

Resources and Equality Scrutiny Panel

Minutes - 19 December 2022

Attendance

Members of the Resources and Equality Scrutiny Panel

Cllr Jonathan Crofts
Cllr Jaspreet Jaspal
Cllr Zee Russell (Chair)
Cllr Ellis Turrell
Cllr Greg Brackenridge

Employees

Julia Nock	Deputy Director of Assets
Earl Piggott-Smith	Scrutiny Officer
Alison Shannon	Chief Accountant
David Pattison	Chief Operating Officer
Claire Nye	Director of Finance
James Amphlett	Head of Data and Analytics
Heather Clark	Head of External Funding and Digital Projects
Jin Takhar	Head of Equality Diversity and Inclusion
Kieran Simpson	Senior Equality Diversity and Inclusion Advisor

Part 1 – items open to the press and public

Item No. *Title*

- 1 Welcome and Introductions**
The Cllr Zee Russell, Chair, welcomed everyone to the meeting and advised it was being live streamed to the press and public. A recording of the meeting would be available for viewing on the Council's website.
- 2 Meeting procedures to be followed**
The Chair explained the protocol to be followed during the meeting for asking questions.
- 3 Apologies**
Apologies were received from the following:

Cllr Jaspreet Jaspal
Cllr Milkinderpal Jaspal
Cllr Dr Paul John Birch J.P
Cllr Louise Miles
Cllr Udey Singh

Charlotte Johns Director of Strategy

4 **Declarations of interest**

There were no declarations of interest recorded.

5 **Minutes of previous meeting (13 October 2022)**

The panel approved the minutes of the meeting held on 13 October 2022 as being a correct record.

6 **Performance, Budget Monitoring and MTFS**

The Chair invited Claire Nye, Director of Finance, to present the report.

The Director of Finance advised the panel that Alison Shannon, Chief Accountant, and James Amphlett, Head of Data and Analytics, would be present the detailed report.

The Director of Finance gave an overview of the report and advised the panel that it gives an update on performance and the financial risks associated with services that fall within the remit of the panel and details of the Medium-Term Financial Strategy (MTFS).

The aim of the presentation to allow the panel to scrutinise the information and to consider the Council's budget position next year. The Director of Finance advised the panel that comments on the budget report would be included in a report to Scrutiny Board before a final report is presented to Council in March 2023 for approval.

The Director of Finance invited the Head of Data and Analytics, to present the performance and budget monitoring report (2022 – 2023) for Q2 to the panel.

The Head of Data and Analytics gave a summary of the overall Council performance against 56 KPIs in the Our City: Our Plan performance framework.

The Head of Data Analytics advised the panel that 17 of the performance indicators have not yet been updated as awaiting publication of national data sets.

The Head of Data Analytics advised the panel that the following indicators showed a decrease in performance, the percentage of 16- and 17-year-olds in education, employment or training, the percentage of working age adults claiming unemployment benefits, the percentage of young adults aged 18 to 24 claiming unemployment benefits, the percentage change in activity in the City and retail.

The Head of Data Analytics added that overall, about 85 per cent of KPI's have seen either sustained or improved performance and 15 per cent have seen a decrease compared to the year-to-date position.

The Head of Data Analytics commented on the decreased performance of the employee turnover rate indicator and how it compares to the national figure.

The Head of Data Analytics commented on the work being done within the HR (Human Resources) team to recruit and retain employees and detailed other changes introduced to improve performance; while acknowledging the benefits of staff turnover, for example, the introduction of people with fresh ideas.

The Head of Data Analytics commented on improvements in customer service call waiting times and other changes made to reduce call abandonment rates. A report

on the customer services strategy will be presented to the panel in early 2023 after the consultation ends.

The Director of Finance commented on the summary of the Forecast Budget Position that was previously reported to Cabinet.

The Director of Finance commented on the key areas to note from the report in respect of the predicted overspend and underspend areas and the factors that have contributed to it.

The Director of Finance gave an overview of the key areas from the 2023- 2024 Draft Budget and MTFs 2023-2024 to 2025 – 2026 that was approved by Council on 2 March 2022. The Director of Finance advised the panel that a budget deficit of £7,142 million was predicted as at the financial position in October 2022.

