

ACTIVE BELFAST LIMITED BOARD

Thursday, 15th June, 2017

MEETING OF ACTIVE BELFAST LIMITED BOARD

(Held in the Girdwood Community Hub)

Attendees

- Directors:** Mr. J. McGuigan (Chairperson)
Councillor Corr
Councillor Long
Councillor Reynolds
Mr. J. Higgins
Mrs. K. McCullough
Mr. N. Mitchell
Mr. K. O'Doherty (NIPSA)
Mr. G. Walls
Mr. M. Webster.
- Officers:** Mr. N. Munnis, Partnership Manager; and
Mr. H. Downey, Democratic Services Officer.
- GLL:** Mr. G. Kirk, Regional Director; and
Mr. G. Holland, Partnership Manager.

Apologies

Apologies were reported on behalf of Mr. P. Boyle, Mr. M. Keenan, Mr. M. McGarrity and Mr. R. Stewart.

Minutes

The minutes of the meeting of 20th April were approved.

Matters Arising

GLL Annual Customer Satisfaction Survey

The Board agreed to defer consideration of the need for the Trades Unions to submit the joint document outlining the staffing issues which they had raised at the meeting on 21st March, until it had an opportunity to consider later in the meeting the reports on GLL's policies and operational procedures and on the independent review of the current operating model.

Charitable Status

The Board noted that the report on the potential for seeking charitable status was in the process of being finalised and would be submitted to its next meeting.

Declarations of Interest

Mr. Mitchell declared an interest in that he was a volunteer coach with St. Brigid's GAC and a volunteer with the City of Belfast Swimming Club, which required discussions periodically with GLL around the use of Council facilities and resources.

Review of Reporting of Active Belfast Limited Performance

The Partnership Manager submitted for the Board's consideration the following report:

“1.0 Purpose of Report

1.1 To outline proposed revisions to Key Performance Indicator (KPI) performance reporting schedules and report formats for 2017-2018.

2.0 Recommendations

2.1 The Board is requested to consider the proposals set out below and formally approve the performance reporting plan for 2017-2018, namely:

- (i) the proposed KPI spreadsheet revisions;**
- (ii) the proposed KPI definition spreadsheet revisions;**
- (iii) the proposed quarterly performance narrative report format;**
- (iv) the proposed KPI board report schedule revision; and**
- (v) the proposal that future quarterly performance reports be presented as 'restricted and confidential' documents.**

3.0 Main Report

3.1 The new ABL 2017-2020 Business Plan sets out actions in relation to a review of the existing KPI performance and contract compliance reporting procedures. In particular, a review of the KPI's together with assurances about the robustness of the reported data feature prominently in the desired outputs.

3.2 The existing KPI spreadsheet and quarterly performance report format was approved in April 2016 for the 2016-2017 year, on the understanding that this first year pilot programme would be reviewed for the 2017-2018 financial year.

3.3 The following proposals are presented as refinements to the existing performance monitoring and reporting programme. The pilot programme has worked well through 2016-2017 and

has provided the experience and specific performance intelligence required to inform the review and proposals as outlined below.

3.4 KPI Review:

- a) Experience gained through the preparation and presentation of the four quarterly reports in 2016-17 along with specific queries raised by directors in relation to KPI definitions and reported data support the need for a review of the performance reporting programme. Additionally, BCC Audit Governance and Risk Services (AGRS) have highlighted the need for assurance in relation to robust data collection processes and data scrutiny/challenge.
- b) Following a thorough review of the KPI spreadsheet it is proposed that a number of KPI's are changed. Some KPI have been deleted and replaced with new more relevant measures. The net result is a reduction in the overall total of KPI's from the 42 reported in 2016-17 to 37 proposed for 2017-2018. The proposed annual KPI spreadsheet for 2017-2018 has been circulated to the Board.
- c) Alongside the proposed KPI's the KPI definitions spreadsheet has also been reviewed and edited to reflect the new KPI's and provide clarity where required. The proposed annual KPI definitions spreadsheet for 2017-2018 has been forwarded to the Board.

