

# **Finance & Procedures Overview & Scrutiny Committee – 21 April 2005**

---

Minutes of the meeting of the **Finance & Procedures Overview & Scrutiny Committee** held on **21 April 2005** when there were present:-

Cllr P F A Webster (Chairman)  
Cllr Mrs S A Harper (Vice-Chairman)

Cllr J E Grey  
Cllr Mrs J R Lumley

Cllr D Merrick

## **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs P A Capon and T Livings

## **OFFICERS PRESENT**

P Warren	- Chief Executive
R Crofts	- Corporate Director (Finance and External Services)
R J Honey	- Corporate Director (Law, Planning and Administration)
S Fowler	- Head of Administrative & Member Services
M Martin	- Committee Administrator

## **ALSO ATTENDING**

S Paton	- Head of Operations, Vivista
E Ellis	- Rochford Contract Manager, Vivista

## **181 MINUTES**

The Minutes of the meeting held on 12 April 2005 were approved as a correct record and signed by the Chairman.

## **182 PROGRESS ON DECISIONS**

The Committee received the Schedule relating to Progress on Decisions. Outstanding issues would be carried forward.

## **183 VIVISTA PROGRESS REPORT**

The Committee received the report of the Head of Administrative & Member Services introducing the six-monthly progress report from the I.T. contractor, Vivista. Members noted the contents of their presentation, which had been circulated prior to the meeting.

The Chairman welcomed Scott Paton and Everton Ellis to the meeting. Mr Paton highlighted the following points:-

## **Finance & Procedures Overview & Scrutiny Committee – 21 April 2005**

---

- Vivista had been acquired by SunGard. However, this would not have any impact on the day-to-day operations.
- A higher response to the customer satisfaction survey had been achieved at 63%.
- Publicly accessible internet terminals had been installed in the Council's reception areas at Rochford and Rayleigh.
- Testing of applications would be carried out in preparation of wide deployment of thin client.
- A service improvement plan was being developed in conjunction with the Council to tackle feedback from the customer survey.
- The implementation of Electronic Document Management was being supported as well as projects connected with Implementing Electronic Government.

In response to a Member question relating to the upgrade of the CAPS system, it was noted that this would be enabled in time for the new licensing legislation.

### **184 PROCUREMENT STRATEGY – SIX MONTH REVIEW**

The Committee received the report of the Corporate Director (Finance & External Services) apprising Members of the work carried out in implementing the above strategy.

Member noted the progress made in respect of the Procurement Strategy and the Procurement Agency for Essex.

### **185 CORPORATE STAFF DEVELOPMENT AND TRAINING**

The Committee considered the report of the Corporate Director (Law, Planning & Administration) updating Members on the corporate staff development and training programme that had been in place over the past year, together with the priorities for staff development and training for the coming year.

Members noted the work undertaken by the Human Resources Manager over the past year towards the Council's achievement of the Investor in People standard which demonstrates the Council's commitment to training and development. This was helping to contribute to an improvement in Performance Indicators.

Additional funding was being sought from the Capacity Building Fund to enable all the training needs to be met.

In response to a Member question relating to the development of different types of learning interventions, Members noted that a 'Learning at Work' day would be held where staff could volunteer to shadow or be shadowed.

## **Finance & Procedures Overview & Scrutiny Committee – 21 April 2005**

---

Officers would monitor its success whilst considering a variety of different approaches aimed at developing the workforce.

As a member of the Essex Human Resources Strategic Partnership this Council will be able to work collectively with other Essex authorities on projects such as the Essex Leadership Centre of Excellence to develop staff training and development opportunities. Such projects attract funding at the regional and Government level.

### **Resolved**

That the Staff Training and Development programme be endorsed.  
(CD(LP&A))

## **186 OVERVIEW AND SCRUTINY WITHIN ROCHFORD DISTRICT COUNCIL**

The Committee considered the report of the Corporate Director (Law, Planning & Administration) outlining work done in preparation for the review of Overview and Scrutiny within this Council and seeking agreement to a programme of work for the Committee within the terms of reference already agreed.

Members noted that a copy of Corby Borough Council's Overview & Scrutiny Toolkit had still not been received.

The Centre for Public Scrutiny would be holding its third annual conference on 23 June 2005 in London and agreed that it would be useful to reserve places for two Members and two officers to attend.

