

Minutes of a meeting of the Corporate Overview and Scrutiny Committee held on Thursday, 10 November 2022 in Committee Room 1 - City Hall, Bradford

Commenced 5.00 pm
Concluded 8.20 pm

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT	BRADFORD SOUTH INDEPENDENT GROUP
Azam Nazir D Green Mohammed Regan	Nazam Loy	Stubbs	Clarke

Observers: Councillor M Pollard

Apologies: Councillor Arshad Hussain

Councillor Azam in the Chair

35. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

36. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

37. QTR 2 FINANCE POSITION STATEMENT FOR 2022-23

The Director of Finance presented a report (**Document “S”**) which provided Members with an update on the forecast year-end financial position of the Council for 2022-23.

This report was the second monitoring report presented to Members on the Council’s 2022-23 financial position. It provided the forecast revenue and capital financial position of the Council at the 31st March 2023. The report covered:

The forecast outturn of the Council’s *revenue* budget in 2022-23
The forecast financial impact of inflation in 2022-23

A statement on the Councils reserves
An update on the Capital Investment Plan.
The Councils Risk Register.

Main financial messages included in the report revealed that, based on a projection at September 30th 2022, the Council was forecast to overspend the £388.5m net revenue budget by £45.3m by March 31st 2023, That figure was £10.6m lower than the £55.9m forecast overspend at Qtr1 overall, and there were some very significant changes as outlined in the report.

It was reported that the main overspending areas continued to be Children's Social Care due to high placement costs; high levels of Agency Staff, and unachieved savings.

Members were reminded that the Council was also facing some very severe challenges as a result of inflationary pressures which totalled c£33m. The challenges included £14m of additional forecast costs associated with the 2022-23 pay award offer. Overall it was estimated that the employer offered pay award would cost c£20m compared to the £6m budgeted to pay for a 2% pay award and the figure could end up being even higher depending on national pay negotiations.

The other major inflationary costs related to energy prices which were estimated to increase by 118% by suppliers at Quarter 1.

Departmental commentaries and mitigating actions taken to reduce the forecast overspend were presented.

Following a detailed presentation Members raised a number of issues and questions to which the following responses were provided:

- It was expected that the development of the Children's Trust would cost in the region of £3.2 million. It had been confirmed that Department of Education would fund that cost.
- Agency costs of £32 million were forecast across the Council, £24 million of which were for Children's Services. The costs of consultant fees were not available at the meeting and it was agreed that these would be provided after the meeting.
- The Council's Reserves Statement included a number of statutory funds reserved for specific purposes including school balances which could not be utilised elsewhere. The list was being refined to identify amounts which were available for other purposes. Councils which spent 5% of the general fund reserve would be considered to be no longer sustainable.
- Government guidance was awaited on funding to be awarded via the Better Care Fund. It was likely that a condition of the funding would be that it should be used to maintain care worker over the Christmas period.
- It was explained that no patient should leave hospital without an assessment, however, 80% of patients discharged themselves and some

did slip through the assessment process. A grant provided to ensure patients could leave hospital as soon as possible had expired but the Council did not stop supporting residents when the funding ceased. Conversations were being held with the health service to ensure costs were shared.

- The number of staff receiving honorariums; their pay grades and the length of time the honorarium had been in place was not readily available at the meeting. It was agreed that Members would be provided with that information after the meeting.
- A decision had been made by the Corporate Management Team (CMT) that a vacancy freeze would not be imposed and managers retain their flexibility to appoint. Savings reported from unfilled vacancies were where replacement staff did not commence employment after a person left their employment or where managers had felt that they could wait for a month or so to recruit.
- The Ukrainian refugee programme provided £10,000 per refugee. The funding was used to support assessment work required to ensure the suitability of hosts; support for school places and basic school provision such as uniform. Some of the funding was also required to find suitable housing. The government was no longer providing the same level of funding for refugees and as a consequence the funding target was falling short and adding pressure not just on the Housing Service but also on Adults and Children's Services. The costs per refugee was not factored as a specific cost in the accounts but would be identified in other services. It was agreed to investigate if those amounts could be specifically identified.
- Income generated from the Clean Air Zone covered all costs. The government had provided funding for initial set up costs so the scheme was cost neutral. Exceptions were in place for some vehicles including minibuses for specialist transport and prevented the costs falling to other services.
- The Street Lighting Programme, scheduled for completion in 2025, had been brought forward and was 60% complete. The capacity of contractors and availability of luminaires had delayed further progress but the programme was already making savings.
- The Covid pandemic had resulted in an increase in the number of school pupils recorded as receiving Elective Home Education (EHE). A number of pupils had since been encouraged to return to school, however, some families had got into the habit of not sending children to school and to prevent repercussions had recorded those children as EHE. From September 2023 it would be mandatory to register those pupils and for checks to be made. It was explained that Children's Services in Bradford had, for some time, carried out those checks. If children were felt to be at risk or known to social workers the service worked with those social workers to ensure that there was the parental capacity available for those EHE pupils. Care plans would be put in place if necessary and children returned to school.

