

COUNCIL

20 MARCH 2012

AMENDMENTS

Item 5(b)(i) – Fire Service Privatisation

Amendment from Councillor Dransfield:

“That all the words after ‘That this Council’ in be deleted and replaced with the following:

- ‘(i) notes the Labour Party’s policy positions on Mutuels before the last General Election, as referenced in the Guardian article dated 11 November 2009 (Annexed);
- (ii) notes the hysteria that is being created by the Shadow Minister for Communities and Local Government (Chris Williamson MP) and the Fire Brigades Union over the decision by the Labour-controlled Cleveland Combined Fire Authority (13 Labour, 5 Conservative, 3 Independent and 2 Liberal Democrat) to explore options including a public sector employee-led mutual, as set out in a press release dated 20 September 2012 from Cleveland Combined Fire Authority (Annexed);
- (iii) notes that the Cleveland Chief Fire Officer, Ian Hayton, stated, ‘It would be absolutely wrong to suggest that a public sector, employee-led mutual is privatisation and it is mere scaremongering to suggest so’, adding, ‘the brigade’s purpose was not to make money but to keep communities safe’;
- (iv) notes that the Fire Minister and Minister for the Cabinet Office stated, ‘attempts to characterise employee-led mutualisation as privatisation are wrong’, as set out in their press release dated 14 February 2013 (Annexed);
- (v) notes that the Buckinghamshire and Milton Keynes Combined Fire Authority has not received a request by employees to set up a mutual;
- (vi) notes that the Buckinghamshire and Milton Keynes Combined Fire Authority, which is responsible for the fire service that serves Milton Keynes, will remain statutorily responsible for this public service which is one of the best value in the country and, as long as it’s costs are low and the service provision reliable, is unlikely to risk adverse public reaction by introducing mutualisation of its vital emergency response teams.”

The motion, including the amendment, would read:

"That this Council:

- (i) notes the Labour Party's policy positions on Mutuals before the last General Election, as referenced in the Guardian article dated 11 November 2009 (Annexed);
- (ii) notes the hysteria that is being created by the Shadow Minister for Communities and Local Government (Chris Williamson MP) and the Fire Brigades Union over the decision by the Labour-controlled Cleveland Combined Fire Authority (13 Labour, 5 Conservative, 3 Independent and 2 Liberal Democrat) to explore options including a public sector employee-led mutual, as set out in a press release dated 20 September 2012 from Cleveland Combined Fire Authority (Annexed);
- (iii) notes that the Cleveland Chief Fire Officer, Ian Hayton, stated, 'It would be absolutely wrong to suggest that a public sector, employee-led mutual is privatisation and it is mere scaremongering to suggest so', adding, 'the brigade's purpose was not to make money but to keep communities safe';
- (iv) notes that the Fire Minister and Minister for the Cabinet Office stated, 'attempts to characterise employee-led mutualisation as privatisation are wrong', as set out in their press release dated 14 February 2013 (Annexed);
- (v) notes that the Buckinghamshire and Milton Keynes Combined Fire Authority has not received a request by employees to set up a mutual;
- (v) notes that the Buckinghamshire and Milton Keynes Combined Fire Authority, which is responsible for the fire service that serves Milton Keynes, will remain statutorily responsible for this public service which is one of the best value in the country and, as long as its costs are low and the service provision reliable, is unlikely to risk adverse public reaction by introducing mutualisation of its vital emergency response teams."

Item 5(b)(ii) – Milton Keynes Hospital

Amendment from Councillor Long:

- “1. That the following additional Sub-Clause be added to Clause 2 of the motion:
 - ‘(g) privatisation of the excellent NHS Direct service in Milton Keynes and its replacement with a new service based on using fewer trained medical staff; and that the new privatised contractor may reduce standards of advice given the evidence from its other contracts covering Wiltshire, Bristol and Gloucestershire, which in turn may put extra pressure on our excellent hard working GPs, Accident and Emergency Unit and Ambulance service and put patient safety at risk.’
2. That the following new Sub-Clause be added to Clause 3 and as Sub-Clause (e) and the original Sub-Clause (e) re-lettered as (f):
 - ‘(e) also agrees to ask both Milton Keynes MPs to write to the Secretary of State for Health expressing concern about the privatisation of NHS Direct and the potential adverse impact this may have on patient safety, GPs, the Accident and Emergency Unit and the ambulance service;’
3. That the words ‘Milton Keynes Hospital’ be added into the Sub-Clause (f) of Clause 3 in front of the words ‘Chief Executive’.”

