

Overview & Scrutiny Committee

Thursday, 9th January, 2014

6.00 - 7.30 pm

Attendees	
Councillors:	Duncan Smith (Chair), Klara Sudbury (Vice-Chair), Nigel Britter, Barbara Driver, Colin Hay, Helena McCloskey, Chris Ryder and Sandra Holliday
Also in attendance:	Councillor Penny Hall, Councillor Jon Walklett, Councillor Steve Jordan, Councillor Robert Garnham, Councillor Roger Whyborn and Councillor Rowena Hay

Minutes

1. APOLOGIES

Apologies were received from Councillor Charlie Stewart

2. DECLARATIONS OF INTEREST

Councillors Driver, Hay and Smith declared an interest in agenda item 9 as board members of Cheltenham Borough Homes and announced their intention to leave the meeting at that point.

Councillors Smith and Hay also declared an interest in the same item as council appointed trustees on the shadow board of the Leisure and Culture trust.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 25th November 2013 were approved as a correct record.

4. PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS

5. MATTERS REFERRED TO COMMITTEE

6. CABINET BRIEFING

Councillor Steve Jordan, as Leader presented a briefing paper from Cabinet which had been circulated with the agenda.

The Leader gave feedback on the Leadership Gloucestershire meeting he had attended earlier that day. They had considered a proposal for a joint committee of the Gloucestershire authorities to sit alongside the Local Enterprise Partnership and make joint decisions on the funding available through the LEP and economic development issues. It had been agreed that a shadow joint committee would be set up with no decision-making power at this stage.

Councillor Jordan updated the Committee on the outcome of the meeting held on the 18th December 2013 of the County Scrutiny Group which was considering Unitary Government. District Council leaders had not come to a

consensus and the proposal for a unitary authority would be unlikely to be taken forward once the scrutiny task group report had been published. It was noted, however, that the discussions had been constructive and the County Scrutiny Group would be considering how to be proactive in encouraging councils to work more closely together.

Councillor Jordan informed the meeting that the Government have launched a consultation on local authority parking policies and enforcement. Anyone could contribute to the consultation on-line. The deadline for response is 14th February 2014.

7. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

Police and Crime Panel – it was noted that the next meeting of the panel will be held on Thursday, 6th February.

Health and Social Care Committee – the agenda for the meeting to be held on 14th January 2014 had been circulated to all Members by Councillor Penny Hall and she had invited them to raise any issues with her before the meeting.

8. UPDATES FROM SCRUTINY TASK GROUPS

The meeting reviewed the list of scrutiny task groups. The Democratic Services Manager, Rosalind Reeves, highlighted two issues in the update regarding resources.

Re Review of Section 106 monies and enforcement: it had been highlighted that officer resources needed for the JCS work may not be available to support this review immediately. The Overview and Scrutiny Committee felt that it would be appropriate for the task group to meet to agree its scope and terms of reference but should then delay its first substantive meeting until the JCS work was further forward.

Re Review of Public Art Governance: as there had been no nominations for membership of this task group, it was agreed that nominations should be sought again later this year.

9. CEMETERY AND CREMATORIUM

The scrutiny task group was set up by the Overview and Scrutiny Committee at its last meeting following concerns raised by Councillor Chris Ryder. A meeting was held on 17th December 2013 between the task group members, officers and representatives of the site and the minutes of that meeting had been circulated in advance of this meeting.

Councillor Chris Ryder, as chair of the task group, thanked all those who had attended the meeting and explained that the staff at the crematorium had worked tirelessly to fulfil their obligation to the public. Several staff had worked over and above their normal day to ensure the smooth running of the facility when a cremator was down or not working to full capacity. It may be appropriate for the staff to receive official thanks for their work. Funeral directors using the site had expressed a lack of confidence and trust in the crematorium as there had been reported cases of bereaved families waiting up to three weeks for cremations to take place. The task group have been invited as observers to a meeting on 15th January 2014 between the funeral directors and Rob Hainsworth, the operational manager for bereavement services.

