

DORSET COUNCIL - RESOURCES SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 26 NOVEMBER 2019

Present: Cllrs Piers Brown (Chairman), Beryl Ezzard, Barry Goringe, Brian Heatley, Howard Legg and David Shortell

Also present: Cllr Tony Ferrari (Portfolio Holder for Finance, Commercial and Assets)

Officers present (for all or part of the meeting):

Dawn Adams (Senior Procurement Officer), Aidan Dunn (Executive Director - Corporate Development S151), Jim McManus (Corporate Director - Finance and Commercial), Susan Ward-Rice (Equalities and Diversity Officer) and Helen Whitby (Senior Democratic Services Officer)

19. Apologies

Apologies for absence were received from Councillors Sherry Jespersen, Mike Parkes and Peter Wharf (Portfolio Holder for Corporate Development and Change).

20. Minutes

The minutes of the meeting held on 30 September 2019 were confirmed and signed.

21. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

22. Public Participation

There were no statements and questions from Town and Parish Councils, public statements or questions at the meeting:

23. Urgent items

There were no urgent items.

24. Equality, Diversity & Inclusion Policy

The Committee considered a report by the Chief Executive which set out Dorset Council's approach to equality, diversity and inclusion. It contained the Council's equality objectives which would ensure compliance with the Equality Act 2010 and specifically the Public Sector Equality Duty.

Members noted that when the Council was established on 1 April 2019 Dorset County Council's policy had been adopted until such time as a policy for the new

Council could be developed. Work on the new policy had started in January 2019 and this had included consultation involving HR, the Trade Unions and the Stonewall Charity. A workshop with the Trade Unions had been held on 5 November 2019 and a deadline for comments had been extended to 27 November 2019 at their request. An action plan to deliver the equality objectives was being developed and the Eqla had been completed and was in the process of being signed off. The process was being overseen by an Executive Advisory Panel chaired by the Portfolio Holder for Corporate Development and Change. Members' feedback was sought with a view to the policy being recommended for adoption by the Cabinet in December 2019. The Portfolio Holder had suggested that the sentence "the council ,,, policies" in paragraph 9.1 be replaced by "The policy will be reviewed on a regular basis by the relevant portfolio holder and will be taken through the committee process every three years to ensure that it reflects the latest legalisation, best practice and other council policies."

A number of questions were raised about the policy. In response it was noted that the only major difference between the previous Sovereign Councils' policies and the new policy was the inclusion of procurement and social value; undertaking Eqlas would help to understand impacts on different groups and the potential to mitigate these impacts; protected characteristics included learning disability, mental health, long term health conditions (over 12 months) and did not necessarily mean that the person was disabled; the additional characteristics identified in paragraph 4.8 of the policy would be considered as part of the decision making process; local characteristics were identified through demographics, discussions with Stonewall and talking to communities; there was a need to be able to engage with people, not necessarily through traditional methods; some of the local characteristics were national, not just local to Dorset; when services were being commissioned, it was the Council's duty to ensure that companies tendering adhered to equality duties and signed up to the Council's policies which was monitored through contract management; equality and diversity training should be mandatory for staff in order to ensure adherence and implementation of the policy; key performance indicators (KPI) were being developed and Stonewall would feedback on our results in participating in the Workplace Equality Index which could inform the work on KPIs; there was a need for the Council to improve data collection with regard to reasons for leaving the Council's employ, staff grievances and disciplinaries and this was included in action plan; staff support was available for those being harassed whilst undertaking their duties and for those wishing to take this further; and part of the EAP's task was to identify training for members and staff using various mediums.

Members also suggested that an annual report on statistics might be useful, including complaints against the Council and accolades.

Details of membership of the EAP were given and members asked for sight of the minutes of the first meeting held in September 2019.

It was noted that the completed Eqla would be presented at a future meeting.

With regard to recommendations to Cabinet, members agreed with the Portfolio Holder's amendment; suggested that the term "local characteristics" within the policy be changed to "Dorset Council's protected characteristics" and that a minimum of one key performance indicator be developed for equality and diversity once the Council Plan was finalised.

Resolved

1. That the minutes of the Executive Advisory Panel meeting held in September 2019 be emailed to members.

2. That the completed Eqla be presented to a future meeting.

Recommended

That the Cabinet adopt the Equality, Diversity and Inclusion Policy subject to the following:-

- (a) that the sentence "the council ,, policies" in paragraph 9.1 be replaced by "The policy will be reviewed on a regular basis by the relevant portfolio holder and will be taken through the committee process every three years to ensure that it reflects the latest legalisation, best practice and other council policies."
- (b) that the term "local characteristics" be changed to "Dorset Council's protected characteristics".
- (c) that a minimum of one key performance indicator be developed for equality and diversity once the Council Plan was finalised.

Reasons for Recommendations

1. The Equality, Diversity & Inclusion Policy would ensure that the Council was delivering services fairly and meeting the needs of Dorset communities whilst also being a fair and inclusive employer.
2. The policy would ensure that the Council was meeting its statutory duties as contained in the Equality Act 2010.