The motion, including the amendments, would read:

- “1. That this Council notes the launch of a campaign by the Citizen newspaper to highlight the need for a new larger Accident and Emergency Unit at Milton Keynes Hospital.
2. That this Council is concerned about the:
 - (a) staff shortages at Milton Keynes Hospital highlighted by the Care Quality Commission;
 - (b) pressures upon the hospital Accident and Emergency Unit highlighted in Parliament on 15 January 2013;
 - (c) financial constraints on the Hospital;
 - (d) negative impact of Government reorganisation at a time of growing demand;
 - (e) potential damage to services from the Government’s emphasis on privatisation of the NHS;
 - (f) findings from the Mid Staffordshire public inquiry which highlighted that many patients were let down by a culture that put cost-cutting and target-chasing ahead of the quality of care; and
 - (g) privatisation of the excellent NHS Direct service in Milton Keynes and its replacement with a new service based on using fewer trained medical staff; and that the new privatised contractor may reduce standards of advice given the evidence from its other contracts covering Wiltshire, Bristol and Gloucestershire, which in turn may put extra pressure on our excellent hard working GPs,

Accident and Emergency Unit and Ambulance service and put patient safety at risk.

3. That this Council:

- (a) welcomes the excellent work of Milton Keynes Hospital staff against the backdrop of a difficult financial crisis caused by Government austerity measures, costly re-organisation and a failure to increase resources in line with demand;
- (b) supports the Citizen newspaper campaign for a larger Accident and Emergency Unit, however it believes this must be linked to extra nurses, other staff and resources to effectively run a new larger Accident and Emergency Unit;
- (c) believes that the quality of care should be paramount and that this is affected by low staff levels and uncertainty and disruption caused by Government driven re-organisation and costly reviews;
- (d) agrees to write to the Secretary of State for Health seeking extra funding for a larger Accident and Emergency Unit and resources to ensure that a new Accident and Emergency Unit is properly staffed;
- (e) also agrees to ask both Milton Keynes MPs to write to the Secretary of State for Health expressing concern about the privatisation of NHS Direct and the potential adverse impact this may have on patient safety, GPs, the Accident and Emergency Unit and the ambulance service; and
- (f) requests the Overview and Scrutiny Management to agree that the Health and Adult Social Care Select Committee receive a report, from the Milton Keynes Hospital Chief Executive, at its regular meetings, on the resourcing of the Accident and Emergency Unit including nursing numbers, other staff and related resources.

Amendment from Councillor Brock:

“1. That in Clause 1:

- (a) in line 1 the word ‘notes be deleted and replaced with ‘welcomes’;
- (b) in line 2 the words ‘and local MPs’ be added after the words ‘Citizen Newspaper’;
- (c) in line 3 the words ‘as supported by the Prime Minister’ be added after the words ‘Emergency Unit’; and
- (d) in line 3 the words ‘NHS foundation Trust (MKHFT) and the recent appointment of a full time Chief Executive’ be added after the words ‘Milton Keynes Hospital’.

2. That the words ‘and notes that details of additional nursing requirements will be presented to the MKHFT board at its March Meeting’ be added at the end of Clause 2(a).

