

# Public Document Pack

## East Midlands Shared Services

Delivering quality, affordable and resilient support services to the public sector



### East Midlands Shared Services Joint Committee

**Date:** Monday, 19 June 2023

**Time:** 10.30 am

**Place:** LH 2.31 - Loxley House, Station Street, Nottingham, NG2 3NG

**Governance Officer:** Catherine Ziane-Pryor **Direct Dial:** 0115 8764298

**Members are requested to attend the above meeting on the date and at the time and place stated to transact the following business:**

**Malcolm Townroe**  
Director for Legal and Governance  
Nottingham City Council

**Chris Tambini**  
Director of Corporate Resources  
Leicestershire County Council

Agenda	Pages
1 <b>Appointment of Chair</b>	
2 <b>Appointment of Vice Chair</b>	
3 <b>Apologies for Absence</b>	
4 <b>Declarations of Interests</b>	
5 <b>Minutes</b> Minutes of the meeting held on 20 March 2023, for confirmation.	3 - 6
6 <b>Future Meeting Dates</b> To consider approving to meet on the following dates, at 10.30am in Loxley House, Nottingham:  18 September 2023 20 November 2023 18 March 2024	

<b>7</b>	<b>Revised Terms of Reference</b> To note that the Terms of reference have been revised with non-gender-specific language.	7 - 10
<b>8</b>	<b>Exclusion of the Public</b> To consider excluding the public from the meeting during consideration of the remaining items in accordance with Section 100A of the Local Government Act 1972, under Schedule 12A, Part 1, on the basis that, having regard to all the circumstances, the public interest in maintaining an exemption outweighs the public interest in disclosing the information	
<b>9</b>	<b>Exempt Minutes</b> Exempt Minutes of the meeting held on 20 March 2023, for confirmation	11 - 16
<b>10</b>	<b>East Midlands Shared Services Annual Report for 2022/23.</b> Joint report of the Corporate Director of Finance and Resources, Nottingham City Council (NCC) and Director of Resources, Leicestershire County Council (LCC).	17 - 54
<b>11</b>	<b>East Midlands Shared Services Financial Outturn Position 2022/2023</b> Joint report of the Corporate Director of Finance and Resources, Nottingham City Council (NCC) and Director of Resources, Leicestershire County Council (LCC)	55 - 62

All items listed under 'Exclusion of the Public' will be heard in private. These items have been included under this section of the agenda because no representations against hearing them in private were received.

**Councillors, co-optees, colleagues and other participants must declare all disclosable pecuniary and other interests relating to any items of business to be discussed at the meeting. If you need any advice on declaring an interest in an item on the agenda, please contact the Governance Officer shown above before the day of the meeting, if possible.**

**Citizens attending the meeting should arrive at least 15 minutes before it starts, to be issued with visitor badges. Citizens are advised that this meeting may be recorded by members of the public. Any recording or reporting on this meeting should take place in accordance with the Council's policy on recording and reporting on public meetings, which is available at: <https://www.nottinghamcity.gov.uk/your-council/about-the-council/council-meetings-decisions/recording-reporting-on-public-meetings>. Any person intending to record the meeting is requested to notify the Governance Officer shown above in advance.**

## East Midlands Shared Services Joint Committee

**Minutes of the meeting held at Sparkenhoe Committee Room - Leicestershire CC - County Hall, Glenfield, Leicester, LE3 8RA on 20 March 2023 from 10.31 am - 11.34 am**

### Leicestershire County Council (LCC)

- ✓ Councillor Lee Breckon (Chair)
- ✓ Councillor Richard Shepherd

### Nottingham City Council (NCC)

- ✓ Councillor Adele Williams (Vice Chair)
- ✓ Councillor Pavlos Kotsonis

### Colleagues, partners and others in attendance:

Susan Baum	- Finance Business Partner (LCC)
Stuart Booth	- Finance Improvement Manager (NCC)
Richard Henderson	- Director of Human Resources, Equality, Diversity and Inclusion (NCC)
Declan Keegan	- Assistant Director of Strategic Finance and Property (LCC)
Lucy Littlefair	- Head of East Midlands Shared Services
Jill Turner	- Business Development Manager, East Midlands Shared Services
Simon McMurdo	- Customer and Communications Lead, East Midlands Shared
Catherine Ziane-Pryor	- Governance Officer (NCC)

### Call-in

Unless stated otherwise, all decisions made by the East Midlands Shared Services Joint Committee are subject to call-in. The last date for call-in is **29 March 2023**. Decisions cannot be implemented until the next working day following this date.