The Director of Finance commented on significant budget uncertainties and their impact on the Council budget position. The details of the Government's budget settlement are expected to be published shortly which will give a better understanding of the future financial position of the Council.

The Director of Finance commented on the budget savings proposals within the remit of the panel for information and advised that all are subject to final approval by Council in March 2023.

The Director of Finance commented on the key risks and budget pressures to those service areas within the remit of the panel and the position as regards the earmarked reserves.

The panel were invited to comment on the report and presentation.

The panel queried the occupancy levels and fees charged for renting office for the Civic Centre, details of current employee vacancy rates, and the number of posts filled by agency workers.

Julia Nock, Deputy Director of Assets, commented that in terms of occupancy of Civic Centre there are two external tenants using the ground floor area of the building. The Black Country Health Care Foundation Trust will also be moving to the ground floor area shortly.

The Deputy Director added that there are also plans to bring together customer services and registrars to the ground floor area to create a more vibrant welcome space when the public enter the main entrance of the building.

The Deputy Director commented on plans to maximise the use of the Civic Centre, which could be achieved through the rationalisation of assets or improved collaboration with external partners.

David Pattison, Chief Operating Officer, offered to provide the information requested on employee data following the meeting. The Chief Operating Officer, commented on the recruitment challenges facing local authorities and the private sector and outlined the work being done to reduce employee turnover rates.

The panel commented on the recent announcement by the Secretary of State which detailed an increase in the local government finance settlement and the positive impact on the Council's budget position.

The Director of Finance confirmed the increase in the budget settlement announced by the Government and explained that the core spending power figures published assumed that Council Tax would be increased by 4.99%.

The Council has not made a decision on the level of Council Tax for next year and there is work ongoing to assess the impact of other recently announced Government grant awards on the Council's financial position.

The Director of Finance added that following this work it will be possible to determine the extent to which the settlement figure will cover all the financial pressures detailed in the report.

A further update on the Council's financial situation will be presented to Councillors in January and February 2023.

The panel queried the appropriateness of maintaining the budget for policy and strategy at the level stated into 2023 - 2024 in view of the reported underspend in the current year and suggested that the funds could instead be spent in other areas.

The Director of Finance commented that the underspend on the budget primarily relate to vacancies and the budget set for policy and strategy is considered appropriate to deliver the priorities of the Council.

The panel commented on the issues listed to the Strategic Risk Register reported to Cabinet on 16 November 2022 and queried if the impact of business closures and the reduction in business rates is considered a strategic risk in terms of its impact on the Council's finances.

The Director of Finance noted the impact of business closures on the Council's budget and commented on the work being done with colleagues across the Council to inform the business rates forecasts when making assumptions about the level of business rates to be paid. In addition, work is being done to make accurate assumptions about the estimated number of successful appeals against the value of business rates.

The Director of Finance commented on the other factors that may impact on the level of business rates levels, for example, the regeneration of the city centre, property revaluation, which are all considered when making the assessment.

The panel queried the process for updating the potential violent register list as there were concerns that Councillors were not always aware of changes when visiting residents. The Chief Operating Officer reassured the panel about the importance of the register and the effort being made to ensure that Council employees and Councillors have access to it and that it is fit for purpose. This work is also supported by safety guidance issued to Councillors.

The Chief Operating Officer advised that the Council is developing a new system to replace the current register that will provide quicker notifications of any changes. The new system should be operational in 2023. The Chief Operating Officer encouraged Councillors to sign up to receive notifications from the current violent persons register.

The panel queried the support available for older Council employees and specifically how issues such as menopause and arthritis are considered when reviewing factors

behind the increase in sickness rates. The panel commented on the importance of supporting older employees.

The Chief Operating Officer commented that the Council introduced a menopause pledge and policy in October 2020 in recognition of the need to support employees. The Chief Operating Officer highlighted the importance of talking openly and respectfully about the menopause and the benefits of the policy to the individuals concerned and the delivery of Council services.

