

**AGENDA**  
**SCRUTINY BOARD**

**Date:** Thursday, 4 July 2013

**Time:** 6:00 pm

**Venue:** Collingwood Room - Civic Offices, Fareham

**Members:**

Councillor D C S Swanbrow (Chairman)

Councillor Mrs K Mandry (Vice-Chairman)

Councillors Miss S M Bell  
J V Bryant  
Mrs M E Ellerton  
J S Forrest  
N R Gregory  
Miss T G Harper  
P W Whittle, JP

**Deputies:** M J Ford, JP  
T J Howard  
T G Knight  
D J Norris  
Mrs S Pankhurst  
R H Price, JP  
D L Steadman  
D M Whittingham



**1. Apologies for Absence**

**2. Minutes (Pages 1 - 6)**

To confirm as a correct record the minutes of the meeting of the Scrutiny Board held on 30 May 2013.

**3. Chairman's Announcements**

**4. Declarations of Interest and Disclosures of Advice or Directions**

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct and disclosures of advice or directions received from Group Leaders or Political Groups, in accordance with the Council's Constitution.

**5. Deputations**

To receive any deputations of which notice has been lodged.

**6. Presentation by, and Questioning of, the Executive Member for Streetscene**

To receive a presentation by the Executive member for Streetscene on the performance of services within the Streetscene portfolio over the last year and on future plans.

**9. The Disclosure and Barring System (Pages 7 - 12)**

To consider a report by the Director of Community on the Disclosure and Barring System (minute 8 of the meeting held on 21 March 2013 refers).

**8. Annual Report on the Performance of the Community Safety Partnership (Pages 13 - 30)**

To consider a report by the Director of Regulatory and Democratic Services on the performance of Fareham Community Safety Partnership.

**9. Scrutiny Board Work Programme 2013/14 (Pages 31 - 44)**

To review the work programme for 2013/14.

**10. Executive Business**

If requested by a member, to consider any item of business dealt with by the Executive, since the last meeting of the Board. The relevant Executive meeting is 10 June 2013. (This will also include any decisions taken by individual Executive members during the same time period.)

P GRIMWOOD  
Chief Executive Officer

[www.fareham.gov.uk](http://www.fareham.gov.uk)

26 June 2013

For further information please contact:  
Democratic Services, Civic Offices, Fareham, PO16 7AZ  
Tel:01329 236100  
[democraticservices@fareham.gov.uk](mailto:democraticservices@fareham.gov.uk)

This page is intentionally left blank

# FAREHAM

BOROUGH COUNCIL

## Minutes of the Scrutiny Board

**(to be confirmed at the next meeting)**

**Date:** Thursday, 30 May 2013

**Venue:** The Collingwood Room - Civic Offices, Fareham

**PRESENT:**

Councillor D C S Swanbrow (Chairman)

Councillor Mrs K Mandry (Vice-Chairman)

**Councillors:** Miss S M Bell, J V Bryant, Mrs M E Ellerton, J S Forrest,  
N R Gregory, Miss T G Harper and P W Whittle, JP

**Also Present:** Councillor N J Walker, Chairman, Planning Committee.



**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. MINUTES**

It was AGREED that the minutes of the meeting of the Scrutiny Board held on 21 March 2013 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made an announcement concerning the order of business for the meeting, indicating that the Question and Answer Session with representatives of the Environment Agency would take place before the call-in item and the related deputation as the item had been arranged for some time and as some of the Environment Agency representatives needed to leave before 7pm.

**4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS**

There were no declarations of interest or disclosures of advice or directions made at this meeting.

**5. QUESTION AND ANSWER SESSION WITH REPRESENTATIVES OF THE ENVIRONMENT AGENCY**

The Board received a presentation from Colette Heggie, Environment, Planning and Engagement Manager, Sally Taviner, Sustainable Planning Team Leader and Jemma Colwell, Flood & Coastal Risk Management Advisor on the work of the Environment Agency. The presentation included details of the Environment Agency Role and Vision, the Solent and South Downs Area, the Agency's role in Planning and Development, Strategic Planning, Pre-Application and Applications, involvement in the development of Welborne, Managing flood risk in Fareham, with particular reference to Wallington and Useful Contacts. The presentation sought to give answers to members' questions arising from consideration of the scoping report at the meeting of the Board on 22 November 2012 (minute 7 refers). Following the presentation the Environment Agency representatives answered members' questions. Matters raised included responses to consultations on planning applications and flood risk management at the Welborne development, Wallington and Titchfield.

It was AGREED that:

- (a) Colette Heggie, Sally Taviner and Jemma Colwell be thanked for their presentation and for answering members' questions; and
- (b) it be noted that copies of the presentation and notes could be provided to members at the conclusion of the item.

## 6. DEPUTATIONS

The Board received a deputation from Mr S Cunningham in support of agenda item 6 - Call-in of Executive Decision 2013/14-6: Improving Customer Satisfaction and he was thanked accordingly (see minute 7 below).

## 7. CALL-IN OF EXECUTIVE DECISION 2013/14-6: IMPROVING CUSTOMER SATISFACTION

The Chairman confirmed that this item was to consider the Executive's decision made on 13 May 2013 to waive contract procedure rules and approve the appointment of Vanguard Consultancy to provide guidance, expertise and support in implementing fundamental change to the way the Council delivers its services to customers. The decision had not yet been implemented because it had been called-in by 3 non-Executive members, as per the Council's Constitutional arrangements.

The Chairman explained how consideration of the item would proceed.

The Scrutiny Board considered a report by the Director of Regulatory and Democratic Services and Monitoring Officer which outlined the reasons given for the call-in of the Executive Decision (copy of report sb-130530-r02-gwh circulated with agenda). The Director of Regulatory and Democratic Services presented the report which included a number of appendices to further assist the Scrutiny Board in its review of the decision.

At the invitation of the Chairman, Councillor P W Whittle, JP, the representative of the call-in, explained the reasons for the call-in as being that:

- i. The Council has high levels of customer satisfaction and therefore the justification is not sufficiently proven for the levels of expenditure for small incremental improvements.
- ii. The methodology proposed has not been adequately demonstrated to be the best solution in the circumstances.
- iii. The grounds for waiver of Council Contract Procedure Rules have not been evidenced and the circumvention of open competitive tendering process is un-sound for use of public funds.
- iv. The funds are not available without forward commitment of future unapproved budgets.

At the invitation of the Chairman, the Executive Leader Councillor S D T Woodward joined the meeting and was called upon to advise the Scrutiny Board of the rationale of the Executive decision and what was taken into account in making it.

The Executive Leader explained that the requirements of the Council were to identify a solution to further improve customer satisfaction for the services it provides because although many Council services are currently rated positively by customers, there is evidence to suggest that systems are currently designed in a way to best meet organisational needs, rather than the

needs of customers. As a result, it is clear that customers do not always receive a proactive, responsive, easily accessible and positive service.

The Executive Leader stated that using a partner to act as a mentor would ensure that the Council could deliver continuous improvement for the long term, by fundamentally altering the culture and management approach within the organisation. He confirmed that although the Council does not presently have the depth of knowledge and therefore needs external support in the first instance, it is an organisation committed to developing and retaining the skills so as to limit the dependency on external consultancy support.

The Executive Leader advised the Scrutiny Board that following soft market testing work, Vanguard appeared to be the only consultancy that offered a bespoke service/product which meets the Council's requirements, and demonstrated a strong understanding of the organisational needs and the needs of each individual service within it, through its track record with other local authorities. On closer inspection, the Vanguard Method contains vital differences that make it unique in helping organisations change from command and control to a systems approach to the design and management of work, putting the customer first, which is the approach that the Council wants to take.

The Executive Leader explained that, on the basis that the methodology is genuinely proprietary to Vanguard, there is a sound argument that running a tender for the service would be difficult, because it would involve the Council seeking a service from suppliers which was Vanguard's own intellectual property. This would fall under the "protection of exclusive rights" procurement regulations.

The Executive Leader stated that European Union Regulations require contracting authorities to adhere to the overriding EU principles of transparency and equal, non-discriminatory treatment of suppliers. He advised that the regulations also allow for public authorities to contract for the supply of services without conducting an OJEU (Official Journal of the European Union) competitive process. This is set out in Regulation 14(1)(a)(iii), which states that "when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the public contract may be awarded only to a particular economic operator".

Where public bodies apply Regulation 14 (1)(a)(iii), it is incumbent upon the public authority to demonstrate that the test applies. This is often a judgement based on subjective evidence, and in order to test the assumptions made, the regulations allow for public bodies to publish a "Voluntary ex ante transparency notice". This is a public notice advising of the intention to award a contract without prior publication of a contract notice in the Official Journal of the EU. On publication, all suppliers within the EU are given the opportunity to challenge the rationale within 10 days of publication. The outcome of this exercise will either support the view of the public body or it will identify other suppliers that have an interest in the supply.