25. **Procurement - The Dorset Pound**

The Committee considered a report by the Executive Director (Corporate Development S151) which provided a proposal that the Council considered, as part of the Procurement Strategy, a corporate approach to social value to assist maximising the Dorset Pound through procurement outcomes.

The Portfolio Holder for Finance, Commercial and Assets explained that the report was seeking members' views on proposed ways of calculating and encouraging social value from procurement. He recognised that a balance needed to be struck between price and social value and he welcomed comments. The Executive Director added that the Strategy would be considered by the Cabinet in March 2020.

The following points were made in discussion:-

- that a small number of contracts were won or lost on a 5% margin, that this was not monitored and that a more consistent approach across the Council was being sought;
- that when a tender was being considered early market engagement was being undertaken to better understand the market and competition in order to help identify criteria and thinking on social value;
- that national guidance was available on how to use social value and bigger contracts could be broken down into smaller lots which were more attractive to smaller and medium sized enterprises in Dorset.
- the law stated that social value had to be considered when procuring but companies outside of Dorset could score as well as local companies with regard to social value.
- supplier engagement and understanding the market shaped procurement;
- that unsuccessful Dorset companies received feedback as to why they were unsuccessful so that they were better able to tender in future.

- the procurement and evaluation process needed to be able to balance tenders from local firms with their smaller travel and transport costs against economies of scale from larger companies;
- the Council's diverse procurement needs meant that social value could not be fixed;
- the need for a clear definition of the Dorset Council area should be included in the Strategy;
- that any joint working with Bournemouth, Christchurch and Poole Council would need to be agreed separately;
- whether there was a reverse incentive with regard to the green and sustainable category in that a company being carbon neutral might not get as many social value points as a company using older vehicles which could improve its carbon emissions performance;
- whether the cost of tendering could be reduced to make them more accessible to smaller businesses;
- the Dorset Care Framework was open to new suppliers who could bid for work as it was advertised with a lighter touch approach;
- to attract small businesses the procurement process needed to be as simple as possible;
- that all people who produce goods got a fair price and for these companies to be sustainable and resilient;
- need to make sure procurement was legal and that small businesses were not put off by the tendering process being over-complicated;
- the national push for social value and for the profile of it to be raised within the Council in order for there to be better outcomes for Dorset and its residents.

Members were thanked for their comments and areas identified for further exploration. The Committee would scrutinise the draft Strategy before it was considered by cabinet.

Resolved

1. That the Council establish a Procurement Strategy that sets out key principles and actions to embed practical and effective commissioning for social value in every aspect of its procurements, commencing (as the Public Services (Social Value) Action 2012 requires) at the pre-procurement stage.
2. That the above comments be considered as part of the development of the Strategy.
3. That the draft Strategy be scrutinised by the Committee before it was considered by Cabinet.

26. People Strategy

The Committee considered the notes of an informal meeting of some members of the Committee held on 13 November 2019 with the Portfolio Holder for Corporate Development and Change and the Corporate Director for HR and OD to discuss the Council's People Strategy. The Portfolio Holder had delegated authority to deal with any minor changes. The Strategy had been considered by the Trade Unions and some minor changes had been suggested by the Audit and Governance Committee.

A concern was expressed at the informal meeting that the Authority might seem more concerned about minor considerations rather than getting the work done more efficiently and effectively.

Members supported the Strategy but recognised it would continually develop,

Resolved

That the findings of the Informal meeting be endorsed.

27. Resources Scrutiny Committee Work Programme and Cabinet Forward Plan

The Committee considered its Forward Plan.

Members noted that a budget cafe would be held on 13 January 2020 for all members but particularly for those of the People, Place and Resources Scrutiny Committees. This would provide training and development as well as giving members an opportunity to consider the impact of budget proposals on service areas. The Scrutiny Committees would meet individually the same afternoon to make recommendations on the budget proposals for Cabinet to consider in February 2020.

The Executive Director (Corporate Development S151) reminded members that an item on the budget was scheduled for the meeting but had been withdrawn because of the forthcoming general election and purdah period. Members would receive information about the budget proposals prior to the meetings on 13 January 2020.

Members were also reminded that established Executive Advisory Panels (EAP) would report their findings to scrutiny committees prior to being considered by the Cabinet. The relevant EAPs had been added to the Committee's Forward Plan.

The Chairman explained that the Scrutiny Officer was leaving the Council's employment, thanked her for her hard work and wished her well for the future.

One member drew attention to the use of blinds and air conditioning during the meeting when natural light could have been used. The Executive Director (Corporate Development S151) agreed to follow this up outside of the meeting.

Resolved

1. That information regarding budget proposals would be issued for the meetings being held on 13 January 2020.
2. That the Executive Director (Corporate Development S151) would follow up on the use of blinds and air conditioning during meetings.

Duration of meeting: 10.00 - 11.35 am

Chairman

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