Efficiency and Performance Sub (Finance) Committee

Date: MONDAY, 5 NOVEMBER 2018
Time: 11.00 am
Venue: COMMITTEE ROOMS - WEST WING, GUILDHALL

Members: Jeremy Mayhew (Chairman)
Deputy Jamie Ingham Clark (Deputy Chairman)
Randall Anderson
Alderman Robert Howard
Paul Martinelli
Hugh Morris
Ian Seaton
Deputy Philip Woodhouse

Also in attendance:
Jeremy Simons (representing Port Health & Environmental Services Committee)
Deputy Tom Sleigh (representing Barbican Centre Board)

Enquiries: John Cater
tel.no.: 020 7332 1407
john.cater@cityoflondon.gov.uk

Lunch will be served in the Guildhall Club at 1pm
N.B. Part of this meeting could be the subject of audio video recording

John Barradell
Town Clerk and Chief Executive
AGENDA

Part 1 - Public Agenda

1. APOLOGIES

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

3. MINUTES OF THE PREVIOUS MEETING
   To agree the public minutes of the meeting held on 11 September 2018.  
   **For Decision**  
   (Pages 1 - 4)

4. OUTSTANDING ACTIONS FROM PREVIOUS MEETINGS
   Report of the Town Clerk.  
   **For Information**  
   (Pages 5 - 6)

5. WORK PROGRAMME FOR FUTURE MEETINGS
   Report of the Town Clerk.  
   **For Information**  
   (Pages 7 - 8)

6. INCENTIVISING EFFICIENT DEMAND MANAGEMENT - LEGAL SERVICES CHARGING
   Report of the Chamberlain  
   **For Decision**  
   (Pages 9 - 14)

7. CORPORATE PERFORMANCE AND BUSINESS PLANNING UPDATE
   Report of the Town Clerk  
   **For Information**  
   (Pages 15 - 18)

8. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE

9. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

10. EXCLUSION OF THE PUBLIC
    MOTION - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.  
    **For Decision**
11. NON-PUBLIC MINUTES OF THE PREVIOUS MEETING
   To agree the non-public minutes of the meeting held on 11 September 2018.
   **For Decision**
   (Pages 19 - 26)

12. OUTSTANDING ACTIONS FROM NON-PUBLIC MINUTES OF PREVIOUS MEETINGS
   Report of the Town Clerk.
   **For Information**
   (Pages 27 - 28)

13. DEPARTMENTAL MONITORING
   **For Information**
   a) Department of Markets and Consumer Protection (Pages 29 - 40)
      Report of the Director of Markets and Consumer Protection
   b) The Barbican Centre (Pages 41 - 52)
      Report of the Managing Director of the Barbican Centre

14. OPERATIONAL PROPERTY REVIEW - PROGRESS REPORT
    Joint Report of the Chamberlain and the City Surveyor
    **For Information**
    (Pages 53 - 66)

15. SERVICE BASED REVIEW UPDATE REPORT
    Report of the Chamberlain
    **For Information**
    (Pages 67 - 72)

16. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED
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Minutes of the meeting of the Efficiency and Performance Sub (Finance) Committee held at Guildhall, EC2 on Tuesday, 11 September 2018 at 1.45 pm

Present

Members:
Jeremy Mayhew (Chairman)
Deputy Jamie Ingham Clark (Deputy Chairman)
Randall Anderson
Alderman Robert Howard
Hugh Morris
Ian Seaton
Deputy Philip Woodhouse

Police Committee Members in attendance
Deputy James Thomson
Andrew Lentin

Officers:
John Cater
John Barradell - Town Clerk and Chief Executive
Peter Kane - Chamberlain
Ian Dyson - Commissioner of the City of London Police
Vic Annells - Executive Director of Mansion House & Central Criminal Court
Caroline Al-Beyerty - Chamberlain's Department
Simon Latham - Town Clerk's Department
Kate Smith - Town Clerk's Department
Geoff Parnell - Chamberlain's Department
Alison Bunn - City Surveyor's Department
John Galvin - Town Clerk's Department
Adam Rout - Mansion House

1. **APOLOGIES**
   Apologies were received from Paul Martinelli.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
   There were no declarations.