3.5 Performance Report Format:

- a) The KPI spreadsheet is presented quarterly and is supported by a written report designed to provide background information on the reported KPI's alongside narrative in relation to other qualitative performance measures and contract compliance requirements. Based on KPI related questions tabled at board meetings, independent feedback from directors and BCC AGRS comment the report format has been reviewed to ensure that it better reflects the reported KPI's, emerging trends and year end projections.
- b) The KPI spreadsheet is set out under six performance headings. Namely; (1) Business, (2) Operations, (3) Health & Community Impacts, (4) Sports Development, (5) Staffing and HR and (6) Sustainability.
- c) The proposed narrative report, a copy of which has been circulated to the Board, has been re-designed to present the KPIs under the six performance headings

without the need to refer back to the overall annual KPI spreadsheet. Summary KPI data presented within the narrative report will only include the annual target, monthly data for the relevant quarter, year to date total achieved and percentage of annual target achieved to date. Example for 'Business' KPI's below:

BUSINESS		QUARTER 1					
	KPI	2017/18 Target	April	May	June	Q1 YTD Total	% YE @ Q1
1	Total income					0	#DIV/0!
2	Junior Activity Income					0	#DIV/0!
3	Membership Income					0	#DIV/0!
4	Synthetic Pitch Income					0	
5	Total Expenditure					0	#DIV/0!
6	Total Staff Costs					0	#DIV/0!
7	Total Utility Costs					0	#DIV/0!
8	Total User Head Count					0	#DIV/0!
9	Yield per Visit					0.00	#DIV/0!
10	Total Pre Paid Members					0	#DIV/0!
11	Total Pay & Play Members					0	#DIV/0!

- d) The full year to date KPI spreadsheet will still be updated quarterly and posted on SharePoint for reference along each quarterly report.
- e) Underneath each set of KPI's succinct comment will be provided to speak directly to the relevant KPI's outlining variance explanations and trend analysis followed by an overview of any performance challenges and proposed action plans. This is intended to ensure the directors are presented with an appropriately comprehensive 'at a glance' summary that can easily be adapted as changing priorities emerge.

3.6 Presentation of Quarterly Performance Reports:

- a) The ABL board currently meets twice quarterly, in the first and third months of each quarter. Quarterly performance reports are currently presented to the board during the first month of each quarter (for the preceding quarter). Typically the board meetings in question are scheduled between 15th and 22nd. This has presented substantial challenges for collating the data required and preparing the report in time for distribution one week before the board meeting. The current timing provides little if any time for effective scrutiny of the reported data.
- b) For 2017-2018, it is proposed that quarterly performance reports, for the preceding quarter, are presented in the third month of each quarter.

Consequently the following reporting schedule is proposed:

Quarter 1 Presented in September

Quarter 2 Presented in December

Quarter 3 Presented in March

Quarter 4 Presented in June

- c) This proposal will allow time for quarterly data collection immediately after month end but crucially will facilitate adequate time for robust data analysis and scrutiny during the second month of each quarter before reports are finalised for distribution early in the third month.**
- d) It is anticipated that the above data scrutiny will allow for more relevant and meaningful comment in the accompanying narrative report with the appropriate focus on key performance priorities and action plans.**
- e) As the proposed report format will provide directors with more detailed performance information and informed comment the confidentiality of quarterly performance reports should be considered on the grounds that the information provided may be commercially sensitive and potentially damaging to the interests of ABL, BCC and GLL. Consequently it is proposed that future quarterly performance reports be presented to the board as ‘restricted and confidential’ documents and ‘not for distribution or discussion’ outside of the board context.”**

After discussion, the Working Group agreed:

- a) to approve the revisions to the KPI spreadsheet and to include an appropriate indicator for measuring absenteeism amongst GLL staff;
- b) to approve the revisions to the KPI definition spreadsheet;
- c) to approve the proposed format for the quarterly report on performance;
- d) that the quarterly performance and KPI report be circulated via the Sharepoint facility immediately upon completion and, having been assured by the Partnership Manager that there had been no change in the rationale which had led to the Board agreeing, on 31st August, 2016, to meet twice per quarter, rather than on a monthly basis, as had been the case previously, approved the quarterly reporting schedule on overall performance, as set out within paragraph 3.6 b) of the report; and

- e) that future quarterly performance reports should be treated as 'restricted and confidential'.

Active Belfast Limited Business Plan 2017 – 2020

The Board was reminded that, at its meeting on 21st March, it had approved the final draft of the Active Belfast Limited business plan for 2017-2020. The document was based around seven key strategic priorities and an associated action plan and focused upon delivering the outputs which were defined within the service specification and tri-partite partnership contract.

The Partnership Manager reported that, in accordance with the terms of that contract, the business plan had been approved by the Strategic Policy and Resources Committee at its meeting on 19th May and been ratified by the Council on 1st June. He pointed out that the key milestones identified within the action plan had now been incorporated into the annual contract compliance calendar and that the Board would receive on a quarterly basis over the next three years a report on the progress of the plan.

The Board noted the information which had been provided.

Active Belfast Limited Returns to Companies House

The Partnership Manager informed the Board that there was a requirement to submit to Companies House an Annual Confirmation Statement and to provide it with updated information in relation to Active Belfast Limited.

