

**Minutes of the Corporate Scrutiny Committee  
Thursday 12<sup>th</sup> November, 2020 at 6.00 pm  
Microsoft Teams**

**Present:**

Councillor T Crumpton (Chair)  
Councillor E Lawrence (Vice-Chair)  
Councillors C Barnett, I Bevan, B Cotterill, J Cooper, S Craigie, P Drake, B Gentle, S Greenaway and P Lee.

**Officers:**

K O'Keefe – Chief Executive; J Catley – Head of Customer Services, N Kletz – Commercial and Procurement Consultant and S Turner – Head of Procurement (Directorate of Commercial and Customer Services); I Newman – Director of Finance and Legal, M Johal – Senior Democratic Services Officer and K Taylor – Democratic Services Officer (Directorate of Finance and Legal).

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14 **Declarations of Interest**

No member made a declaration of interest in accordance with the Members' Code of Conduct.

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15 **Minutes**

**Resolved**

That the minutes of the meeting held on 17<sup>th</sup> September, 2020, be approved as a correct record and signed.

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16 **Strategic Direction of the Council – Chief Executive**

A Power Point presentation was given at the meeting by the Chief Executive outlining the strategic direction of the Council including an update on service delivery during Covid-19, the Borough Vision 2030 and the Dudley Council Plan 2019/22.

Following advice received from Public Health England of the potential risk of Covid-19 to the United Kingdom, the Strategic Executive Board, comprising the Chief Executive and Directors, immediately considered the potential impact to Dudley and commenced remote meetings via Microsoft Teams to test the system and ensure resilience. The excellent work undertaken by the Information and Communication Team (ICT) in rolling out Microsoft Teams to allow employees to work remotely within a short timeframe was commended. It was noted that the work of ICT underpinned the ability to continue back office and front line services which contributed towards the success of delivering services in the Borough and testing new technology.

An infographic highlighting the service delivery during Covid-19 between March and August, 2020 identified that 4,844 businesses had been awarded business rates grants totalling £55.76m, together with an increase in mouse and rat infestations and recycling which was controlled and addressed by relevant departments. The statistics identified that Dudley Council had managed to maintain and respond to increased service demand and service delivery effectively.

Statistical data identified that there had been a rapid rate of increase of infection rates in Dudley, and although the number of infections recorded were much higher than previously, it was reported that this was as a result of the widespread testing that was now taking place. In comparison with neighbouring authorities, it was reported that Dudley's infection rates had remained low for a substantial period of time.

The Borough Vision 2030 had been developed to shape the future of the borough and identify how services would be delivered long term. The plan was built around seven aspirations, and managed by different leads including partners and stakeholders as follows:-

- Affordable and attractive place – Dudley MBC
- Education and skills – Dudley College
- Healthy, resilient and safe communities – Bishop of Dudley
- High quality and affordable transport – Director of Transportation for the West Midlands
- Innovative and prosperous businesses – Black Country Chamber of Commerce
- A place to visit and enjoy – Black Country Living Museum
- Vibrant towns and neighbourhoods – Chief Executive Halesowen Business Improvement District

In order to raise Dudley's profile and deliver the Borough Vision, the Council had identified five key audiences including Elected Members and Staff, residents and businesses, regional audience such as West Midlands Combined Authority, national audience and international audience for foreign investment opportunities.

The Dudley Council Plan had been developed to outline each 3-year step towards delivering the Borough Vision aspirations and outcomes including areas such as housing, children's social care and transformation and performance.



The impact of Covid-19 and lessons learnt provided the opportunity to review the delivery of Future Council 2030 and subsequently streamlined the programme into three core themes that reflected the 'direction of travel' in which the Council must move in order to deliver against the outcomes of the Borough Vision and Council Plan, namely, Workforce, Technology and Facilities.

The Local Government Association (LGA) Corporate Peer Review that had taken place in January, 2020 recognised the pride and commitment that officers and partners had with Dudley, the place and as an authority, and the pivotal role of the Council in enhancing the quality of life for residents, staff and businesses. The vast experience and length of service by many employees emphasised a committed workforce, and it was suggested that by harnessing staff, assets and resources within the Borough it would enable the Council to deliver the recommendations arising from the Peer Review.

The Committee was informed of external awards achieved on service delivery including Waste Care and Adult Social Care, in particular that Dudley had been rated in the top 100 authorities in the United Kingdom, and the first in the West Midlands, on the work and effective use of the Apprenticeship Levy. It was noted that Dudley had been voted the third most improved Council in the United Kingdom. Employees had been encouraged to identify areas of best practice for their service areas and adapt to Dudley if required.