The panel discussed the benefits of having a dedicated contact number and resources to deal with taxi licensing enquiries to reduce the pressure on customer services.

The Chief Operating Officer commented that there is a risk of confusion in having a dedicated number and outlined the benefits of the current arrangements. A report on the customer services strategy will be presented to the panel in early 2023. The strategy will include an update on progress in plans to introduce a new telephone system that will provide a more efficient service to deal with customer calls and to address the concerns of the panel.

The panel thanked the presenters for the report.

Resolved:

The panel comments on the presentation to noted and included in the report to Scrutiny Board

7 **External Grant Funding**

The Chair invited Heather Clark, Head of External Funding, to present the report.

The Head of External Funding advised the panel that the report gives an overview of the external funding opportunities available to the Council and the Council's approach to the management and delivery of externally funded projects.

The Head of External Funding commented on the importance of securing grant funding to the delivery of key Council priorities set out in the Our City: Our Plan and the five-year financial strategy.

The Head of External Funding commented that the Council has benefited from significant external funding in the past which has contributed to the delivery of these city priorities.

The Head of External Funding gave examples of the different funding opportunities that have been used to deliver the priorities of the City. The average cost of the Council' submitting a competitive grant funding bid is estimated by researchers to be around £30,000.

The Council is in discussions with the Government about the importance of a developing a new relationship between central and local government to improve the efficiencies in the grant bidding process.

The Head of External Funding gave a summary of the significant external bids submitted and the outcome to date.

The Council's external funding team regularly review external funding opportunities and this work is supported by having access to a database which includes details of future bid opportunities.

The Head of External Funding advised the panel that all external funding bids must be signed off by the Section 151 Officer before submission and to Cabinet Resources for approval.

The Head of External Funding commented on the importance of having a strong project management approach to maximise the benefits and reduce risk to the Council from external funding bids.

The panel were invited to comment on the report and to provide feedback on the Council's approach to managing and delivering externally funded projects.

The panel queried if there was compensation built into the delivery of the Victoria Street and Civic Hall Public Realm Zone to business affected by the development work. The panel also queried if consideration was given in the plans to the recommendations of the Wolverhampton Pound report.

The Chief Operating Officer advised the panel that Government grants from the Future High Street Scheme do not include an amount for compensation as there is a statutory compensation scheme that businesses can apply to if affected by disruption caused by utilities work.

The Head of External Funding confirmed that the bids for external grant funding are considered in relation to the Wolverhampton Pound report findings and recommendations, for example, the Council will ask projects to seek four quotes and two of these must be from local suppliers. This change will have a positive impact on achieving the aims of the Wolverhampton Pound priorities.

The panel requested further details about the projects allocated funding from the UK Shared Prosperity Funds and specifically where the money has been spent among the wards in Wolverhampton

The Head of External Funding advised that the Council is waiting for details from WMCA (West Midlands Combined Authority) about the funding agreement.

The Head of External Funding added that the Council has identified several priority actions that will be supported in the financial year, for example, community shops, and the cost-of-living hub, as part of the financial well-being support offer.

The Head of External Funding commented on plans to recruit an external funding programme manager to support and build on current work in preparation for future funding opportunities for large strategic projects.

The Head of External Funding offered to meet panel members to discuss funding opportunities under the local priorities and reassured the panel that all wards will benefit from the different city-wide activities.

The panel requested a breakdown of the external bids and spending on a ward basis in the financial year.

The panel also requested a recent copy of External Funding Update report to be shared.

The Head of External Funding advised the panel that the last report was published in November 2022 and related to the breakdown of the UK Shared Prosperity Fund and agreed to share a copy.

The panel queried the factors considered when consideration is given to the costs of preparing a bid submission and how expectations of success are assessed and managed.

The Head of External Funding advised the panel that it is a competitive process, and it is estimated that only 1 in 3 bids are successful and highlighted the importance of submitting quality bids. If a bid is unsuccessful for a local project, then consideration will be given to look for other funding opportunities and funding packages that can deliver the scheme.

The panel queried if Government was able to recover any underspend if there were delays in delivering the project on the previously agreed timetable.

