

MEMBER QUESTIONS

CABINET MEETING – 10 November 2021

Question 1: Cllr Chris McFarling	Respondent: Cllr Philip Robinson
<p data-bbox="107 331 985 405">Agenda item 6: Tender and Award of Transport Contracts under the dynamic purchasing system (DPS)</p> <p data-bbox="107 443 1008 655">Sustainable Procurement is the incorporation of Environmental, Social and Governance (ESG) principles into procurement processes and policies, ensuring that business with suppliers is conducted in a manner that aligns with corporate social responsibility (CSR) strategies.</p> <p data-bbox="107 683 1025 940">Sustainability, as well as overall Environmental, Social and Governance (ESG) pressure is intensifying on businesses around the world. Customers, investors, employees, citizens and governments have a vested interest in ensuring that businesses establish and execute ESG strategies. Indeed procurement is key to executing and accelerating ESG initiatives.</p> <p data-bbox="107 1002 1003 1182">Does the council consider that in assessing the cost effectiveness of contracts, positive screening should also be applied in the selection process to consider those companies that hold the highest ESG principles in reducing their impact on the climate and biodiversity?</p>	<p data-bbox="1046 331 2049 624">The Integrated Transport Unit (ITU) are currently working with GCC Strategic Procurement team on a new option to include a method of scoring ‘social value’ as part of the procurement process. This method uses measures based across ESG sectors to enable fair comparison between bids which allows social value to be a larger consideration within transport procurement. This approach is currently being trialled with specific contracts with a view to full implementation across all contracts in 2022.</p> <p data-bbox="1046 667 2056 995">In terms of the impact on climate from local-authority-procured transport, we work independently, with consultants and with government, with a view to reduce negative impact on climate, environment and biodiversity, and to meet GCC’s climate commitments. For example technological advances in route planning may assist in reducing emissions, via shorter distances driven and less time for GCC-contracted-vehicles to be idling in traffic. The ITU are currently procuring a new form of route planning, prediction and analysis software.</p>

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<p>Question 2: Cllr Chris McFarling</p>	<p>Respondent: Cllr Philip Robinson</p>
<p>Agenda item 6: Tender and Award of Transport Contracts under the dynamic purchasing system (DPS)</p> <p>With such long term contracts, it would be of reputational advantage for the council if it's procurement process had an eye on the needs of the future whilst meeting the needs of the present.</p> <p>When will the procurement process be updated to recognise the need for us, as custodians of place, to play the strongest part in the sustainable development of Gloucestershire, whilst addressing the global threats whose impacts we are witnessing today?</p>	<p>The DPS used to procure transport services is easily amended to ensure that any requirements regarding vehicles can be used. Therefore the ITU is working with various partners as part of the Bus Service Improvement Plan (BSIP) and the Climate Change projects to ensure the DPS and procurement process helps the council achieve its longer term sustainability aims. This will involve the phased raising of emission standards first to Euro V, then Euro VI. Also the creation a DPS category for ultra-low emission or alternatively fuelled vehicles is possible and will be implemented when the transport market in the county is able to deliver such standards.</p> <p>It is estimated that public transport vehicles in the county contribute around 1% to the total vehicle emissions in Gloucestershire; whereas private cars contribute around 55%, therefore the current public transport network in the county is a clear positive in the fight to reduce emissions and achieve climate change targets.</p>
<p>Question 3: Cllr Lisa Spivey</p>	<p>Respondent: Cllr Kathy Williams</p>
<p>Agenda item 5: Report by the Monitoring Officer</p> <p>I read with horror the Ombudsman's report and was particularly concerned by the complete disregard of the not 1, not 2, but 3 social workers who failed to take into account the expert advice given to them by both Miss X's GP and dietician with regards to her dietary requirements. Not only did they fail to take the specific dietary requirements into account, they consistently</p>	<p>I am able to assure the Members that the training delivered following the release of the Ombudsman's report, has focussed strongly on our strength's based model of practice; this practice model has been introduced and embedded in practice across all teams since the period cited in the complaint raised with the Ombudsman; this model promotes behaviours in practice that place the individual at the centre of all we do; our initial contact and ongoing engagement is focussed on helping, and understanding what and who is important to the individual</p>