Members asked questions, made comments and responses were given where appropriate as follows:-

- Members commented positively on the presentation and update given by the Chief Executive.
- In responding to a question raised by a Member, the Chief Executive acknowledged that there had been no reference to climate change within the Borough Vision 2030 and Council Plan 2019/22, however operational adjustments would be made during a proposed refresh of the Council Plan in 2021. The Committee was assured that work was being undertaken by Directorates in response to the climate emergency.
- With regard to improving cycling facilities, it was reported that green travel plans would become an essential element in planning applications and would be reflected in the Council Plan refresh in 2021.
- In responding to a question by a Member in relation to the impact on future funding and planning for each department as a result of Covid-19, the Chief Executive referred to the additional funding awarded to Local Authorities by Government in response to the Pandemic, which although the majority was ringfenced, a portion was available for general purposes. Extensive planning had been undertaken to monitor the impact of the Pandemic on finances and delivery of services, and it was anticipated that future working would be reviewed as a result of the changes imposed, including remote working and office accommodation.



- A Member commented on the excellent work undertaken in implementing technology to enable employees to work remotely, and the dedication of key workers in delivering essential services should be recognised and celebrated by communities. It was also queried whether an accreditation could be explored for Dudley Council that would also attract local residents in working for the Local Authority and gain the recognition that was deserved.

The Chief Executive concurred with comments made and referred to the success of the TORCh (Transforming Organisation Real Change) programme, comprising learning activities and support for managers and leaders at all levels. It was also noted that a number of accreditations had been awarded to teams within Dudley Council including Legal Services that were Lexcel Law Society accredited for Excellence. The Chief Executive agreed to discuss further with the Organisational and Development Team.

- It was noted that there had been regular contact with the Director of Dudley Zoological Gardens on the support mechanisms available during Covid-19, and that additional flexibility had been given to Dudley Zoo, by request, in accessing their grants which allowed the business to thrive and remain open. The measures implemented by the Zoo in adhering to social distancing regulations and safeguarding visitors and employees were commended.
- Consideration would be given on plans moving forward including a review of the number of workstations and buildings required and supporting employees working remotely through partnership working with the National Health Service and Public Health. It was noted that a programme was being developed to support employees working from home including quizzes, Pilates sessions and coffee mornings.
- The possibility of providing local facilities to enable employees and members of the public to work remotely near to their homes was suggested, and in responding the Chief Executive stated that although the options had not yet been explored, the introduction of public offices was being debated regionally as part of the wider public estate. It was also acknowledged that pollution levels had significantly reduced in Dudley.
- In delivering the strategic direction of the Council, the Chief Executive stated that a holistic approach was essential and ensuring that decisions were not made, or services reduced, in order to generate savings. He assured the Committee that all Directors worked collaboratively and attended remote meetings three times a week to manage any emerging developments efficiently.
- Following a question raised by a Member, it was envisaged that Full Council meetings would return to the Council House when it was safe to do so, however there would be opportunities to consider whether remote meetings were more appropriate in some instances. The Committee were assured that measures that had been implemented had been made to ensure that the democratic process was facilitated and adhered to.



- Concerns were raised on the lack of funding available for local community groups, and that the impact of Covid-19 had highlighted the solitude factor for many people and families in poverty. The closure of some community centres had also affected support provided to families. It was suggested whether involving community groups and utilising local facilities to administer and assist in the delivery of the Covid-19 vaccine when available could be considered.

The Chief Executive confirmed that he had requested contingency plans be developed on the Councils estate and assets and available spaces if required for the delivery of the vaccine, however to date Dudley had not received any formal instructions or requests. It was anticipated that existing facilities on delivering clinical vaccinations would be utilised in the first instance, and it was noted that all Emergency and Business Continuity Plans were updated across the Council in 2019. A Member commented on the vast logistics and scale of administering the vaccine given the proposed maintenance and delivery of the vaccine.

- The Chief Executive requested that the Members concerned email him with the issues experienced in obtaining responses from Officers working remotely..

The Chair expressed his thanks on the excellent work undertaken by employees involved with waste and refuse collections, in particular given the significant increase of collections and recycling during the Pandemic.

### **Resolved**

That the information reported on be noted.

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### **Procurement and Social Value Presentation**

Following a request by the Corporate Scrutiny Committee on 1<sup>st</sup> July, 2020, the Head of Procurement was in attendance to provide a pilot training session on procurement to enable Councillors to perform their roles effectively, including an overview on procurement, rules, social value and achievements at Dudley, the role of the Councillor and the procurement response to Covid-19.

The Head of Procurement stated that procurement was the process of acquiring goods, works and services from third parties and covered all purchasing regardless of value. The key stages included the development of business cases, tender evaluation and awarding contracts, and it was noted that the management and monitoring of contracts and evaluating service delivery and ensuring best value was essential. There were a number of reasons where contracts were unsuccessful namely, lack of senior leadership and commitment in the process and inadequate resources needed to deliver an effective service.



C/22

A chart highlighting the DNA for Commercial Activities presented best practice in procurement which illustrated that the activity of procurement should predominately focus on premarket engagement and contract management, with a simplified process where possible. It reflected Dudley's current position and future ambition. The need to rebalance the focus and resources with the necessary skills set needed for early work was referred to.