The Executive Leader confirmed that it was always intended that Fareham Borough Council would publish a Voluntary ex ante transparency notice after the call-in period had expired. He confirmed that this process was now



delayed due to the call-in notice, but could recommence, dependent on the decision of the Scrutiny Board.

The Executive Leader confirmed that whilst the budget had been set, the rationale is not necessarily to spend the entire available budget but to review the progress of the new techniques as the work continues.

The Executive Leader then answered questions put to him by members of the Scrutiny Board. At the request of the Chairman, questions were asked on each of the four reasons for the call-in in turn.

The Chief Executive Officer also answered questions for clarification put to him by the members of the Scrutiny Board.

The Executive Leader was thanked for his answers and was advised that he was no longer required at the meeting.

Members of the Scrutiny Board considered each of the call-in reasons in turn and debated whether or not they had been fully answered.

The Chairman confirmed that, having considered all the reasons given for the call-in, the Scrutiny Board now had to consider its options as set out in the report, that being either:

- (a) to accept the decision made by the Executive, in which case the decision could be implemented; or
- (b) to request that the Executive reconsider the decision, giving reasons for such a request.

A motion was proposed and seconded to request that the Executive reconsider its decision on the grounds that the reasons for the new approach had not been adequately proven.

Upon being put to the vote, the motion was declared NOT CARRIED (3 members voting for and 6 against).

A motion was then proposed and seconded to accept the decision made by the Executive and to allow the decision to be implemented which, when being put to the vote, was declared CARRIED (6 members voting for and 3 against).

It was AGREED that the Scrutiny Board accept the decision made by the Executive and allow the decision to be implemented to waive contract procedure rules and approve the appointment of Vanguard Consultancy to provide guidance, expertise and support in implementing a fundamental change to the way the Council delivers its services to customers.

## **8. SCRUTINY BOARD WORK PROGRAMME 2013/14**

The Board considered a report by the Director of Finance and Resources on the Board's work programme for 2013/14.

It was AGREED that:-

- (a) the programme of items as set out in Appendix A to the report be noted;  
and
- (b) the progress on actions since the last meeting, as set out in Appendix B to the report, be noted.

## **9. EXECUTIVE BUSINESS**

The Chairman invited members to indicate if they wished to consider any other item of business dealt with by the Executive since the last meeting of the Board. There were no other items of Executive business considered.

(The meeting started at 6.00 pm  
and ended at 9.39 pm).

# FAREHAM

## BOROUGH COUNCIL

### Report to Scrutiny Board

Date: **4 July 2013**

Report of: **Director of Community**

Subject: **THE DISCLOSURE AND BARRING SYSTEM**

#### **SUMMARY**

This report outlines the changes to the disclosure of criminal records and barring arrangements for those working with children or vulnerable adults following the introduction of the Protection of Freedoms Act in September 2012.

Guidance is included concerning the types of activity which can lead to the requirement for a formal criminal record check of a person concerned with delivering Council services or undertaking activity in connection with Council business.

#### **RECOMMENDATION**

That the Scrutiny Board notes the arrangements that are in place for vetting and checking of a person concerned with delivering Council services or undertaking activity in connection with Council business.

## INTRODUCTION

1. This report seeks to update members in respect of changes to the disclosure of criminal records and barring arrangements for those working with children or vulnerable adults following the introduction of the Protection of Freedoms Act in September 2012.
2. Guidance is included concerning the types of activity which can lead to the requirement for a formal criminal record check of a person concerned with delivering Council services or undertaking activity in connection with Council business.

## BACKGROUND

3. Back in 2010 the coalition government '*committed to reviewing and reforming the vetting and barring scheme and the criminal records regime, scaling them back to more proportionate levels*'. The Government was committed to protecting vulnerable groups and wanted to see a focused and effective safeguarding system, where harm or risk of harm was identified, acted upon effectively and ultimately prevented.
4. They wanted a better sharing of responsibility for safeguarding between the state and organisations. This included ensuring all employees or volunteers were appropriately recruited, trained and managed, which should be considered just as important as a criminal records check from the state.
5. As a result, provisions were included in the Protection of Freedoms Act 2012 to ensure that there is continued protection for vulnerable groups but that the system operates in such a way as to '*reduce the burden on employers and better respects the civil liberties of the individual*'.
6. The Protection of Freedoms Act received Royal Assent in May 2012. As a result of the passage of the Act, a number of changes to the Disclosure of Criminal Records and Barring system came into effect from 10 September 2012.

## NEW DEFINITION OF 'REGULATED ACTIVITY'

7. The Safeguarding Vulnerable Groups Act 2006 considered 'regulated activity' to be work and activities which a person who has been barred by the Independent Safeguarding Authority (ISA) must not do.
8. Under the Protection of Freedoms Act and with effect from 10 September 2012 the definition of 'regulated activity' was changed to focus on '*work which involves **close and unsupervised** contact with vulnerable groups including children*'. The full definition can be found in Appendix 1.
9. Organisations will not be able to check barred list status for work that is not 'regulated activity'. However depending on the duties of the person it may still be possible to carry out a criminal record check at another level without the barred list check. Further information on the levels of checks which can be undertaken by the Council can be found in Appendix 2.
10. Organisations must be clear about the new definition of 'regulated activity'. Knowingly allowing a barred person to work in a 'regulated activity' is an offence. If an organisation dismisses or removes someone from 'regulated activity' (or would have done so had they not already left) because they harmed or posed a risk of harm to

vulnerable groups including children, there is a legal requirement to report that person to the ISA.

## **CHANGES AFTER SEPTEMBER 2012**

11. In December 2012 the work of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) were merged into a single, non-departmental Public Body called the Disclosure and Barring Service (DBS), providing wider access to criminal record information.
12. The DBS also makes independent barring decisions concerning people who have harmed previously or where there was a risk of harm to a child or vulnerable adult within the workplace or volunteer setting. This assists organisations to make safer recruitment decisions.
13. Later in 2013, it will be possible for an individual to subscribe to a new Update Service allowing them (for the payment of a small fee) to apply for a criminal record check once and reuse this check again if needed with subsequent employers or volunteer groups. The aim is to facilitate portability and avoid unnecessary repeat applications.

## **HOW THESE CHANGES AFFECT THE COUNCIL**

14. A review has already been undertaken of Council employee posts to ensure that criminal record checks are undertaken appropriately.
15. Personnel Services already administer DBS checks when requested for certain elected members whose duties bring them into contact with children or vulnerable adults and meet the criteria for a criminal records check. This has included elected members who volunteer for the SNAP disco, volunteer with Youth Groups or who may supervise the Mayor's Cadet at Civic Events.
16. Completing these checks offers further assurances to residents in the Borough of the Council's commitment to safeguarding vulnerable members of society.
17. It is not possible to carry out DBS checks for all employee posts or for all elected members as many roles do not meet the strict criteria imposed via the DBS. The Council would be criticised for failing to correctly apply the criteria and may be at risk of losing its Countersignatory status with the DBS. This may lead to delays in recruiting suitable employees to deliver services and delay reviews of the continued suitability of existing employees.

## **CONCLUSION**

18. The changes made to the disclosure of criminal records and barring arrangements for those working with children or vulnerable adults ensure that appropriate measures are taken to protect vulnerable members of society.
19. It is necessary that the Council continues to ensure it applies these measures correctly to all people concerned with delivering Council services or undertaking activity in connection with Council business.

**Enquiries:**

For further information on this report please contact Martyn George, Director of Community (Ext 4400).

## What is 'Regulated Activity'?

Although the Council can continue to access criminal record information on individuals at the highest level, this can only be done where the work they do justifies it and meets the new definition of 'Regulated Activity' (post Sept 2012)

Regulated Activity relating to children covers:

- 1) Unsupervised activities - teaching, training, caring for or supervising children, or providing advice/guidance on well being – **only regulated activity if it is carried out regularly.**
- 2) Work for a limited range of establishments (schools, nursery, and children's centres) with the opportunity for contact with children. (this does not include supervised volunteers) - **only regulated activity if it is carried out regularly.**
- 3) Relevant personal care for example, washing, dressing, health care supervised by a professional
- 4) Registered childminding and foster caring
- 5) Day to day management or supervision of individuals carrying out regulated activity to children.

**n.b.** Regularly will be defined as *frequently (once a week or more often), on 4 or more days in a 30-day period or overnight (between 2am and 6am).*

Regulated Activity relating to adults covers the following activities or anyone supervising posts in these categories.