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<p>went against it when they insisted that Miss X could eat food from “Free From” ranges. This behaviour led to the malnutrition of Miss X and her subsequent hospitalisation as well as causing her a great deal of stress and one imagines, pain. This pattern of behaviour over a sustained period of time exhibits not only a complete disregard for the opinion of professionals, but also indicates a total lack of care. In the Adult Social Care department, I would hope that “caring” would be a high priority attribute. Can the Cabinet Member confirm that training which has been conducted, following the release of the Ombudsman’s report, emphasised the importance of care for the residents we are here to support and that merely fulfilling the Council’s statutory duties is not good enough?</p>	<p>in the life they wish to lead. When we deliver training associated with our Make the Difference practice model we always link the 3 elements of the model – how we work with the individual (what practice should look like), how we record what we do (record keeping), and why we do what we do (how we comply with our statutory duties and make defensible decisions). In doing so we promote relationship-based social work focussed on working with the person and toward the outcomes they wish to achieve.</p> <p>This training has now been delivered to all ASC teams In addition, Dawn Porter and Keith Vardy have met with all the teams to explore the issues raised by the Ombudsman report, highlighting what went wrong and what we intend to do about it.</p>
<p>Question 4: Cllr Lisa Spivey</p>	<p>Respondent: Cllr Mark Hawthorne</p>
<p>Agenda item 5: Report by the Monitoring Officer</p> <p>The Ombudsman’s report on the treatment of Miss X showed a complete disregard for professional advice by officers of this Council, a complete failure to follow process where care assessments were deemed urgent and necessary and a complete lack of care or concern for one of the County’s very vulnerable residents with disastrous consequences. This same attitude appears to have been prevalent in Children’s Services and led to the Council receiving an “Inadequate” rating twice in a row. Councillors have cited individual examples of both children and adults being systematically failed by this Council. Does the Leader not believe that this Council needs to change its attitude towards its residents and adopt a caring culture in all service</p>	<p>I believe the Adult Social Care teams are committed to providing a quality service to the residents of Gloucestershire; we have acknowledged our practice fell below the standard expected in this instance and have been keen for the independent review to evidence how our practice and culture has improved over the past two years with the adoption of our new model of practice.</p> <p>We have commissioned an independent review of our practice – this has been undertaken by the Principal Social Worker from South Gloucestershire. The independent review has recognised this positive change. We are pleased to also report that having nominated three of our Social Workers at the National Social Work Awards, that all three are now finalists; we believe this evidences that we are developing quality Social Workers who are an asset to the profession and GCC.</p>

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<p>areas, but especially where vulnerable children and adults bear the scars of failures?</p>	<p>As a Directorate we embrace opportunities to contribute to other initiatives beyond our statutory duties; these currently include seconding a worker to the Rough Sleeper project; contributing a social care perspective to Criminal Justice and other partnership initiatives.</p> <p>We are also assured by, and proud of, the additional activities many of our staff and teams support such as fund raising for local charitable organisations, collecting for local foodbanks etc, and these activities are promoted in our monthly ASC Newsletter; we believe this not only evidence staff's personal values of care, concern and commitment to Gloucestershire's residents, but also in sharing their endeavours promotes such a culture across the organisation. In the delivery of training following the Ombudsman's report, all staff from the ASC Social Work teams have been given the opportunity to reflect on, individually and collectively, the reminders the Ombudsman wished to be conveyed and have taken away learning which we believe will further promote mindful, caring practice.</p> <p>In 2020-2021- 92 Adult Social Care complaints were received by the Council. All complaints were investigated and resolved internally without the need to commission external investigators. Adult Social Care received 158 compliments covering all service areas.</p>
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Question 5: Cllr Colin Hay	Respondent: Cllr Kathy Williams
Agenda item 5: Report by the Monitoring Officer What has been the additional cost of the care package to Miss X?	No additional costs have been incurred by the Council with respect to Miss X's care package.
Question 6: Cllr Colin Hay	Respondent: Cllr Kathy Williams
Agenda item 5: Report by the Monitoring Officer What has been the additional cost to the County Council arising from Miss X's complaint and the LGSCO's public interest report so far, and what are the estimated future costs?	<p>As detailed in the report we have made a compensatory payment of £2050 to Miss X and £300 to her former partner.</p> <p>We commissioned an Independent Review of our ASC practices and processes; this was provided by a neighbouring council at no cost to the council.</p> <p>In terms of future costs, we are not anticipating any additional costs arising from this case.</p> <p>At the point at which Miss X was discharged from Hospital her care costs were jointly funded by GCC and CCG. Shortly afterwards, Miss X was awarded full Continuing Health Care (CHC) status and so is now fully funded by the Gloucestershire Clinical Commissioning Group.</p>