Further to the questions and responses recorded in the minutes of the meeting of the 17th December, 2013, Councillor Ryder informed the meeting of the following:

There are some unused greenhouses on the site which could be demolished to make room for further car parking but the task group had been advised that there are planning issues to be considered.

There is an £80,000 retention being held by the council but as the contractors who installed the cremators have gone into liquidation, the council are considering all their options.

Councillor Roger Whyborn, as Cabinet Member for Sustainability, appeared before the committee to answer questions from Members.

He explained that the council had entered into the contract with Crawfords, the supplier of the cremators, after extensive research and no problems had been identified as at March 2013. During the commissioning of the cremators the company went into liquidation. The council has taken steps to ensure that the maintenance and software suppliers are in place and are also seeking the advice of a consultant to enable the continued use of the facilities. It is more cost effective to continue with the existing equipment rather than start afresh.

A member asked about the mercury pollution and whether CBC could be fined if not compliant with the mercury abatement regulations. Councillor Whyborn responded that whilst not desirable it was not illegal to operate the facility at present although the council does have to pay financial penalties.

In response to a suggestion from a member that a capital sum should be ring fenced in the budget for the crematorium, the Cabinet Member acknowledged that it may be appropriate to consider making some provision for the crematorium costs in future budgets but it was too early to say at this stage.

Members expressed concern about the work load being placed on the staff. Jane Griffiths, director of commissioning, advised members that Executive Board had also raised this issue and she could reassure the committee that the staff were working acceptable shift patterns.

The chair asked the Cabinet Member whether he could give a date when the cremators would be fully operational and compliant. The Cabinet Member could not give a date but he reassured members that all the technical issues with the cremators were being worked on with all possible urgency.

A member suggested that an apology should be made by the council to bereaved families who may have been affected by the problems at the crematorium. In response the Cabinet Member advised that he was not aware that there had been a three-week delay as reported in the media and his understanding was that generally staff were keeping up with the workload.

It was agreed by the committee that it would receive an update of the situation at its next meeting.

10. ICT

Councillor Colin Hay, as chair of the task group, updated the committee following a meeting of the task group held on 18th December 2013. The minutes of the meeting were circulated with the agenda.

The task group had considered the ICT public service network compliance issue which had caused, in part, the rejection of CBC's submission by the Cabinet Office who felt that CBC had not gone through the Cabinet Office's recommended risk assessment process. The chair of the task group indicated that there had been a possibility that the Council would have been taken out of the public service network which would have had serious consequences.

Councillor Hay highlighted the following matters from the minutes:

CBC is now far more aware of its approach to corporate risk assessment and management and has engaged an external consultant to assist with the process. The Forest of Dean were conducting the same process as the Borough Council.

There are potential tax implications for councillors who use their council issued iPads for personal use and security implications need to be considered more closely.

There is a need to review the risk scorecard used by various shared services to ensure that the criteria was the same. ICT risk assessments were rated from medium to low and these were monitored by the Security Working Group. There was still work to be undertaken in respect of some of the risks, for example, the USB lockdown.

In addition to the PSN issue the task group had also discussed the recording of council meetings. Councillor Hay informed the meeting that, following requests for the Council meeting to be recorded, advice had been sought. It is clear that under the new legislation there is little scope for refusing a request to record council meetings: this will necessitate changes to the Council's Constitution. This matter will be considered fully as part of the Accommodation Strategy and it was noted that there would be cost implications.

11. DEPRIVATION

The Democratic Services Manager advised that she had invited the chair of the scrutiny task group, Councillor Chris Coleman, to attend the meeting to provide an update. As no information was available to put before the meeting it was agreed that this matter would be carried forward to the next Overview and Scrutiny Committee meeting on the 3rd March 2014.

12. UBICO

Jane Griffiths, Commissioning Director, presented the progress report from the Ubico Task Group which had been circulated with the agenda.

The Overview and Scrutiny Committee had established this task group to review Ubico. The group had made a number of recommendations, relating to both the Borough Council and Ubico, which were approved by Cabinet on 16th April 2013. The report had been requested by the committee to ensure that the recommendations had been actioned. The officer informed the meeting that all

the recommendations in the report had been actioned bar that contained in paragraph 3.1. In addition, she stated that lessons had been learned from last year's adverse weather conditions.