3. **MINUTES OF THE PREVIOUS MEETING RESOLVED** - That the public minutes of the meeting held on 13th July 2018 be agreed as an accurate record.
4. WORK PROGRAMME FOR FUTURE MEETINGS
The Sub-Committee considered a report of the Town Clerk which set out the work plan for future meetings.

The Chairman advised Members that the 11th January meeting of the Sub-Committee would be postponed to a new slot later in the month, so as to ensure report authors and other officers had time to prepare fully after Christmas. The Town Clerk would issue details of the rescheduling in due course.

RESOLVED – that the Sub-Committee noted the report.

5. CORPORATE AND BUSINESS PLANNING UPDATE
The Sub-Committee received a Report of the Town Clerk concerning Corporate and Business planning.

The Town Clerk informed Members that a set of 10-12 common core indicators would be introduced during the 2019/20 business planning cycle, to allow cross-departmental comparisons and benchmarking, and improve transparency between departments on common measures, e.g. sickness absence and Freedom of Information requests response times. It was proposed to develop measures under the following headings:

- Workforce
- Financial Performance
- Delivery of agreed action
- Internal customer service

The Chairman was keen to ensure that officers included an explicit measure for maintaining budgetary discipline throughout the financial year; too often, in the past, departments, when identifying new funding requirements, had made in-year budget revisions or accessed funding from other sources (e.g. the Finance Contingency Fund), without giving enough consideration to re-prioritising their own budget commitments first. Both the Chairman and the Chamberlain had made it unambiguously clear, on many recent occasions, that in-year budget revisions would no longer, in general, be agreed.

A verbal update on members’ scrutiny of Business Plans was provided, following on from discussion at the Chairman’s Informal Supper in July, where it was agreed that taking this outside normal committee meetings would be helpful.

The Corporate Strategy & Performance Team and Committee Clerks will contact chairmen to work out what would work best and put dates in diaries during November / December, so that finalised Business Plans can be brought to Committees for approval in the new year. It was agreed that where Business Plans are scrutinised by multiple Committees, one meeting be arranged for all relevant Committee members.
Members said they were encouraged by the proposals, - too often, in the past, business planning had been an afterthought, but this proposal had the potential to generate new useful and regular input from Committees. Sub-Committee Members asked for details of officers’ Business Plan scrutiny processes to ensure that they are robust. Officers would return to Members with an update at the November meeting.

RESOLVED – that the Sub-Committee noted the Report.

6. CORPORATE FM GENERAL UPDATE
The Sub-Committee received a Report of the City Surveyor concerning facilities management.

Members asked officers to condense the number of achievements and targets on pages 14 and 15 in the Report.

Members were keen to ensure that the Procurement Sub Committee were being kept fully updated whenever officers are minded to renew an FM contract with an incumbent supplier. It was important to carry out robust scrutiny of how they had performed during the previous contract.

A Member queried whether officers had sufficient penalty clauses for service failures. Officers confirmed that the current maximum monthly penalty for serious failures was £3,000 a month, they are looking to increase this over the medium term.

The Chairman confirmed that he had discussed with the City Surveyor the Guildhall security contract, and had suggested that more thought needs to be given around outsourcing, with the Head of Security performing the role of the “intelligent buyer”. Officers agreed that a stock-take and market test should take place in a year’s time (i.e. September 2019).

RESOLVED – that the Sub-Committee noted the Report.

7. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE
There were no questions.

8. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
There were no items of urgent business.

9. EXCLUSION OF THE PUBLIC
RESOLVED - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.
10. **NON-PUBLIC MINUTES OF THE PREVIOUS MEETING**  
**RESOLVED** - That the non-public minutes of the meeting held on 13 July 2018 be agreed as an accurate record.

