in 12 months to examine how our use of agency staff has progressed.

15. Pay and Grading Project Update

The Assistant Director of Human Resources presented the report which provided an update on the Council's Pay and Grading Project following the implementation of the new North Northamptonshire Council pay structure and terms and conditions in February 2024. It also provided further information on the proposed 'roadmap' to offer the same terms and conditions to those employees who were currently employed on TUPE protected pay arrangements, notably those who transferred to the Council from a predecessor council.

As a new employer in 2021, the Council did not have its own pay and grading structure or terms and conditions of employment and the workforce was made up of employees on a mix of inherited pay, terms, and conditions, protected by TUPE legislation. New employees or internal movers were subsequently appointed to 'interim' pay, terms and conditions, which originated from one of the predecessor councils. A negotiated outcome for a new pay structure and associated terms and conditions was reached with the recognised Trade Unions in May 2023. The Council adopted a job family approach where roles with similar characteristics and work were grouped. Just over 450 unique jobs were matched during the first phase of pay and grading, covering approximately 1300 employees. Employees were then assimilated (moved) onto the new pay bands. Phase 1 resulted in the majority of employees (c86%) seeing an increase or no change in their pay; with the remainder seeing a decrease. All employees were given the right to appeal their job matching outcome and 88 job matching outcomes were appealed with 38% of appeals upheld.

This has now led to the TUPE protected workforce asking why the new terms did not apply to them also, especially those who found themselves working alongside colleagues who were now being paid more for doing the same or similar roles. This was particularly the case for staff in lower paid roles who transferred to the Council from the former County Council and Olympus Care Services.

External legal advice regarding harmonisation of its pay and grading arrangements had been sought and from the outset, the legal advice was that a blanket harmonisation approach that included TUPE protected terms and conditions could be deemed unlawful; particularly if TUPE protected terms were more favourable than the new Council terms. The percentage of the workforce whose terms were protected at this time was almost 80%. However, as transformations and restructures had happened across the Council, and new appointments have been made, many employees had now moved into new and changed roles. The percentage of staff who were on the new terms and conditions, following Phase 1 implementation, was now nearer to 50%. Whilst the Council could still not lawfully 'harmonise' our pay arrangements unilaterally, we were able to offer employees the option to 'voluntarily' move to the new arrangements, where it was favourable for them to do so. In early March 2024, and following feedback from TUPE protected employees, the Leader and Chief Executive announced that all employees would be given the opportunity to voluntarily move onto the new pay, terms and conditions should they wish to do so.

Phase 2a would allow TUPE employees in roles that had already been job matched to voluntarily move to the new terms and conditions in January 2025. It was estimated that this would encompass approximately 650 employees. Phase 2b would involve the job matching of all remaining roles with an invitation to voluntarily assimilate to the new terms and conditions in June 2025. This would involve around 525 roles.

During discussion on the report, the following key points were made:

- i. In response to a question as to whether there was a target for the percentage of staff who would be on the new terms and conditions, officers advised that the target was 80%. Staffs current roles were being reviewed and the Council was also looking at what other pay and allowances they received.
- ii. In response to how the project was being funded as there were concerns that directorates budgets would stop people wanting to transfer, the Executive Director of Finance and Performance advised that this would be part of the 2025/26 budget process. As there was a risk of increased costs to the Council, we would be looking at savings to accommodate this risk.
- iii. Members asked whether any work had been undertaken to understand how many members of staff may voluntarily assimilate to the new terms and conditions. The Assistant Director advised that modelling had been done, but it was important to remember that assimilation would not just be based on pay. If it was based solely on pay it was expected that a large proportion of staff would choose to assimilate, however we could not assume what motivates people. The Council was confident that at the end of Phase 2b, around 80% of staff would be on the new terms and conditions.
- iv. In response to a question as to whether the current turnover of staff was predominately those on legacy terms and conditions or on the new, the Assistant

Director undertook to provide a breakdown of which group of staff were predominantly leaving.