3. That the words 'and notes that the existing provision was originally built in 1984 to care for 20,000 patients per year, but sees now 70,000 (200 patients per day)' be added at the end of Clause 2(b).
4. That the words 'and notes commissioners' support for the sustainability of the local acute provision for the long term' be added at the end of Clause 2(c).
5. That Clause 2(d) be deleted and the remaining Sub-Clauses re-lettered accordingly.
6. That in new Clause 2(d) (*original Clause 2[e]*) all words after the words 'potential damage' be deleted and replaced with the words 'that misguided scaremongering about privatisation of the NHS has to public confidence and notes that MKHFT is seeking to join with another NHS partner, Bedford Hospital'.
7. That in Clause 3(a) all words after the word 'staff' be deleted and replaced with the words 'and MKHFT's commitment to get all clinical pathways working efficiently and to maximum effect, supports the excellent partnership working to achieve that end, in addition to physical improvement in the built environment across emergency care'.
8. That in Clause 3(b) all words after the words 'newspaper campaign' be deleted and replaced with the words 'for the re-provision of accident and emergency accommodation to manage projected patient volumes and improve quality as part of the Hospital's Common Front Door project'.
9. That in Clause 3(c) all words after the word 'paramount' be deleted.
10. That in Clause 3(d) all words after the word 'Unit' be deleted and replaced with the words 'and notes that following a motion to Cabinet in April last year, both the Leader of the Council and the Chief Executive wrote to the Prime Minister and the Secretary of State for Health expressing how much Milton Keynes Hospital was valued and that the Council would wish to see these services supported and improved into the future, asking them to work to this aim'.
11. That Clause 3(e) (*new Clause 3[f] if earlier amendment accepted or approved*) be deleted and replaced with:

'notes that the Chief Executive of Milton Keynes Foundation Trust Hospital, Mr Joe Harrison, has been invited to attend the next meeting of the Health and Adult Social Care Select Committee on 23 April 2013'.

The motion, including the amendments, would read, assuming that the earlier amendments were not accepted or approved:

- "1. That this Council welcomes the launch of a campaign by the Citizen newspaper and local MPs to highlight the need for a new larger Accident and Emergency Unit, as supported by the Prime Minister, at Milton Keynes Hospital NHS foundation Trust (MKHFT) and the recent appointment of a full time Chief Executive.

2. That this Council is concerned about the:
 - (a) staff shortages at Milton Keynes Hospital highlighted by the Care Quality Commission and notes that details of additional nursing requirements will be presented to the MKHFT board at its March Meeting;
 - (b) pressures upon the hospital Accident and Emergency Unit highlighted in Parliament on 15 January 2013 and notes that the existing provision was originally built in 1984 to care for 20,000 patients per year, but sees now 70,000 (200 patients per day);
 - (c) financial constraints on the Hospital and notes commissioners' support for the sustainability of the local acute provision for the long term;
 - (d) potential damage that misguided scaremongering about privatisation of the NHS has to public confidence and notes that MKHFT is seeking to join with another NHS partner, Bedford Hospital;
 - (e) findings from the Mid Staffordshire public inquiry which highlighted that many patients were let down by a culture that put cost-cutting and target-chasing ahead of the quality of care; and
3. That this Council:
 - (a) welcomes the excellent work of Milton Keynes Hospital staff and MKHFT's commitment to get all clinical pathways working efficiently and to maximum effect, supports the excellent partnership working to achieve that end, in addition to physical improvement in the built environment across emergency care;
 - (b) supports the Citizen newspaper campaign for the re-provision of accident and emergency accommodation to manage projected patient volumes and improve quality as part of the Hospital's Common Front Door project;
 - (c) believes that the quality of care should be paramount;
 - (d) agrees to write to the Secretary of State for Health seeking extra funding for a larger Accident and Emergency Unit and notes that following a motion to Cabinet in April last year, both the Leader of the Council and the Chief Executive wrote to the Prime Minister and the Secretary of State for Health expressing how much Milton Keynes Hospital was valued and that the Council would wish to see these services supported and improved into the future, asking them to work to this aim; and
 - (e) notes that the Chief Executive of Milton Keynes Foundation Trust Hospital, Mr Joe Harrison, has been invited to attend the next meeting of the Health and Adult Social Care Select Committee on 23 April 2013."