11. **OUTSTANDING ACTIONS FROM NON-PUBLIC MINUTES OF PREVIOUS MEETINGS**  
The Sub-Committee received a Report of the Town Clerk concerning outstanding actions from previous Sub-Committee meetings.  
**RESOLVED** – that the Sub-Committee noted the Report.

12. **DEPARTMENTAL MONITORING**  
12.1 **Economy, Efficiency and Effectiveness Health Check - Mansion House & Central Criminal Court**  
The Sub-Committee received a Report of the Executive Director, Mansion House & Central Criminal Court.

12.2 **Update - CoLP's Annual Efficiency Savings / Demand and Value for Money Review / CoLP's Transform Programme**  
The Sub-Committee received a Report of the Commissioner of the City of London Police.

13. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**  
There were no questions.

14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**  
There was no other business.

The meeting ended at 3.30 pm

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Chairman

Contact Officer: John Cater  
tel.no.: 020 7332 1407  
john.cater@cityoflondon.gov.uk
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Officer responsible</th>
<th>To be completed/ progressed to next stage</th>
<th>Progress Update</th>
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<tbody>
<tr>
<td>September 2018</td>
<td>Corporate and Business Planning Members said they were encouraged by the proposals, too often in the past business planning had been an afterthought, but this proposal had the potential to generate new useful and regular input from Committees. Sub-Committee Members asked for details of officers’ Business Plan scrutiny processes to ensure that they are robust. Officers would return to Members with an update at the November meeting.</td>
<td>Kate Smith/Tom Conniffe</td>
<td>November</td>
<td>Report submitted to November CASC Meeting</td>
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### Efficiency and Performance Sub-Committee – Work Programme 2018 and 2019

**Meeting:**
- 5/11/18
- 14/12/18
- 29/1/19
- 1/3/19 (TBC)
- 16/4/19
- 27/6/19
- 13/9/19
- 4/11/19

#### Continuous Improvement (Efficiency and Sustainability Plan)

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<th>5/11/18</th>
<th>14/12/18</th>
<th>29/1/19</th>
<th>1/3/19 (TBC)</th>
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<th>27/6/19</th>
<th>13/9/19</th>
<th>4/11/19</th>
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#### Specific Departmental Focus & Commercial/Income Generation Opportunities

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#### Outcomes and Performance (Benchmarking)

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<th>14/12/18</th>
<th>29/1/19</th>
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<th>13/9/19</th>
<th>4/11/19</th>
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*Corporate Performance and Business Planning Update*
Summary

Following the decision at your February 2018 meeting approving the creation of an internal trading account for Comptrollers & City Solicitors (C&CS) legal services, work has been carried out by the Chamberlain’s and C&CS departments to progress this proposal.

This report provides an update on the implementation work to date, as well as highlighting a number of practical issues that have arisen which has led to the recommendation for this change to be implemented on 1 April 2019.

Recommendations

Members are asked to:

- Note the progress made in moving to an internal trading account model for C&CS legal services.

- Agree to progress under option 2 of this report, which recommends implementing the internal trading account for legal services from 2019/20.

Main Report

Background

1. At your February 2018, you considered a paper on Corporate Services: Incentivising Efficient Demand Management, which discussed the option to introduce internal charging for corporate services as a mechanism to manage demand and ensure value for money.

2. The report established several criteria to assess which corporate services could benefit from such a mechanism without adding a disproportionate administrative burden to the charging service or its clients. The legal advice provided by the Comptrollers and City Solicitors (C&CS) department met this criterion, and it was agreed that the service would pilot a move to an internal charging model.
3. Since this decision there has been a delay in progressing this work due to the focus on producing and auditing the City Fund Statement of Accounts within the earlier statutory deadlines and providing additional support to the City of London Police finance function, details of which were discussed in your July Committee.

4. Work has now been carried out to understand the feasibility and implications of introducing a trading account and the options to be considered when this new approach is introduced.