- v. The report explained that one of the risks highlighted was of staff leaving the Council, but there was no mention of the risk of staff morale being affected or people 'quiet quitting', how was this being monitored and if identified, how were the Council hoping to manage this problem? In response, the Assistant Director advised that it was hoped to undertake a new staff survey exploring morale and engagement levels in November 2024.

Members wished to congratulate the Assistant Director, her team and others in getting the Council to this point as this had been a huge task.

RESOLVED:

- (i) To note the progress that has been made in the Pay and Grading project to date.
- (ii) That the Committee receives a further update on the project at the conclusion of the implementation of Phase 2b around August 2025.

16. Key Performance Indicators Report 2024/25 (Quarter 1)

The Head of Performance, Intelligence and Partnerships presented the report which provided an update on the Council's performance across a wide range of services. The report provided a detailed assessment of the Council's performance in relation to Key Performance Indicators for 2024/25 for Quarter 1.

At Quarter 1, for those KPIs with a target set and where data was available, 31% were on or exceeding target (23 indicators), 18% were within tolerance of target (13 indicators) and 51% were performing below target (38 indicators).

During discussion on the report, the following key points were made:

- i. In response to a question as to how the Council was managing the announcement of changes by the new government, the Executive Director of Place and Economy advised that officers would be looking at opportunities in the legislative framework due in the Autumn. A report had already been taken to the last Full Council meeting on opportunities around devolution. EAPs had also looked at implications around housing and the National Planning Policy Framework. The Committee requested a future briefing paper on the government's housing initiatives and the impact of them on the Council and its Housing Strategy.
- ii. Following the election of the new government in July, had there been any indications that the approach to performance management would change significantly to what is already in place, for example, the role of OFLOG? In response, the Head of Performance, Intelligence and Partnerships advised that there had been no clear steer yet on whether there would be any change with OFLOG.
- iii. A question was asked as to why were we assessed on KPIs which were outside of our control, e.g. schools? In response, the Head of Performance, Intelligence and Partnerships accepted it was a challenge around measures

which were out of our control. The Interim Executive Director of Children's Services advised that the Council still had responsibilities around education, which whilst we did not have control over, we still retained the statutory responsibility for.

- iv. Estimated total value of contracts (over the contract term) awarded to local suppliers (MPS02) – it was noted that six contracts had been awarded to non-local suppliers and members questioned whether we were focussing our big contracts on local suppliers. In response, the Director of Law and Governance advised that the award of contracts was a matter for directorates. Officers undertook to examine the data around contract with local suppliers and see if it was able to be provided.
- v. Number of households whose homelessness was relieved (AFL14) – in response to being asked to explain what was meant by homelessness being relieved and whether it was households who had found permanent accommodation or households removed from the housing list for a reason, officers undertook to provide a full definitive definition of the indicator and would report back outside of the meeting.
- vi. Number of households in temporary accommodation (AFL17) – the improvement in the number of households in temporary accommodation was welcomed, officers were asked to explain what initiatives the Council had introduced to reduce the use of temporary accommodation and how could this reduction be sustained. In response, the Executive Director of Adults, Health Partnerships and Housing advised that there had been an increase in the number of permanent accommodations, through both social and private landlords. Affordable housing was also being delivered through planning applications. There was always more to be done but the aim was to prevent people moving into temporary accommodation.
- vii. In response to a question as to what impact the proposed changes to Right to Buy would have on the Housing Revenue Account (HRA), officers advised that the Government's proposed policy had yet to be released, but with Right to Buy the HRA loses money with each sale. The aim was to protect the housing stock but that would reduce the capital receipts received.
- viii. Number of children who are absent from education for prolonged periods (BBF33) – it was noted that the performance indicator for the number of education health care plans completed in 20 weeks had consistently under performed. In response, officers advised that performance was not where it was wanted to be. Significant resources had been put into the team during the last year, including additional funds to make additional posts longer term. The main issue was the inability of not being able to name the provision children would go into due to the insufficiency of appropriate provision. Additional funding had also been allocated to increase the number of places. The Committee proposed that when the new Executive Director of Children's Services attends a future meeting that she provides an explanation as to how they forecast the number of SEND children in future years.
- ix. In response to a question as to how the Council was supporting those families whose children had been absent from education for prolonged periods and how did they ensure that these absences were not leading to any safeguard concerns, officers advised that the Council worked closed with parents and

schools. There were a variety of reasons children were not in education, including moving out of the area, receiving independent tutoring and alternative provision. Officers would investigate the possibility of an all-councillor briefing on provision and safeguarding.