The Head of External Funding advised the panel that the current requirement for UK Shared Prosperity Fund is that the funds should be spent in the year awarded but due to the late agreements then there is expectation that the Government may be flexible provided the Council can show that there is a plan to spend the funds.

The Head of External Funding advised the panel that if there was an underspend at the regional level then this could affect future allocations and it was important therefore to have strong back up plans should some activity spend not go ahead as expected.

The panel thanked the presenter for the report.

Resolved:

1. The panel comments on the Council's approach to managing and delivering externally funded projects is noted.
2. The Head of External Funding advised the panel to share a copy of the External Funding Update report with the panel.
3. The Head of External Funding to provide an analysis on ward basis of spending local allocations from the UK Shared Prosperity Fund for the period 2022-2023.

8 **Reserves Working Group report - draft minutes**

The Chair invited Claire Nye, Director of Finance, to present the report.

The Director presented the minutes of the Reserves Working Group who met recently and advised the panel that it will be included in the report to Scrutiny Board as part of the budget consultation process.

The minutes of the meeting were presented for information and comment.

The panel welcomed the report. The panel expressed concern about the level of earmarked reserves held and commented that some of the dedicated funds should be used to support residents and businesses in financial difficulty.

The Director of Finance commented that the concerns raised have been included in the minutes and will be forwarded onto Scrutiny Board as part of budget consultation process for consideration. The Director of Finance added that the funds are part of plan to support the Council's longer term financial stability by helping it to manage risks and future spending requirements.

The Director of Finance commented on advice given to Cabinet on the importance of the maintaining the adequacy of reserves at the recommended level.

The panel thanked the presenter for the report.

Resolved:

The panel agreed to note the minutes of the Reserves Working Group meeting on 8 November 2022.

9 **Land and Property Disposal Policy**

The Chair invited Julia Nock, Deputy Director of Assets, to present the report.

The Deputy Director advised the panel that the presentation will outline how the Council manages the disposal of its land and assets to a third party in accordance with the Local Government Act 1972, and particularly the requirement around achieving best value.

The Deputy Director explained that the land or asset can include freehold sale, exchange, or any grant of a lease for a term exceeding seven years as defined by S123 of the Local Government Act.

The Deputy Director outlined the Council's land and disposal policy and explained that the Strategic Asset Plan 2018 – 2023 is the primary driver in identifying opportunities to dispose of assets which are no longer required for current or future service delivery.

The Deputy Director commented on the importance of the land and disposal policy in supporting the Council priority in the Our City: Our Plan to use land and property to transform communities and to release those assets that no longer serve the public. The Council's Constitution ensures that land and property is managed in accordance with the regulations.

The Deputy Director outlined the process to be followed when a land or asset is considered surplus to needs.

All disposals of assets are done in conjunction with the Local Government Act, and particularly in Section 123 which states that the Council must demonstrate it has best consideration and there is a both an ethical and statutory duty to attain best value. The term 'best value' includes financial, economic, and social considerations.

The Deputy Director commented on the key benefits of the land and property disposal policy.

The Deputy Director reassured the panel that there is a robust consultation process internally with colleagues in other service areas of the Council to ensure that there is no other potential future use for that asset. In addition, there will also be discussions

with colleagues in Wolverhampton Homes and WV Living about using the asset for future housing developments, as part of the consultation.

If there are no objections to the disposal, then a report is presented to Cabinet to consider and approve the recommendations.

The asset disposal policy links to the community asset transfer strategy.

The Deputy Director advised the panel that the Strategic Asset Plan is due to be refreshed in 2023 and that new asset mapping system will be launched on the Council website in January 2023. The system can be used to by residents and Councillors to see what assets the Council holds.

The introduction supports the aim of making the process of disposing of Council assets more accessible and transparent.

The Deputy Director reassured the panel that the service is required to produce a report annually for Council on all capital receipts that have been generated from disposals valued over £10,000. The report details how approval for disposal was obtained, the method of sale and compliance with best consideration. The report will be presented to the panel for comment.

The panel were invited to comment on the presentation.

