

Fy Nghyf / My Ref: NRS/PM/PB/05.08.14

Dyddiad / Date: 5th August 2014

Councillor Phil Bale
Leader, City of Cardiff Council
County Hall,
Atlantic Wharf,
Cardiff,
CF10 4UW.



Dear Councillor Bale,

**Joint Environmental and Community & Adult Services Scrutiny Committee –
Regionalising Regulatory Services Project – 29th July 2014**

On behalf of the Community and Adult Services Scrutiny Committee and the Environmental Scrutiny Committee, who met jointly on Tuesday 29th July 2014 I would like to thank you and the officers for attending the Committees' joint meeting. As you are aware the meeting considered pre decision scrutiny of the Regional Regulatory Services Project, prior to a report being taken to Cabinet in the City of Cardiff, Vale of Glamorgan and Bridgend County Borough Councils.

Members note that the report submitted for their consideration was a draft Cabinet report, and as such there is an opportunity for the comments, suggestions and recommendations made in this letter by the Joint Committee to be taken into account.

Recommended Model

The Joint Committee recognises that it is not an option for the Council to 'do nothing' and that services will be subject to significant reductions if no change takes place. The Committee therefore recognises that the Council must move in the direction of collaboration, and therefore accepts that the best approach set out within the report is the 'collaborate and change' model, and the acceptance of related recommendations within the draft Cabinet report.

The Joint Committee however felt that additional information must be made available, both in order for the Cabinet to be able to make a fully informed decision regarding

the recommendations in the report, and to reassure Members that the decision to endorse this course of action is correct. These information requests are detailed later in the letter.

Host Authority

The Joint Committee wishes to express its reservations about the case presented as a basis for the Vale of Glamorgan Council to be chosen as host authority. It is evident from the Atkins report that no firm decision could be recommended, and consideration of the pros and cons for each authority acting as host does not provide a substantial case for the Vale to be chosen. That said, the Joint Committee is not questioning the ability of the Vale of Glamorgan Council to be selected as host authority, but rather feels that the Cabinet should expect to receive a far more informative and robust case in order to convince them that services are best hosted in the Vale of Glamorgan Council and for Cardiff Council staff to be transferred accordingly.

That said, the Committee accepts that Cardiff Council cannot always be seen to use its size as the basis for control of such projects, and must allow other authorities to lead on projects if it is to truly embrace collaborative working.

The Joint Committee also recognises that significant levels of work have already been undertaken on the basis that the Vale of Glamorgan will be host authority, and that the success of the project and achievement of projected savings cannot afford the delays associated with reassessing this position.

Future Scrutiny Arrangements

The Joint Scrutiny Committee recognises the need for robust ongoing scrutiny of the shared regulatory service, however the Members do not wish for scrutiny to be carried out by existing separate Scrutiny Committees as outlined in the draft Cabinet report (para 97). Members feel the appropriate scrutiny mechanism is the establishment of a Joint Scrutiny Committee, which mirrors the proposed Joint Committee and has equal representation from each local authority. This Committee needs to be established as a matter of priority if a decision to proceed with a shared

service is made by Cabinet and Council, allowing for the project implementation stages to be effectively scrutinised by Members from each authority.

Additional Requests and Recommendations

The Joint Committee wishes to express its concern that the draft Report presented contains some grey areas, where important information is either unclear or not available. Members do not feel this will allow for the Cabinet to make such an important decision on the future delivery of regulatory services in Cardiff.

Following the discussions at the meeting, Members wish for the following requests for information to be addressed:

Additional Information for Cabinet

- More information should be required for Cabinet with regards to the transfer of staff under TUPE. This must provide more detail on the mechanisms involved, the costs for Cardiff and the impact it will have on individuals currently employed by Cardiff Council. Members are concerned that staff will be made to accept worse terms and conditions and rates of pay, or face redundancy.
- The Joint Committee recognises the use of FTE figures as an accepted basis for decision making, however Members feel that Cabinet should be made aware of the number of individual staff who are within the scope of this project, so that the full impact on Cardiff Council employees can be appreciated.
- While the Joint Committee recognises the need to protect personal staff information, Members shared a concern that the redaction of key financial and establishment information might prevent the Cabinet from making fully informed decisions on the impact on Cardiff staff and the ability to achieve savings.
- Members feel that the future job specifications, roles and grading of staff within the shared regulatory service should have a huge impact on the decision whether to proceed, and yet these are currently undefined. Members feel this calls into question whether Cabinet is to be provided enough information to make such a decision.
- Members are concerned that the staff consultation period, which has recently commenced, is taking place across the school summer holidays. Members

seek assurances that full and robust consultation will take place, with full Trade Union involvement, and that the findings from this will be fully included within the report submitted to Cabinet.

