

Nottingham City Council

Corporate Scrutiny Committee

Minutes of the meeting held in the Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 22 November 2023 from 10:00am to 12:35pm

Membership

Present

Councillor Leslie Ayoola (Chair)
Councillor Devontay Okure (Vice Chair)
Councillor Sam Harris
Councillor Patience Uloma Ifediora
Councillor Imran Jalil
Councillor Georgia Power
Councillor Andrew Rule

Absent

Councillor Naim Salim

Councillor Neghat Khan (Substitute for Councillor Naim Salim)

Colleagues, partners and others in attendance:

Titu Hayre-Bennett - Head of Human Resources and Organisational Development
Adrian Mann - Scrutiny and Audit Support Officer
Lee Mann - Strategic Director of Human Resources and Equality, Diversity and Inclusion
Councillor David Mellen - Leader of the Council and Portfolio Holder for Strategic Regeneration and Communications
James Rhodes - Acting Assistant Chief Executive and Director for Policy, Performance and Communications
Damon Stanton - Scrutiny and Audit Support Officer
Lee Whitehead - Senior Performance Analyst
Laura Wilson - Senior Governance Officer
Councillor Audra Wynter - Deputy Leader of the Council and Portfolio Holder for Finance and Human Resources

17 Appointment of the Vice-Chair

Resolved to appoint Councillor Devontay Okure as the Vice Chair of the Corporate Scrutiny Committee for the 2023/24 municipal year.

18 Apologies for Absence

Councillor Naim Salim - unwell

19 Declarations of Interests

None

20 Minutes

The Committee confirmed the minutes of the meeting held on 18 October 2023 as a correct record and they were signed by the Chair.

21 Scrutiny Chairs Catch-Up

Councillor Imran Jalil, Chair of the Communities and Environment Scrutiny Committee, and Councillor Sam Harris, Chair of the Housing and City Development Scrutiny Committee, provided an update on the current and future work taking place within their remits. The following points were discussed:

- a) The Communities and Environment Scrutiny Committee met last on 8 November and heard from the Portfolio Holders for Leisure and Culture and for Neighbourhoods, Safety and Inclusion on the work of the Best Value Reviews for Community Resilience and for Environmental Services, and put forward some recommendations.
- b) The Housing and City Development Scrutiny Committee's upcoming meeting is on 18 December, having met previously in October, and its current Work Programme is focusing on key topics such as Asset Realisation, the draft Housing Strategy, the potential service impacts of the proposed 2024/25 Budget and the upcoming Combined County Authority.

The Committee noted the update.

22 Performance Management Framework

Councillor David Mellen, Leader of the Council and Portfolio Holder for Strategic Regeneration and Communications, James Rhodes, Acting Assistant Chief Executive and Director for Policy, Performance and Communications, and Lee Whitehead, Senior Performance Analyst, presented a report on the Council's revised approach to performance management. The following points were raised:

- a) The independent Improvement and Assurance Board requires that the Council demonstrates a clear and direct link between its corporate performance management regime, business planning and the delivery of the Council Plan. As a result, a Performance Management Framework (PMF) improvement plan is being developed to embed a robust and consistent approach to the use of data, business intelligence and performance management to help evidence that the Council is delivering best value. It is intended for the new PMF to be adopted from February 2024.
- b) Previously, the Council's approach to performance management focused primarily on the delivery of political manifesto commitments. However, the Council also carries out a wide range of other statutory duties, so the PMF will now report on progress in these areas – which can then be measured both nationally and in relation to other similar local authorities.
- c) Six 'One Council' outcomes have been set out as part of the PMF. These are not intended to replace the outcomes for citizens as established in the Council Plan,

but are for internal use to measure how the work being carried out by officers at all levels is meeting the Council's core objectives. The PMF will have a clear hierarchy of metrics, with reporting to be targeted to the right level at the right time, and monthly and quarterly performance reviews built into the current corporate reporting structures.