A member asked about the response to the late fall of leaves last autumn. The officer responded that the council receives weather alerts and liaise with Ubico who prioritise areas in a similar way to how they prioritise snow clearance for example, footfall and hotspots.

A member asked how the council monitors complaints. The meeting was informed that both complaints and compliments are monitored and these are one of the performance indicators used in assessing Ubico's performance. The officer agreed to include this information in the quarterly performance indicators that are presented to the Overview and Scrutiny committee.

The officer assured the meeting that the problem with the telephone system over Christmas had now been resolved.

The Bring site in Bath Road is full operational and the enforcement team is monitoring traders using the facility. The council is considering additional rotas to empty the site but this will have cost implications.

A member asked about catch up collections on a Saturday; it was noted that in some residential streets access is not an issue on a weekday as people are at work but on a Saturday there are parked cars and access is difficult. The officer would look into the matter and liaise with the relevant Councillor.

13. BUDGET PROPOSALS 2013/2014

Councillors Smith, Hay and Driver retired from the meeting for this agenda item (see Agenda item 2). Councillor Klara Sudbury, as vice chair of the Overview and Scrutiny Committee, assumed chairmanship of the meeting.

Councillor John Rawson, Cabinet Member for Finance, introduced the General Fund Revenue and Capital – Interim Budget proposals – 2014/15 Consultation Paper which had been circulated with the agenda.

The Cabinet Member explained that the Budget Scrutiny Working Group had considered the budget proposals in depth with a view to determine whether the council was doing what it had said it would do. He felt that it had been a challenging and constructive review and commended the report to the Committee.

The Cabinet Member highlighted the main aspects of the proposals. There is a reduction in funding from Government and the loss to the Council is likely to amount to £844,000 which equates to 13.6%.

The Budget Scrutiny Working Group had considered the budget proposals at their meeting on 9 January 2014. As a result they had come up with a number of recommendations for this committee to consider. Councillor Rob Garnham as chair of the working group talked through their recommendations.

- BSWG recognises the approach to using New Homes Bonus funding in the past and supports increasing the use of this funding stream to support the revenue budget, particularly in view of guidance issued with the provisional settlement which confirms that councils are free to spend the bonus as they chose, including on front-line services and keeping council tax low. The proportion of money in the interim budget (64%) used to support the budget is in line with the BSWG view that a cautious approach should be taken to its use.
- The BSWG questions why the Cabinet is proposing a further Council tax freeze whilst it is warning that cuts in funding are worse than expected. It recognises however that the proposal to maintain the freeze has been influenced by the reversal of the Government proposal to top-slice New Homes Bonus funding and the provisional settlement proposal that the funding for past council tax freezes (2011/12 and 2013/14) and for the next two years freeze will be built into the spending review baseline, protecting us against a cliff edge of freeze funding falling away in due course.
- The BSWG supports the view from the Section 151 Officer that CBC should remain in the Gloucestershire Business Rates Pool based on preliminary monitoring considered by the BSWG during the course of the year. The BSWG acknowledges the complexity and uncertainty in budgeting and monitoring the pool resulting from continued issuing of government guidance and acknowledges that it will only be at the outturn of the current year that the benefit of the pool can be properly assessed.
- The BSWG supports the view by the Section 151 Officer that, in line with the other councils in Gloucestershire, that no changes should be made to the Localised Council Tax Support Scheme (LCTS) although members had been approached by some private landlords expressing their disquiet with regard to the changes to the council tax empty property exemptions and second homes discounts.
- BSWG note that the interim budget is in line with Government guidance to district councils outlining a clear expectation that billing authorities will carry on passing on support to parishes to help mitigate against any reduction in the Council tax base due to the LCTS.
- BSWG notes the proposal to increase councillors' parking passes in line with inflation but questions whether the councillors parking scheme is being enforced
- BSWG notes that the proposed average rent increase of 4.03% was calculated in accordance with national rent restructuring guidelines but considers this to be a steep increase for tenants. It recognises however that the changes to the Housing Revenue Account subsidy system ensure that the funds raised would be retained locally and reinvested in properties and communities and the new build programme.