- 1) Those providing health care - doesn't include work place first aiders, life coaching
- 2) Those providing personal care
- 3) Those providing Social Care
- 4) Those providing assistance with general household matters i.e. handling cash, paying bills, shopping
- 5) Those assisting a person with the personal management of their affairs.
- 6) Those who transport an adult because of their age, illness or disability from their place of residence to a place where they are receiving health or social care i.e., hospital porters, patient transport service drivers.

In relation to adults, they are no longer labelled as 'vulnerable'. Rather the definition identifies the activities which, if any adult requires them, lead to that adult being considered 'vulnerable' at that time. There is also no longer a requirement for an activity to be carried out a certain number of times.

## Levels of DBS Check

There are 4 types of criminal record check which can be carried out by the Authority:

- **Basic** - This only shows unspent convictions and cautions which the Council already asks **all** employees to declare. The Basic check allows the Council to verify the information provided by an applicant in certain circumstances.
- **Standard** - This can be applied for when a post is exempt from the Rehabilitation of Offenders Act and covers Spent and Unspent convictions, cautions, reprimands and final warnings.
- **Enhanced** - This can be applied for when a post works with children and vulnerable adults and the duties of the post met the **old definition** of '**Regulated Activity**' which was in place prior to the Protection of Freedoms Act 2012. An Enhanced DBS covers Spent and Unspent convictions, cautions, reprimands and final warnings plus any additional information held locally by police forces that is reasonably considered relevant to the post applied for.
- **Enhanced plus**– this includes the same information as an Enhanced check but also includes a check of the appropriate **DBS Barred Lists** in relation to children or vulnerable adults. The Council are only authorised to request such a check where the work meets the **new definition** of '**Regulated Activity**' (see Appendix 1) in place since September 2012.



# FAREHAM

## BOROUGH COUNCIL

### Report to Scrutiny Board

**Date**                    **4 July 2013**

**Report of:**            **Director of Regulatory and Democratic Services**

**Subject:**              **ANNUAL REPORT ON THE PERFORMANCE OF FAREHAM  
COMMUNITY SAFETY PARTNERSHIP**

#### **SUMMARY**

The Council's Scrutiny Board has been designated as the Council's Committee with power to review or scrutinise decisions made or actions taken by the Fareham Community Safety Partnership. This report provides members of the Scrutiny Board with an overview of the work undertaken by Fareham's Community Safety Partnership and the partnership's performance to date.

#### **RECOMMENDATION**

The Panel is requested to note the performance and progress made by Fareham's Community Safety Partnership and the risks and challenges it faces in the future.

## **INTRODUCTION**

1. On 30 April 2009 those provisions of the Police and Justice Act that related to overview and scrutiny of crime and disorder matters came into effect. These provisions required every local authority to have a committee (the "crime and disorder committee") with power to review or scrutinise decisions made or action taken in connection with the discharge of crime and disorder functions by the responsible authorities. In order to clarify and confirm arrangements for meeting the Council's duty in this regard, the Council RESOLVED at a meeting on 23 April 2009, that the Council's Scrutiny Board be designated as the Council's crime and disorder committee and that the Council's duties and functions in this regard be delegated to the Board.
2. The powers to scrutinise are given to the scrutiny function of all local authorities by sections 19 and 20 of the Police and Justice Act 2006, as amended by section 126 of the Local Government and Public Involvement in Health Act 2007. Regulations have been passed under section 20 of the 2006 Act, and these provide local authorities with a framework for the development of an ongoing relationship between Crime and Disorder Reduction Partnerships (CSPs) and scrutiny bodies.
3. The Board should be undertaking reviews of the performance of the Partnership. Guidance suggests that, for the most part, reviews will concentrate on policy and performance matters. Issues relating to individual organisations should normally be pursued through existing scrutiny arrangements within that organisation.
4. When this matter was originally reported to the Scrutiny Board at its meeting on 24 September 2009 it was agreed that an annual report be presented to the Board on the performance of the Fareham Community Safety Partnership, in addition to any community safety issues that the Board may wish to scrutinise.

## **FAREHAM COMMUNITY SAFETY PARTNERSHIP**

5. The Fareham Community Safety Partnership is a long-established and very successful Crime and Disorder Reduction Partnership. It was set up under section 5 of the Crime and Disorder Act 1998 to reduce crime and disorder in the borough of Fareham. The Partnership is made up of "responsible authorities" together with "co-operating bodies and persons". The last year has seen a change in statutory partnership members with the loss of the Police Authority and Primary Care Trust and the introduction of the Clinical Commissioning Groups. The responsible authorities have statutory duties on the Partnership and are:-

Fareham Borough Council;  
Hampshire County Council;  
Hampshire Constabulary;  
Hampshire Fire Authority;  
Hampshire Fire and Rescue Service;  
The Probation Trust; and  
Fareham and Gosport Clinical Commissioning Group.

6. From 1 April 2013 Clinical Commissioning Groups (CCGs) replaced Primary Care Trusts as statutory partners on CSPs. CCGs have a duty to:-

- participate in a strategic assessment of crime and disorder, anti-social behaviour, reducing re-offending and drug and alcohol misuse for the CSP area in which they fall;
- contribute to the development of local strategies that effectively deal with the issues which are identified.

There are many areas which both CSPs and CCGs may have jointly or separately identified as priorities either through developing the joint health and wellbeing strategy or through the CSP. These include:-

- reducing alcohol and drug misuse;
- reducing domestic and sexual violence;
- improving access to mental health services;
- reducing anti-social behaviour;
- reducing street and youth violence;
- strengthening child and vulnerable adult safeguarding services.

There are many advantages for all community safety partners in working together with CCGs, in particular, creating aligned strategies across health and wellbeing and CSP agendas provides the opportunity to improve care, reduce duplication of effort and identify and implement possible efficiencies for all agencies involved.

## **AIM AND PURPOSE OF THE PARTNERSHIP**

7. The aim of the partnership is to develop and build upon partnership working between all agencies in order to create a safer Fareham by reducing crime and disorder, including the fear of crime and contribute to making Fareham a safe place to live, work and visit. A Partnership Agreement is in place, that all partners are signed up to and this clearly sets out the vision, aims and objectives of the partnership and the general governance arrangements relating to the operation of the partnership.
8. The importance of the Partnership is reflected in the Council's corporate priority, a safe and healthy place to live and work and this is delivered through the corporate improvement action 7, to work with the Community Safety Partnership to continue to reduce anti-social behaviour and crime in Fareham.
9. Appendix A highlights the actual groups and relationships between them in delivering community safety in Fareham.

## **POLICE AND CRIME COMMISSIONER**

10. On the 15 November 2012 Police Authorities in England and Wales were abolished and the Police and Crime Commissioners were introduced via the election process. Simon Hayes was elected as Hampshire's first Police and Crime Commissioner (PCC). The PCC's main responsibilities are to:-

- secure an efficient and effective police force in their area;
  - appoint the Chief Constable, and hold them to account for the running of the force and if necessary dismiss them;
  - set the Police and Crime objectives for their area by producing a five year Police and Crime Plan (in consultation with the Chief Constable) and set an annual force budget and police precept;
  - produce an annual report setting out their progress against the objectives in the Police and Crime Plan;
  - contribute to the national and international policing capabilities set out by the Home Secretary in the Strategic Policing Requirement;
  - co-operate with the criminal justice system in their area;
  - work with partners and fund Community Safety activity to tackle crime and disorder.
11. In the first 100 days, the PCC appointed a new Chief Constable following the departure into a new role of the previous Chief Constable, set the force budget and police precept and produced the Police and Crime Plan.
12. The PCC visited Fareham Community Safety Partnership in April 2013 and said "I've been very impressed with Fareham's Community Safety Partnership; the different agencies are working together with one purpose. The work that's done is innovative and successful to protect the residents from harm. There are social problems that need to be addressed in the community in Fareham and the CSP supports people, addresses those problems and tries to reduce reoffending".

### **POLICE AND CRIME PLAN**

13. The PCC's Police and Crime Plan focuses on four key priority areas that are designed to cut crime, protect the public and make communities safer. The PCC's four priorities are:-
- Improving frontline policing to deter criminals and keep communities safe;
  - Place victims and witnesses at the heart of policing and wider criminal justice system;
  - Work together to reduce crime and anti-social behaviour;
  - Reduce re-offending.
14. Fareham's Community Safety Strategy incorporates the above priorities and ensures that the partnership delivers outcomes based on them.

### **POLICE AND CRIME PANEL**

15. Alongside the relationship that councils have with PCCs through the Community Safety Partnership, they have a direct role in holding commissioners to account. A

Police and Crime Panel (PCP) has been established in Hampshire to scrutinise the PCC and support him in the effective exercise of his functions.