The motion, including the amendments, would read, assuming that the earlier amendments were accepted or approved:

- “1. That this Council welcomes the launch of a campaign by the Citizen newspaper and local MPs to highlight the need for a new larger Accident and Emergency Unit, as supported by the Prime Minister, at Milton Keynes Hospital NHS foundation Trust (MKHFT) and the recent appointment of a full time Chief Executive.
2. That this Council is concerned about the:
 - (a) staff shortages at Milton Keynes Hospital highlighted by the Care Quality Commission and notes that details of additional nursing requirements will be presented to the MKHFT board at its March Meeting;
 - (b) pressures upon the hospital Accident and Emergency Unit highlighted in Parliament on 15 January 2013 and notes that the existing provision was originally built in 1984 to care for 20,000 patients per year, but sees now 70,000 (200 patients per day);
 - (c) financial constraints on the Hospital and notes commissioners’ support for the sustainability of the local acute provision for the long term;
 - (d) potential damage that misguided scaremongering about privatisation of the NHS has to public confidence and notes that MKHFT is seeking to join with another NHS partner, Bedford Hospital;
 - (e) findings from the Mid Staffordshire public inquiry which highlighted that many patients were let down by a culture that put cost-cutting and target-chasing ahead of the quality of care; and
 - (f) privatisation of the excellent NHS Direct service in Milton Keynes and its replacement with a new service based on using fewer trained medical staff; and that the new privatised contractor may reduce standards of advice given the evidence from its other contracts covering Wiltshire, Bristol and Gloucestershire, which in turn may put extra pressure on our excellent hard working GPs, Accident and Emergency Unit and Ambulance service and put patient safety at risk.
3. That this Council:
 - (a) welcomes the excellent work of Milton Keynes Hospital staff and MKHFT’s commitment to get all clinical pathways working efficiently and to maximum effect, supports the excellent partnership working to achieve that end, in addition to physical improvement in the built environment across emergency care;
 - (b) supports the Citizen newspaper campaign for the re-provision of accident and emergency accommodation to manage projected patient volumes and improve quality as part of the Hospital’s Common Front Door project;
 - (c) believes that the quality of care should be paramount;

- (d) agrees to write to the Secretary of State for Health seeking extra funding for a larger Accident and Emergency Unit and notes that following a motion to Cabinet in April last year, both the Leader of the Council and the Chief Executive wrote to the Prime Minister and the Secretary of State for Health expressing how much Milton Keynes Hospital was valued and that the Council would wish to see these services supported and improved into the future, asking them to work to this aim;
- (e) also agrees to ask both Milton Keynes MPs to write to the Secretary of State for Health expressing concern about the privatisation of NHS Direct and the potential adverse impact this may have on patient safety, GPs, the Accident and Emergency Unit and the ambulance service; and
- (f) notes that the Chief Executive of Milton Keynes Foundation Trust Hospital, Mr Joe Harrison, has been invited to attend the next meeting of the Health and Adult Social Care Select Committee on 23 April 2013.”

Item 5(b)(iii) – ‘Blacklisting’

Amendment from Councillor Bald:

“That the following additional Sub-Clause be added to Clause 2 of the motion:

- ‘(g) notes and welcomes the swift action already taken by the Head of Corporate Procurement on this matter, including the amendment of the Council’s terms and conditions of contract and other terms used, to reflect our rejection of any bidder who uses an illegal blacklist. Additionally the Council notes that all suppliers registered on the procurement e-tendering system have been sent a statement of the Council’s position and all future bidders will be advised of this as they engage with us on contracts.”

The motion, including the amendments, would read:

- “1. That this Council believes ‘Blacklisting’ is an unacceptable practice which cannot be condoned.
2. That this Council:
 - (a) notes the GMB campaign to highlight that 3,213 workers were blacklisted by construction firms and call for all of those affected to be given an unreserved apology and compensation by the firms;
 - (b) notes that in 2009 the Information Commissioners Office seized a database of 3,213 construction workers used by 44 companies to vet new recruits and keep out employment trade union and health and safety activists;
 - (c) notes that of the 3,213 workers identified on the blacklist only 194 have been informed that they appeared on the list of the people identified as featuring on the ‘blacklist’, and 20 of these were based or attempting to find work in Buckinghamshire;
 - (d) notes that some companies have admitted that they did employ a system of ‘blacklisting’ workers and have apologised, but have refused to pay any compensation to those workers affected by this;
 - (e) is of the view that the construction firms which engaged in ‘blacklisting’ should apologise to those who have been affected and denied jobs as a result of the list;
 - (f) is of the view that the Information Commissioner’s Office should inform all those who feature on the blacklist; and
 - (g) notes and welcomes the swift action already taken by the Head of Corporate Procurement on this matter, including the amendment of the Council’s terms and conditions of contract and other terms used, to reflect our rejection of any bidder who uses an illegal blacklist. Additionally the Council notes that all suppliers registered on the procurement e-tendering system have been sent a statement of the Council’s position and all future bidders will be advised of this as they engage with us on contracts.