In response the Cabinet Member Finance advised the following:

The New Homes Bonus will be an integral part of the financing of local government. The Cabinet has proposed that it will take a cautious approach to using this revenue stream and will incorporate 64% of the fund into the budget.

The Council will remain in the Gloucestershire business rates pool for 2014/15 but will monitor what benefits accrue.

The Council will continue operating the Council Tax Benefit Scheme unchanged for 2014/15; this had been part of a public consultation.

The Council will continue to make a grant of about £10,000 available to the Parish Councils to give them a degree of financial stability for 2014/15.

Car parking charges will be frozen although Councillor Rawson highlighted that the council may consider enforcing the councillor's parking passes.

There will be an average rent increase of 3.04% for council tenants which is higher than the rate of inflation but the subsidy and rent increases are retained locally and are reinvested for residents.

Mark Sheldon, Director of Corporate Resources (Section 151 Officer), stated that the Council faced a budget gap of £4 million due to a reduction in grant funding of £844,000 as well as reduced revenue over the last few years. There has been an increase in pension contributions and the council has had to commit more to the pensions fund than it had intended. The council has addressed the shortfall by seeking efficiency savings and will use more of the New Homes Bonus. The council does not seek to cut back on investment in the future and will continue with a maintenance programme of £1 million for 2014/15. It will also maintain investment levels in CCTV cameras, play equipment in parks and IT. There will also be an expanded Capital programme in March if the sale of North Place is completed.

Thanks were expressed to all councillors and staff who had contributed to the preparation and scrutiny of the budget proposals.

The committee queried two items in the bridging the gap strategy. In response it was advised that there would be no impact on services with the reduction of a part-time post as that post has been vacant for some time. The scale of fees and charges for planning applications are published and available on the web site.

The Budget proposal will now be debated in full by Council

Resolved that the recommendations of the budget scrutiny working group be endorsed and Cabinet be requested to take these into account before finalising their budget proposals for consideration by Council.

14. REVIEW OF SCRUTINY WORKPLAN

The committee reviewed the workplan which had been circulated with the agenda.

All items listed for inclusion at the next meeting were agreed: it was also agreed that, due to the urgent nature of the situation, the Cemetery and Crematorium Task Group should report back to the committee (see Agenda Item 8 a).

A report from the Deprivation Task Force will be considered at the next meeting.

The committee considered the proposal submitted by Councillor Colin Hay to set up a task group to carry out the decision of the Council from March 2012 to find ways to protect local public houses from permanent closure so that the community asset is not lost. It was resolved that the Public House Viability Task Group should be set up and will meet to determine its parameters, terms of reference and personnel. However, due to resource implications, substantive meetings will be delayed until the May elections have taken place.

**15. LOCAL GOVERNMENT ACT 1972-EXEMPT BUSINESS
RESOLVED THAT**

“In accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the following agenda item as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

16. EXEMPT MINUTES

The minutes of the exempt business discussed at the Overview and Scrutiny Committee meeting on 25th November 2013 were approved as an accurate record.

17. DATE OF NEXT MEETING

The date of the next meeting of the Overview and Scrutiny Committee is Monday, 3rd March 2014 at 6pm.

Duncan Smith
Chairman

Scrutiny task group - Crematorium and Cemetery**Tuesday, 17th December, 2013****4.00 - 6.00 pm**

Attendees	
Councillors:	Barbara Driver, Rob Reid and Chris Ryder
Also in attendance:	Rob Hainsworth, Tom Mimmagh, Bryan Parsons and Mark Woodward

Minutes**1. APOLOGIES**

Apologies were received from Councillor McCloskey.

2. DECLARATIONS OF INTEREST

Cllr Reid declared an interest as his nephew in law had previously been the manager at the Crematorium.

3. ELECTION OF A CHAIR FOR THIS TASK GROUP

Upon a vote, Councillor Ryder was elected as chair.