- x. A lot of work was being done around this issue and it was proposed that officers provide a briefing paper with an update on the COVID cohort of early years and school age children and the impact on their learning and wellbeing.

RESOLVED:

- (i) To note the performance of the Council and its services.
- (ii) That when the Executive Director of Children's Services attends a future meeting that they provide an explanation as to how they forecast the number of SEND children in future years.
- (iii) That when known, officers provide the Committee with a briefing paper on new government housing initiatives and the impact of them on the Council and its Housing Strategy.
- (iv) That officers provide a briefing paper with an update on the COVID cohort of early years and school age children and the impact on their learning and wellbeing.

17. Forecast Draft Outturn 2024/25 – Quarter 1

The Executive Director of Finance and Performance presented the report which set out the draft outturn for 2024/25 as at Quarter 1. The report set out the material financial issues which had been identified since the budget had been set in February 2024.

The forecast outturn position for the General Fund was an overspend of £8.461m and an overspend of £343k for the HRA. The Dedicated Schools Grant (DSG) was forecasting a £10.657m overspend.

The Children's Trust were forecasting an overspend of £6.071m, of which the cost to the Council was £2.681m.

During discussion on the report, the following key points were made:

- i. It was noted that the Children's Trust were forecasting an overspend of £6.071m. In response to a question as to whether officers were confident that this would remain steady throughout the year, the Executive Director confirmed that the Council was assured that activity and spend was stabilising. The Transformation work was also working and giving the Trust stability.
- ii. Interest rates had started to fall, and this could have an impact on our borrowing and lending. Officers were asked to provide details of the impact of different interest rates on the general fund, capital and HRA.
- iii. It was noted that there was a deficit forecast for the DSG. Members asked whether schools would receive additional funding as part of any recovery plan or would they need to cut back on provision. In response, the Executive

Director advised that there was a statutory override in place until the end of 2025/26. If this was removed, the cost of the deficit would fall to the Council and all options were being looked at. The overspend was predominantly due to the high needs block and mitigating steps were being looked.

- iv. The report explained that there may be further emerging risks around the Adult Social Care budget including unexpected increases in demand during the winter period. In response as to how the Council was mitigating any potential increases, the Executive Director of Adults, Health Partnerships and Housing advised that they were already looking at mitigations and savings programmes to feed into the budget setting process and would be happy to report back through a briefing paper.
- v. It was noted that there were some high-profile issues with Home to School transport at the start of this term. In response, the Executive Director of Place and Economy advised that there had been an increase in demand before the start of the school year and a further increase in demand was expected during the school year, however this was a national issue. There had been around 1100 applications in mainstream provision and 800 in SEN provision and these applications needed to be managed within budgets. A high-level review would take place on some of the issues and he was happy to provide a briefing on the learning from these issues, particularly what happened at the start of term.

RESOLVED:

To note the draft outturn report for 2024/25 as at Quarter 1.

18. Capital Outturn 2024/25 – Quarter 1

The Executive Director of Finance and Performance presented the report which set out the capital outturn for 2024/25 as at Quarter 1. The report set out the material financial issues which had been identified since the budget had been set in February 2024.

The forecast position following the review and reprofiling of budgets was a General Fund underspend of £14.1m and an underspend of £2.6m for the Housing Revenue Account (HRA).

RESOLVED:

To note the Capital Outturn report for 2024/25 as at Quarter 1.

19. Scrutiny Work Plan for Corporate Scrutiny Committee

The Corporate Scrutiny Committee received the Scrutiny Work Plan as it related to the Committee.

RESOLVED:

To note the Scrutiny Work Plan as it related to the Corporate Scrutiny Committee.

20. Close of Meeting

The Chair thanked members and officers for their attendance and closed the meeting.

The meeting closed at 9.57pm.

Chair

Date