16. Following a meeting of Full Council on 10 May 2012, Councillor Arthur Mandry was appointed as the Council's representative on the Police and Crime Panel and Councillor Cartwright appointed the deputy. This arrangement provides the Community Safety Partnership and the Council with a direct link.

The Police and Crime Panel's main responsibilities are to:-

- Require the commissioner or a member of their staff to attend the panel to answer questions;
- Appoint an acting commissioner if the commissioner were to resign or be dismissed;
- If considered appropriate and necessary veto the PCC's proposed precept;
- If considered appropriate and necessary veto the PCC's proposed appointment of a Chief Constable.

#### **COUNTY STRATEGY GROUP FOR CRIME AND DISORDER**

17. The role of this County group has changed since the introduction of the Police and Crime Commissioner as previously it was this group that used to administer the safer community grants to the district Community Safety Partnerships and other agencies. However this has now changed and the PCC is now responsible for managing this budget and awarding funding to the Community Safety Partnerships who in turn have to bid for the funding required in competition with all the other Community Safety Partnerships, groups and agencies.
18. However there is still a role for the County Strategy group in that it provides an interface between all the Community Safety Partnerships and the PCC and as such provides the opportunity to bid for funding and for the County wide commissioning of services and community safety initiatives such as the Integrated Offender Management programme (IOM).

#### **COMMUNITY TASKING AND CO-ORDINATING GROUP**

19. The Community Tasking and Co-ordinating Group (CTCG) is a multi-agency group which meets at the Police Station every fortnight. Membership of the group is not exclusive however there is a core membership that is considered crucial to the overall effectiveness of the group. Members are expected to have delegated authority to be able to commit resources to the process and make decisions on behalf of the organisation they represent. This is usually in terms of officer time that may require organisations to divert resources in order to help address a particular issue. The core membership is:
- Community Safety Analyst (FBC)
  - Chair of the Community Safety Partnership (FBC)
  - Community Safety Manager (FBC)
  - Station Manager or Community Safety Officer (HF&R)

- Accredited Community Support Officers (ACSO's)
  - Youth Service (HCC)
  - Licensing (Police and FBC)
  - Enforcement Team (FBC)
  - District Chief Inspector
  - Sector Inspector
  - Neighbourhood Sergeants
  - Hampshire Youth Offending Team Police Officer
  - Administrative Support (FBC).
20. During the meeting individuals and the agencies they represent are tasked to carry out actions. Those individuals/agencies report back to the CTCG on progress and or the outcome of the task and the fact that this occurs on a fortnightly basis enables progress to be closely monitored and reports and actions followed up. The items discussed are of a geographical nature with an opportunity to refer individuals to the ASB Panel.
21. The CTCG now utilises information from Command Central and Crime Reports (Police records systems) to effectively task partners and use resources astutely. Use of Safetynet by all community safety partners ensures that cases can be managed effectively.

### **CRIME REDUCTION STRATEGY 2011-2013**

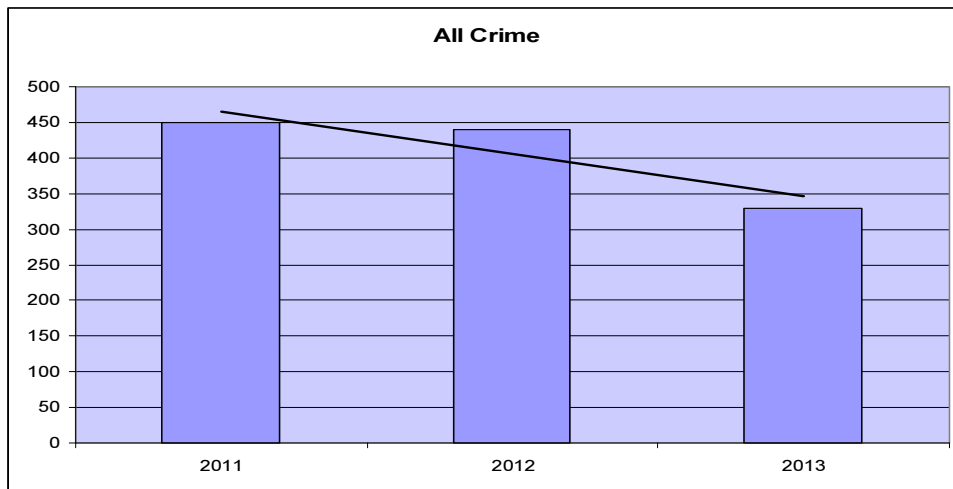
22. Fareham Community Safety Partnership's latest Strategic Assessment identified 6 main areas of concern, adding 2 extra priorities (marked\*) to the 4 that were already in place. Priorities that were identified and subsequently included in the current Strategy are:-
- reducing and preventing anti-social behaviour
  - criminal damage (including arson)
  - violent crime (including domestic abuse)
  - reducing crimes related to alcohol and drugs
  - preventing and reducing reoffending\*
  - public reassurance and community engagement\* .
23. A work programme and an action plan are produced annually to ensure that actions identified under each priority area that help reduce and prevent crime are delivered within a timely period and allocated appropriate funding. A lead agency and a member of the Community Safety Team are identified to deliver the actions and a target date set for each action to be completed. The actions are reviewed quarterly by the Performance Group and reported to the full CSP meeting and complement the priorities set in the PCC's Police and Crime Plan.

## PERFORMANCE AND ACHIEVEMENTS

24. Fareham's Community Safety Partnership has consistently been 2<sup>nd</sup> in Hampshire and 2<sup>nd</sup> nationally in its most similar family group throughout 2012.

### All Crime

25. The table below depicts the downward trend in overarching crime recorded in April 2011, 2012 and 2013. There has been a 25% (106 incidents) reduction when comparing April 2013 to April 2012.



26. The table below details All Crimes and Anti-Social Behaviour types specific to partners at April 2013. There has been a downward trend in overarching crime recorded in April 2011, 2012 and 2013. There has been a 25% (106 incidents) reduction when comparing the financial year ending 31 March 2013 to the previous ending 31 March 2012; and a reduction of 26.7% (120 incidents) when comparing the year ending 31 March 2013 to the previous ending 31 March 2011.

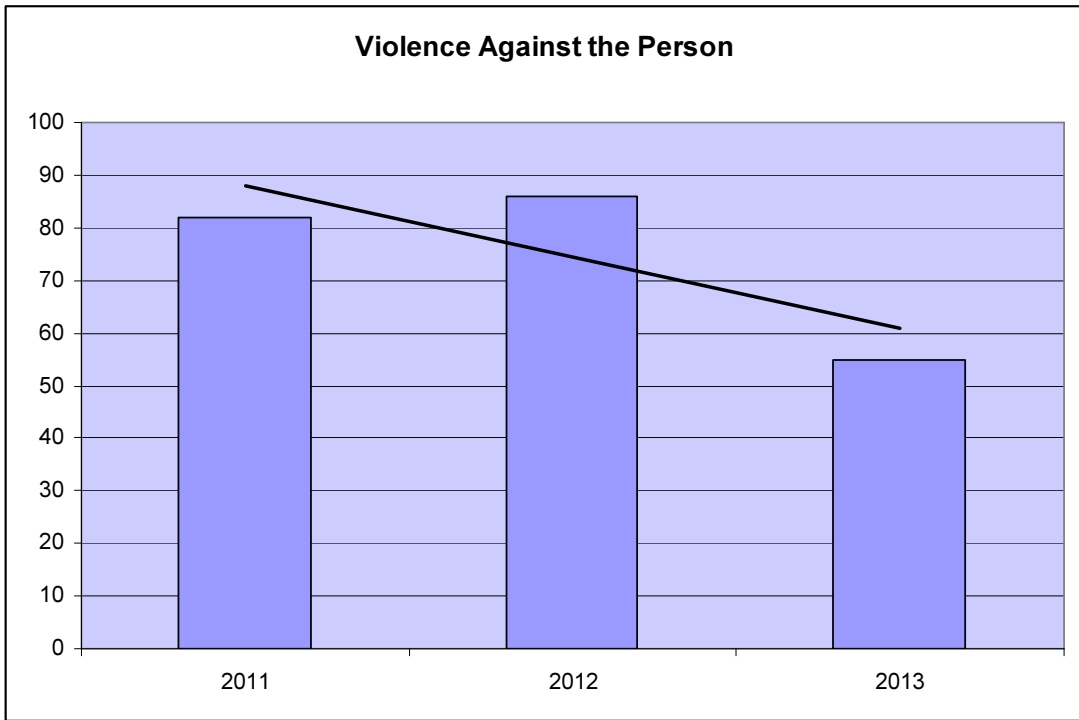
April				% change 2012 to 13	Volume change 2012 to 13
All Crime	2011	2012	2013		
1a Violence Against Person	82	86	55	-36.05	-31
1b Sexual Offences	8	9	16	77.78	7
1c Robbery	0	2	2	0.00	0
2a House Burglary	16	20	6	-70.00	-14
2b Other Burglary	30	28	17	-39.29	-11
3a Theft of Motor Vehicle	8	3	3	0.00	0
3b Theft from Motor Vehicle	21	19	38	100.00	19
3c Other theft and handling	83	91	70	-23.08	-21
3d Shop theft	51	42	50	19.05	8
4 Fraud & Forgery	23	14	9	-35.71	-5
5 Criminal Damage & Arson	107	78	38	-51.28	-40
6 Drugs	15	37	17	-54.05	-20
7 Other Offences	5	10	8	-20.00	-2
<b>All Crime Totals</b>	<b>449</b>	<b>439</b>	<b>329</b>	<b>-25.06</b>	<b>-110</b>
				% change 2012 to 13	Volume change 2012 to 13
Anti-Social Behaviour	2011	2012	2013		
Littering/Drugs Paraphernalia	N/A	5	3	-40.00	-2
Neighbours	N/A	32	57	78.13	25
Noise	N/A	15	6	-60.00	-9
Rowdy and Inconsiderate	N/A	105	96	-8.57	-9
Vehicle Related Nuisance	N/A	22	15	-31.82	-7
<b>Total</b>	<b>N/A</b>	<b>179</b>	<b>177</b>	<b>-1.12</b>	<b>-2</b>