4. TERMS OF REFERENCE

The chair referred Members to the scrutiny registration form which had been circulated. She invited attendees to introduce themselves and their role in respect of this issue.

Rob Hainsworth (RH) – the operational manager for bereavement services across four sites in Cheltenham, Tewkesbury and Charlton Kings.

Mark Woodward (MW) – service development officer at Ubico and the Cheltenham BC project manager of the project to replace the cremators at the Cheltenham crematorium.

Tom Mimmagh (TM) – property manager responsible for looking after the council's assets.

Grahame Lewis (GL) – director responsible for the line management of this function and had been involved in the issue since mid-July 2013 when the contractor went into liquidation.

Bryan Parsons (BP) – governance, risk and compliance officer who had been involved since July in assessing and identifying the risks of the project. There were now two corporate risks relating to the cremators and these were updated by the Service manager and monitored by the Senior Leadership Team on a monthly basis.

Rosalind Reeves (RR) – Democratic Services Manager and acting as the facilitator for this scrutiny review.

5. OBJECTIVES OF THIS SITE VISIT AND QUESTIONS FOR OFFICERS

Prior to the meeting, members had forwarded a number of questions to officers and a copy of the responses were circulated and are set out below.

Issue	Response
<p>Who project managed' the refurbished cremators, who signed off the works when completed, were they ever completed to the standard that was expected within the contract?</p>	<p>Peter Linsell Management Consultants project managed the supply and replacement of the cremators and associated equipment. The project was never completed before the Contractor, Crawford Equipment Europe, went into liquidation and therefore never reached the expected standard. Elements of the works were signed-off at pre-defined milestones by the Consultant.</p>
<p>Are the cremators running efficiently? Is Cheltenham Borough Council compliant with pollution laws?</p>	<p>The cremators have not run efficiently. Crawford were due to carry out the necessary testing once the installation of the cremators and mercury abatement equipment had been completed. The testing has not been carried out at this time and we are therefore unable to confirm whether the Council is compliant. Environmental Health have been kept informed of our position.</p>
<p>What are the risk assessment and policies, regarding cremators. If there were to be an emergency with any of the cremators within the Chapel, how this would be addressed for the safety of the workforce and public. If the cremators had to be shut down, what measures are in place to cover for this eventuality? Would we satisfy the Funeral Homes which may affect users up to a radius of 25 miles or more?</p>	<p>A project risk register has been specifically compiled for this project which is reviewed at every project meeting. The general risk was transferred to the CBC Corporate Risk Register by the project team following Crawford applying to go into liquidation. We have a Business Continuity Plan for the service, which contains detailed procedures in the event of an emergency or shut down. In the event of an unplanned shut down for a period greater than 48hrs, there are few options other than re-arranging cremations at neighbouring crematoria.</p>
<p>What consultation has been done with clients: Funeral Directors on behalf of the general public.</p>	<p>It is understood that the Manager at the time held meetings with the local Funeral Directors.</p>
<p>How do we ensure that the council continues to follow CBC policy of 'Duty of Care' to our staff who perhaps go above their call of duty when working within this environment.</p>	<p>HR have regular meetings with staff and the Director responsible has been kept informed.</p>
<p>How is ground maintenance kept in good order with the resources at hand.</p>	<p>Seven full-time staff are employed to carry out and maintain the grounds duties. Seasonal workers are also employed during the growing season.</p>

<p>What is the current policy with regard to the planting of large bushes/trees which may cause unnecessary damage to headstones and look unsightly when not maintained by families.</p>	<p>There is no current policy</p>
<p>Can anything be done to increase car parking areas for mourners.</p>	<p>Because of the limited space available and planning restrictions, the options are restricted</p>

Members then had the opportunity to ask additional question of the officers present.

1. Why was the work necessary?
 - the old equipment at the crematorium was not working effectively and was in urgent need of replacement with two of the three cremators now effectively out of action.

2. What was the procurement process for the contract?
 - the council carried out a full procurement process. The specific requirements for the project were set out in a full specification including the special requirements relating to access for any equipment into the listed building. There were a number of valid tenders and a full options appraisal was carried out with Crawfords coming out as the preferred supplier. This included full legal and financial checks following corporate procedures. All the documentation could be available for inspection by the Members if required. TM added that the literature supplied by the company at the time was very impressive and officers were aware that a number of other councils were using cremators supplied by this company.