Current Position

5. Work between the Chamberlain’s and C&CS departments has progressed the implementation of the new charging model. This work has included:

- Agreement on the charging methodology – this includes agreeing the scope of activities that will fall under the new model and an assessment of the new requirements that will fall out of this change.
- Calculation of charging rates – based on the required level of recovery, rates have been calculated based on assumed levels of activity, profiled against levels of staff.
- Budget allocations – based on activity analysis available a high-level estimate of budget allocations to services has been made.

6. Whilst positive progress has been made, the above work has highlighted issues that will impact on when the new charging model can be effectively and efficiently implemented. These issues are focused around:

- The capability of the current legal case management system to support internal changing.
- Complications arising from implementing mid-year.

Legal Service Case Management System

7. The C&CS department currently operates a dated case management system which includes time recording functionality enabling staff to allocate their time to legal cases. This supports the current allocation of C&CS costs to departments as part of the overhead reallocation process i.e. recharging.

8. The initial assessment in February of C&CS suitability for internal charging had assumed the case management system functionality would facilitate the implementation. Further analysis of the charging system requirements has flagged the following issues:

- The departmental charging information currently captured is at a high level e.g. Assistant Director grouping, which has been sufficient for C&CS’s recharging purposes by committee but lacks the functionality to inform detailed charging to departments to business unit level.
There is limited capability to produce detailed management reports for Service Managers to understand, challenge and amend their use of legal services. Such information can only be produced on an ad-hoc basis, adding significantly to the administrative burden of the model.

Resolving the technical issues above to make the current system fit for purpose is technically difficult and would require significant time and resources not currently available. The C&CS department are in the process of procuring a replacement case management system which is due to be implemented by April 2019. This new system will not only bring the functionality required to support detailed recharging but will also bring a host of other benefits that will meet C&CS business requirements which will enable it to operate in a more efficient and effective way. Any investment in the existing system would be costly, time consuming, provide a very short term and limited improvement in functionality and risks delaying implementation of the new system. It should be noted that the current case management system is not capable of meeting the C&CS business requirements, so any investment would be a sunk cost once the new system is in place.

Implementation mid year

9. It was originally envisaged that implementation of a trading account would occur during 2018/19, with budgets realigned across services and retrospective charges applied for activity prior to implementation. There are several issues which make this approach problematic including:

- As outlined above the information currently held does not have enough detail to enable charging to the required business unit level. In order to retrospectively charge, a manual exercise will need to be carried out to obtain the correct level of information which would also need to be input into the current system to enable charging going forward.

- The aim of this change is to ensure efficient use of this service by introducing a direct cost to users. However, commissioning decisions to date have been made without this incentive which could leave Chief Officers bearing costs in their local risk budgets that they did not fully understand.

- Due to the delays outlined above, there has been little communication about this change to enable a change in behaviour. A longer lead in time would allow officers to review how they use this service before incurring costs.

10. Resolution of the issues outlined above within the current financial year would require significant resource which is currently not budgeted for and would divert officers away from implementing a modern fully integrated legal case management system which will deliver the functionality required to operate a
trading account and a fully electronic working solution for the service along with other significant business benefits.

Options

11. The options available are:

**Option 1 – Implement in the current year with retrospective charges.**

As outlined above, to achieve this option would require investment in the out-going system to give the minimum functionality required to enable a trading account to operate. It is estimated that this would cost £90k which is made up of interim staff to carry out a manual data cleansing exercise to capture the required level of information and the cost of upgrading the current system to meet the requirements of this specific task. As this cost is not budgeted for a request to Finance Committee contingency would be made for this funding.

This would also mean key staff diverting their attention away from bringing in the new fully functional case management system, making it likely that its implementation would be delayed. Any investment would be short term as the existing system with an upgrade would still not meet the business requirements of the C&CS department and will not provide any operational benefits. This option does not address the issues raised above on a mid-year implementation.