Resolved –

- (1) That members reviewed and commented on the Quarter 2 Finance Position Statement for 2022-23.**
- (2) The Committee thanks Strategic Directors for their attendance.**
- (3) The Committee requests that the Health and Social Care Overview and Scrutiny Committee considers a report relating to hospital discharges and the processes between Health Services, Adults and Social Care, as well as the financial implications.**

ACTION: Strategic Director, Health and Well Being.

38. UPDATE ON WHAT THE COUNCIL IS DOING TO COMBAT DANGEROUS DRIVING AND ANTI- SOCIAL DRIVING BEHAVIOUR IN BRADFORD

The report of the Interim Director, Place, **Document “R”** provided an update on current casualty levels and trends in the Bradford District and the Capital Programmes, Road Safety Education, Training and Publicity initiatives aimed at addressing dangerous driving and anti-social driving behaviour.

The report also set out the Council’s commitment to Vision Zero.

The Principal Engineer acknowledged that there was a disconnect between the report presented and what Members had expected. He reported his considerable experience of working in the district; the problems faced from dangerous driving and the interventions required to protect residents.

It was explained that Bradford suffered from the highest level of car occupants not using seat belts in the country and the second highest level of untaxed cars.

A lack of legislation had hindered attempts to tackle the issues, however, the Traffic Management Act Part 6 would now enable the Council to control traffic movement orders and be more proactive.

It was reported that an evidence base was required to enable interventions to be put in place but that shortly it would no longer be necessary to go to the extremes previously required for the installation of speed cameras in areas with persistent speeding problems. On a West Yorkshire level five separate vehicles were being purchased which could be deployed outside of the fixed camera zones. It was believed that those measures would demonstrate that Bradford was an area that would not tolerate speed. It was agreed that as soon as further information was available on that issue it would be shared with Members.

Details of the Vision Zero campaign were reported.

Members were informed of the West Yorkshire Transport Strategy 2040 inclusion of a specific aim to reduce road accidents, aspiring to ‘zero tolerance’ of transport-related deaths. Adoption of ‘Vision Zero’ had been accepted by the West Yorkshire Safer Roads Executive and the newly established Vision Zero

Board which was in the process of developing the reality of that vision for the district. There were also aspirations to encourage walking and cycling by improving safety. Milestones and targets were currently being considered at a West Yorkshire level. That multi-agency approach would include data sharing between agencies such as social services; the police and fire service to maximise outputs.

It was explained that the Council did not have the legislative authority to deal with all the issues faced and was the rationale for the partnership approach required.

Political support was also requested to address issues in particular areas of the city. It was explained that a child living in a deprived area was twenty times more likely to be involved in a road traffic accident than children in other areas. Certain areas were particularly car centric with residents using cars for the shortest of journeys. A better understanding of ways to engage with those communities was needed and it was believed that political support, for initiatives which were not particularly liked by communities, would help. Initiatives to encourage mothers to speak to their children about dangerous driving or the use of seat belts was being considered.

The Chair explained that the reason the report had been requested was to enable Members to understand the lack of enforcement around uninsured drivers; dangerous driving and unsafe vehicles.

It was acknowledged that enforcement of traffic violations was the responsibility of the Police and in response to suggestions that it would have been helpful if the police had been at the meeting it was confirmed that they had been invited.

It was recognised that, in reality, there would never be enough police or sufficient cameras to encourage behaviours and prevent offending. The problems with parked vehicles blocking streets and pathways were also raised. In response the Principal Engineer explained that the West Yorkshire Cameras Partnership had redrafted the strategy for the deployment of cameras. Professional advice had been sought and the strategy was now less rigid. The installation of cameras would be based around anti-social behaviour. The purchase of five vehicles to be deployed outside the fixed camera zones and would make the district unique in that cameras could be installed anywhere on the network.