- d) There is a huge amount of information available within the Council, so work is underway to establish the proper metrics that are useful and fit for purpose in establishing how the strategic priorities of the Council Plan are being delivered, without being too onerous to produce and report. The correct systems are required to collect and access needed data easily. It is vital that the right benchmarking is in place to measure the achievement of best value against, and staff performance targets need to be clear and appropriate. Human Resources systems are in place to track target setting and performance for all staff across the Council, with monitoring in place to assess how employee satisfaction, absence (both short and long-term) and vacancy rates impact on the delivery of strategic priorities.
- e) Although the Council is aspiring to implement a full and robust PMF, its delivery may be impacted by the Council's current, extremely challenging overall budgetary position. In addition to resourcing, work is required to ensure that the correct management styles and behaviours are in place, and that managers develop the right targets with their teams. Close support will also be required from the IT and Information Governance teams to ensure that systems operate well and that information is used appropriately.
- f) Nationally, the Office for Local Government (Oflog) has been established to carry out oversight of local authorities. Oflog will take a 'warning, supporting and informing' approach to identifying local authorities at risk from financial failure at as early a stage as possible so that appropriate support can be put in place. In terms of performance management at the Council, it will be vital to learn what metrics Oflog will use as part of its 'early warning' monitoring of local authorities, so that this can be factored into the PMF.

The Committee raised the following points in discussion:

- g) The Committee queried how the improvement of outcomes as a result of the PMF will be measured, and how the performance of the new PMF will be assessed against the previous system to demonstrate better value. It was explained that the PMF has been developed to be in line with those that have delivered greater effectiveness and efficiency in other core cities. Engagement has also been carried out with the People directorate to take learning from the performance management systems used within children's and adults social care, and effective IT systems are in place. The PMF will bring greater accountability in achieving the delivery of the Council Plan and will highlight where targeted action is required to improve outcomes. The collation of data will be more visible and transparent, and more automation will be put in place to release staff time for more strategic work and analysis.
- h) The Committee asked how many core outcomes had been in place before in terms of performance management, and how the current outcomes differed. It

was confirmed that six internal 'One Council' outcomes have been set out as part of the PMF, which would be used to help deliver the ten published outcomes of the Council Plan.

- i) The Committee asked how the PMF will be resourced effectively, and how this will be impacted by the likely requirements of Oflog. It was explained that performance management processes are carried out in each of the Council departments currently, but it is intended to consolidate the function within a single area so that the process is more focused and efficient. The creation of Oflog should not result in an increased reporting burden as it will be collecting data through existing statutory returns, but additional work may be required to amend the PMF so that it reflects the metrics that Oflog will monitor against. A national consultation was carried out as part of the establishment of Oflog, where representations were made to ensure that any new requirements on local authorities are properly centrally resourced. The outcomes and response to this consultation can be shared with the Committee.
- j) The Committee queried what role staff sickness and absence data plays within the PMF, and the current staff establishment and vacancy levels. It was clarified that, in the context of organisational performance management, this information is used to gauge overall 'corporate health', as certain trends in staff sickness and absence in particular areas (or across the Council as a whole) may be an indicator of wider organisational issues that need to be addressed. Data on the overall staff establishment and current vacancies is currently being compiled.
- k) The Committee asked how the expectations on staff to achieve their targets in the delivery of the Council Plan would be affected in the context of the proposed 2024/25 Budget, whether the PMF would be applied to the delivery of services commissioned by the Council, and to what extent staff unions had been consulted on the development of the PMF. It was explained that the PMF focuses on what needs to be delivered at the strategic level, but that the Council would need to give very careful consideration – taking full account of service user input – as to what it will and will not be able to deliver moving forward. Commissioned providers are not managed through the PMF, which will apply to the services provided by the Council directly, but will continue to be monitored through the established contract management processes. Staff unions have not been consulted on the development of the PMF as yet, but this can be carried out.

Resolved:

- 1) To request that information on the current staff establishment numbers at the Council is provided to the Committee, in addition to the current number of vacant posts.**
- 2) To request that information on the consultation return in relation to the establishment of the Office for Local Government is provided to the Committee, in addition to the Government's formal response.**
- 3) To request that a review of the contract management process of commissioned providers of Council services, in the context of the proposed**

‘One Council’ outcomes of the new Performance Management Framework, is added to the Committee’s Work Programme.