### 27 Apologies for Absence

None.

### 28 Declarations of Interests

None.

### 29 Minutes

The minutes of the meeting held on 23 January 2023 were confirmed as a true record and signed by the Chair.

### **30 East Midlands Shared Services Governance and Joint Committee Terms of Reference**

Lucy Littlefair, Head of EMSS, presented the report which sets out the governance arrangements and terms of reference for the committee, which are required to be reviewed by the committee at least every two years, with an emphasis on the operation and effectiveness of the shared services.

The report does not identify any areas requiring alteration at this time, but members' consideration is requested.

Members requested clarification around the Quorum wording, and that the gender anomaly of 'Chairman' is addressed.

#### **Resolved**

- 1) to approve the East Midlands Shared Services Governance Arrangements, as attached to Appendix A to the report, without amendment.**
- 2) to approve the Joint Committee Terms of Reference as attached as Appendix B to the report, without amendment;**
- 3) the conduct of meetings and proceedings of the joint committee, as set out in Appendix C to the report, are approved subject to:**
  - a) clarifying the wording regarding quorum;**
  - b) addressing the gender references;**
  - c) the revised 'conduct of meetings and proceedings' being submitted to the next meeting of the Committee.**

This decision is not subject to call-in.

Reasons for recommendations:

- Within the Joint Services Agreement, the governance arrangements and terms of reference for the committee are required to be reviewed at least every two years.

Other options considered:

- None. The review is required, as set out in the terms of reference.

### **31 East Midlands Shared Services Internal Audit Plan**

Lucy Littlefair, Head of EMSS, presented the report which was prepared by NCC Internal Audit, providing an update on progress against the 2022/23 audit plan, and proposes a further plan for 2023/24.

The following points were highlighted questions from members responded to:

- a) Due to complications in providing information, the payroll/IT audits scheduled from 2021/22 were rolled forward into this year's audit schedule and were completed in June 2022;
- b) It has not been possible to retain the timescales for the 2022/23 audit schedule and so NCC Internal Audit will be unable to provide a Head of Audit Opinion by May 2023, as intended;
- c) Members were assured that there are no legal obligations regarding internal audit timelines and that the timescales proposed for the 2023/24 internal audit plan are achievable;
- d) It is noted that whilst LCC provide financial services to EMSS, responsibility for internal audit functions for EMSS sits with NCC.

### **Resolved**

- 1) to note progress against the audit plan for 2022/23;**
- 2) to approve the EMSS Audit Plan 2023/2024, as attached to the report.**

This decision is not subject to call-in.

Reasons for recommendations:

- To ensure that Joint Committee is assured that EMSS has robust audit arrangements in place.

Other options considered:

- None as a robust audit plan is a key pillar of the governance and assurance framework for EMSS.

### **32 Future Meeting Dates**

**Resolved to note that the next proposed meeting date is 19 June 2023, at 10.30am at Loxley House, Nottingham.**

### **33 Exclusion of the Public**

**Resolved to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A of the Local Government Act 1972, under Schedule 12A, Part 1, on the basis that, having regard to all the circumstances, the public interest in maintaining an exemption outweighs the public interest in disclosing the information.**

### **34 Exempt Minutes**

The exempt minutes of the meeting held on 23 January 2023, were confirmed as a true record and signed by the Chair.