The installation of average speed cameras on local roads would be carried out within the current municipal year.

It was reported that the Department for Transport had requested information on parking issues and officers had provided evidence toward the production of a Government Green Paper although that had been delayed. Those proposals would provide Council's with the authority to fairly enforce parking on footpaths. The authority would be working closely with the police on those issues.

A Member referring to communications policies included in Document "R" requested that the programme of radio advertising aimed at drivers and focussed on the fatal four (the four factors most closely associated with KSIs – speed, impairment, distraction & non seat belt use) include Sunrise Radio. It was also suggested that statistics on the impact of seat belts in reducing severity of

accidents be publicised in the areas of most need. The Principal Engineer reiterated his wish to work more closely with elected Members to engage with local communities.

Members requested that plans to engage with local communities be communicated to them. The idea to engage with mothers to educate their children on dangerous driving and anti-social behaviour was welcomed.

It was explained that the strategic document currently being prepared on Vision Zero would set out proposals and encompass the views expressed by Members. Meaningful two-way communication with communities was required to understand the issues around the district and facilitate engagement. In response to a view that waiting for the production of the strategy would delay communication Members were assured that the Principal Engineer would work on engagement methods separately to that process.

A Member referred to a motion to Council to extend play streets and restrict cars which he believed could be strengthened to improve road safety and facilitate a move from car centric areas. It was believed that residents may have no realisation that parking on pavements or loud exhaust emissions was a form of anti-social behaviour.

It was also questioned why no reference was made in the report to the serious incidents caused by the use of nitrous oxide canisters.

It was explained that the impact of the use of nitrous oxide canisters had been raised with the police. The substance was out of the system within ten minutes and was, therefore, very difficult to enforce. The substance was used in the catering industry so loop holes in legislation did exist and the issue was becoming a national problem.

A view that Operation Steerside had not been effective was countered by the Principal Engineer who explained that anti-social issues would be much worse in the district without that initiative. He reported that his service worked very well with the police and partners but it was acknowledged that they could not deal with all issues in the city. A targeted approach was required to engage with residents to prevent issues such as children driving vehicles in the area at 14 years old.

In response to the extension of play streets it was explained that staffing resources were not available to manage those; there were not enough engineers in the district and the use of agency staff was now allowed. It was agreed to discuss that issue with the Portfolio Holder.

Concerns were raised about the number of supercars being hired for weddings and special occasions and driven around the district by young people without the experience or capability to handle such vehicles. It was believed that there were previous plans to encourage car hire firms to be more discerning about the people who hired those vehicles and it was questioned if those plans had progressed. It was explained that police had been proactive in installing road blocks in areas where those cars were being paraded during times of celebration. The police had been in discussions with the hire companies. Those companies were not acting illegally and the outcome of the discussions was not known.

A Member referred to previous years' budgets, which had been considerably larger, and had not been able to solve the issue of dangerous driving in the area. He was advised that officers were working more smartly and moving away from a post-collision response. The service was working with partners to add value and share expertise and information.

The impact of the five vehicles across the whole of West Yorkshire was questioned and it was explained that these would enable drivers to be fined for anti-social behaviour anywhere in the city and would demonstrate a no tolerance approach to dangerous driving.

Resolved –

(1) The Committee requests that an update report be presented in 12 months' time which includes outputs and outcomes on driver enforcement and driver behaviour, as well as details relating to zero tolerance.

(2) That officers from West Yorkshire Police also attend the meeting.

Action: Strategic Director, Place.

39. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

The Governance and Audit Committee, at its meeting on 21 April 2022, whilst discussing amendments to the Constitution – Contract Standing Orders and Financial Regulations, resolved, amongst other things:

(1) That the Social Value Procurement Policy be referred to the Corporate Overview and Scrutiny Committee for consideration when the policy is reviewed.

The Committee was asked to note the referral listed above and Document "Q" to decide how it wished to proceed, for example by incorporating the item into the work programme, requesting that it be subject to more detailed examination, or refer it to an appropriate Working Group.

The Director of Finance and IT presented Document "Q" which provided an update on the application of the Social Value and Inclusive Growth Rationale & Policy implemented in 2018. It identified key successes and proposed actions to be included in the review of the policy and subsequent update to ensure continuous improvement was evidenced.