- 4) To recommend that formal consultation is carried out with staff unions as part of the development of the new Performance Management Framework.**

23 Equality, Diversity and Inclusion Strategy 2024-2028

Councillor Audra Wynter, Deputy Leader of the Council and Portfolio Holder for Finance and Human Resources (HR), Lee Mann, Strategic Director of HR and Equality, Diversity and Inclusion (EDI), and Titu Hayre-Bennett, Head of HR and Organisational Development, presented a report on the Council’s draft EDI Strategy 2024-28. The following points were raised:

- a) A new EDI Strategy is being produced as part of the Council’s continued commitment to tackling inequality and promoting diversity, and to outline the vision for a fully inclusive Council. The draft Strategy sets out four primary strategic outcomes, with focused action plans for implementation to be produced once the Strategy has been finalised. The Strategy has been developed to reflect the core values set out in the Council Plan and takes into account the views expressed by a wide range of partners and stakeholders. In order to focus effectively on inclusion and representation, as much as possible has been done to engage with staff across the whole organisation.
- b) In planning the Strategy, a culture mapping exercise was carried out to identify where change is needed in the organisational mindset. Clear reporting on the Council’s gender pay gap is in place and steps have been taken to focus on transparency and inclusion within staff recruitment processes, where the current policies are being reviewed. Work has been done to expand staff networks and positive action initiatives are in place, along with accelerated development programmes and reverse mentoring schemes, with wider inclusivity being established within the staff performance appraisal system.
- c) Work is underway to ensure that Equality Impact Assessments (EIAs) are carried out properly and that their outcomes are fully factored into service design and decision-making. A strong governance structure is in place to ensure that there is proper leadership of the Strategy and effective reporting on EDI issues, and this needs to be supported by clear roles for councillors and officers in the delivery of the EDI agenda. As part of the new structure, a key stakeholder group will be implemented to review the key EDI outcomes within the Council.

The Committee raised the following points in discussion:

- d) The Committee asked what work had been done to inform the development of the new EDI Strategy, and whether the Strategy responded effectively to all identified EDI issues within the Council. It was reported that the culture mapping exercise was carried out during 2021, which raised a number of concerns. As a result, a full EDI audit was commissioned in 2022 to categorically set out the current challenges and help inform the planning of the EDI Strategy to address them, particularly in terms of establishing the needed best practice going forward and overcoming the barriers to underrepresented people joining the Council

workforce. The new EDI document represents an all-encompassing strategy for the Council, looking both inwards and outwards, and will result in a series of individual action plans being developed to ensure the inclusion of specific groups.

- e) The Committee sought confirmation on what work was being carried out actively across the Council to address all instances of discrimination, and what had been achieved to date in bring about fundamental change across the organisation in increasing inclusivity. Assurance was given that challenge is being raised on any negative behaviours, and that managers are aware of the requirement to work to address any issues as part of ensuring a fully inclusive environment. Organisational performance in relation to EDI is monitored closely and targeted support is available for managers in addressing issues. Where problems in relation to EDI are identified, HR will carry out an investigation at a senior level and take the appropriate action in the context of a zero-tolerance approach. All complaints are taken seriously and disciplinary action will be taken when required, as it is vital that there is trust by staff in the organisation and its processes for ensuring an inclusive workplace.
- f) The Committee queried how safe spaces are created for the raising and escalation of EDI issues, the number of issues being raised currently, whether the Council's whistleblowing policy is effective, and whether issues raised are responded to with appropriate speed. It was explained that the standard point of complaint escalation is to the relevant Service Manager – but an employee can go to HR (either directly or with the support of a staff network) if the complaint is in relation to issues with line management. It is vital that all managers are made accountable for actively embedding the EDI Strategy and addressing negative behaviour within their teams, and this is set out within the Council's core organisational policies. A great deal of activity has been carried out to ensure that staff that work in more remote or isolated environments are able to report issues easily.
- g) The Committee asked what input had been received from staff networks and unions in drafting the EDI Strategy. It was confirmed that the staff networks had been consulted and unions had been engaged with. Discussions with networks and the unions have been carried out independently of each other, but monthly meetings are also held with the network chairs when union representatives are present.
- h) The Committee asked how the success of meeting the Strategy outcomes would be assessed, and how the representativeness and inclusivity of the Council's workforce would be measured. It was set out that clear and measurable key performance indicators would be developed for each Strategy outcome. Individual action plans will be drawn up to explain how specific groups will be supported and how this will be resourced. The Strategy has been drafted on the basis of the 2021 National Census data for Nottingham, and work will be carried out to benchmark the Council's workforce against how it reflects the demographic make-up of Nottingham's working-age population.
- i) The Committee sought assurance on the steps to be taken to ensure that the Council's workforce is reflective of the current city population, embed inclusion and mitigate against adverse impacts. It was explained that the EIA process is