**Option 2 – Implement charging from 1 April 2019**

A new case management system is due to be implemented by 1 April 2019 which provides a good opportunity for purpose-built system and process to be developed to enable the efficient operation of the charging model. This will also allow time for communication to Chief Officers to take place and filter through to departments so future instructions can bear costs in mind.

The new system will also facilitate a new way of working for legal services so the introduction of charging at this point will align with the wider change of how the new system functionality will change how client departments engage this service. The budget for the implementation of a new system has already been approved so this option does not create any additional costs. Officer resource has been aligned to enable this change and there are currently no issues in the progress of this project.

Proposals

12. It is recommended that option 2 be agreed. Following a detailed analysis of this change, it is clear that the current case management system will not enable an effective implementation. With the procurement of a new case management system already underway, an attempt to make the current system fit for purpose would be a costly short-term fix and would risk the successful implementation of the new system, which will yield benefits beyond that of installing the new
charging model. Option 2 also provides time for this change to be communicated and for services to reflect on their use of legal services.

Corporate & Strategic Implications

13. The Corporate Plan states that as an organisation we need to be relevant, responsible, reliable and radical.

14. This proposal aims to ensure we take a responsible approach in utilising our resources in the most effective way as well as being open to new ways of working.

Implications

15. Agreement with the recommended option will not require any additional resources as a budget for the new system has already been agreed.

Conclusion

16. Following agreement at your Committee to introduce internal charging for legal services, work has been carried out to understand the impact of this change. This has highlighted that the current case management system in its current form is not capable of supporting this change. In addition to this, the option to implement mid-year creates some added complications.

17. The procurement of a new case management system is already underway whose specification includes the required functionality to support internal charging. The timeline for the new system to go-live is the start of the new financial year.

18. The introduction of the new charging model at this point will mean the system functionality will be in place to support this change as well as avoiding the complication of a mid-year implementation. It will also align with the overall change in how the C&CS department will operate with the introduction of this new technology which will see services commissioning legal work in a new way.

Appendices

- None

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Chamberlain’s

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Summary

This paper summarises progress with Business Planning for the 2019/20 cycle since the last report to Efficiency & Performance Sub-Committee in September 2018.

Recommendations

It is recommended that Efficiency & Performance Sub-Committee (E&PSC):

i. Notes the arrangements for Member engagement sessions on draft Business Plans, to give Members the opportunity to discuss thematic and strategic linkages between them;

ii. Comments on the running order for the remaining Chief Officers to present their first Economy, Efficiency & Effectiveness Health Check (EEE) headline reports;

iii. Comments on the value and desirability of aligning the second round of Chief Officer EEE presentations to this Committee with the Informal Risk Challenge sessions for Chief Officers and Audit & Risk Management Committee; and

iv. Comments on the approach to selecting Chief Officers to present their second EEE headline reports once the first round is complete.

Business Planning 2019/20 – progress to date

A refreshed document suite

1. To simplify the collation and presentation of Business Plans, an integrated workbook combining most of the different strands was developed using Microsoft Excel and populated for each department with Business Plan information from the 2018/19 cycle. This meant that Business Planners had a base of information to review, rather than having to enter everything afresh, and that duplication was removed and the potential for error reduced, as links between the various Business Planning strands could be made using Excel formulae.
2. Alongside this, strengthened guidance was developed, and both were issued to business planners in September 2018. To ensure that business planners were fully briefed on the new guidance and workbook and to address any questions, two workshops were arranged and any business planners who were unable to attend either workshop were briefed separately.

3. The new workbook has been designed to allow high-level summary Business Plan information to be extracted in the previously agreed format. Where however an enhanced analysis is available to include in the high-level summary, such as mapping departmental budget onto Corporate Plan outcomes, this will be included instead with an accompanying explanation made in the cover report to Committees. Members will also be able to see where changes have been made to Business Plans compared with previous years.

Member engagement sessions

4. As part of the refreshed approach for the 2019/20 cycle, the Member engagement process is being enhanced to allow Members the opportunity to discuss thematic and strategic linkages between Business Plans.