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Members were asked to note:

- The content and intent of the rationale and policy to retain its relevance.
- The positive actions taken to progress the Social Value and Inclusive Growth Rationale and Policy.
- The intent for the Head of Procurement to lead a review of the Social Value and Inclusive Growth Rationale and Policy with the intent to engage stakeholders including VCSE; supply chain; and officers from across the Council including Economic Development; Employment and Skills; Anti-Poverty leads; Equality leads; and services who main procurers in the Council on revisions.
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It was explained that the review would specifically asses:

- Options to increase local spend, including capturing sub-contracted spend where possible. The review would also establish appropriate targets and consider the one-off impact of large scale projects.
- What metrics should be included in Bradford specific TOMs (Themes; Outcomes; Measures).
- To ensure proposed Social Value proposals were captured and their delivery evidenced in outcomes to benefit the District.
- Options to enhance Social Value from the Council's supply chain.

A Member referred to measures to increase social value from the Council's supply chain which had been in place for a number of years. Whilst acknowledging that some contracts may be too large for local businesses he questioned how contracts were constructed to encourage local business. He quoted a previous example of a sole trader being asked for a Health and Safety Policy before being allowed on the list of contractors to be considered. He hoped such barriers had been removed and that inclusion in tender processes were now easier for small firms.

It was also questioned if the use of local sub-contractors was a requirement in larger contracts.

It was explained that there were a number of large contracts awarded but more had been done to encourage small firms. Work was required to capture the number of local sub-contractors and assurances were provided that it was now easier for small firms to bid.

The social value of the Broadway project was questioned although it was acknowledged that the input of previous officers and councillors would be required.

Members were informed that the 1City Park project and the Children's Trust were appointing a number of apprentices.

A Member who had previous experience as a school governor explained the difficulty the phrase 'whenever possible' was when referring to awarding contracts to small firms. He hoped that lip service was no longer paid when contracts were constructed.

In response to questions about penalties for non-compliance with contracts

Members were assured that these were in place and future business would not be granted if contractual obligations were not met.

The lack of a local energy provider was questioned and it was confirmed that none of the suppliers were based in the district. It was hoped that the development of the District Heat Network would increase local spend.

A Member discussed a small contract award which had been quoted at a cost of £2,000 but increased to £30,000 and questioned who monitored such contracts. It was agreed that further information was required about that project.

In response to questions it was confirmed that contracts did not include compliance with Equality Impact.

It was suggested that contribution to social activity, outside of the Section 106 planning obligations, be include in contracts. It was agreed that suggestion could be considered.

It was explained that the first task of the new Head of Procurement would be to engage the market and produce documents which it was envisaged would be in February or March. Engagement would be conducted and the policy would be brought back to Members to ensure that were happy.

Resolved –

(1) This Committee requests that the comments raised by members be considered as part this review process.

(2) That the new Social Value and Inclusive Growth Rationale and Procurement Policy be presented to this Committee in July 2023.

ACTION: Strategic Director, Corporate Resources

40. EQUALITY OBJECTIVES AND EQUALITY PLAN 2021-25 UPDATE

The Assistant Director, Chief Executive's Office presented a report (Document "T") which updated Members on the progress made in relation to implementation of actions within the current Equality Objectives and Equality Plan 2021-25.

Key changes to the Equalities Objectives and Equality Plan in relation to the Local Government Association's Peer Review recommendations and other consultation and feedback were provided and it was confirmed that the only cost incurred from the review was for officer time. Members were advised that Terms of Reference for the review had not been established and an informal agreement to review the plan had been agreed.

It was questioned how thorough the review could be without established terms of reference and it was agreed that, as the officer concerned was not available, contact would be made with the Local Government Association to investigate further.

The Chair expressed disappointment that he had not received site of any terms of

reference despite his previous request and that he had not been provided with a quarterly review report which he had asked for in October 2021.

In response it was explained that a performance report had been circulated with the minutes of that meeting and had been subsequently sent to Members. The performance appraisal had provided examples of good practice and whilst there was still more to be done a lot of training and systems were in place.

A Member suggested that Terms of Reference for future peer reviews should be brought to the relevant Overview and Scrutiny Committees prior to commencement of those reviews.

Communications with staff as part of the review were questioned and it was explained that a combination of discussions with network chairs; elected members; community partners; colleagues working in communities and public sector partners had been undertaken.