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<p>Question 7: Cllr Colin Hay</p>	<p>Respondent: Cllr Kathy Williams</p>
<p>Agenda item 5: Report by the Monitoring Officer</p> <p>Has there been a thorough review of all care packages to ensure that service users and their carers receive the care packages they are entitled to? And if so, as I hope there has been, how many have been increased and at what cost?</p>	<p>The Adult Social Care teams undertake both scheduled and unscheduled reviews of care packages. The purpose of these reviews is to be assured that the care package in place remains effective and sufficient to meet the eligible unmet needs. We know from current data that current demands and available resources have meant in some areas we are behind schedule with some of the planned annual reviews. However in those instances when we are made aware of a change in need or circumstances, because of the way our teams are now structured and practice, 97% of contacts receive a response within 24/48 hours of contact. In this way we are able to more readily identify where a review is necessary and can be prioritised if the current level of care and support provided is insufficient.</p> <p>Based upon Domiciliary Care (only): At 5 November 2020 we had 1,702 clients at a gross weekly committed cost of £561,323 (average of £330 per week per individual) At 5 November 2021 we have 1,568 clients at a gross committed weekly cost of £542,272 (average of £346 per week per individual) – 5% higher average cost than November 2020, but 8% fewer clients. In total (excluding care homes), so far this year 1,731 individuals have been reviewed/re-assessed.</p>
<p>Question 8: Cllr Colin Hay</p>	<p>Respondent: Cllr Kathy Williams</p>
<p>Agenda item 5: Report by the Monitoring Officer</p> <p>Has the report by the independent report into the Adult Social</p>	<p>Yes, this report has been received and will be published with the papers for the next meeting of the Adult Social Care and Communities Scrutiny Committee in January 2022, along with an update report on</p>

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Care Service by the Adults Principal social worker been received as indicated in the report? If so, will it be published or at least sent to all councillors?	progress in implementing the recommendations arising from the LGSCO report.
Question 9: Cllr Colin Hay	Respondent: Cllr Lynden Stowe
Agenda item 5: Report by the Monitoring Officer The outturn report is silent on the amount of any extra costs arising from the complaint by Miss X and subsequent Public Interest Report by the LGSCO. Why?	The compensation payments have been met from within existing budgets. The additional training required to meet the LGSCO's recommendations has been developed and delivered by GCC's Adult Social Care Practice Development Team and Senior Managers. Therefore all costs associated with responding to the LGSCO Public Interest Report have been met from within existing budgets.
Question 10: Cllr Roger Whyborn	Respondent: Cllr Philip Robinson
Agenda item 6: Tender and Award of Transport Contracts under the dynamic purchasing system (DPS) Can the Cabinet Member confirm how this procurement will take account of the Bus Service Improvement Plan, and how this procurement exercise will achieve increased bus use and improved integration with other transport modes?	<p>The Bus Service Improvement Plan (BSIP) is one phase of the Bus Back Better project which is due to take effect from 1 April 2022. The DPS will be an important part of the BSIP/Bus Back Better project as it is the system we use to procure all transport services. However this report presented to Cabinet is to ensure continuation of current transport services as the current contracts come to an end. The BSIP is the strategy to increase and integrate services and more detail will be presented to Cabinet on this before 1 April 2022.</p> <p>The opportunity to invest and integrate services in line with the BSIP aims is dependent on the level of funding we receive from government as part of the Bus Back Better scheme.</p>