- Members seek assurances that the proposed multi-skilled approach will not result in a less professional or qualified provision of service and feel Cabinet should require more information in this area, including an evaluation of how such an approach currently works in the Vale of Glamorgan and Bridgend County Borough Councils.
- The Equality Impact Assessment completed in relation to the proposed centralised location for the shared service (the Alps Depot) should be made available to the Cabinet, and shared with Members of the Joint Committee. Members are concerned that this location is car-centric and will disadvantage staff who are reliant on public transport or cycle networks.
- Members wish to recommend that a single point of contact is established to serve the shared service and feels that C2C presents a natural choice for this service to be located. If the intention for the shared service is to rebrand as one single service, it appears sensible for one point of contact to be established for members of the public. Estimates for the cost of providing such a service should be included within the papers submitted for Cabinet consideration.

Additional Information for Committee

- Members also wish to note their concerns regarding the recruitment process within the host authority. At the meeting Members were assured that the best individuals will be the ones appointed to the new roles, however Members wish to seek clarification on how individuals will be appointed, who will be involved in recruitment decisions and the process for developing new role profiles and job descriptions.
- The Joint Committee are concerned by the number of factual inaccuracies within the Atkins report highlighted by staff, and request that more work is undertaken to establish exactly what work is currently carried out within Cardiff. Decisions are going to be made with regards to which services can be reduced, and Cardiff needs to clearly set out which services are essential and must be maintained through the shared service. Members also request

clarification on which non-statutory services currently provided are going to be lost.

- The figures given for demand of services across the three authorities (Atkins 4.2.6) show that Cardiff's share is 66% of the total. Members seek clarification that the allocation of work within the regionalised service will be demand led, particularly given concerns were raised that the level of demand in Cardiff is underestimated.
- Members seek assurances that Cardiff will not be put at risk in terms of food safety through changes to food inspection regimes, and potential changes to the staff involved, particularly when Cardiff has significantly higher numbers of premises liable for inspection.
- Members are aware that Cardiff Regulatory Services are involved with the significant levels of events that take place in the city, and this work has also been highlighted as a good income generator for Cardiff. Members seek assurances that this work will be able to continue within the shared service, and whether all income will be retained by Cardiff Council.
- Members consider the Out of Hours Noise team to be a valuable asset for the city and seek assurances that this will remain, given that Cardiff is the only of the three authorities that runs such a service. Members seek assurances that the continuation of this service will not negatively impact on the remaining allocation of resources to Cardiff within the shared service, and that Cardiff will not be required to pay for the service in addition to the agreed apportionment of costs.
- Members seek assurances that the present links that exist between regulatory services and other service areas within the Council will not be lost through the establishment of a shared service (for example where regulatory services officers will work with schools on tattoo related initiatives).

Additional Concerns

- Given that the projected savings from this proposal will only amount to approximately £1.4m across the three Councils per annum by 31 March 2018, Members do not feel this is substantial enough to justify significant reductions in the level of regulatory services being provided within Cardiff.
- The Joint Scrutiny Committee wishes to express its concern regarding the financial projections for costs and savings provided within the draft Cabinet

and Atkins reports, and feels these figures are vaguely indicative at best and rely on numerous assumptions.

- Members are also concerned that the figures for HMOs within Cardiff are inaccurate, and feel strongly that this should be re-quantified to give a true representation of the level of demand that exists within the city. This is something that must be completed before resource allocation decisions are agreed.
- The Joint Scrutiny Committee has concerns surrounding the harmonisation of various ICT systems used by each Council and feels that implementation issues in this area could undermine the anticipated savings from collaboration.
- Members were not convinced that effective logistic systems will be in place to control the home-based working arrangements proposed for the shared services, and feel this could jeopardise the short-term savings target given in the draft Cabinet report.

I would be grateful if you would consider the above comments and provide a response to the requests made in this letter.

Regards,

A handwritten signature in black ink that reads "P. De Mitchell". The signature is written in a cursive, slightly slanted style.

Councillor Paul Mitchell
Chairperson Environmental Scrutiny Committee

Cc to:

Cllr Bob Derbyshire – Cabinet Member for Environment
Cllr Daniel De’Ath – Cabinet Member for Safety, Engagement & Democracy
Cllr Jacqueline Parry – Chair of Licensing and Public Protection Committees
Paul Orders – Chief Executive
Joanne Watkins – Cabinet Office Manager
Jane Forshaw – Director for the Environment
Tara King – Assistant Director for the Environment

Dave Holland – Head of Service, Regulatory & Supporting Services

Elizabeth Weale – Operational Manager – Procurement & Partnerships

Tracey Thomas – Operational Manager – HR People Services

Marc Falconer – Operational Manager - Projects Accountancy

Members of the Environmental Scrutiny Committee

Members of the Community & Adult Services Committee