**35 East Midlands Shared Services Performance Report for Quarter 3 2022/23.**

Jill Turner, Business Development Manager, East Midlands Shared Services, presented the report which provides an overview to the performance of the Services for Quarter 3 2022/23, including people, customer, operational and technology priorities for EMSS.

**Resolved to approve the recommendations as set out in the report.**

Reasons for recommendations

- As set out in the exempt report.

Other options considered in making recommendations

- As set out in the exempt report.

**36 East Midlands Shared Services Financial Update 2022/2023**

Susan Baum, Finance Business Partner LCC, presented the report which provides an update on the 2022/23 financial performance.

**Resolved to approve the recommendations as set out in the report.**

Reasons for recommendations:

- As set out in the exempt report.

Other options considered in making recommendations:

- As set out in the exempt report.

**East Midlands Shared Services Joint Committee**

**Terms of Reference**

Subject to the terms of the East Midlands Shared Services (EMSS) Partnership Agreement to:

- (a) oversee and provide strategic direction for the development, implementation and on-going operation of EMSS;
- (b) ensure the effective delivery of the shared service functions in accordance with the terms of the agreement;
- (c) monitor the effectiveness of those arrangements and make recommendations to the Member Authorities e.g. in the event of any changes to legislation, developments in best practice or the requirements imposed on Member Authorities;
- (d) on an annual basis, agree a three year business plan for EMSS including:
  - service delivery, service development and financial objectives;
  - performance improvement & efficiency targets;
  - staffing;
  - business continuity planning;
  - risk management.
- (e) set annual capital, revenue and staffing budgets for EMSS and no later than 1st December in each year submit these to the Member Authorities for approval as part of the business plan;
- (f) monitor the operational performance of EMSS on a quarterly basis;
- (g) ensure service delivery is in accordance with the key performance indicators and agreed national, regional and local priorities;
- (h) ensure effective action is taken to remedy any under-performance in the delivery of services;
- (i) monitor the financial performance of EMSS – quarterly report and monthly updates;
- (j) determine the arrangements for support services in agreement with the Host Authority and in consultation with the Head of Shared Service;
- (k) produce an annual report to the member Authorities by no later than 30th June in each year covering the performance of EMSS in the 12 month period ending on the preceding 31st March;
- (l) co-operate with and participate in overview and scrutiny exercises of the Member Authorities into the activities of EMSS;

- (m) review the operation and effectiveness of the shared service arrangements at least every two years, consider ways in which the Shared Services partnership can be expanded and make recommendations to the Member Authorities as appropriate.

## **Rules for Conduct of Meetings and Proceedings of the Joint Committee**

Preamble: the Joint Committee shall follow the normal arrangements which apply to the proceedings of local government committees with the following additional provisions applying:

### **1. Annual Meeting**

- 1.1 The Joint Committee shall in every year hold an Annual Meeting.
- 1.2 The first meeting held after the Annual Meeting of all the Member Authorities in any year shall be the Annual Meeting.
- 1.3 The Joint Committee may in every year hold in addition to the Annual Meeting such other meetings as they may determine.

### **2. Membership**

- 2.1 The membership of the Joint Committee to comprise four elected members, two being drawn from each Council's Executive.
- 2.2 Each Authority will have the right to appoint a substitute elected member drawn from their Executive to attend any meeting of the Joint Committee in place of an appointed elected member provided that the Secretary shall be given at least 24 hours' notice of any such appointment.

### **3. Appointment of Chair, Vice Chair, Secretary and Treasurer**

- 3.1 The Joint Committee shall appoint one of its Members to be Chair of the Joint Committee who shall, subject to paragraph 3.2 and, unless they resign their office or cease to be a member of the Joint Committee, continue in office for a period of 24 months or until their successor becomes entitled to act.
- 3.2 The first Chair of the Joint Committee shall be a person nominated by Nottingham City and shall hold office for the period up to 31st May 2013.
- 3.3 The Chairship of the Joint Committee, following the initial appointment by Nottingham City, shall rotate between Leicestershire and Nottingham City on a two year cycle.
- 3.4 The Joint Committee shall appoint one of its Members to be Vice Chair of the Joint Committee who shall, subject to paragraph 3.5 and, unless they resign their office or cease to be a member of the Joint Committee, continue in office for a period of 24 months or until his successor becomes entitled to act.