being developed to monitor the impacts of decision-making on the workforce and to ensure that there are effective measures in place to mitigate against there being a disproportionate impact on certain groups. Targeted positive action is underway to encourage underrepresented groups to enter the Council workforce, with accelerated career development schemes in place. Recruitment processes have been reviewed to establish clearly what is needed to meet the objectives of the EDI Strategy, and interview panels are as balanced as possible. Workforce statistics and recruitment information are compiled into a data dashboard and reported regularly at the corporate leadership level, informing action to increase representation.

- j) The Committee noted that the remits for EDI and HR were held by separate Portfolio Holders. Members considered that it was vital for these Executive roles to work closely together on shaping the workforce through the appropriate HR and workforce strategies, and that there should be a clear governance structure and 'golden thread' for EDI established within the Council's Constitution. Members advised that the intention to develop individual action plans for delivery should be emphasised more strongly in the final version of the Strategy, in addition to the learning being deployed to ensure that grievance processes are resolved more swiftly.

Resolved:

- 1) To recommend that the Equality, Diversity and Inclusion (EDI) and the Human Resources (HR) Portfolio remits are combined under one strand/directorate to ensure consistency in approach and easier accountability.**
- 2) To recommend that the Equalities Board is included within the Council's Constitutional arrangements so that it has a more formal footing in regards to governance and accountability.**
- 3) To recommend that the reviewed grievance/escalation procedures are included in the EDI Strategy so that employees are aware of how to raise concerns.**
- 4) To recommend improvement to the current system to monitor and track all relevant EDI statistics and to ensure that they are pulled together and stored centrally.**
- 5) To recommend that the EDI Strategy is treated as a 'living document' that is re-assessed and brought back to the Committee on an annual basis, along with the action plans against each protected characteristic, once completed.**
- 6) To request assurance that any EDI Equalities Impact Assessments have detailed information on how they will be actioned.**
- 7) To recommend that commissioned reports are always shared with the relevant officers, Portfolio Holders, committee members and the public.**

- 8) To recommend that all staff trade unions are formally consulted on the EDI Strategy.**
- 9) To request that the Council's Whistleblowing Policy is submitted to the Committee for review, and that the figures on grievances are broken down by protected characteristics.**
- 10) To request that the draft Workforce Strategy and HR Improvement Strategy are submitted to the Committee for review.**
- 11) To recommend that, when comparing relevant statistics, the Council should compare its staff figures with local working age population data (both figures and percentages) to ensure accurate comparisons.**
- 12) To recommend that the Appointments and Conditions of Service Committee has a remit for wider officer recruitment and not just Corporate Director recruitment.**
- 13) To recommend that a strategy is developed to address how the Council will reflect the diversity of Nottingham.**
- 14) To recommend that Portfolio Holders meet monthly with the Corporate Directors to track and monitor EDI performance in their division.**
- 15) To request that a review of the implementation of these recommendations and of the final EDI Strategy is carried out three months after the Strategy has been implemented, and is submitted to the Committee to assess its progress.**

24 Work Programme

The Chair presented the Committee's current Work Programme. The following points were discussed:

- a) The timetable for the development of the Council's 2024/25 Budget has been delayed slightly and it is planned for the public consultation on the proposals to take place during late December 2023 and early January 2024. The Corporate Scrutiny Committee is a formal consultee on the draft Budget and it is proposed for the Committee to hold an additional meeting on 17 January 2024 to review the published information.

The Committee noted the Work Programme.