

Confident, Capable Council Scrutiny Panel

Minutes - 27 September 2017

Attendance

Members of the Confident, Capable Council Scrutiny Panel

Cllr Alan Bolshaw
Cllr Caroline Siarkiewicz
Cllr Andrew Wynne (Vice-Chair)
Cllr Payal Bedi-Chadha
Cllr Dr Michael Hardacre
Cllr Louise Miles (Chair)
Cllr Craig Collingswood
Cllr Stephen Simkins

Employees

Kevin O'Keefe	Director of Governance
Andy Hoare	Digital Transformation Director
Andy Moran	Service Director – Commercial
Julia Cleary	Scrutiny and Systems Manager
Philippa Salmon	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies**
Apologies for absence were received from Councillors Ian Brookfield, Paula Brookfield and Jacqueline Sweetman.
- 2 Declarations of interest**
Councillors Louise Miles and Andrew Wynne declared a non-pecuniary interest in Item 5 Legal Services as members of a law society.
- 3 Minutes of previous meeting**
That the minutes of the previous meeting held on 21 June 2017 be approved as a correct record and signed by the Chair.
- 4 Matters arising**
There were no matters arising from the minutes of the previous meeting.

The Chair informed the Panel that there had been challenges with the Panel's agendas over the summer but that the issues were unlikely to reoccur. Discussions

had been held about upcoming meetings and the agendas would be reset. It had been stressed that analysis of the budget setting and monitoring process was a key piece of work for the Panel and a report would be presented at the next meeting for discussion.

5 **Legal Services**

The Chair introduced the item and informed the Panel that the Leader had requested that the Panel scrutinise the potential for the Legal Services department to generate income for the Council by offering services to the third and public sector.

Kevin O'Keefe, the Director of Governance, stated that the Legal Services team had improved significantly over recent years and that this had been recognised both regionally and nationally. Legal teams in various local authorities had set up alternative structures and were able to engage with other public authorities to provide them with services. Local authorities could set up a wholly owned company offering legal services for a commercial purpose, which would permit it to offer legal services to other parts of the public sector and to commercial companies carrying out local authority or other public-sector functions. These were known as Alternative Business Structures (ABS). Kent and Essex County Councils were examples of local authorities undertaking this practice.

The Director of Governance informed the Panel that research had been undertaken and there were 197 individual charities in Wolverhampton that could provide a market for business to provide services on a cost recovery basis. An ABS could also provide a service to other local authorities and even go as far as to act for them. The Panel expressed concern about additional pressure on staff and the development of the proposal. The Director of Governance stated that resources for the service would be insourced rather than outsourced. There had been informal conversations with organisations that were already interested in the type of service that could be provided. There had been no market testing carried out as of yet, but charities were obligated to reduce their expenditure wherever possible. The Council's Legal team had a good case management system and were successfully achieving all of their KPIs. External evaluations of the team were positive and there was an assurance that the team would not be given more work than was achievable.

The Panel queried whether there was evidence that local authorities that had set up ABS companies had been successful and what the financial information would be. Andy Moran, Service Director – Commercial, informed the Panel that, as all of the companies were relatively new, there was not a lot of data available. It was likely to take two years for the company accounts to be published.

Helen Child, the Chief Officer of Citizens Advice, Wolverhampton, attended the meeting at this point to provide the perspective of the voluntary sector. The Chief Officer stated that it was felt that the proposed service would be of benefit to many smaller organisations in the sector but that it was not an offer that Citizens Advice, Wolverhampton would be likely to take up. It was felt that there may be a conflict of interest as many of their issues that would require support involved the Council in a different role. As part of the Citizens Advice organisation they received legal support consisting of HR employment law, health and safety and contracts, as part of their membership. It was felt that local support priced competitively would be an attractive proposal for many organisations.

Following queries from the Panel, the Director of Governance confirmed that any income addition from an ABS would be for general use by the Council to fund quality public services, rather than directly to private solicitors. As Central Government was reducing funding it was a necessity to trade and raise revenue. The Director of Governance stated that the company would not be for profit, the income generated would be to cover overheads and to provide services. The Panel agreed that the proposal should be explored as the Council was tasked with making savings and generating income. The proposal was still draft and the Panel requested that, once it had been properly developed and tested, the full business case be brought to a future meeting.

Resolved:

1. That the possibility of Council legal services be explored, subject to a detailed business plan including:
 - a. robust soft market testing,
 - b. determination of risk,
 - c. an identified market,
 - d. projections on the volume of business,
 - e. impact on the existing workforce,
 - f. further exploration of the means by which revenue would be generated, consideration on conflict of interest and the impact on feasibility.

6 **Digital Transformation Programme 2017 to 2019**
Andrew Hoare, Digital Transformation Director, presented an update on the Digital Transformation Programme 2017 – 2019, to provide an awareness of the next phase of the programme and the operation over the next 18 months. The main deliverables so far were the customer platform, business intelligence and single view. The customer platform opened availability and there had been 16,000 registrations for online customer accounts. The online services were still limited so the take-up reflected availability. Services were being developed and the second phase of the programme would accelerate take-up. The statistics showed that the service was used 24/7 which was positive.

The Panel queried whether the online service was user-friendly for all and the Digital Transformation Director confirmed that guest access was enabled for some services and users could use the service on behalf of others. The Business Intelligence was providing greater insights from the data that the Council holds. The Single View improved the data quality and would enable the Council to detect fraud.

Three strategic themes were driving the next phase of the programme, empowered customer, enable employee and capable organisation. These were needed to ensure an agile and collaborative workforce. Following queries from the Panel, the Digital Transformation Director confirmed that new pressures would appear throughout the programme which would impact the priority lists. Currently, work was being undertaken to ensure that more payments could be made online which would deliver savings. The programme as a whole would enable change and ensure that the Council moved forwards and could deliver services in the most efficient way.

The meeting closed at 20:10.