

Bolsover and North East Derbyshire District Councils

Joint ICT Committee

12 November 2018

Joint ICT Committee Terms of Reference

Report of the Monitoring Officer (NEDDC and BDC)

This report is public

Purpose of the Report

- To enable Members to consider the Terms of Reference (ToR) of the Joint Committee and to propose amendments to them, if appropriate, as part of the NEDDC/BDC and other constitutional review processes.

1 Report Details

- 1.1 Both the North East Derbyshire District Council (NEDDC) and Bolsover District Council's Standards Committees have decided that as part of their annual review of the Constitution to review the Terms of Reference of the Joint ICT Committee. The intention was that any changes agreed by the three Councils to the Terms of Reference of the Joint Committee should be implemented from the beginning of the new municipal year, in May 2019.
- 1.2 As a first step, the NEDDC Standards Committee has requested that the Joint ICT Committee review its existing ToR and to recommend what changes, if any, it thinks ought to be made.
- 1.3 The Joint ICT Committee's Terms of Reference were last considered by the Joint Committee on Monday 9 April 2018. The Joint Committee did not feel that it was necessary to revise the ToR at that time, as the Committee agreed to continue in their role of providing oversight of the ICT service, referring back to each authority any issues requiring decisions.
- 1.4 The minutes of the 9 April 2018 meeting, along with the Joint Committee's current Terms of Reference, are appended to the report as Appendix 1 and 2.

2 Conclusions and Reasons for Recommendation

- 2.1 To ensure that the Joint Committee continues to have appropriate constitutional arrangements to carry out its role in overseeing the joint ICT service and to enable

the Joint Committee to contribute to the constitutional review process for reviewing its Terms of Reference.

3 Consultation and Equality Impact

3.1 No applicable

4 Alternative Options and Reasons for Rejection

4.1 The Joint Committee could delay further consideration of its Terms of Reference until the new municipal year, which it originally agreed to do in April 2018. This is not now recommended as the NEDDC Standards Committee hopes to make all other constitutional changes at Annual Council in May 2019. It is likely that the other Councils will adopt a similar approach and timescale.

5 Implications

5.1 Finance and Risk Implications

5.1.1 None

5.2 Legal Implications including Data Protection

5.2.1 None specific at this time

5.3 Human Resources Implications

5.3.1 None

6 Recommendations

6.1 That the Joint ICT Committee considers its current Terms of Reference and to recommend to the NEDDC and BDC Standards Committees what changes, if any it thinks should be made.

6.2 That the Joint Committee's recommendations to the NEDDC and BDC Standards Committees be communicated to the Monitoring Officer at Derbyshire Dales District Council.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	N/A
<p>Has the relevant Portfolio Holder been informed</p>	N/A
<p>District Wards Affected</p>	None
<p>Links to Corporate Plan priorities or Policy Framework</p>	Demonstrating Good Governance

8 Document Information

Appendix No	Title
Appendix 1	Minutes of the Joint ICT Committee – 9 April 2018
Appendix 2	Terms of Reference of the Joint ICT Committee
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Nicola Calver, Governance Manager (BDC and NEDDC)	

JOINT ICT COMMITTEE

(Bolsover District Council, Derbyshire Dales District Council and North East Derbyshire District Council)

Minutes of the Meeting of the Joint ICT Committee held in Chamber 1, District Council Offices, Mill Lane, Wingerworth, Chesterfield on Monday 9 April 2018 at 2.30 pm

Present:

Bolsover District Council (BDC)

Councillor M Dooley
Councillor B Watson

Derbyshire Dales District Council (DDDC)

Councillor C Furness - Chair
Councillor M Ratcliffe

North East Derbyshire District Council (NEDDC)

Councillor W Armitage
Councillor P R Kerry

Officers:

N Blaney - BDC/DDDC/NEDDC
S Capes - DDDC
D Clarke - NEDDC
D Cairns - NEDDC
A Maher - NEDDC

13/17-18 Apologies for Absence

There was an apology from Councillor A Catt (substitute member – DDDC).

14/17-18 Declarations of Interest

Members were requested to declare the existence and nature of any disclosable pecuniary interest and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

No declarations of interest were submitted at the meeting.

15/17-18 Minutes of Last Meeting

RESOLVED – That the Minutes of the Joint ICT Committee held on 14 November 2017 be approved as a correct record and signed by the Chair.