Whilst recognising that there were pressures on the Council to carry out this review, Members acknowledged the amount of work that would need to be undertaken during the forthcoming municipal year.

Members commended the programme and noted that facilitators would be present at some sessions to ensure that the best outcomes are achieved.

### **Resolved**

That the approach outlined in the programme of work attached to the officer's report be agreed, subject to consideration of matters of detail by Members of the Finance & Procedures Overview & Scrutiny Committee in the new municipal year. (CD(LP&A))

## **187 THE LOCAL AUTHORITIES (INDEMNITY FOR MEMBERS AND OFFICERS) ORDER 2004**

The Committee considered the report of the Corporate Director (Law, Planning & Administration) advising Members of the Local Authorities

## Finance & Procedures Overview & Scrutiny Committee – 21 April 2005

---

(Indemnities for Members and Officers) Order 2004 (the Order) which came into force on 24 November 2004 and provides for circumstances in which a Local Authority can provide indemnity to its Members and officers.

Members noted the key points as follows:-

- It is debatable whether the Council's current insurance would include representing the authority on an outside body in a capacity other than that of a Member or officer of the authority, but the Council could offer such an indemnity at its own risk.
- The indemnity outlined in the Council's "Protocol for Outside Bodies" does not provide for such an indemnity and would require amendment if Members chose to extend it.
- This Council has previously expressed concern that no assistance was available to Members called to account by the Standards Board and this legislation would provide an opportunity to address this concern, although Members were disappointed that there were restrictions in the extent of the indemnity.

### **Recommended to Council**

- (1) That the Council provides an indemnity in relation to any action or failure to act by any Member or officer which:-
  - (a) is authorised by the Council;
  - (b) forms part of, or arises from, any powers conferred or duties placed upon that Member or officer at the request of or with the approval of the authority including acting as the Council's representative on an outside body;
  - (c) arises in respect of the cost of defending any claim for an allegation of defamation by a Member or officer acting in an official capacity (but not in respect of any punitive or exemplary damages or arising from malicious falsehood or injurious falsehood) or
  - (d) is in respect of any investigation, hearing or other proceedings for an alleged failure to comply with the Code of Conduct for Members but, if the Member is found to have breached the Code of Conduct, and where an appeal is unsuccessful, then that Member shall reimburse the authority or the insurer for their costs incurred in relation to those proceedings.

Such indemnity to include an act or omission subsequently found to be beyond the powers of the Member or officer in question, but only to the extent that the Member or officer reasonably and genuinely believed

that the act or omission was within his/her powers at the time when he/she acted.

- (2) That no indemnity be offered for legal representation to defend a criminal conviction unless specifically approved by the Council and then on a similar basis to that relating to Part 3 proceedings with regard to reimbursement.
- (3) That a revised Protocol for Outside Bodies taking these recommendations into account be considered at a future meeting of this Committee. (CD(LP&A))

### **188 REVIEW OF PARTNERSHIP ARRANGEMENTS**

The Committee considered the report of the Chief Executive setting out the proposed way forward for reviewing the Council's key partnership arrangements.

Members noted that given the already heavy work programme of the Finance & Procedures Overview & Scrutiny Committee, together with the fact that many of the partnerships have a community element, it was proposed that the Community Overview & Scrutiny Committee undertake this review.

#### **Recommended to Council**

That, in view of growing work commitments, the review of Key Partnerships is undertaken by the Community Overview and Scrutiny Committee, with officers reporting into that Committee, at its first meeting of the new municipal year so that the detailed focus and work programme can be agreed. (CE)

### **189 DEVELOPMENT AND ACCESS TO LAND AT 5 WEIR POND ROAD, ROCHFORD**

The Committee considered the report of the Head of Legal Services inviting Members to consider a request for the purchase of land in the Council's ownership to facilitate the development of the land at 5 Weir Pond Road.

#### **Recommended to Council**

That the land at the end of Oast Way, Rochford be sold to the Applicant at market value subject to the Applicant agreeing to meet the Council's legal fees, costs and valuation expenses and such other conditions as the Head of Legal Services considers appropriate. (HLS)

## Finance & Procedures Overview & Scrutiny Committee – 21 April 2005

---

The meeting closed at 8.10 pm.

Chairman .....

Date .....