With that in mind, he reported that Appointment of Director forms had now been lodged with Companies House for those Directors who had been appointed recently to the Board and that it had been notified also of a number of other changes in membership. Secondly, the Annual Confirmation Statement, which had replaced the previously required Annual Return, was being completed and would be submitted to Companies House, once it had confirmed that the aforementioned process for registering Directors had been concluded. Finally, a revised version of Active Belfast Limited's Articles of Association had, in February, been submitted to Companies House. However, that had been returned to allow for anomalies around clause reference numbers to be addressed and had yet to be re-submitted. He drew the Board's attention to its decision of 20th April to defer consideration of a report on the potential for seeking charitable status to enable further information to be obtained. He pointed out that, since that decision could not be taken until its next scheduled meeting in August, at the earliest, it was a matter for the Board to decide at this point if it wished to submit the current revised Articles of Association or to wait until it had addressed the issue of charitable status. Should it decide, in due course, to pursue charitable status, the Articles of Association would require significant revision before being submitted to Companies House.

After discussion, the Board agreed to submit the current revised Articles of Association and noted that, in order to avoid duplication and to streamline the process, Advance Accounting, Active Belfast Limited's appointed accountant, would, in future, be responsible for the submission of all returns and documentation to Companies House.

GLL Policies and Operational Procedures

The Board's considered the following report which had been prepared by the Partnership Manager:

1.0 Purpose of Report

1.1 At recent ABL Board meetings, a number of queries and challenges in relation to GLL policies and operational procedures have been raised. Similar issues have emerged through various media sources and external enquiries.

1.2 This report is presented to outline the mechanisms currently in place to provide assurance in relation to GLL policies, operational procedures and performance.

2.0 Recommendation

2.1 The Board is requested to note the information provided below.

3.0 Main Report

3.1 A number of specific challenges have emerged in recent months, focused on GLL policies and operational procedures. While it is appropriate that such challenges are fully investigated, it is equally important that the facts, when established, are accurately reported to either support or counter the original challenge statement(s).

3.2 Irrespective of the focus of the challenge, negative publicity has the potential to be damaging to the interests/reputations of ABL, BCC and GLL. Consequently, robust reporting protocols and subsequent investigation processes are required. Effective protocols are already in place and are continually under review and subject to ongoing development. However, these mechanisms may not be widely known outside of Belfast City Council (BCC).

3.3 GLL performance reporting programmes are well established and are reviewed at a number of levels within both ABL and BCC. Challenges received can relate to any policy or operational procedure but in the past have typically focused on (1) Staffing and HR, (2) Health and Safety, (3) Bookings and Programming and (4) Facility Hire and Activity Charges. Queries in relation to GLL policies and procedures can be presented to BCC (typically to the Director, Assistant Director or Partnership Manager) through a number of avenues including from:

a) BCC Elected Members

b) ABL Board members

- c) **Members of the public (comments and complaints)**
 - d) **Trade Union forums**
 - e) **Reports from statutory bodies (NIHSE, Environmental Health, BCC Partners, etc.)**
 - f) **Members of staff (whistleblowing either directly to BCC or via trade unions or other representative forums or statutory bodies)**
 - g) **Media enquiries (usually emerging from one of the above)**
 - h) **Contract compliance monitoring activities (BCC Partnership Manager)**
- 3.4 Internal lines of communication exist specifically to address such issues and to provide assurance that either the challenge is not substantiated or when appropriate, that corrective measures have been identified and agreed.**
- 3.5 Outside of routine reports to ABL and BCC, there is constant contact between BCC and GLL. Issues of contract compliance, policy alignment and operational procedures are routinely reported to and discussed through the following mechanisms:**
- a) **Daily contact between BCC and GLL at Chief officer level, supported by open lines of communication between BCC (Partnership Manager) and GLL (Regional Manager and Regional Support Team)**
 - b) **Formal fortnightly update meetings between BCC senior contract management team and GLL Regional Team. Meeting minutes are recorded.**
 - c) **Fortnightly 1-2-1 meetings between BCC (Partnership Manager) and GLL (Regional Manager)**
 - d) **Fortnightly 1-2-1 meetings between BCC Assistant Director and Partnership Manager, at which GLL issues are discussed in the absence of GLL**
 - e) **Quarterly BCC/GLL risk review meetings focused on priority corporate risk areas of Finance and H&S. Meeting minutes are recorded.**
 - f) **BCC Area Working Groups at which GLL attend to present on specific topics as required.**

contract monitoring site visit programme as referenced above in 33(h) and 35(h).

- f) GLL is contractually required to operate H&S policies and procedures consistent with legislation, industry guidance and BCC procedures. H&S (including safeguarding) is one of four priority policy alignment

- 3.9 In addition to the above day to day assurance processes, H&S is specifically listed as one of the four 'Policy Alignment' statements reported directly to ABL. This requires BCC to conduct a robust investigation into GLL policies and procedures to identify demonstrable evidence that GLL and BCC policies and procedures are aligned and consistently applied.

