

## **PUBLIC QUESTIONS TO COUNCIL – 13 September 2023**

### **a) Question from Sue Owen to Councillor S Spencer, Cabinet Member for Corporate Services and Budget**

“The Department of Levelling Up, Housing and Communities is proposing that all Local Government Pension funds should be transferred into less than 8 pools by 2025, with 5% of funds allocated to levelling up. While we support investment in local sustainable projects and housing, we see this proposed change as a severe curtailment of local democracy. It will mean that local councils have virtually no control over their pension funds to which the people they represent have contributed their earnings.

I also asked a question previously about the Economic Activities of Public Bodies (overseas matters) Bill. Both these proposed changes represent a profound attack on local democracy.

Will Derbyshire County Council defend local democracy and oppose these proposed changes to pension funds, and what has or will be your response to both the consultations?”

#### **Response:**

“Thank you, Mrs Owen, for your question.

I would have to disagree that the proposals will bring about a “curtailment of local democracy” in your original statement, but that aside I would also tell you that we have responded on a technical basis to the procurement consultation that has been taking place recently and of course a report was taken to the Pensions and Investment Committee last week on which they had a discussion about that very same item.

As I would also point out to you, Mrs Owen, it is our priority to look after the interests of the Local Government Pension Scheme on behalf of its membership and that is what this Authority will continue to do in the future. Thank you.”

#### **Supplementary question:**

“I still don’t feel that I understand what your response was to either of these proposed changes and as you are responding to the consultation on behalf of the people of Derbyshire I would appreciate it if you can give me a clear understanding of how Derbyshire County Council has responded to both of those consultations, and also would you agree that Levelling Up is a good concept and that the Pension Fund could invest more in local membership of

sustainable enterprises such as green energy, insulation or social housing instead of investing in dangerous fossil fuels?”

**Response:**

“I am more than happy to furnish you with a written response with regard to the detail of the consultation which was very technical in its approach.



2023.10.02  
Derbyshire Pension

I would also say with regard to Levelling Up, as I said earlier in our discussion it is the priority of the Pension Fund to invest the pensions of the staff of this organisation in an appropriate fashion to give the return that is required. All I can say to you is I will furnish you with the detail of the consultation response but like I say it was a very technical response and I am more than happy to keep you informed with regard to the ongoing discussions because that consultation will come back to us hopefully at the beginning of March next year.”

**b) Question from David Ingham to Councillor S Spencer, Cabinet Member for Corporate Services and Budget**

“After raising a Performance and Monitoring report query, HR Services advised on 21-03-23 that previously reported 2022/23 absence rates were incorrect due to calculation errors. Quarter 1 was reported as 5.4% instead of 5.3 %, Quarter 2 as 5.7% instead of 5.4% and Quarter 3 was reported as 5.5% but subject to change.

I was informed adjustments would be made clear in future Cabinet and Full Council reports. An FOI request was also subsequently submitted for background information. However, I note the Quarter 4 report to Cabinet on 27-07-23 made no reference to Quarters 1 to 3 errors, instead comparing the 2022/23 year end figure to the 2021/22 year end figure.

The Corporate Performance Management Framework states (under Principles - honesty and transparency) reports should accurately reflect the true picture. What error margins are acceptable to Cabinet and before any published Performance data also has to be publicly corrected?”

**Response:**

“Thank you, Mr Ingham, for the question. I have to say that the statistics within this document are forever being adjusted day-by-day, as I am sure you will appreciate, and as far as I am aware and see from the information provided to

you, Mr Ingham, those figures were updated in subsequent papers following the original paper that was produced.

What I would be interested to hear from yourself is we are talking about 0.2% of a statistic here. I understand and agree that total transparency and clarity is required but I would have to question whether a 0.2% variation and challenging those statistics was in the public interest. I would accept a variance because like I say this is a living document. That is the position.”

**Supplementary question:**

“Thank you for that response. I would say as a realistic person I understand there will be mistakes from time to time, my interest fundamentally is how mistakes are dealt with.

In terms of the supplementary, which will touch on some of the things that Councillor Spencer has identified, I think the situation for me has illustrated things like Cabinet expectancies and the challenges for the Executive. I have been informed Cabinet members weren't informed about these reporting mistakes, mistakes reported to numerous Committees. Councillor Spencer wasn't even made aware of the mistakes prior to attending full Council on the 22 March and taking my related question.

Despite errors being identified nearly a year ago, Quarter reports 1 and 2 remained uncorrected within the performance section on the Council's website, albeit Quarter 3 absence has been changed upwards to 5.6% by somebody, that said outside of any Committee approval process. The public should have confidence in metric published information regardless of how small and not just absence.

Given that mistakes aren't drawn to the attention of members or the public would Councillor Spencer consider referring the matter of performance metrics' publication process to the relevant Scrutiny Committee to thoroughly review from start to finish and provide the required confidence in future reporting to protect the Council?”

**Response:**

“Thank you, Mr Ingham. I have to say given the financial pressures the Authority is under, good use of personnel time and member time is essential in managing those pressures. If I felt in any way that 0.2 of a percent was going to impact on the performance data of the Authority I would undoubtedly be asking the questions that you are asking of me now. I do believe there will be variances on a day-to-day basis and I also believe there will be variances in the statistics that are provided on Day One and the difference between that and the publication date which may be several weeks later.

I am more than happy for the financial team to check those statistics moving forward and we will endeavour to make sure they are all 100 per cent correct, if they are not already, but I also would say to you it is also important that they have the ability to adjust those figures at later meetings, in other words they are living documents to all intents and purposes, so with regard to that living document status I would suggest to you if there is a difference between the documents provided to the meeting at a particular time and the information on the website that may well just purely be a clerical error but I will ask Democratic Services to look into that today. Thank you for the question.