3. That this Council resolves to:
- (a) support the GMB campaign against the blacklisting of construction workers;
 - (b) ensure that it is made clear to all construction companies bidding for Council contracts that any unlawful 'blacklisting' of workers will not be tolerated; and
 - (c) ask the Council's Assistant Director (Law and Governance) to explore how to enable the Council to not contract with companies which have engaged in 'blacklisting' and have failed to pay compensation to workers."

The Guardian, Wednesday 11 November 2009

Labour's plan for 'John Lewis' public services

Partnership model would let staff and users control schools and hospitals

Hospitals and schools would be transformed into John Lewis-style partnerships under radical plans that could form a central plank of Labour's general election manifesto.

Public sector bodies, which would also include leisure centres, housing organisations and social care providers, would be allowed to take control of their own affairs if staff and users voted in favour.

According to a senior adviser, the government wants to resuscitate some of the ways services were run before 1945 when local communities were far more involved.

News of the Labour plan comes after David Cameron delivered a speech outlining his vision of the public sector in which control of public services would be devolved to local groups and charities.

Labour's ideas raise the prospect that teachers and parents could have a direct input into the running of their schools, while nurses and patients could be involved in the way hospitals and trusts are governed, bringing a greater degree of mutualism to healthcare than is currently the case in the already notionally mutual Foundation Trust and a more ambitious format for education than the 200 Co-op schools Ed Balls is currently calling for.

As well as being a return to Labour principles, it may also help the public to come to terms with some of the difficulties of providing care at a time when the population is ageing and services are expensive.

The idea also chimes with a mood for a different model for running big organisations, part of the backlash against the culture of irresponsible risk-taking that led to the financial crisis.

Government advisers point out that successful mutuals already see a 4%-to-5% increase in their productivity – with employee-owners more prepared to whistleblow on the poor performance of staff – at a time of straitened spending on public services.

Labour strategists are anxious to make public the party's own ideas for devolving power after Cameron's speech in which he said he wanted to encourage the spirit of community by helping parents form new schools and attend police beat meetings.

Cameron also said the Tories were intent on rolling back the state to encourage community groups, cutting to the bone the services local councils provide in what is being called the "easyCouncil" model after the no-frills easyJet airline.

The proposals from both parties are likely to form a major battleground in next year's election and define the landscape of public services over the next decade.

The Tories are also considering adopting mutuals as a way of running public services. They announced last week that they want to create employee partnership models within the NHS to improve staff engagement and patient care.

Labour strategists want it known that they are also working on detailed mechanisms to pare back the role of the state, but with safeguards. A senior Labour source said: "We are not going to concede the territory of community action and the battle against inequality to the Tories – we are reclaiming the mutual tradition for Labour."

Tessa Jowell, secretary of state for the Cabinet Office, who is championing the ideas in government, said: "Public service reform has been on a long journey over 10 years. The next stage of reform has to capture the needs and wishes of those who use public services, for them to become more reactive, sensitive and empathetic. We think mutuals have a much broader potential across the public sector, especially now where they can become an expression of the new national soul post-credit crunch."

A senior official involved in drafting the manifesto said: "We have recognised the limits of both the state and markets in the light of the lessons learned from the crisis in the financial sector. We need to explore the space around voluntary and community provision and social enterprise: more bottom-up, greater devolution of power but within a clear framework of funding and guarantees for the individual citizen."

The official said this marked out "clear territory" from the Conservatives, who would not commit themselves to the funding required to stimulate a new wave of social enterprises.

The government is consulting about giving tax breaks that encourage people to set up and run social enterprises and giving them new powers to raise finance such as local bonds.

20 September 2012

Cleveland firefighters' plan to take ownership of their brigade and run it as a mutual business will receive £95,000 backing from the £10 million Mutual Support Programme, Minister for the Cabinet Office Francis Maude announced today.

The funding will provide specialist business expertise to move the plan for Britain's first 'John Lewis style' Fire Brigade a step closer to reality.