## Community Safety Priorities 2011-12

### Violence Against the Person

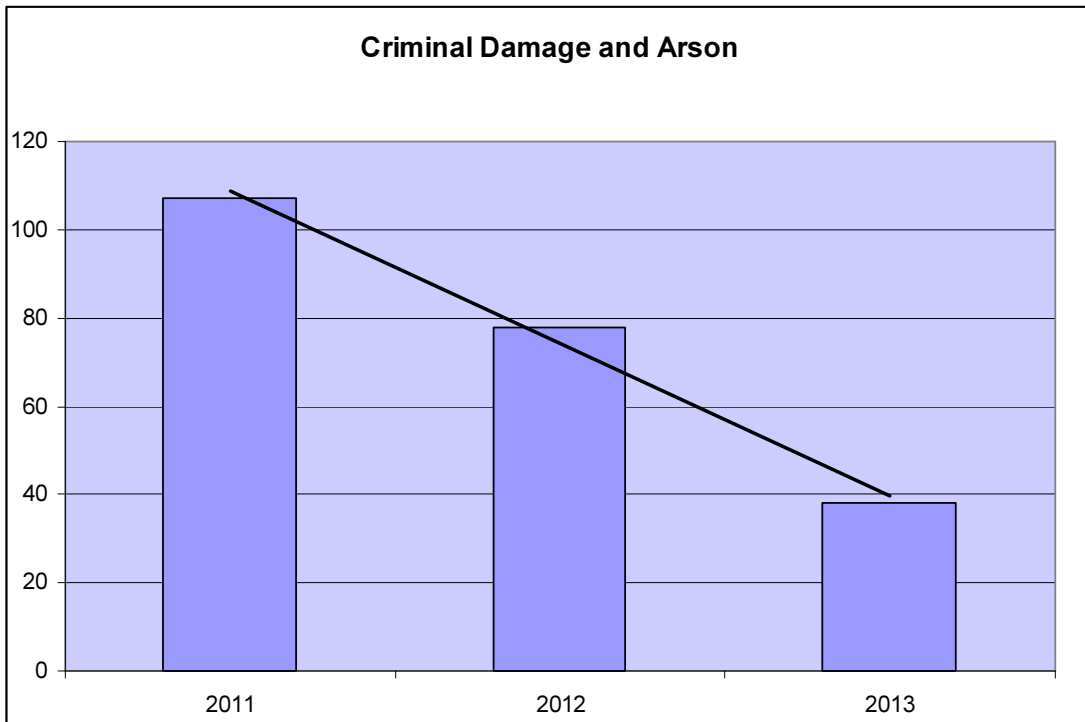
27. The graph below shows the general downward trend in recorded Violence Against the Person for April 2011, 2012, 2013, with a slight peak recorded in April 2012. A reduction of 36% (31 incidents) was recorded when comparing April 2013 to April 2012.





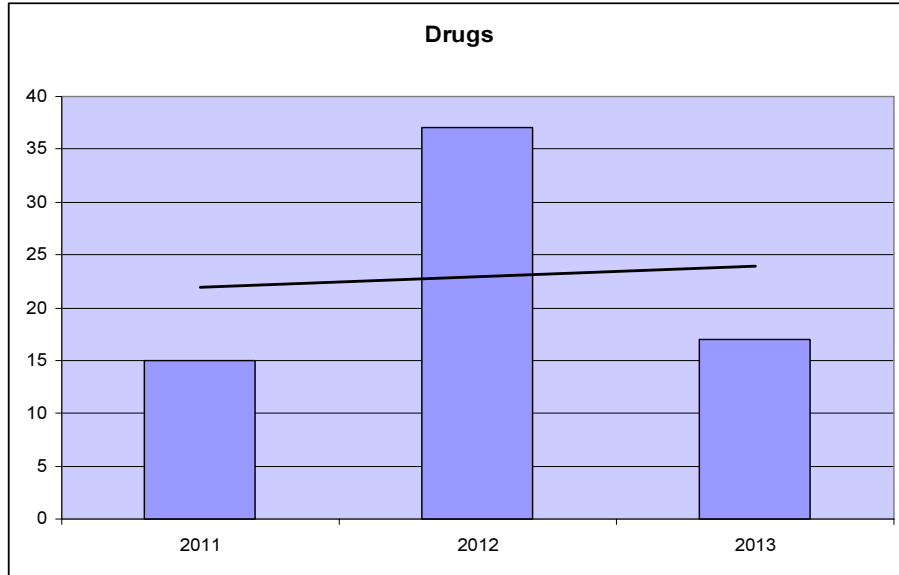
Criminal Damage and Arson

28. The table below shows the continued downward trend in recorded Criminal Damage and Arson offences for April 2011, 2012, 2013. A reduction of 51% (40 incidents) was recorded when comparing April 2013 to April 2012



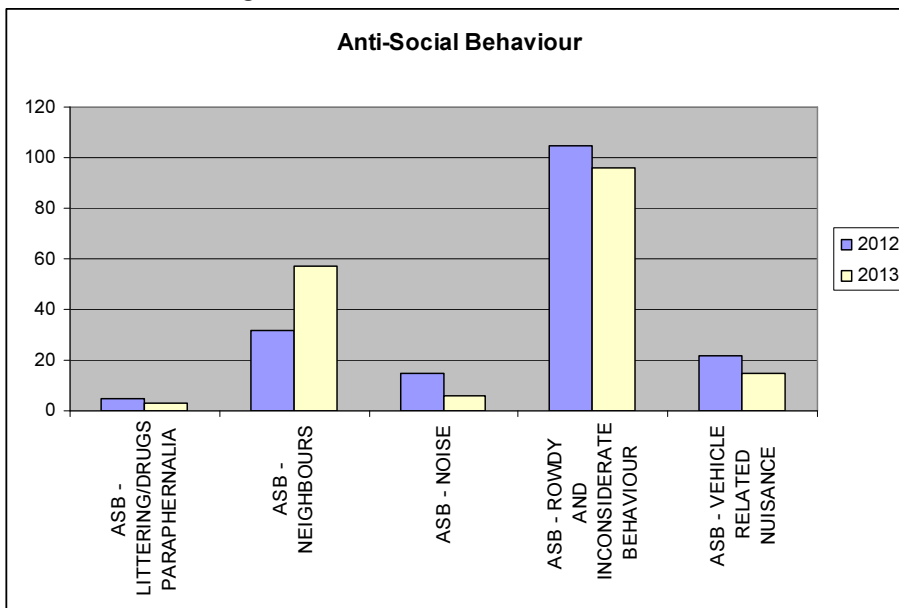
Drugs

29. The table below shows the general upward trend in recorded Drugs offences for April 2011, 2012, 2013. A reduction of 54% (20 incidents) was recorded when comparing April 2013 to April 2012; this does not necessarily indicate either a reduction or increase in drugs offences as the detection of drugs usage is key.