3. Were any of these references followed up?
 - the company had glowing references from two sites and officers did carry out a site visit and were satisfied with what they saw. On a site visit, the contractor had been keen for them to be left alone with the staff so that they could give their true opinions. They were not made aware of any teething problems at the sites. However this was in 2010 and on a more recent visit to the same site, officers were advised that only one of the cremators installed had been successfully abated. Officers confirmed that the equipment installed was brand new, not reconditioned, and originated from the United States.

4. What is abatement?
 - new regulations have been drawn up which requires systems to be fitted to cremators to remove mercury from the gases emitted to prevent it getting into the air stream. Currently one of the cremators installed has had the abatement system switched on although not tested, and the necessary equipment had been installed in the basement?

5. When did officers first realise that something was wrong?
 - Up until March officers were convinced that the project was going to

deliver on time and to budget. It was a major installation and as such it was expected that there would be some snagging issues to sort out at the start. Initially the contractor blamed the gas supply and once this had been fixed they continued to come up with other excuses. There were also component failures and the company responded quickly in these cases to replace the failed components. Generally they were reactive and attended to resolve problems quickly. The timing of the company going into liquidation was unfortunate as this was just about the time that the council was due to take on responsibility for the equipment.

6. What actions were taken when the contractors went into liquidation?
 - TM explained that in July when Crawfords had gone into liquidation, there was a sum of £80,000 outstanding on the contract. Officers then had to deal with the operational issues as well as considering the options regarding the contract. At the time, the work was 90% complete and as the contractors were no longer supporting the two cremators, officers arranged for expert advice on whether the cremators were fit the purpose and this assessment was then validated by an expert consultant. Arrangements were put in place for some of the staff who had been working for the contractor, to supply maintenance for the equipment.
7. Were other councils in a similar position?
 - officers were in contact with at least 10 other councils and many have adopted a similar approach to Cheltenham, some have found other ways forward.
8. What options did the council have in this situation for financial recompense?
 - product liability insurance would have been taken out by the original contractor and this was a possible source of recompense
 - there may be an option to pursue the original consultant who had recommended the equipment
 - for any claim the council would have to produce a full report justifying its claim and this would take time and resources.
9. What is the current status of the cremators and what is the operational impact?
 - Throughout the installation, the crematorium was only closed for two days during the critical changeover period. The smaller cremator is currently working satisfactorily but the larger one is out of action though it is hoped this will be fully functioning by the end of the week. Crematorium staff are working extended hours to meet the demands starting at 5 a.m. in the morning and working late into the evening beyond the normal 5 p.m. finish. A maximum of two coffins were rolled over to the following day. Each cremation took an average of one hour 40 minutes. Currently they were doing an average of nine cremations per day and once both cremators were in full operation this could be increased to 14.
 - RH was fully aware of the duty of care to staff and all health and safety procedures were being adhered to.

10. Are the families made aware of the potential overnight delay?
 - yes it was already standard practice in their communications to bereaved families that cremation would be guaranteed within 24 hours. This condition was essential in helping the crematorium to run effectively and balance their workload.

11. Why had it taken 5 months and the equipment had still not been fixed? Was it time to cut our losses?
 - the equipment was complex and had sophisticated computer systems to monitor its operation. The original designer had been unable to cope with the volume of business generated and that potentially was one of the reasons for the company's failure.
 - it was important that the council continued to keep the equipment going and going back to the drawing board was not an option. It would take at least two years to go through the procurement process again and there would have to be a business case to justify the replacement cost of any new cremators which could be as much as £1 million. There would also be issues regarding business continuity which must be the priority.
 - officers emphasised that a number of important mitigation actions had been taken and therefore the council was in a much better position than it had been in July. This included addressing hotspots regarding ventilation, fire protection systems, lighting and ventilation and the lining of one of the cremators had been completely dismantled and rebuilt.
 - A technical appraisal by the consultant should be drafted by the first week in January.