As a mutual, Cleveland Fire Brigade will be owned by its employees and will provide fire and rescue services under contract to the local fire authority. Employees will have a high degree of control in how the fire brigade is run, giving them more power over how they do their jobs and the ability to expand their services by bidding for new business. There are already 58 mutuals operating in other services such as health and social care. Evidence shows that giving employees ownership of their service boosts productivity and innovation, meaning better, more efficient public services.

Minister for the Cabinet Office, Francis Maude, said:

If a fire brigade can spin itself out as a mutual business, it shows there are few no-go areas of public service where this innovative approach to delivery cannot reach. Cleveland Fire Brigade is breaking new ground with its plan to become the first mutual fire service in the country, and we want to help them every step of the way. This £95,000 award is great news for their entrepreneurial staff who are taking this bold step, and our £10 million Mutual Support Programme was set up exactly for this reason, to support fledgling mutuals.

This is just the beginning of their journey, and I hope many others, from children's services to probation services, will be inspired to take control of the public services they know best. All the evidence shows that employees who have a stake in their business are more motivated to improve the services they run. This is good news for public sector staff, people who use the services, and the taxpayer.

Ian Hayton, Chief Fire Officer at Cleveland Fire Brigade, said:

We are extremely grateful for this vital support. As firefighters we are tremendously proud of the service we provide to our local community - and we believe by becoming a mutual we will protect and strengthen our ability to keep our community safe. We already use the additional income coming through our social enterprise arm to improve levels of community safety for our local population, and as our plans develop over the next 12-18 months we will continue to drive our service from strength to strength.

Cleveland Fire Brigade was referred to the Mutual Support Programme via the Mutuals Information Service, a dedicated Government hotline which helps developing mutuals overcome barriers to growth.

Employees at Cleveland Fire Brigade have already shown their entrepreneurial drive by setting up a social enterprise which provides fire prevention services to businesses and uses the profits to fund fire prevention

work in the community. This has helped contribute to the number of fires in Cleveland falling well below the national average. The social enterprise was further boosted recently by winning a major contract to provide 24-hour emergency cover for INEOS Nitriles, one of Europe's largest industrial manufacturers of plastics, at the company's Seal Sands site. Cleveland is considering spinning out all its in-house services, including the social enterprise arm, into a new mutual.

14 February 2013

Rebuttal Ministers respond to false alarm of fire service 'privatisation'

Fire Minister and Minister for the Cabinet Office say attempts to characterise employee-led mutualisation as privatisation are wrong.

Fire Minister Brandon Lewis has responded to claims that the government is considering the privatisation of the fire service stating it is "entirely untrue". The government is actually working to support local mutuals and co-operatives.

The government is working to support local fire and rescue authorities that want to find new and innovative ways of delivering their service, including removing barriers for employee-led mutuals. The decision to mutualise will always be made by individual fire authorities. This is part of a wider government efforts to support mutuals and co-operatives delivering public services.

Cleveland Fire and Rescue Authority have said they are about to start talking directly to staff and unions about the possibility of becoming a mutual. This is not about privatisation, but rather operating in a way that ensures the public are protected by robust and efficient services.

Local authorities will remain statutorily responsible for fire and rescue services even with mutualisation, and will remain accountable to local councillors.

Fire Minister Brandon Lewis said:

"Any attempt to characterise local plans for an employee-led mutual as privatisation are completely misleading. Public safety is always our first concern and we continue to work with fire and rescue authorities to ensure they provide the most efficient and effective frontline fire service there can be.

"Fire and rescue authorities will remain statutorily responsible for this public service and to suggest otherwise is completely wrong. The government does support co-operatives and employee ownership. We are keen to work with local authorities and their staff wanting to explore the scope for employee-led mutuals where there is local support and backing."

Francis Maude, Minister for the Cabinet Office, added:

"Mutuals end the old binary choice between state and privately run public services. This is about frontline staff taking control and having power to do their jobs how they know is best. Across the public sector thousands of employees are forming mutuals and taking control because they're fed up with the wasteful bureaucracy imposed on them by the state and know they can do better. Cleveland Fire Brigade is exploring plans motivated entirely by their determination to protect and grow services for local people."