

South Northamptonshire Council and Cherwell District Council

Joint Commissioning Committee

14 January 2016

A Business Case for a Joint Public Protection Service

Report of Director of Operational Delivery

This report is public

The appendices are exempt from publication by virtue of paragraphs 2, 3 and 4 of part 1 of Schedule 12A of Local Government Act 1972.

Purpose of report

This report presents the final business case following consultation for a Joint Public Protection Service across Cherwell District and South Northamptonshire Councils (hereafter “Cherwell” or “CDC” and “South Northamptonshire” or “SNC” respectively).

The report recommends the formation of a two way Joint Public Protection Service and in doing so, seeks the Joint Commissioning Committee’s agreement to the staffing elements of the business case.

The proposal is part of the wider transformation programme across the two Councils.

1.0 Recommendations

The meeting is recommended:

- 1.1 To consider the responses to the consultation process with the affected staff and trade union representatives received as detailed in the consultation log (exempt appendix 2) and from the Joint Councils Employee Engagement Committee (updated verbally) and to determine whether any amendment to the business case is required as a result of them.
- 1.2 To note that the business case will be considered in respect of non-staffing matters by CDC Executive on 1 February 2016 and by SNC Cabinet on 8 February 2016.
- 1.3 To approve the staffing aspects of the final business case (exempt appendix 1) to share a joint Public Protection Service between SNC and CDC including the approach taken to redundancies, subject to consideration and approval of the non-staffing implications by CDC Executive and SNC Cabinet.

- 1.4 To delegate to the Director of Operational Delivery in consultation with the Chairman of the Joint Commissioning Committee any non-significant amendment that may be required to the business case following the decision by CDC Executive and/or SNC Cabinet.

2.0 Introduction

- 2.1 Following the adoption of a Business Case for Joint Working by CDC and SNC in February 2015 and the commitment to deliver the business case objectives as soon as is practicable the three way transformation programme was reshaped to meet the needs of SNC and CDC pending a decision from Stratford-on-Avon regarding their participation after the election in 2015.
- 2.2 Following the decision of CDC and SNC Councils in February 2015 to approve the final business case for developing the approach to joint working and the delivery of local authority services, all services at both Councils are now included on the policy framework for the consideration of shared working.
- 2.3 This is one of a number of business cases for two way shared services across CDC and SNC to be considered following the adoption of the business case in February 2015 and is part of the on-going Transformation Programme across the two Councils.
- 2.4 This business case remodels the existing services at both councils into a new joint service and as a result delivers savings in excess of the guidance targets set out in the February 2015 business case.

3.0 Report Details

- 3.1 The draft business case was endorsed for consultation with staff and unions by the Joint Commissioning Committee on 16 November 2015 having been previously been discussed and endorsed by the Transformation Joint Working Group. The final business case following consultation is attached as Appendix 1 of this report.

Proposal

- 3.2 The business case sets out the rationale for establishing a joint Public Protection Service.
- 3.3 Combining the current Environmental Health and Public Protection teams at CDC and SNC will provide an improved service, designed to meet the statutory requirements of both councils whilst delivering significant savings.
- 3.4 Beyond fulfilling the statutory roles, the business case proposes a service that is designed to contribute to the “Better Business For All” agenda and in doing so, can maximise the commercial opportunities for the service.
- 3.5 By creating a joint Safer Communities team as part of the proposed structure, the existing SNC partnership with Daventry District Council is proposed to be replaced giving greater direct control over important anti-social behaviour and community safety activities.

Financial

- 3.6 The financial implications associated with the business case are set out in detail in Sections 17, 18 and 19 of the attached business case.
- 3.7 The proposal generates savings of £183,750 across both councils in a full year but requires some transitional funding for one temporary Environmental Health Officer post in the Health Protection and Compliance team for the first year only whilst the harmonisation of processes and systems are embedded to deliver the longer term cost efficiencies. This temporary resource will also provide additional resilience for the preparation for and response to planned growth in both Districts.

Decision making timetable

- 3.8 The timetable and recommendations arising from the democratic process for both Councils is outlined in the table below:

Date	Committee and Council	Decision
14/01/2016	Joint Councils Employee Engagement Committee	To be updated verbally.
14/01/2016	Joint Commissioning Committee	To be determined.
01/02/2016	CDC Executive	To be determined.
08/02/2016	SNC Cabinet	To be determined.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The business case represents a significant step in the revised transformation programme across CDC and SNC. The proposed joint service would provide realigned delivery teams designed to meet the statutory, commercial and shared agendas for each district.

5.0 Consultation

All affected staff within the two Customer Service teams.	A range of feedback topics given, with very few changes.
Unison Representatives from each Council.	A range of feedback topics given with no changes.
Transformation Joint Working Group	Endorsed business case for consideration by JCC with minor amendments.
Joint Commissioning Committee	Endorsed business case for staff consultation.