The Gypsy and Traveller Strategy to support the inclusion of people from that community was questioned and it was explained that this was to look at the availability of land and site improvements which should be addressed internally. Members suggested that this should include discrimination regarding employment for that community and it was confirmed that discrimination was part of the strategy.

It was felt that the report read as if only limited groups of people were included and questioned why women's groups and disability groups were not included.

In response to questions about why discussions regarding apprenticeships with Birmingham University had not been conducted locally it was explained that this had been down to availability. Discussions were being held with the University of Bradford to ensure that apprenticeships were not being awarded outside of the district.

The rationale for only including top management in the equality objectives was queried and it was explained this was to provide a commitment from the top 200 + special grade posts to ensure every member of staff should ultimately have equality objectives.

The inclusion in the plan of grievances was questioned and it was explained that this had been included when the plan had been formulated to portray relationships between managers and staff. There had been a lack of support for grievances raised with an average of 30 being investigated at any one time. The aim was to reduce the length of the procedure and the next step of the Respect Programme was to allow advocates to support.

A Member referred to the recommendations in the Interim Feedback Paper from the Local Government Association (LAG) and questioned why Recommendation 6 referred only to adjustments for disabled staff. It was also questioned why Recommendation 7 referred to equality data for only LGBTQ+ and disabled communities. It was explained that this was because they LGA could see the work undertaken regarding other group although disability data had reduced and it was felt more work was needed. In response to a suggestion that data should

be published for all protected characteristics it was explained that the duty had been met. The Peer Review and subsequent recommendations had been welcomed although not all the feedback was as expected.

It was questioned why the percentage of Managers at Special A who had an equality objective goal recorded on the Evolve system had reduced. It was acknowledged that the statistics had dipped but explained that not all goals had been recorded. It was explained that discussions were held with employees and managers. The objectives should be discussed throughout the year and reviewed at the end of the performance cycle.

To ensure that the Council reflected the population it served it was questioned if recruitment and retention was recorded for minority communities and protected groups. It was explained that people appointed, people who left and how long they had been employed were available on the recruitment system. Those figures were analysed and work was conducted to ensure people had the ability and interview skills and consideration was given to how and where roles were advertised.

Measures to encourage recruitment to high level roles was questioned. It was explained that some posts were advertised through external head hunters and clear inclusion criteria was set. Searches were conducted and local on a national level and selections were made with representative parties.

A lack of identification of female employees was raised and the numbers of female workers as a percentage of the total number of staff was provided.

An awareness of pressure around trans rights was raised as a matter of concern and Members believed that this should be addressed in the equality strategy.

Concern was expressed that the information received was incomplete and had been received too late. It was questioned if that was because of workload and capacity issues.

In response it was clarified that a lot of time was spent driving forward the equalities agenda and amazing work had been conducted in the organisation including encouraging many more staff from different backgrounds than ever before; a successful apprenticeship programme; staff led networks and a reduction in grievances. It was difficult not to get hung up on data and the report was the nearest to a performance report which could be presented. Assurances were provided that all managers were encouraged to set equality objective goals.

Officers were thanked for the report and their contribution to the meeting and were requested to keep Members informed of progress to enable them to help to drive the equality agenda forward. In response it was agreed to invite network chairs to future meetings.

Resolved –

- (1) This Committee requests that the Terms of Reference for any future LGA Peer Review, be presented to the relevant Overview and Scrutiny Committee, prior to the review commencing.**
- (2) That a report be presented to this Committee in 12 months, which specifically focuses one:**
 - Key outcomes delivered;**
 - Performance Indicators;**
 - Activities of each of the staff networks.**
- (3) Quarterly equalities performance reports be circulated to members of this Committee.**

ACTION: Assistant Director, Office of the Chief Executive

41. CORPORATE OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME FOR 2022/23

The Chair of the Corporate Overview and Scrutiny Committee submitted a report (**Document “U”**) which included proposed items for the Corporate Overview and Scrutiny Committee work programme for 2022/23.

Members were advised of an informal session on the review of Anti-Social Behaviour across the district to be held on 29 November 2022. Invites had been sent to all parties although the police could not attend. It was agreed that a separate session could be held with the police at a later date.

Resolved –

Members discussed and amended the work programme.

ACTION: Overview and Scrutiny Lead.

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Corporate Overview and Scrutiny Committee.