12. What are the issues regarding abatement?
 - Neither cremators were currently abated. This was not illegal but the council would be required to pay into a fund in the first year of the new abatement regulations.

13. Councillor Ryder was concerned that there was a lack of trust and confidence in the two cremators and in Cheltenham borough council? What was being done to address this and how much business had been lost?
 - RH confirmed that he had been regularly talking to funeral directors and he suggested members of this task group could meet with them.
 - he was not aware that any business had been lost and there were still some slots before Christmas although they might not be at the times people preferred.

Members concluded that this was an important issue and as such the chair of the scrutiny task group should give feedback to the next O&S committee on 9 January. RH would advise the date in January when the task group could meet with the funeral directors.

The task group then had a tour around the crematorium and were able to see the smaller of the new cremators in operation. They were also shown the equipment which had been installed for abatement purposes and had the opportunity to see the computer panels being operated by the staff.

6. AGREE NEXT ACTION

RH would invite members to a meeting with the funeral directors in January and the task group would hold a further meeting after that to finalise any recommendations. The chair would give an update to O&S on 9 January. MW agreed to produce a timeline of events for the next meeting.

7. DATE OF NEXT MEETING

Following the meeting, RH circulated details of the meeting with Funeral Directors which will take place on 9am on Wednesday 15th January in the Chapel Waiting Room.

Chairman

Scrutiny Task Group - ICT review**Wednesday, 18th December, 2013****3.00 - 4.20 pm**

Attendees	
Councillors:	Colin Hay (Chair), Andrew Chard (Deputy Chair) and Simon Wheeler
Also in attendance:	Mark Sheldon, Annette Wight, Bryan Parsons, Councillor Jon Walklett, Rosalind Reeves, Matthew Thomas (Forest of Dean) and Robert Milford

Minutes**1. APOLOGIES**

None.

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 12 March 2013 were approved as a correct record.

4. ICT PUBLIC SERVICE NETWORK ISSUE

The Director of Resources, Mark Sheldon (MS), introduced the report. He reminded Members that this matter had been referred to the ICT scrutiny working group following a debate at Council on issues arising from the public service network compliance issue. He reminded Members that Council's main concern had been with the risk assessment. Indeed this had been the root cause of the rejection of CBC's submission by the Cabinet Office, who felt CBC had not gone through a proper risk assessment process which followed Cabinet office guidance. Initially officers had responded along the same lines as West Oxfordshire and had described the council approach to corporate risk assessment and management. However, the submission was not accepted and, as a consequence, an external consultant with specialist knowledge, was employed to assist with the process.

Cllr Chard asked whether there were any outstanding risks. MS assured Members that the council was now compliant but there were gaps and actions were in hand to address these. He advised Members that the Head of ICT shared services, Matt Thomas (MT), had been in dialogue with the Cabinet Office between April and September 2013 and therefore the final rejection had come as a surprise. The Cabinet Office had been tightening compliance requirements and it was only the last question of a long questionnaire that was not accepted.

In response to a question, MT confirmed that the Forest of Dean (FoD) was currently going through the same process assisted by the consultant that CBC

had used. Next year it was planned that CBC and FoD would have a joint submission to the Cabinet Office on behalf of the shared ICT service. Members raised some concerns that too much increased security could make systems unusable. Cllr Hay confirmed that at the County Council they now had to take laptops into the council offices every fortnight in order to change their password.

Cllr Hay also asked that the tax implication of using council equipment, such as iPads, for personal use be looked into. He felt that Members were a potential weak link in IT security, so there may have to be more restrictions on the equipment they could use and consideration given to their communications with other bodies/boards, i.e. CBH. In response Bryan Parsons said that any changes to accessing systems now had to be documented and the Security Working Group (SWG) were looking at this and how it could be achieved and a report would be produced.