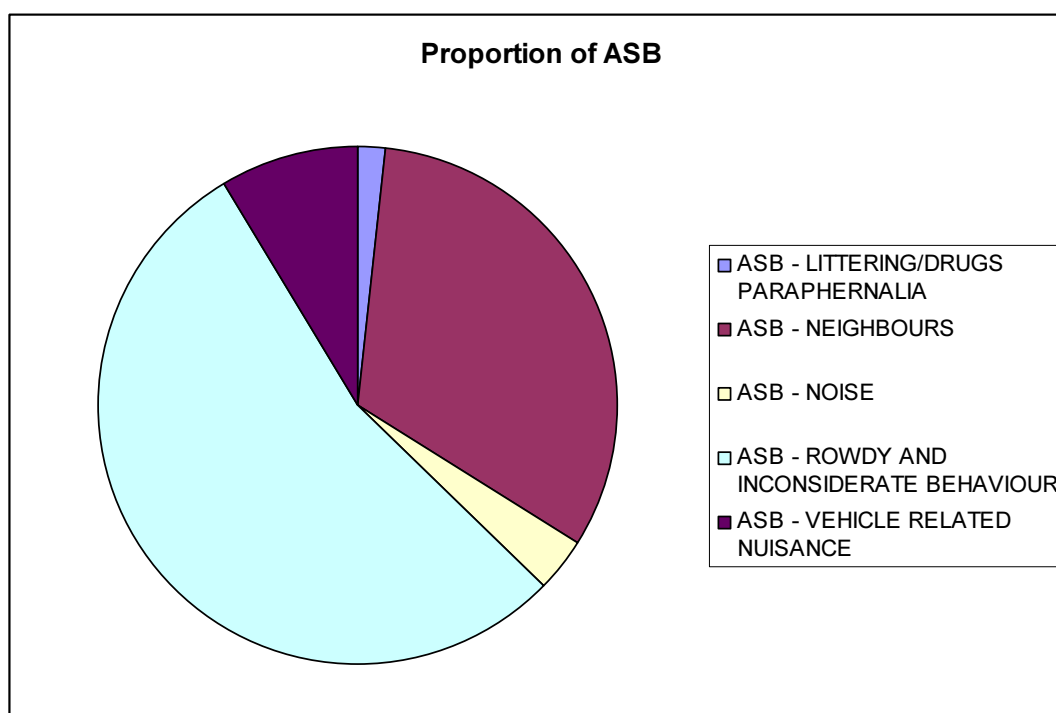


Anti-Social Behaviour

30. Due to the re-categorisation of ASB types in 2011, it is not possible to provide data for three years as with crime types. For Partnership purposes, it is considered most appropriate to report upon certain types of ASB rather than all recorded. Therefore the table below shows the five types of ASB monitored by the Partnership. A slight decrease in Littering/Drugs Paraphernalia, Noise nuisance, Rowdy and Inconsiderate and Vehicle Related Nuisance has been recorded when comparing April 2013 to April 2012. An increase in Neighbour Nuisance has been recorded.



31. The table below shows the proportion of monitored ASB (a total of 177 occurrences). As expected the majority of occurrences are recorded as Rowdy and Inconsiderate Behaviour 54% (96 occurrences); the second most reported ASB at almost a third of the total is Neighbour nuisance 32% (57 occurrences). Analysis is currently being conducted to establish the change in volume of recorded Neighbour and Noise nuisance, as this type of behaviour is resource intensive for all partners. The results will also be of value to support future evaluation post the introduction of Environmental Health Noise cases to Safety Net.



### **ANTI-SOCIAL BEHAVIOUR PANEL**

32. The Anti-social Behaviour Panel is a monthly multi agency meeting that is jointly delivered with Gosport CSP. The panel successfully tasks agencies to support and manage perpetrators and high risk victims of ASB. The ASB panel supports Fareham CPS's priority of reducing ASB. Any geographical trends are referred to the CTCG.

### **FAREHAM & GOSPORT DOMESTIC ABUSE FORUM**

33. Fareham & Gosport Domestic Abuse Forum is delivered collaboratively with Gosport CSP and delivers the actions that are identified under the violent crime priority. A clear action plan has been set and monitored through the performance group. Working with the new Clinical Commissioning Groups and reforming the MARAC process are some of the action included within this work plan.
34. MARACs - (Multi-Agency Risk Assessment Conferences) are multi agency meetings that bring together practitioners that deal with Domestic Violence. The Community Safety Team attends these meetings to discuss high level domestic abuse perpetrators and victims.

## **FAREHAM SUPPORTING FAMILIES**

35. Hampshire Supporting Troubled Families Programme is a 3 year programme that commenced on 1 April 2012. The challenge is to target 1,600 families in Hampshire with multiple, complex issues, delivering new solutions to persistent problems and delivering positive change for families and communities. This programme offers a new, joined up way of improving and transforming the lives of communities across Hampshire.
36. The Senior Responsible Officer for Fareham's Supporting Families is the Council's Community Safety Manager who sits on the Fareham Local Children's Partnership (LCP) Strategic Board, to which the Supporting Families Local Co-ordination Group, which is responsible for delivering the programme, reports. This also provides a key link into the Community Safety Partnership to ensure a joined up and co-ordinated approach.
37. The programme targets families with problems relating to crime, education and unemployment. Families have plans which set out what the key worker or lead agency will do and what the family will do. The programme looks to ensure that children attend school regularly, parents are provided with training so they can get back to work, there are lower levels of crime and anti-social behaviour and that families work better as a unit, able to look after and support each other.
38. In Fareham officers have identified 35 families in year one and completed successful outcomes with 17 of those families.

## **DOMESTIC HOMICIDE REVIEWS**

39. Since April 2011, community safety partnerships have been responsible for undertaking domestic homicide reviews. A clear process has been drafted and contacts made with organisation leads. The Partnership is clear about the procedure and steps to take if a domestic homicide review occurred in Fareham and the community safety manager is currently working with colleagues in Hampshire to ensure that a County wide approach is taken and template and processes aligned throughout Hampshire.

## **COMMUNITY SAFETY INITIATIVES**

40. Fareham's Community Safety Partnership's website <http://www.saferfareham.co.uk/> has been an excellent asset to the partnership enabling public and partners to gain and share information on initiatives and performance. The website is a page on Fareham Council's website and can also be accessed via the Safety tab.
41. The Taxi Marshal Scheme was piloted in Fareham over the Christmas period. An effective evaluation has highlighted the need for Taxi Marshals to support the Night Time Economy in Fareham on Thursdays, Fridays and Saturdays and they are contracted to work with Police and Licensing to ensure this is an ongoing success. The role is undertaken by a private security firm and it provides detailed daily reports which are reported at the fortnightly Community Tasking and Co-ordination meetings.

42. Fareham's Community Safety Partnership is currently consulting to bring Hampshire County Council's Safe Places Scheme to Fareham. This scheme is part of a wider "respect me" campaign which aims to improve the experience of vulnerable people in the community. The scheme aims to provide vulnerable people, and particularly those with a learning disability, with a safe place to go to where help can be summoned if they are feeling scared or upset while out on their own in the community. The Community Safety Team will work with Connect Advocacy, the town centre management group and local vulnerable groups to deliver this scheme.
43. Fareham's Community Safety Partnership has taken overall control of running Say No and Phone discos (SNAP). These discos are held at Ferneham Hall and attract between 750 and 800 young people on Friday nights throughout the year. The Community Safety Team, Fire Service, Police, Youth Services, councillors and volunteers ensure that this event happens in a safe environment. The Community Safety Partner Agencies provide educational awareness on subjects such as firearms and knife crime, drugs and alcohol, sexual health, skin protection, cycling safety and fire safety.
44. The Community Safety Team delivered an extremely successful summer activities programme in 2012 in collaboration with the Gosport Community Safety Partnership. The evaluation conducted by the Partnership's Data Analyst confirmed that there were 1450 attendees at 13 events. There was a 23% reduction in reported rowdy and inconsiderate behaviour and miscellaneous anti-social behaviour when comparing the month of August 2011. Although the evaluation showed clear efficiency savings, Gosport CSP decided not to work together with Fareham this year as they wanted to concentrate on Gosport young people. This year Fareham's summer diversionary programme "Access All Areas" will run from 29 July to 14 August 2013 and Fareham is working collaboratively with Winchester CSP to deliver the finale "Whestival" in Whiteley, the top hotspot area for anti-social behaviour.
45. Pedal Right is an initiative which addresses serious safety concerns that were raised by police and first bus about cyclists using shared cycle and bus routes during the dark evenings without lights. Pedal right was a partnership initiative that included a press release on considerate cycling, the distribution of free cycle lights by Hampshire County Council and the targeting of repeat offenders by the police.
46. Theft from motor vehicles was identified at CTCG as a peak in crime in April 2013. A large majority of the cases involved cars which had not been locked by their owners. A joint press release was issued reminding drivers of the importance of securing their vehicles. Following the apprehension of one main culprit and the release of this article, theft from vehicles in Fareham is once more at a low level.