The National Procurement Strategy recommends that procurement should be reflected in an executive portfolio, which was currently supported by the Cabinet Member for Commercial and Customer Services. Reference was made to the role of the Councillor including maintaining the alignment of the Corporate Procurement Strategy with the strategic objectives of the Council and consideration of policies on delivery of Best Value and Social Value. It was noted that Councillors were prohibited from participating in commercial negotiations or evaluation of tenders.

In responding to the Covid-19 pandemic, procurement officers ceased all normal procurement activity and focussed on the urgent procurement of Personal Protective Equipment (PPE), through working collaboratively with partners and Heads of Service in the West Midlands. It was also confirmed that there was sufficient PPE for the remaining financial year.

The potential implications and uncertainty arising from Brexit was referred to, however Members were assured that the e-tendering system utilised by Dudley was sufficient to proceed compliantly with any future procurements.

It was confirmed that Dudley considered Social Value for all contracts, as long as it was relevant and the procurement was linked to the contract, however it was acknowledged that further work was required with regard to evaluating Social Value during tender evaluation in order for contracts to be measured and accountable. The support provided in delivering the Dudley Deal was referred to, however it was reported that local policies could not be introduced as it would be detrimental to the treaty principles of equal treatment, transparency and non-discrimination based on geographical locations.

The examples of Social Value achieved in Dudley from two contracts was provided that included apprenticeships, training and job opportunities.

Members asked questions, made comments and responses were given where appropriate as follows:-



- The Chair referred to the work undertaken previously at a Scrutiny Working Group focusing on Procurement, promoting opportunities to local businesses and Member involvement through a community event and the production of contact cards or promotional material for Members to distribute to local businesses for information as necessary.

The Commercial and Procurement Consultant referred to an online event at a different Council that facilitated over 90 participants and suggested that a similar platform could be utilised for a community event and undertook to discuss further with the Directorate of Regeneration and Enterprise.

- A Member referred to some instances of significant costs incurred to local businesses following work undertaken by a Dudley Contractor, and commented on the need to ensure that the funding awarded to contractors was an honest and exact contract and queried how it was investigated.

The Commercial and Procurement Consultant confirmed that Dudley advertised opportunities and assigned contracts if requested, and that a number of works contracts utilised an online register called “Constructionline” for pre-qualified contractors and consultants used by the construction industry. It was also noted that the Council required suppliers to procure relevant levels of insurance including Public Liability Insurance.

- Following a request for clarification with regard to prioritising local businesses during the procurement process, the Commercial and Procurement Consultant confirmed that imposing a preference for local businesses could not be considered, however steps could be implemented in ensuring adequate advertising locally, and supporting local businesses to ensure social value in Dudley.

Following comments made, it was agreed that the training session given should be presented to all Elected Members, before the end of the financial year, and that an information card be distributed afterwards to assist Members in supporting local businesses. Members of the Scrutiny Committee were requested to provide feedback of the training session to Officers by e-mail if required.

Following further comments, the Commercial and Procurement Consultant undertook to create a catalogue of businesses within the Dudley Borough that had been awarded contracts through the procurement process.

The Chair thanked Officers for their attendance and presentation given.

## **Resolved**

- (1) That the information reported on be noted.



- (2) That the Commercial and Procurement Consultant be requested to explore further on arranging a virtual community event targeting local businesses on procurement opportunities and support available.
- (3) That the training session on procurement be provided to all Elected Members, together with an information card to assist Members in supporting local businesses, before the end of the financial year 2021.
- (4) That the Commercial and Procurement Consultant be required to create a report of businesses within the Dudley Borough that had been awarded contracts through the procurement process and circulate to the Committee for information.

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18 **Comments made by the Chair**

Following a discussion and subsequent agreement by the Committee, it was agreed that an additional item be included on the agenda for the next meeting of the Corporate Scrutiny Committee providing an overview of welfare benefits and the grants awarded and support provided to recipients during the Covid-19 pandemic.

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19 **Question Under Council Procedure Rule 11.8**

Pursuant to Council Procedure Rule 11.8, notice of the following questions had been received:

**Question 1:**

“Can the Committee confirm what consideration was given to the Black Country Plan under agenda item 12 (of the last meeting of this committee) 17th September, 2020; in terms of consultation and engagement with people living in the Borough on matters relating to the call for housing sites and local green spaces.”

The following response was noted by the Committee without discussion in accordance with Council Procedure Rule 11.9:

The matters relating to the Call for Sites and Local Green Spaces were not discussed under that item as these relate to the Black Country Plan process. The report was focussed on public engagement in relation to the Development Management process specifically. There is a separate process in place for public consultation through the Black Country Plan review, the next consultation stage is planned for Summer 2021.

**Question 2:**

“Can you please confirm how many awards have been made, by the Council, to those making claims under the Covid 19 Emergency Assistance Grants.”





The following response was noted by the Committee without discussion in accordance with Council Procedure Rule 11.9:

- The Council has made 320 payments totalling £75,855.
- Additionally, the Council has paid £30,000 to Dudley Council for Voluntary Service to allow them to provide support.

The meeting ended at 8.04pm

CHAIR