The panel queried the policy for the disposal of freehold interests and if there is a gap in the exchange or any grant for than seven years and if there was going to be met. The Deputy Director advised the panel that if the disposal of an asset with seven years or less would usually be a leasehold disposal and the Council owns the freehold. The land and property disposal policy only applies to freehold properties that the Council will no longer have any future ownership or management of in the future.

The panel queried if there were examples where the district valuer could have been involved in a case where a different valuation had been given for an asset, but a decision was taken not to involve them.

The Deputy Director advised the panel that the Council involves the District Valuer in most disposals of land and property to provide an independent valuation. This approach is key to ensuring the Council gets best consideration and that the process of asset disposal is fair and transparent.

The panel queried if there had ever been any bribery attempts in respect of the disposal of Council assets. The Deputy Director advised that she was not aware of any bribery attempts in relation to asset disposals.

The panel queried the reference in the presentation that all valid objections would be considered by the service following the end of consultation about proposed disposal of assets and queried the definition of the term a 'valid objection.' The panel also queried if there was a scenario where an objection from a single Councillor could prevent the disposal of an asset going ahead.

The Deputy Director explained the process of considering objections and that example of a 'valid objection, would be comments from planning or highways service suggesting the ownership should be retained to meet future service needs.

The Deputy Director commented on the process for consulting with local Councillors about the disposal of an asset and if following a meeting there were still objections then the issue would be referred to the Asset Management Board to consider the matter further. A final decision about the disposal of any asset would be for Cabinet to determine.

The Chief Operating Officer added that legally the decision about the disposal would be made by either Cabinet or the relevant Cabinet Member and there could not be a situation where their decision was fettered by that of a Councillor, which would be potentially unlawful. The Cabinet Member would however in this situation consider the concerns where all three local ward councillors objected to a disposal of an asset.

The panel queried situations where a previously owned Council asset is sold, but the development work is delayed sometimes for years by the new owner. The panel highlighted concerns about the risk of vandalism and anti-social behaviour on the site in such situations. The panel commented if a requirement could be added to the sale agreements that the owner will complete the development work within a specified period.

The Deputy Director commented that in most disposals cases there are restrictions in place when this involves a sale to a third party. The restrictions could for example, state that the development starts within a set number of years, or they will have to apply for planning permission. In addition, there are also restrictive covenants and restrictions which will help the service to manage the situation so that buildings do not remain empty for extended periods.

The panel asked for further details of what would be considered to a valid objection to the disposal of an asset. The Deputy Director agreed to share a list with the panel.

The panel queried the lessons learnt from the disposal of land and assets and how this learning has been used to improve the disposal policy. The Deputy Director commented that in terms of how learning from practice has been used to improve the policy and referred to changes made to encourage buyers develop buildings within a set period and the use of planning restrictions. In addition, where there is a conditional sale which is subject to planning permission this would involve the opportunity for the public to contribute as part of the consultation process.

The panel thanked the presenter for the report.

Resolved:

1. The panel comments on the Land and Property Disposal Policy to be noted.
2. The Deputy Director of Assets to share details of valid objections referred to in the presentation with the panel.

The Chief Operating Officer introduced the presentation and advised the panel that the name of the panel had been changed to include 'equality' to show the importance of the issue to the Council.

The Chief Operating Officer outlined the background to the development of the Equality, Diversity, and Inclusion (EDI) Strategy and advised that the aim was to focus on each of the priority areas and present an update on progress to the panel. The presentation would focus on Objective 2 – *to be an inclusive employer, building a workforce that is reflective of the communities that we serve.*

The Chief Operating Officer commented on the reasons for the Council wanting to improve its performance on equalities and the wider benefits of the policy, for example, a diverse workforce will improve how the Council serves residents and provide a better understanding of their needs.

The Chief Operating Officer commented on the good progress made to date but highlighted the importance of continuing to review and improve practice and sharing of performance data and targets with the panel to provide further opportunities to challenge.

The Chief Operating Officer invited the Head of Equality to give the presentation.

