

TO: Overview and Scrutiny Committee

FROM: Scrutiny and Assurance Manager – Deb Thompson

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Annual Review - Cambridgeshire and Peterborough Fire Authority Compliance with the Local Government Transparency Code

1. Purpose

- 1.1 The purpose of this report is to provide the Overview and Scrutiny Committee with an (annual) update on and assurance of compliance with the Local Government Transparency Code.

2. Recommendations

- 2.1 The Overview and Scrutiny Committee is asked to;
- note the current position in terms of compliance,
 - approve the recommendation made at Paragraph 7.5.

3. Risk Assessment

- 3.1 **Economic** – the Government believes that transparency is the foundation of local accountability and the key that gives people the tools and information they need to enable them to play a bigger role in society. It is also considered that the availability of data can also open new markets for local business, the voluntary and community sectors and social enterprises to run services or manage public assets.
- 3.2 **Political** – the Local Government Transparency Code was issued to meet the Government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services.
- 3.3 **Social** – the Government believes that in principle all data held and managed by local authorities should be made available to local people unless there are specific sensitivities for example, protecting vulnerable people or commercial and operational considerations. It encourages local authorities to see data as a valuable resource not only to themselves but their partners and local people.
- 3.4 **Equality Impact Assessment** – completed at source.

4. Background

- 4.1 The Department for Communities and Local Government (DCLG) published a revised Transparency Code in February 2015 as a tool to embed transparency in local authorities and set out the minimum data that such authorities should be publishing, the frequency it should be published and how it should be published. The Code can be found at Appendix 1.
- 4.2 Under this Code local authority means a fire and rescue authority (constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies).
- 4.3 In July 2015 a Member-led review was undertaken, the objective of which was to provide assurance that the Authority was complying with the requirements of the Code whilst also considering its wider approach to transparency. A number of recommendations to improve compliance were made by the review group which were accepted by the Overview and Scrutiny Committee and then the Authority in October 2015.
- 4.4 The redesigned Cambridgeshire Fire and Rescue Service (CFRS) website was launched on 15 February 2016. Prior to the launch a considerable amount of effort was expended to ensure the findings of the Member-led review were incorporated into the design and the website now features a separate section for **Transparency** providing a central repository for all information demanded by the Code. Under this section there are sub sections for Constitution of Fire Authority, Organisation Structure, Procurement, Expenditure, Senior Officer Pay, Assets, Grants and Trade Union Time.

5. Requirements of the Local Government Transparency Code

- 5.1 Under the Code the following information is to be published **quarterly**, not later than one month after the quarter to which the data and information is applicable;
- Expenditure exceeding £500
 - Government procurement card transactions and
 - Procurement information.
- 5.2 The following (applicable) information is to be published **annually**, not later than one month after the year to which the data and information is applicable;
- Local authority land
 - Grants to voluntary, community and social enterprise organisations
 - Organisation chart
 - Trade union facility
 - Senior salaries
 - Constitution
 - Pay multiple
 - Fraud
- 5.3 The following information is to be published once only;
- Waste contracts.

6. Requirements of the Trade Union (Facility Time Publication Requirements) Regulations 2017

6.1 In August 2018, the Service became aware, through the submission of a Freedom of Information request relating to Trade Union Facility Time, of a Statutory Instrument (SI) that detailed additional publication requirements. Full details of the SI can be found via the following link <http://www.legislation.gov.uk/ukxi/2017/328/made>

6.2 The then Information Governance Manager subsequently reviewed the publication requirements of the SI which are summarised below;

- Number of relevant trade union officials,
- Percentage of time spent on facility time (banded),
- Percentage of pay bill spent on facility time,
- Paid trade union facility time activities.

6.3 The SI was discussed at the Overview and Scrutiny Committee in October 2018 where it was agreed that data from financial year 2018/19 onwards would be published. This review has found the Service to be compliant with the requirements of the SI as at the end of financial year 2020/21.

7. Compliance with the Code – October 2021

7.1 The last report of compliance was prior to the pandemic and is dated October 2018.

7.2 At the time of writing this annual review has found that the Service is currently fully compliant with the requirements of the Local Government Transparency Code with the exception of the areas identified at Paragraphs 7.3 and 7.4 below.

7.3 Information to be published quarterly, not later than one month after the quarter to which the data and information is applicable;

- **Contracts** – no data since March 2021, data missing from November 2019 until December 2020 inclusive.

7.4 Information to be published annually, not later than one month after the year to which the data and information is applicable;

- **Grants to voluntary, community and social enterprise organisations** - no data or narrative statement for 2020/21.
- **Organisation chart** – the data currently published under this title does not fully comply with the criteria listed under Paragraph 44 of Appendix 1 and is confusing in so much as the link to the organisation chart shows two tiers of chief officers and a 'flat' management structure of 30 colour coded boxes that do not have a key.

- 7.5 To ensure that the presentation of transparency data is helpful and accessible to local people and other interested parties it is therefore recommended that an appropriate officer is tasked to;
- ensure the internal data missing is uploaded to the website as a matter of priority,
 - conduct further research into best practice across the sector in terms of organisation chart and senior salaries data presentation and uploading to the website a version that is fully compliant and easier to understand.
- 7.6 Despite the gaps identified in this review, it is worthy of note that in addition to the requirements of the Code the Service continues to be proactive in publicising and consulting with people across the county to enable it to develop and deliver to the high standards expected of it by the communities served. It does this by publishing a range of documents and resources which it believes are likely to be of public interest and in an effort to be open and transparent about all areas of work. Further, CFRS is committed to listening to the public's opinions and views through the routine use of consultations to understand public opinion but also to ensure proposals for change and further development of the Service are open and transparent.

BIBLIOGRAPHY

Source Documents	Location	Contact Officer
Local Government Transparency Code Review of CPFA Compliance with the Local Government Transparency Code Overview and Scrutiny Committee Minutes	Hinchingsbrooke Cottage Brampton Road Huntingdon PE29 2NA	Hayley Douglas Head of Media, Communication and Transparency hayley.douglas@cambsfire.gov.uk