This process requires the Partnership Manager to co-ordinate an assurance programme with the relevant BCC specialist unit (in this case the BCC corporate H&S section). H&S assurance planning and investigations have been ongoing as scheduled in the annual contract compliance calendar throughout Quarter 1.

Due to the high priority given to H&S risk management and the complexity of the leisure operation, it has been agreed that a third level of external audit/investigation should be applied before we can arrive at a robust policy alignment assurance statement. Terms of reference are currently being agreed for the appointment of an independent external H&S auditor. A definitive assurance statement will be presented to the ABL Board towards the end of the summer of 2017.

- 3.10 While the assurance mechanisms described in 3.8 and 3.9 above relate specifically to H&S, the same day to day contract management mechanisms are equally applied to any issue of concern.

BCC retains sole ownership of and funding responsibility for the leisure service. The Council is fully committed to robust management of the contract arrangements and will continue to make the necessary resources available to support ABL in ensuring that all GLL policies and operational procedures meet legislative requirements alongside the conditions as set out in the tri-partite contract documentation.

- 3.11 The above overview is intended to give the Board an assurance that, in all cases, when BCC is required to investigate issues related to GLL service delivery and contract compliance the appropriate level of scrutiny is applied. The Partnership Manager will be in attendance to answer any additional questions."

After discussion, the Board noted the information which had been provided.

Independent Review of Current Operating Model

(Mr. N. Grimshaw, Director of City and Neighbourhood Services, attended in connection with this item.)

The Board considered the following report:

“1.0 Purpose of Report

1.1 To inform the Board of the recent BCC decision to seek a report outlining options through which an independent review of the current operating model may be undertaken.

1.2 To seek Directors’ approval of the terms of reference as set out below.

2.0 Recommendations

2.1 The Board is requested to note the decision taken by BCC.

2.2 The Board is requested also to approve the terms of reference for the independent review alongside the timeframe for presenting a report to Council as set out below.

3.0 Main Report

3.1 Following deputations from Trade Union representatives to the Council’s Strategic Policy and Resources Committee on 19th May 2017, the Council has:

“agreed that a report, which provided options on how an independent review of the new operating model could be undertaken, taking into account the contractual position between BCC and GLL, be submitted to a future meeting. The Active Belfast Board would sign off on the review scope”

(SP&R Committee Minute of 19/05/17)

3.2 In light of the above decision by BCC, ABL is being asked to approve the following terms of reference:

The proposed terms of reference for the independent review are:

- (i) to undertake an independent review of the overall performance of the leisure operating model against the Council’s original objectives, and the overall business transformation process;**
- (ii) to review the ‘customer journey’, including market demand, marketing, and customer expectations and feedback;**

- (iii) to assess the operational documentation and practice against industry standards and regulations, including but not limited to, normal operating procedures, emergency action plans, pool safety measures, health and safety, and RIDDOR records;
- (iv) to review employment practices in Belfast leisure services, including treatment of casual staff, pensions, terms and conditions, TUPE legacy, training and development, access to promotions, and trade union relations; and
- (v) to provide a commentary on the overall state of the partnership and its governance, between the three parties to the contracts.

3.3 The Council is expecting an options paper to be presented to the SP and R Committee at a future meeting. The proposed timeframe is as follows:

15/06/17	Terms of reference approved by ABL
23/06/17	Terms of reference and independent review proposal presented to SP and R Committee
July/August	Complete independent review
September	Present independent review report to SP&R Committee.”

The Director reviewed the background to the Strategic Policy and Resources Committee’s decision of 19th May to undertake an independent review of the current operating model for leisure provision. He explained that the Council would be seeking to appoint, through a tendering process, an organisation with extensive experience within leisure service provision to conduct the review and that they would be engaging with the Active Belfast Limited Board, GLL, Elected Members and Council officers. Importantly, there would be no impact upon the current level of service delivery whilst the review was ongoing.

After discussion, the Board endorsed the terms of reference, as set out within the report, subject to the inclusion within point (i) of a requirement to undertake comparative analysis with similar models being implemented elsewhere.

GLL Annual Customer Satisfaction Survey

Having considered the reports on GLL’s policies and operational procedures and on the forthcoming independent review of the current operating model, it was agreed that the Partnership Manager should write to the Trades Unions informing them that the Board was now satisfied that there was no longer a requirement for them to submit the joint document on the issues which they had raised at the meeting on 21st March.

Date of Next Meeting

The Board noted that its next meeting would take place at 4.30 p.m. on Monday, 7th August in the Lavery Room, City Hall.

Chairperson