The Head of Equalities commented on the actions taken to support the achievement of Objective 2. A further detailed report on progress of diversity within the workplace will be presented to the panel on 2 February 2023. The report will also include key performance indicators, profile data on representation across all grades and recruitment activity.

The Head of Equalities gave a summary of progress of action taken to make the Council more inclusive in terms of recruitment and selection. highlighting examples of improvements made.

The Head of Equalities commented on the topics covered during a series of policy reviews.

The Head of Equality commented on the consultation work with employees, managers, and trade unions on new ways of working, and in response to the feedback changes will be made to Council policies and guides.

The Head of Equality highlighted the changes made to the bereavement support guidance as an example. The new policy will introduce five days of bereavement support to take account of personal nature of grief and cultural differences.

The Head of Equality also highlighted the work with staff equalities forum to develop Autism Awareness guide to take account of and support individuals with neuro divergent needs.

The Head of Equality commented on the workplace menopause pledge that was introduced in October 2022 reflecting the Council's commitment to supporting women in the workplace.

The Head of Equality commented on future work areas for action.

The panel were invited to comment on the report and presentation.

The panel queried the value and impact of unconsciousness bias training in the recruitment process and requested details of the reasons for its continued use. The Head of Equalities commented that the inclusion of unconscious bias training complements other equality and diversity training offered, such as face to face training.

The Head of Equalities added that there is a need to identify and acknowledge cultural differences and highlighted the value of the unconscious bias training in providing the opportunity for individual self-reflection and in supporting people to think about the way decisions are made and how we treat others.

The panel expressed concern about the reference in the report to the role of Stonewall charity in the work of the Council and highlighted issues about their campaigning work. The panel queried the reasons for Council's continuing to work with the organisation and if it had funded it to produce any work on its behalf.

The Head of Equalities commented on the campaigning work of Stonewall and confirmed that the Council continues to work with the organisation on gender matters.

The Head of Equalities reassured the panel that the Council takes account of the work being done by Stonewall and other national organisations that lobby for the needs of LGB and transgender communities. The Head of Equality added that the involvement in work of the organisation is supported the Staff Equality Forum. The service will take account of their recommendations and views when reviewing policies but will make final decision based on the needs of the City.

The Head of Equality confirmed that the Council does not fund the organisation to undertake any work.

Kieran Simpson, Senior Equality Diversity, and Inclusion Officer, commented on lobbying and campaigning work of Stonewall in support of the rights of transgender communities and added that they are the largest LGBTQ plus organisation nationally.

The Senior Equality Diversity and Inclusion Officer reiterated the point that the Council works with a wide range of national and local organisations and highlighted the positive impact this has had on the progress made and in terms of awards received for the Council's equalities work.

The Chief Operating Officer agreed to provide the panel with written confirmation that the Council has not funded Stonewall to undertake any work on its behalf.

The panel discussed the importance of employee wellbeing and queried the take up of the Employee Assistance Programme. The Head of Equality agreed to contact colleagues for details about the number of referrals received and agreed to include the information in the report to be presented to the panel on 2 February 2023.

The Head of Equality advised the panel that the service is widely promoted and there is a link on the Our City people portal on the Council's website.

The panel queried the profile of the city population. The Head of Equality advised the panel the information was not included in the report as only data based on the Census 2011 is available.

The aim will be to provide a more accurate picture of the population profile of the City based on the latest Census figures in the next report to the panel.

The panel thanked the presenter for the report and presentation.

Resolved:

1. To panel welcomed the progress made in delivering the EDI Strategy 2022 – 2024.
2. The panel comments on the EDI Strategy 2022 – 2024 to be noted.
3. The Head of Equality to include information on the take up of the Welfare Assistance Programme to the next meeting of the panel on 2 February 2023.

11 **Resources and Equality Scrutiny Panel - Draft Work Programme 2022 - 2023**

The Chair invited Earl Piggott-Smith, Scrutiny Officer, to present the report.

The Scrutiny Panel advised the panel of the agenda for the next meeting of panel and that comments and suggestions were welcomed.

The panel thanked the presenter for the report.

Resolved:

The panel agreed to note the report.