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<p>Question 11: Cllr Roger Whyborn</p>	<p>Respondent: Cllr Vernon Smith</p>
<p>Agenda item 7: Delivery of structural maintenance works 2022-2026.</p> <p>Will the cabinet member please explain and expand on the reasons for rejecting the option of using a Teckal company, in the light of their successful use for other functions in the County e.g. Ubico</p>	<p>The capital investment required to set up a Teckal company would be prohibitive. Plant machinery such as planners and paving machines are costly. In addition, the most competitive prices come from companies that own the quarries and the batching plants that mix and make the blacktop material, a capital investment cost that would take 10's of years to payback even if the County Council could find the quarry to acquire.</p>
<p>Question 12: Cllr Chloe Turner</p>	<p>Respondent: Cllr Philip Robinson</p>
<p>Agenda item 6: Tender and Award of Transport Contracts under the dynamic purchasing system (DPS)</p> <p>In what respects does this procurement reflect the feedback recently obtained through the initial Bus Improvement Plan survey carried out earlier this year?</p>	<p>The recent feedback regarding public transport was sought to provide an evidence basis for the Bus Service Improvement Plan and its aims. This DPS report is being presented in order to gain approval for the continuation of existing transport services as they are above the Officer sign off threshold. The feedback received was analysed and reflected in the BSIP that was published on 29 October.</p>
<p>Question 13: Cllr Chloe Turner</p>	<p>Respondent: Cllr Philip Robinson</p>
<p>Agenda item 6: Tender and Award of Transport Contracts under the dynamic purchasing system (DPS)</p> <p>Regarding the climate change implications noted for this item, I agree that long term contracts can provide suppliers with more opportunity to invest in an environmentally friendly fleet. What specifications are the council requiring of its providers under</p>	<p>No specification is made at this time as to vehicle emission standards above what is legally required of transport operators. As part of the Bus Service Improvement Plan and the Climate Change strategy the ITU is aiming to increase the minimum requirement firstly to a Euro V emission standard, then a Euro VI. This will be done in a considered way and in phases. To specify a rise in standards too quickly creates a highly significant risk of not being able to deliver transport services at</p>

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<p>these contracts in terms of cleaner vehicles?</p>	<p>all, this would have a significant net negative impact on Gloucestershire's emissions.</p> <p>There are opportunities in our light fleet services (SEND and social care transport) to also procure cleaner vehicles which is being investigated, we are also having conversations with district councils and their taxi licencing teams to co-ordinate our efforts to switch to zero-emission vehicles.</p>
<p>Question 14: Cllr Chloe Turner</p>	<p>Respondent: Cllr Vernon Smith</p>
<p>Agenda Item 7: Delivery of structural maintenance works 2022-2026.</p> <p>The suitability of the performance indicators used for Highways is something that I have heard mentioned often in the scrutiny meetings I have attended since May, and by members of all parties. Specifically, their effectiveness for measuring our customer experience of the highway network is regularly questioned – when the need for repeat repairs is not captured, for example, or the fact that there does not seem to be any measure around effectiveness of customer communications, nor the extent of customer complaints. Hopefully this feedback has been noted by officers and the Cabinet member through the scrutiny process – may we have assurance that the performance indicators in this renewed contract for surface and structural repairs will be selected so as to capture more widely the level of our residents' satisfaction?</p>	<p>Yes, remedial works for initially non compliant delivery and consequently customer satisfaction will be measured.</p> <p>The main area where we are reviewing the KPIs to gain a better understanding of the level of service with respect to customer satisfaction, is with the term maintenance contract, the contract that fixes safety defects and small patching works.</p>