16/17-18 Quarterly Service Report on the Joint ICT Service – October 2017 to December 2017

The Committee received the quarterly report on the Joint ICT service (October 2017 – December 2017). This included information about the service performance, the budget and use of resources; as well as progress on key projects, security and the ongoing development of the service. With the agreement of the Chair, the ICT Manager Nick Blaney, updated this information for the period January 2018 – March 2018.

The Committee heard that the number of calls requesting the help of the serviced had increased slightly over the last three months. Members discussed the reasons for this with the ICT Manager. He explained that one of the main drivers for the increase was the pace of service development which had taken place, such as the roll out across Bolsover and North East Derbyshire of Microsoft Office 2013 as well as the deployment of new multifunctional devices (MFDs), laptops and personal computers at Bolsover. These developments tend to generate more service requests, until the changes have bedded in.

The Committee was reminded of some of the development projects that were also in the process of being implemented. These included the installation of a structured cabling system across the Derbyshire Dales Town Hall, which was currently taking place and the ongoing work which to ensure that all new laptops and pcs use the Windows 10 operating system.

Members were told that the number of “outstanding calls”, or requests for services yet to be resolved had risen. This was largely because the planned developments which had taken place had made it more difficult to deal with non-urgent work. Many non-critical requests had had to be put on hold. As much of this development work had been completed, the service could now devote more time to dealing with non-critical tasks. Consequently, the volume of outstanding calls was expected to fall. The Committee welcomed this.

During the discussion Members asked about the impact of the cold weather experienced earlier in the year, especially on Rykneld Homes. It was confirmed that this had not had a significant impact on the overall volume of service requests which had been received.

Members were informed that the Joint ICT budget had continued to underspend and was expected to be about £40,000 below budget for the year as a whole. It was explained that this was primarily due to lower than expected salary costs.

The Committee also heard that no significant new risks had been identified and that there had been no successful attempts made to hack the computer networks serving the three authorities. In this context, Members referred to the problem of spam e-mails, which many now received. The incidence of these e-mails, it was explained, had increased significantly over the last three months across all three authorities.

Spam e-mails, it was argued, were causing Members real problems and there was a fear that they might prevent Members from accessing legitimate e-mails by using up their data allocation.

The Committee made it clear it would like the reasons for the increase in spam e-mails to be investigated, so that hopefully ways could be found to block them from Members' inboxes in the future.

At the conclusion of the discussion the Committee thanked the ICT Manager for his report and the updated information about the performance of the service.

RESOLVED – That the Joint ICT Committee notes the report.

Action Point

The Information Communication Technology Manager investigates the reasons for the increase in spam e-mails received by Members.

17/17-18 Review of the Committee's Functions, Future Arrangements and Terms of Reference

The report to the Committee dealt with the future role of the Joint Committee. In particular it asked Members to consider specific changes of the Terms of Reference of the Committee to reflect the consultation and review role that it now had.

The Senior Governance Officer, Donna Cairns, explained that under these proposals, the Committee would cease to be a decision making body in its own right. The Joint Committee would continue to oversee and review the performance of the service, but any operational, policy, financial or other decisions about the service would be recommended to the three local authorities for them to decide on.

Members discussed the report and the specific proposals. There was general agreement that the Committee had a valuable role to play in overseeing the work of the Joint ICT service and this oversight role ought to continue.

The Committee recognised that the Executive Governance arrangements, that operate in Bolsover and North East Derbyshire would oblige the Committee to meet a range of legal obligations if it was to take significant decisions, such as the need to give advance notice and for these decisions to be scrutinized.

Members felt that as the Committee did not usually take significant decisions this was unlikely to be a major problem. In particular, the Committee concluded that it could avoid this from happening by voluntarily agreeing to recommend any issues which required a decision to the three Councils, so that they could decide upon them. Members unanimously supported this approach.

Members recognised the need to keep the remit and Terms of Reference of the Joint ICT Committee under review. There was unanimity that in order to allow this review to take place when possible changes to other joint arrangements were also being considered, it should take place from May 2019 onwards.

RESOLVED –

- (1) That no changes to the Joint ICT Committee's Terms of Reference be recommended to Bolsover, Derbyshire Dales and North East Derbyshire District Councils at this stage.
- (2) That Bolsover, Derbyshire Dales and North East Derbyshire District Councils consider reviewing the Terms of Reference of the Joint Committee following the local government elections in May 2019.