## **CCTV**

47. Fareham Borough Council's Closed Circuit Television (CCTV) system is operated jointly with Gosport Borough Council. This has enabled efficiency savings to be made in the provision, operation, maintenance and monitoring of the system as the costs are shared between both Councils.
48. Fareham Borough Council has 44 CCTV cameras placed in strategic areas of the Borough; these CCTV cameras are used for the purpose of:

- Providing a deterrent to crime and anti social behaviour
- Increasing public reassurance by reducing the fear of crime
- To gather evidence to support the detection and prosecution of offences
- Traffic monitoring
- Management of the Council's services.

49. The CCTV Control Room was upgraded in 2009; the upgrade program replaced the outdated control and recording equipment in the CCTV Control Room.
50. The equipment installed included a new command and control system. This solution utilizes the latest software and hardware and incorporates unique mapping and display of camera locations throughout the borough. New keyboard and joystick controls enable operators to quickly control cameras independently as well as pre-programmed tours which can be initiated and amended to suit the operational requirements.
51. Shopwatch and Pubwatch are also linked into the CCTV Control Centre that enables coordinated communication links with the CCTV operators as well as the police.
52. The system is operated 24 hours a day, seven days a week. The cameras not only capture crime but also help local residents and visitors feel safe in their communities. In particular the CCTV cameras monitor the town centre car parks and public areas. This is also an asset to the police and the Council in managing the night time economy.
53. Since the last report to the Scrutiny Board in July 2012 to date, there have been approximately 191 arrests made with the use of CCTV in the Borough of Fareham.

## **RESIDENTS' SURVEY & COMMUNITY ENGAGEMENT**

54. The last residents' survey conducted in 2012 found that 85% of residents thought that the police and Fareham Borough Council were successfully dealing with crime and anti-social behaviour, compared to 66.9% in 2009.
55. The Community Safety Partnership is represented at all community action team meetings (CATs), initiatives are regularly promoted at council connect, the saferfareham website is kept up to date and members are also kept up to date via information that is placed in the members' newsletter.
56. The Community Safety Team and Police are working with Fareham Neighbourhood Watch to improve information sharing and make best use of the partnership website to promote reporting and the use of the Police 101 system, Crime Reports, Crimestoppers and Safetynet.
57. Fareham's Community Safety Partnership has highlighted four opportunities to officially consult with different resident groups and will also produce a promotional leaflet to celebrate successes the partnership has achieved.

## **BUDGET, FINANCIAL IMPLICATIONS, CHALLENGES AND OPPORTUNITIES**

58. The source of funding to the Community Safety Partnership, other than that of resources from each of the partner agencies is through the PCC **VIA** a bidding process. It is therefore important that the CSP plan complements the Police and Crime Plan and its priorities.
59. Fareham Community Safety Partnership was successful in bidding for £6480 to deliver initiatives identified in Fareham's Community Safety Strategy relating to reducing anti-social behaviour and Night Time Economy. The Partnership also secured a £5000 grant from the Police and Crime Commissioner to deliver Access All Areas.
60. A reduction in funding means that the Partnership has to find different ways of working. Co-location of community safety partners in the Civic Offices which include Hampshire Youth Offending Team, Integrated Offender Management (Probation, Police and Society of St James) and Transform (Motiv8, Barnardos, Step by Step and Family Lives) and Department for Work and Pensions demonstrate the benefit of collaborative working. Sharing of information and knowledge of agencies' profiles makes for innovative working and excellent opportunities to share information.
61. The opportunity to work collaboratively with neighbouring CSPs has been progressed and Fareham works with Gosport with the ASB Panel, Domestic Abuse Forum and the Young Fire Fighters Association. It is also delivering the Access All Areas finale with Winchester CSP. These collaborative areas of work confirm that efficiencies can be made in both time and resource.
62. There are considerable challenges and demands being put on CSPs which include funding and will ultimately impact upon the level of service delivered. Ensuring that evidence based bids are submitted to the PCC and other funding providers is essential to the success of the Partnership.

## **RISK ASSESSMENT**

63. The most significant risk is the availability of resources and funding to deliver the priorities in the plan. The commitment of all the partners is clear and the fact that the work of the partners is well co-ordinated to ensure the best use of resources enables the performance of the Partnership to be maintained.

## **CONCLUSION**

64. The PCC has set out his funding streams and supports local delivery of initiatives to prevent and combat crime. It is therefore important that effective evaluation of successful initiatives is undertaken so that the PCC can see the benefit of local initiatives and the necessity for these to continue as this will be key to securing future funding streams.
65. Fareham's Community Safety Partnership is working collaboratively with Gosport Borough Council and Winchester City Council to ensure that efficiencies are made by delivering initiatives jointly whilst maintaining a reduction of crime in Fareham. Co-location of services is working well in Fareham and needs to be further developed inviting more agencies into the building. Innovative ways of working, including

sponsorship and monitoring risks and performance, will ensure that the Partnership continues to progress.

66. Ensuring that the residents of Fareham feel part of the CSP and contribute to reduction in Crime is essential. Community engagement and empowering residents is a combined priority area for both Fareham CSP and the PCC. Letting residents know how to report crime, access local crime statistics and take part in community safety initiatives and consultations. Sharing of information between partner agencies, mainstreaming community safety within Fareham Borough council will also ensure that all Officers and Councillors know what the Partnership priorities are and how together they can impact positively upon them.
67. Fareham remains a safe place to work, live and visit; however, the Partnership cannot be complacent and must ensure that all initiatives are evaluated and it can prove that its intervention does make a difference.

**Background Papers:**

None.

**Reference Papers:**

None.

**Appendix A – [Community Safety Flow Chart](#)**

**Enquiries:**

For further information on this report please contact Narinder Bains (Ext 4496).



**SAFER COMMUNITIES LOCAL AREA AGREEMENT**

Police and Crime Panel

County Strategy Group for Crime and Disorder

Police and Crime Commissioner

Fareham Community Safety Partnership\*

Local Children's Partnership Strategic Board

**POLICE & CRIME PLAN**

**PARTNERSHIP PLAN**

Integrated Offender Management (IOM)

Fareham Community Safety Partnership Performance Group

Fareham Supporting Families Local Co-ordination Group

Fareham & Gosport CCTV Partnership

Community Tasking and Co-ordinating Group CTCG

Fareham & Gosport ASB Panel

Residents' Associations & CAT meetings

F&G Domestic Abuse Forum

Neighbourhood Watch

Youth Intervention Clinic

Joint Agency Action Groups

Drugs & Alcohol Action Group

Safer Neighbourhood Police Teams

Strategic  
Tactical  
Operational

Page 29

This page is intentionally left blank

# FAREHAM

## BOROUGH COUNCIL

### Report to Scrutiny Board

**Date**                    4 July 2013

**Report of:**            Director of Finance and Resources

**Subject:**                SCRUTINY BOARD WORK PROGRAMME 2013/14

#### **SUMMARY**

Items for the draft work programme of the Board for the year were agreed by the Board at its meeting on 21 March 2013 and confirmed by the Council at its meeting on 25 April 2013. The Board reviewed the work programme at its meeting on 30 May 2013.

#### **RECOMMENDATION**

The Board is now invited to further review the work programme for 2013/14.

## **INTRODUCTION**

1. At the meeting of the Board on 21 March 2013, members agreed items for the draft work programme of the Board for the current year, 2013/14. The work programme was subsequently confirmed by the Council at its meeting on 25 April 2031. The Board's work programme is set out in Appendix A to this report.

## **RISK ASSESSMENT**

2. There are no significant risk considerations in relation to this report.

## **CONCLUSION**

3. The Board is now invited to review its work programme for 2013/14.

### **Background Papers:**

None.

### **Reference Papers:**

None.

### **Enquiries:**

For further information on this report please contact Andrew Wannell (Ext 4620).