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<p>Question 15: Cllr Roger Whyborn</p>	<p>Respondent: Cllr Philip Robinson</p>
<p>Agenda item 6: Tender and Award of Transport Contracts under the dynamic purchasing system (DPS)</p> <p>This report doesn't explicitly consider the on demand bus services and the trials that have taken place. Can the Cabinet Member confirm how these trials went and whether they will feature in future dynamic purchasing arrangements?</p>	<p>The Rural Mobility Fund trials are due to start in Spring 2022 for a period of 24 months. We will update the Environment Scrutiny Committee at appropriate points throughout the trial period via the Directors update.</p>
<p>Question 16: Cllr Roger Whyborn</p>	<p>Respondent: Cllr Philip Robinson</p>
<p>Agenda item 6: Tender and Award of Transport Contracts under the dynamic purchasing system (DPS)</p> <p>During negotiations of subsidised services, will the County Council discuss the need to offer cross-operator tickets, such that passengers can use a range of buses to complete their journeys in a cost-effective manner?</p>	<p>Services are not procured via negotiation but via a competitive tender process. Participation in a cross-operator ticketing scheme is not part of the contract specification. However this is a stated aim of the Bus Service Improvement Plan (BSIP). In the BSIP guidance sessions run by the Department for Transport (DfT), all local authorities were advised to have this as an aim but not to develop further as the DfT are working on a back-office system to assist councils with the roll-out of cross-operator ticketing schemes. We continue to monitor this project with great interest.</p>
<p>Question 17: Cllr Roger Whyborn</p>	<p>Respondent: Cllr Vernon Smith</p>
<p>Agenda Item 7: Delivery of structural maintenance works 2022-2026.</p>	<p>The contract being considered is only for two years, with an opportunity for extension for a further two years. We cannot set a target for these works on a timespan beyond its delivery.</p>

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<p>In the Climate Emergency motion, passed on 15 May 2019, the council resolved to “consider its contracts going forward to oblige all contractors to report their carbon emissions and to place a ‘carbon/environmental cost’ on competing bids”.</p> <p>The report references the Procurement Policy Note PPN 06/21 – Taking Account of Carbon Reduction Plans, in order to assess providers, however the requirements under this seem insufficient given the Councils commitment to reduce the County’s emissions by 80 per cent by 2030, and be carbon neutral by 2045.</p> <p>As such, can the Cabinet Member please confirm how this might be strengthened to take account of the county’s own carbon reduction goals, and explain the mechanism by which you will place a carbon cost on competing bids?</p>	<p>However we will be asking the contractors to measure their carbon reduction plans and to describe their mechanisms, calculations and assumptions, so that we can make that comparison during the tender process and measure the improvements during the delivery of the contract.</p> <p>The carbon measure will form a percentage of the quality element of their tendered submissions. Assessment will comprise 40% quality and 60% price. Contract details have yet to be finalised but for a lifetime contract value in excess of £80m, the carbon measure will likely have a value in excess of £1m.</p> <p>Furthermore a wider update on this action will be included in the Climate Change Strategy annual report & action plan, scheduled for Cabinet on 22/12/2021.</p>
<p>Question 18: Cllr Roger Whyborn</p>	<p>Respondent: Cllr Vernon Smith</p>
<p>Agenda Item 7: Delivery of structural maintenance works 2022-2026.</p> <p>Can the Cabinet Member please confirm whether the use of more environmentally friendly technologies will feature prominently as part of the procurement process?</p>	<p>Yes, the contractors will be asked for their proposals going forward.</p>