5. Four Member engagement sessions are being arranged, at which departments with similar responsibilities will provide a brief overview of their draft high-level summary Business Plans for the year ahead - how they will use their budget to address their priorities and where they can be flexible when priorities change - to set the scene for Members’ questions and a discussion on the proposals and the links between them. The clusters are configured as follows:

- **Corporate:** Town Clerk’s (Committee & Member Services/Corporate HR/Strategy & Performance/Communications), Chamberlain’s, Comptroller & City Solicitor’s, City Surveyor’s
- **City:** Remembrancer’s, Economic Development Office, City Bridge Trust, Mansion House & Central Criminal Court
- **Culture:** Barbican, Culture Mile/Cultural Services, Guildhall School of Music and Drama, Open Spaces
- **Services:** Built Environment, Community & Children’s Services, Markets & Consumer Protection

6. As there is a clear fit between the outputs of these sessions and how departments will need to collaborate to deliver the Corporate Plan, the Chairman of Policy & Resources Committee and her Deputies will chair the sessions. The timings are currently being finalised, but it is anticipated that they will take place in December and early January.

Strengthening officer review and challenge

7. Strengthening Member engagement with developing Business Plans in this way will require a concomitant uplift in officer involvement and oversight. To build in more central and peer challenge early in the process, business planners were directed to ensure that departmental management teams/leadership teams
(DMTs) have been involved in contributing to, scrutinising and approving draft Business Plans.

8. Two mechanisms for inter-departmental officer challenge were trialled in October and November: a dedicated peer review session at the Business Planners’ Network meeting and a presentation and discussion of City Bridge Trust’s Business Plan at Town Clerk’s DMT. Both sessions were used to drive constructive challenge, sharing of good practice and greater cross-departmental understanding and collaboration, and will feature in some form in future Business Planning cycles.

Next steps

9. Following the Member engagement sessions, any amendments required by Members will be made to draft Business Plans ahead of their submission to Committee(s) for final approval. In the 2019/20 round, business planners have been directed to seek approval for final high-level summary Business Plans in the January-March Committee cycle and, other than by prior agreement, no later than 31 March 2019.

10. This means that EEE detailed assessments for all departments should be available to inform the development of EEE headline reports for Chief Officers to present to E&PSC throughout 2019/20. As stated in the July update report to this Sub-Committee, now that the EEE mechanism exists to drive value to for money, Chief Officer Peer Reviews will be used to drive collaboration, innovation and agility rather than value for money. As such, expected outputs from the Peer Review will no longer be relevant or reported to Efficiency & Performance Sub Committee. However, if there are any relevant outputs, they will be fed into the next round EEE headline reports. The next Chief Officer Peer Reviews will be organised in 2019, once resources to support it are in place.

11. Before this new round is developed, a number of Chief Officers, all from corporate departments, have yet to present their first EEE headline reports to E&PSC and the Town Clerk has suggested that they appear in the following order:

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<tr>
<th>E&amp;PSC date</th>
<th>Chief Officer/department</th>
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<tr>
<td>29 January 2019</td>
<td>Remembrancer and Comptroller &amp; City Solicitor</td>
</tr>
<tr>
<td>1 March 2019</td>
<td>Economic Development and City Bridge Trust</td>
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<tr>
<td>16 April 2019</td>
<td>Corporate Human Resources and Culture Mile</td>
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12. Following the completion of the first round of EEE headline reports and presentations, it is recommended that a risk-based approach (e.g. departments with outstanding SBR savings and other key or corporate risks) is taken to selecting the order in which Chief Officers are invited for the second round. Efficiencies may be realised in aligning Chief Officer invitations to E&PSC in this round with the Informal Risk Challenge meetings that take place with Chief Officers and Members of Audit & Risk Management Committee. Members’ views on this, and the running order for the next round of Chief Officer presentations of EEE headline reports, are sought.
By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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