- 3.5 The first Vice Chair of the Joint Committee shall be a person nominated by Leicestershire and shall hold office for the period up to 31st May 2013.
- 3.6 The Vice Chairship of the Joint Committee following the initial appointment by Leicestershire, shall rotate between Nottingham City and Leicestershire on a two year cycle.
- 3.7 The role of Secretary and Treasurer to the Joint Committee will be provided by Nottingham City Council.

#### **4. Casual Vacancies**

- 4.1 On a casual vacancy occurring in the office of Chair or Vice Chair of the Joint Committee, the vacancy shall be filled by the appointment by the Joint Committee of one of their members at the next meeting and the person so appointed shall hold office until the date upon which the person in whose place they are appointed would regularly have retired.

#### **5. Calling of Meetings**

- 5.1 The Secretary of the Joint Committee shall summon the members to such meetings as may:
  - 5.1.1 have been agreed in accordance with paragraph 1.3;
  - 5.1.2 be called by the Chair of the Joint Committee or, if the office of Chair is vacant, the Vice Chair of the Joint Committee at any time;
  - 5.1.3 be requisitioned by any two members of the Joint Committee giving notice in writing signed by them to the Secretary of the Joint Committee specifying the nature of the business to be transacted; or
  - 5.1.4 be requisitioned by any Member Authority giving notice in writing to the Secretary of the Joint Committee specifying the nature of the business to be transacted and signed by the Chief Executive or proper officer of the Member Authority.
- 5.2 Unless the persons giving notice requisitioning a meeting in accordance with paragraph 5.1.3 or paragraph 5.1.4 agree otherwise any meeting consequent upon such a requisition shall so far as practicable be held within 10 working days of the date of the receipt of the requisition by the Secretary to the Joint Committee.
- 5.3 At least five clear working days before a meeting of the Joint Committee:
  - 5.3.1 notice of the time and place of the intended meeting shall be published at the offices of both Leicestershire and Nottingham City: and
  - 5.3.2 a summons to attend the meeting, specifying the agenda for that meeting and signed by the Secretary to the Joint Committee shall be sent to:
    - 5.3.2.1 every member of the Joint Committee; and
    - 5.3.2.2 the proper officer of every Member Authority by sending by first class mail to the principal office address of the Member Authority or by sending an electronic copy by e-mail to any e-

mail address notified to the Secretary of the Joint Committee for that purpose.

5.4 The Secretary will draw up the agenda in consultation with both the Chairman and Vice Chairman.

5.5 No business shall be transacted at a meeting requisitioned by the members of the Joint Committee other than that specified in the agenda.

## **6. Nominated Officers to Attend**

6.1 The Head of Paid Service, the Monitoring Officer and the s151 Officer of each Member Authority or their respective nominees shall be entitled to attend every meeting of the Joint Committee in the capacity of observer.

## **7. Quorum**

7.1 The number of Members constituting a quorum shall be one quarter of the membership of the Joint Committee provided that in no case shall a quorum be less than three members and further provided that no item of business shall be transacted at a meeting of the Joint Committee unless at least one member from each Founding Member Authority \*\* is present and entitled to vote thereon.

## **8. Standing Orders**

8.1 Subject to anything expressly provided herein the Standing Orders (Meeting Procedure Rules) of the Authority providing the Secretariat will apply to the Joint Committee.

## **9. Voting**

9.1 Given the composition of the Joint Committee, decisions shall normally be taken on the basis of consensus.

## **10. Sub-Committees**

10.1 The provisions of these Terms of Reference shall apply mutatis mutandis to meetings of subcommittees as they do to meetings of the Joint Committee.

\*\* Nottingham City Council and Leicestershire County Council

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