A question was raised as to how why a red risk appeared so suddenly and were there any early warnings that could have been picked up on. In response Bryan Parsons said that for three years there had not been any problem with compliance, so there was no reason to think there would be an issue this year. The Cabinet Office was just asking for additional information and not new information. When it was rejected it did quickly become a risk but there was a process in place to deal with this. He reiterated that risk assessment for ICT areas was difficult and complex, but that a new process was now in place for assessing and managing ICT risks. All risks relating to this issue were now being picked up as part of the ICT action plan and many had already been addressed and were set out in the report to this meeting.

Cllr Hay was concerned about other risks outside of ICT which may be relatively low but could have a high impact either on the residents of Cheltenham or the reputation of the council. At what stage would be these reported to the Cabinet Member?

In response BP explained that the Risk Management policy was reviewed annually and the last review was carried out in April 2013 when the revised risk scorecard was produced. This scorecard was used by officers to assess risks and to put a score against them. The scoring guideline was based on information from the assessment team. BP explained the scorecard to Members and he referred members to the risk assessment which had been circulated with the report to Council and the reasoning behind the scoring. There was some concern expressed by a Member that the impact scores for reputation risk and availability of systems should have been higher. In response, BP stressed that if the PSN had been withdrawn, this may have slowed down benefit payments but the benefit system would still have been able to function. The council had also been actively working on mitigation actions, talking to the DWP and the potential for back up systems running at the FoD. There was an agreement that the wording of the scorecard should be reviewed.

BP further informed Members that he was initiating a review of risk management which would go to Audit Committee in January. The review would involve all elected Members and it was suggested that a scenario for risk assessment be included in the questions sent to Members. BP agreed to

include this in the review and would revise further if necessary and the results and any recommendations would be taken to Audit Committee in March.

With the increase in shared services the question was raised as to whether all councils had the same risk scorecard. Rob Milford replied that although risk management was not too varied, he was looking at policies across the councils and trying to align them more.

BP reported that all ICT risk assessments were rated from medium to low and that these were monitored by the Security Working group. Work had been done on some of the risks, such as the USB lock down, but more was still required on others. The main two outstanding issues were the ICT Compliance Policy and BPSS clearance for the majority of CBC ICT users.

New software would be installed with regard to the ICT Compliance policy which would ensure that this had not just been read by the user, but understood as well. It would have pop-ups to ask questions and if the user got most of the questions wrong, it would flag up that more training was required.

BPSS clearance was more of a challenge and between now (2013) and 2015 any person with access to the PSN network would have to be BPSS checked. This involved checking ID, any previous convictions, nationality and employment history. The cost of doing this would be between £50 to £100 per person and about 100 people had already been identified to be checked in early 2014. The information would be gathered by GO HR and once completed there was no requirement to keep the information. One point to be considered was the procedure to be adopted if a current member of staff did not pass the BPSS check. BP reported that although this was a compliance requirement of the Cabinet Office, no additional money would be forthcoming from government to pay for it, so cost was a problem for the council. A more detailed report on the implications of BPSS was being produced to report to SWG on 9 January.

Rob Milford reported that his Audit monitoring report would include a review of the risk process, but that the most important point was to learn from this incident and to improve procedures accordingly.

It was agreed that the minutes of this Scrutiny Task Group would be circulated to O&S in January.

5. REVIEW OF PLANS AND NEXT ACTIONS

The ICT scrutiny task group had been asked to consider the issue of recording a Council meeting and how they wished to proceed with this. It was felt that in this day of modern technology and transparency to the public that this should be allowed. However questions were raised as to whether every public committee meeting should be recorded and how would this affect the minutes and how it would be made available on the web site. A member suggested that a webcam should be made available and MT indicated that there would be a cost in the region of £8000. The cost would be a prime concern and the system would need to be removable in view of any possible building relocation. As the Pittville and Montpellier Rooms were also often used for public meetings, these rooms would also have to be considered for any audio / visual recording.

It was agreed to look at this in connection with the accommodation strategy.

The matter was also raised of amending the Council's Constitution to reflect use of electronic equipment in meetings now that iPads were being used and to add any necessary wording relating to meetings being recorded.

6. DATE OF NEXT MEETING

It was felt that this issue had been addressed for the time being and thus a further meeting was not scheduled.

Colin Hay
Chairman