18/17-18 Urgent Business

There was no urgent business to be discussed at the meeting.

19/17-18 Date of Next Meeting

With the agreement of the Chair, it was:-

AGREED – That the next scheduled meeting of the Joint ICT Committee on 30 July 2018 be re-arranged. Members and officers will be informed of the new arrangements.

JOINT ICT COMMITTEE
NORTH EAST DERBYSHIRE DISTRICT COUNCIL
DERBYSHIRE DALES DISTRICT COUNCIL AND BOLSOVER
SHARED SERVICE

1 Purpose

This is a Joint Committee of Bolsover, Derbyshire Dales and North East Derbyshire District Councils, established under the provisions of Section 101 (5) of the Local Government Act 1972 and all regulations made thereunder.

The purpose of the Committee is to oversee and provide strategic direction to the provision of shared services between North East Derbyshire District Council, Bolsover and Derbyshire Dales District Councils.

The Joint Committee will be created by the passing of the necessary resolution by the respective Councils and to the discharge of functions as described in the Committee's Terms of Reference.

2 Membership

The Joint Committee shall comprise 3 named elected members, with provision for substitutes, from each of the respective authorities with full voting rights. The Members shall hold office until each constituent authority's annual meeting and shall be eligible for reappointment.

The Joint Committee shall at its first annual meeting, elect one of its members to be Chair and one of its members to be Vice-Chair. The Chair and Vice-Chair shall, unless they resign or cease to be members of the Joint Committee, continue in office until their successors are appointed. Each constituent authority shall appoint the offices of Chair and Vice-Chair in turn.

The Proper Officer of each Constituent Authority shall immediately after the appointment of any member of the Joint Committee by that authority, give notice of the name and address of the member appointed to the Secretary of the Joint Committee.

A member of the Joint Committee may resign his/her membership by sending to the Secretary of the Joint Committee a notice in writing of his/her desire to do so and the resignation shall take effect upon the receipt of the notice by the Secretary.

Where a casual vacancy exists on the Joint Committee, the relevant constituent authority shall nominate a replacement member at the earliest opportunity to the Secretary.

3 Notice and Summons to Meetings

The Secretary will send a signed summons to every elected member and officer of the Joint Committee, at least 5 clear days before a meeting. The summons will give the date, time and place of each meeting; specify the business to be transacted, and will be accompanied by such reports as are available.

4 Quorum

The quorum of a meeting of the Joint Committee will be 3 elected members, one from each of the constituent authorities. If, at any part during a meeting, a quorum is not present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair.

5 Voting

Matters will be decided by the Joint Committee by a simple majority of those Councillors voting and present in the room at the time the question was put. The Chair shall take the votes by a show of hand.

If there are equal votes for and against, the Chair may exercise a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote, save that if no second or casting vote is made, the proposal will automatically fail.

6 Appointment of Officers

- The Assistant Director of Governance of North East Derbyshire/Bolsover District Council (*or nominee*) shall act as Secretary to the Joint Committee and the position will be appointed to at each annual meeting of the Joint Committee.
- The Finance Manager of North East Derbyshire/Bolsover District Council (*or nominee*) shall act as Treasurer to the Joint Committee and the position will be appointed to at each annual meeting of the Joint Committee.
- The Chief Internal Auditor of Derbyshire Dales District Council shall act as Auditor to the Joint Committee and the position will be appointed to at each annual meeting of the Joint Committee.

7 Frequency of Meetings

The Joint Committee in addition to its annual meeting, shall meet on at least one other occasion per year and at such other times as may be required.

8 Terms of Reference

- 8.1 To oversee the management and future development of the Shared Service initiative between the Service Host and Client authorities.
- 8.2 To receive periodic reports of the Shared Service Joint Management Team
- 8.3 To undertake dispute resolution between the constituent authorities in accordance with the Partnership Agreement

- 8.4 To agree the cost structure and manage the financial resources of the shared service(s)
- 8.5 To consider any requests to increase funding for the Joint Committee in response to any unforeseen increase in costs
- 8.6 To explore any associated development of joint working between the constituent authorities to other areas of work/service delivery
- 8.7 To consider and formally approve any amendments to the Service Level Agreement and Partnership Agreement
- 8.8 To oversee the management of the joint contracting relationship of the shared service partnership

9 Review

The constituent authorities will review the Joint Committee's terms of reference annually.