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<p>Question 19: Cllr Beki Hoyland</p>	<p>Respondent: Cllr Vernon Smith</p>
<p>Agenda Item 7: Delivery of structural maintenance works 2022-2026.</p> <p>Structural Maintenance of our Highways is crucial but with the aims stated to use a contractor that has a carbon reduction plan for net zero by 2050 is there an understanding of what normal baseline measurements are in the road building industry and what likely measures are needed in order to achieve net zero by 2050 by the industry? This will be crucial to procurement of the 2-year structural maintenance contract in relation to the companies Carbon Reduction Plan that confirms the supplier's commitment to achieving Net Zero by 2050.</p>	<p>We have been working with the industry trialling new products and methods including lower temperature materials, rubber tyre and plastic bag fillers, with the aim and drive towards a net zero carbon position. The highways industry is working as a sector to develop common baseline measurements and standardisation to enable a common approach by local authorities and providers alike – this is a fast developing area. The Association of Directors of Environment, Planning and Transport (ADEPT), the leading peer group for highways, is working with the Future Highways Research Group, in developing how to scope, guide and plan the industry to that goal. Gloucestershire County Council is represented as part of ADEPT and will lever every opportunity we can to bring effective measures to Gloucestershire.</p> <p>These initiatives and the contractors proposals to furthering the target of net zero will be part of the assessment criteria.</p>
<p>Question 20: Cllr Beki Hoyland</p>	<p>Respondent: Cllr Vernon Smith</p>
<p>Agenda Item 7: Delivery of structural maintenance works 2022-2026. EIA</p> <p>Under Age and sex protected characteristics the paragraph says: During the tender process and through the managing of the contract the County will ensure that the contractor will operate a fair policy that encourages all age /both sex groups to</p>	<p>The new surfacing contractor will be a member of the Highways Partnership delivery group, along with Ringway, Atkins and Milestone (street lighting). There is a Governance Board (includes members) that sits where all parties work together to ensure that these and similar policies are adhered to and to share best practice where there are difficulties in achieving the goals desired. The tender assessment will include the contractors' responses on equality, diversity and inclusion</p>

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<p>deliver the service, and that the contractor operates with in the law.</p> <p>Can I ask how the County ensures this? Do Cabinet have view of the contractor’s policies and are checks made during the lifetime of the contract that the policies are adhered to?</p>	<p>matters including what their polices are, along with demonstrable evidence they have been effective and deliverable.</p>
<p>Question 21: Cllr Beki Hoyland</p>	<p>Respondent: Cllr Stephen Davies</p>
<p>Agenda Item 9: Establishment of a Day Centre provision for care assisted young people at Trevone House - EIA</p> <p>There are several sections where for both service user and workforce reads: This information is not currently collected. Could we be assured that the winning provider must demonstrate their commitment to inclusive and informed work with young people and adults who are transgender and that they will work with local voluntary and statutory groups.</p> <p>Can we also be assured that the information will be gathered and shared for other protected characteristics: Marriage and civil partnership, Religion and/or belief and sexual orientation.</p> <p>I realise this is a lot of work for officers and appreciate the intentions to keep our vulnerable young people safe so look forward to Travone House being open for Day Service Provision with a provider that has equality for all at it’s heart.</p>	<p>Members can be assured that the winning Provider will be required to provide evidence of their commitment to the promotion of equality standards and anti-discriminatory policies expected by the Council and can demonstrate this through having achieved the accredited National Equality Standards.</p> <p>With specific reference to inclusive and informed practice with young people and adults who are transgender, the winning Provider will be directed to link with local LGBTQ+ network support groups. Furthermore, there will be an expectation that the winning Provider will work extensively with statutory Youth Support Services as well as local and national groups focused on enhancing the wellbeing of Gloucestershire’s young people and adults in order to seamlessly join up practice and support services for LGBTQ+ young people and adults in Gloucestershire. To ensure there is a commitment to equality for all and not merely lip- service, the winning Provider will be continue to be assessed on all matters of equality and diversity throughout the quarterly contract monitoring process and they will be appropriately challenged where necessary and appropriate.</p> <p>Members can also be assured that information relating to marriage,</p>

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	<p>civil partnerships, religion and/or beliefs and sexual orientation will be built into the quarterly monitoring of the Day Service contract to ensure all relevant information is captured moving forward and appropriately challenged, where necessary and appropriate to do so.</p>
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