SCRUTINY BOARD –WORK PROGRAMME 2013/14

DATE	SCRUTINY BOARD ITEM
30 May 2013	Review of the work programme 2013/14  Question and answer session with representatives of the Environment Agency
4 July 2013	Presentation by, and Questioning of, the Executive Member for Streetscene  The Disclosure and Barring System  Annual Report on the Performance of the Community Safety Partnership  Review of the work programme 2013/14
26 September 2013	Medium Term Finance Strategy 2013/14  Review of the work programme 2013/14
21 November 2013	Review of the work programme 2013/14  Presentation by, and Questioning of, an Executive Member
23 January 2014	Preliminary overall review of work programme 2013/14 and draft programme for 20413/15  Finance Strategy, Capital Programme, Revenue Budget and Council Tax 2014/15  Housing Revenue Account Budget and Capital Plans 2014/15
20 March 2014	Final review of work programme for 2013/14 and draft for 2014/15  Presentation by, and Questioning of, an Executive Member

Items to be assigned:

- Question and answer session with Fareham Community Savers - The Credit Union
- Question and answer session with Solent Local Enterprise Partnership

<b><u>SCRUTINY BOARD WORK PROGRAMME - PROGRESS SINCE LAST MEETING</u></b>				<b>APPENDIX B</b>	
<b>Date of Meeting</b>	<b>Subject</b>	<b>Type of Item</b>	<b>Action by Board</b>	<b>Outcome</b>	<b>Link Officer</b>
30 May 2013	Question and Answer Session with Representatives of the Environment Agency	Question and Answer Session	<p>The Board received a presentation from Colette Heggie, Environment, Planning and Engagement Manager, Sally Taviner, Sustainable Planning Team Leader and Jemma Colwell, Flood &amp; Coastal Risk Management Advisor on the work of the Environment Agency. The presentation included details of the Environment Agency Role and Vision, the Solent and South Downs Area, the Agency's role in Planning and Development, Strategic Planning, Pre-Application and Applications, involvement in the development of Welborne, Managing flood risk in Fareham, with particular reference to Wallington and Useful Contacts. The presentation sought to give answers to members' questions arising from consideration of the scoping report at the meeting of the Board on 22 November 2012 (minute 7 refers). Following the presentation the Environment Agency representatives answered members' questions. Matters raised included responses to consultations on planning applications and flood risk management at the Welborne development, Wallington and Titchfield.</p> <p>It was AGREED that:</p>	<p>Further information on flood risk management issues in Wallington subsequently supplied by the Environment Agency and circulated to Scrutiny Board members.</p> <p>The presentation slides are available if any member wishes to refer to them.</p>	Richard Jolley

			<p>(a) Colette Heggie, Sally Taviner and Jemma Colwell be thanked for their presentation and for answering members' questions; and</p> <p>(b) it be noted that copies of the presentation and notes could be provided to members at the conclusion of the item.</p>		
	Call-in of Executive Decision 2013/14-6: Improving Customer Satisfaction	Call-in	The Chairman confirmed that this item was to consider the Executive's decision made on 13 May 2013 to waive contract procedure rules and approve the appointment of Vanguard Consultancy to provide guidance, expertise and support in implementing fundamental change to the way the Council delivers its services to customers. The decision had not yet been implemented because it had been called-in by 3 non-Executive members, as per the Council's Constitutional arrangements.	The Scrutiny Board accepted the decision made by the Executive. The Voluntary ex ante transparency notice, advising of the intention to award the contract has also been published.	Garry White



			<p>The Chairman explained how consideration of the item would proceed.</p> <p>The Scrutiny Board considered a report by the Director of Regulatory and Democratic Services and Monitoring Officer which outlined the reasons given for the call-in of the Executive Decision (copy of report sb-130530-r02-gwh circulated with agenda). The Director of Regulatory and Democratic Services presented the report which included a number of appendices to further assist the Scrutiny Board in its review of the decision.</p> <p>At the invitation of the Chairman, Councillor P W Whittle, JP, the representative of the call-in, explained the reasons for the call-in as being that:</p> <ul style="list-style-type: none"><li>(a) The Council has high levels of customer satisfaction and therefore the justification is not sufficiently proven for the levels of expenditure for small incremental improvements.</li><li>(b) The methodology proposed has not been adequately demonstrated to be the best solution in the circumstances.</li><li>(c) The grounds for waiver of Council Contract Procedure Rules have not been evidenced and the circumvention of open competitive tendering process is un-sound for use of public funds.</li></ul>		
--	--	--	---	--	--

			<p>(d) The funds are not available without forward commitment of future unapproved budgets.</p> <p>At the invitation of the Chairman, the Executive Leader Councillor S D T Woodward joined the meeting and was called upon to advise the Scrutiny Board of the rationale of the Executive decision and what was taken into account in making it.</p> <p>The Executive Leader explained that the requirements of the Council were to identify a solution to further improve customer satisfaction for the services it provides because although many Council services are currently rated positively by customers, there is evidence to suggest that systems are currently designed in a way to best meet organisational needs, rather than the</p> <p>needs of customers. As a result, it is clear that customers do not always receive a proactive, responsive, easily accessible and positive service.</p> <p>The Executive Leader stated that using a partner to act as a mentor would ensure that the Council could deliver continuous improvement for the long term, by fundamentally altering the culture and management approach within the organisation. He confirmed that although the</p>		
--	--	--	--	--	--

		<p>Council does not presently have the depth of knowledge and therefore needs external support in the first instance, it is an organisation committed to developing and retaining the skills so as to limit the dependency on external consultancy support.</p> <p>The Executive Leader advised the Scrutiny Board that following soft market testing work, Vanguard appeared to be the only consultancy that offered a bespoke service/product which meets the Council's requirements, and demonstrated a strong understanding of the organisational needs and the needs of each individual service within it, through its track record with other local authorities. On closer inspection, the Vanguard Method contains vital differences that make it unique in helping organisations change from command and control to a systems approach to the design and management of work, putting the customer first, which is the approach that the Council wants to take.</p> <p>The Executive Leader explained that, on the basis that the methodology is genuinely proprietary to Vanguard, there is a sound argument that running a tender for the service would be difficult, because it would involve the Council seeking a service from suppliers which was Vanguard's own intellectual property. This would fall under the "protection of exclusive rights" procurement regulations.</p>		
--	--	--	--	--

		<p>The Executive Leader stated that European Union Regulations require contracting authorities to adhere to the overriding EU principles of transparency and equal, non-discriminatory treatment of suppliers.</p> <p>He advised that the regulations also allow for public authorities to contract for the supply of services without conducting an OJEU (Official Journal of the European Union) competitive process. This is set out in Regulation 14(1)(a)(iii), which states that “when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the public contract may be awarded only to a particular economic operator”.</p> <p>Where public bodies apply Regulation 14 (1)(a)(iii), it is incumbent upon the public authority to demonstrate that the test applies. This is often a judgement based on subjective evidence, and in order to test the assumptions made, the regulations allow for public bodies to publish a “Voluntary ex ante transparency notice”. This is a public notice advising of the intention to award a contract without prior publication of a contract notice in the Official Journal of the EU. On publication, all suppliers within the EU are given the opportunity to challenge the rationale within 10 days of publication. The outcome of this exercise will either support the view of the public body or it will identify other suppliers that have an interest</p>		
--	--	--	--	--

		<p>in the supply.</p> <p>The Executive Leader confirmed that it was always intended that Fareham Borough Council would publish a Voluntary ex ante transparency notice after the call-in period had expired. He confirmed that this process was now delayed due to the call-in notice, but could recommence, dependent on the decision of the Scrutiny Board.</p> <p>The Executive Leader confirmed that whilst the budget had been set, the rationale is not necessarily to spend the entire available budget but to review the progress of the new techniques as the work continues.</p> <p>The Executive Leader then answered questions put to him by members of the Scrutiny Board. At the request of the Chairman, questions were asked on each of the four reasons for the call-in in turn.</p> <p>The Chief Executive Officer also answered questions for clarification put to him by the members of the Scrutiny Board.</p> <p>The Executive Leader was thanked for his answers and was advised that he was no longer required at the meeting.</p> <p>Members of the Scrutiny Board considered each of the call-in reasons in turn and debated</p>		
--	--	--	--	--

		<p>whether or not they had been fully answered.</p> <p>The Chairman confirmed that, having considered all the reasons given for the call-in, the Scrutiny Board now had to consider its options as set out in the report, that being either:</p> <ul style="list-style-type: none"><li>(a) to accept the decision made by the Executive, in which case the decision could be implemented; or</li><li>(b) to request that the Executive reconsider the decision, giving reasons for such a request.</li></ul> <p>A motion was proposed and seconded to request that the Executive reconsider its decision on the grounds that the reasons for the new approach had not been adequately proven.</p> <p>Upon being put to the vote, the motion was declared NOT CARRIED (3 members voting for and 6 against).</p> <p>A motion was then proposed and seconded to accept the decision made by the Executive and to allow the decision to be implemented which, when being put to the vote, was declared CARRIED (6 members voting for and 3 against).</p> <p>It was AGREED that the Scrutiny Board accept the decision made by the Executive and allow the decision to be implemented to waive</p>		
--	--	---	--	--

			contract procedure rules and approve the appointment of Vanguard Consultancy to provide guidance, expertise and support in implementing a fundamental change to the way the Council delivers its services to customers.		
	Scrutiny Board Work Programme 2013/14	Programmin g	<p>The Board considered a report by the Director of Finance and Resources on the Board's work programme for 2013/14.</p> <p>It was AGREED that:-</p> <p>(a) the programme of items as set out in Appendix A to the report be noted; and</p> <p>(b) the progress on actions since the last meeting, as set out in Appendix B to the report, be noted.</p>	Complete.	Andrew Wannell

This page is intentionally left blank