- 5.1 Both Councils are committed to maintaining a strong, positive and inclusive approach to industrial relations. With this in mind, it is important to explain at the outset that consultation with the affected staff and trade union representatives takes place prior to members' consideration of any business case or restructure so that members can take account of any views/representations and /or issues as part of their decision making process.
- 5.2 The manner of consultation helps to reassure the affected staff and trade unions that they do have a voice that will be heard by those who are responsible for making decisions. The timing, extent and approach adopted towards consultation are an important part of the process, particularly as the intention is always to facilitate a meaningful consultation dialogue.
- 5.3 Consultation with all employees in scope of the proposed business case to create a two way shared Joint Public Protection Service team and the Unison representatives both Councils commenced on Friday 20 November 2015, and run for a three week period, until Friday 11 December 2015 at 5pm.
- 5.4 The consultation log attached as exempt Appendix 2 therefore includes the responses to the consultation between these periods of time
- 5.5 The only changes to the business case arising from the consultation process relate to amending the structure diagram to provide clarity on variations within posts: revised savings tables to provide greater clarity, minor changes to working hours and relatively minor matters of accuracy relating to job descriptions.
- 5.6 We would like to thank all the staff who contributed to the consultation process which enabled us to update the business case.
- 5.7 During the consultation period various forms of consultation have taken place to ensure that each employee and the recognised trade unions have had the opportunity to engage in the process, and to express their views/representations on behalf of their members, notably through:
- Employee briefing meetings were held at each councils offices to ensure that as far as possible, all of the affected staff received the same message at the same time;
 - Meetings with individuals;
 - Maintenance of an active consultation log.
 - Personal issues dealt with by email or one to one discussion.
- 5.8 The consultation log of comments made by the affected staff and/or their trade union representatives, and the response of management is attached at Appendix 2 for members' consideration. In total, to date, we have received and responded to 33 questions seeking clarification on particular issues or simply making statements. The responses received are summarised in the table below:

Category	No of Responses	Comments
Assimilation and Ring – Fence	2	Responded to questions regarding process – no changes.

Business Case	18	Q6 revised savings table Q16 Review Job descriptions and change Q17 Review Job descriptions and change
Democratic Processes and Consultation Issues	2	Q22 Review job descriptions for consistency
Job Descriptions and Job Roles	4	Q25 Review Job Descriptions and change
Proposed Working Arrangements	1	Responded to questions – no changes. Precise operational arrangements to be determined by the team managers when appointed.
Service Structure	5	Q31 Review Trainee Technical Post and change
Terms and Conditions	1	Responded to question – no changes.

- 5.9 During the consultation process, four members of staff requested they be considered for voluntary redundancy. As these staff are proposed to be either assimilated into the proposed structure or are ring fenced for appropriate posts, these redundancies would not be in the interests of the service and are not recommended for support.

6.0 Implications

Financial & Resource Implications

- 6.1 The detailed financial implications are set out in section 17, 18 and 19 of the business case. However in summary, the proposal will deliver a £183,750 net saving per annum (with a reduction for transitional funding for one temporary post for the first year only whilst the harmonisation of processes and systems are embedded to deliver the longer term cost efficiencies). The savings are achieved predominantly through removing currently vacant posts from the existing structure as a result of interim arrangements.
- 6.2 The gross savings represents a 12.5% reduction on current salary costs.
- 6.3 Based on the cost allocation model the proposal results in a saving of £129,268 for CDC and £54,479 for SNC. The cost allocation model is detailed in section 18.2 of the business case.
- 6.4 There could be redundancy or pay protection costs as a result of implementing the proposal. Implementation costs are outlined in section 17 of the business case and should be split equally between the two Councils, with the costs being funded through earmarked reserves.

Comments checked by:

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Legal Implications

- 6.5 As with all two way shared services this proposal, if implemented, will be covered by the section 113 agreement (as amended) entered into between the two Councils.
- 6.6 Decisions regarding human resources cannot be made by CDC Executive or SNC Cabinet. Human resource elements of the business case are considered by the Joint Commissioning Committee. The business case must be approved by CDC Executive and SNC Cabinet in respect of non-staffing matters and by the Joint Commissioning Committee in respect of staffing matters before the Councils can be deemed to have approved the business case.
- 6.7 A redundancy situation arises where the requirement of the employing council for work of a particular kind to be undertaken are expected to cease or diminish as a result of the proposed changes.

Comments checked by:

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HR Implications

- 6.8 It is the traditional approach of CDC and SNC to consult staff and the trade unions on a detailed staffing structure arising from any business case for change, prior to consideration by members. This has the effect of enabling members to consider the views and any representations of the staff and trade unions before making their final decision on any such proposals, and ultimately ensures that the Councils meet their statutory obligations to undertake a meaningful process of consultation prior to a decision being made.
- 6.9 This model has the advantage of allowing staff to identify whether their existing jobs will be deleted; to consider the detailed job descriptions of any proposed new roles and to identify whether there are any opportunities for promotion or other career aims to be met. They can see whether their hours of work might alter, whether their salaries will change (up or down), or whether their work location will change. They are able to comment upon the proposals in the knowledge that members will give due regard to their comments before making a decision.
- 6.10 The expectation is that existing staff would continue to be employed by their current, respective authority under the pay, and terms and conditions of that employing organisation. New and revised job descriptions have been devised in order to standardise responsibilities across the two organisations. The new job descriptions have been through the job evaluation process at each organisation.
- 6.11 The implementation process will be in accordance with the joint Organisational Change policy. This includes the potential of a proposed compulsory redundancy situation for a part time employee.

Comments checked by:

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7.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

Cherwell - A district of opportunity.

South Northamptonshire - Secure a prosperous and sustainable future.

Lead Councillor

Cherwell – Councillor Tony Ilott, Lead Member for Public Protection

South Northamptonshire – Councillor Dermot Bambridge, Portfolio Holder for Environmental Services

Document Information

Appendix No	Title
1.	A Joint Public Protection Service Business Case - Exempt
2.	Final Consultation Log with actions - Exempt
Background Papers	
None	
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