

Executive Committee

Tue 20 Nov
2012
7.00 pm

Committee Room 2
Town Hall
Redditch



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Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

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Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.



Executive

20th November 2012

7.00 pm

Committee

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs: Bill Hartnett (Chair) Phil Mould
 Greg Chance (Vice-Chair) Mark Shurmer
 Rebecca Blake Luke Stephens
 Michael Braley Debbie Taylor
 Carole Gandy

<p>1. Apologies</p>	<p>To receive the apologies of any Member who is unable to attend this meeting.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<p>3. Leader's Announcements</p>	<p>1. To give notice of any items for future meetings or for the Forward Plan, including any scheduled for this meeting, but now carried forward or deleted; and</p> <p>2 any other relevant announcements.</p> <p>(Oral report)</p>
<p>4. Minutes (Pages 1 - 6) Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Executive Committee held on</p> <p>(Minutes attached)</p>
<p>5. Sickness Absence Policy Policy and Disciplinary Policy - Review (Pages 7 - 36) Head of Finance and Resources</p>	<p>To seek approval of the revisions to the Sickness Absence Policy and Disciplinary Policy.</p> <p>(Report attached)</p> <p>(Extract of the minutes of the meeting and report of the Overview and Scrutiny Committee - 6th November 2012 attached)</p> <p>(No Direct Ward Relevance);</p>
<p>6. Access to Information Rules - Review (Pages 37 - 54) Head of Legal, Equalities and Democratic Services</p>	<p>To consider and approve a review of the Access to Information Rules for the Executive Committee.</p> <p>(Report attached)</p> <p>(No Direct Ward Relevance);</p>

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<p>7. Quarterly Customer Service Monitoring - Quarter 2 - July to November 2012</p> <p>(Pages 55 - 70)</p> <p>Head of Customer Services</p>	<p>To consider a report which provides and update on Customer Services.</p> <p>(Report attached)</p> <p>(No Direct Ward Relevance);</p>
<p>8. Quarterly Budget Monitoring - Quarter 2 - July to September 2012</p> <p>(Pages 71 - 78)</p> <p>Head of Finance and Resources</p>	<p>To provide Members with an overview of the budget, including the achievement of approved savings as at the end of Quarter 2, 2012/13.</p> <p>(Report attached)</p> <p>All Wards;</p>
<p>9. Quarterly Monitoring - Write Off of Debts - Quarter 2 - July to September 2012</p> <p>(Pages 79 - 86)</p> <p>Head of Finance and Resources</p>	<p>To consider the action taken by Officers with respect to the write off of debts during the second quarter of 2012/13 and to note the profile of outstanding debt.</p> <p>(Report attached)</p> <p>(No Direct Ward Relevance);</p>
<p>10. Overview and Scrutiny Committee</p> <p>(Pages 87 - 96)</p> <p>Chief Executive</p>	<p>To receive the minutes of the meeting of the Overview and Scrutiny Committee held on 9th October 2012.</p> <p>There are recommendations to consider.</p> <p>(Minutes attached)</p>
<p>11. Shared Services Board</p> <p>(Pages 97 - 100)</p>	<p>To receive the minutes of the meeting of the Shared Services Board held on 12th July 2012.</p> <p>(Minutes attached)</p>
<p>12. Worcestershire Shared Services Joint Committee</p> <p>(Pages 101 - 106)</p>	<p>To receive and consider the minutes of the most recent meeting of Worcestershire Shared Service Joint Committee.</p> <p>(Minutes attached)</p>

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<p>13. Minutes / Referrals - Overview and Scrutiny Committee, Executive Panels etc.</p> <p>Chief Executive</p>	<p>To receive and consider any outstanding minutes or referrals from the Overview and Scrutiny Committee, Executive Panels etc. since the last meeting of the Executive Committee, other than as detailed in the items above.</p>
<p>14. Advisory Panels - update report</p> <p>(Pages 107 - 110)</p> <p>Chief Executive</p>	<p>To consider, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels and similar bodies, which report via the Executive Committee.</p>
<p>15. Action Monitoring</p> <p>(Pages 111 - 112)</p> <p>Chief Executive</p>	<p>To consider an update on the actions arising from previous meetings of the Committee.</p>
<p>16. Exclusion of the Public</p>	<p>Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:</p> <p>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (<i>to be specified</i>) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</p> <p>These paragraphs are as follows:</p> <p>Subject to the “public interest” test, information relating to:</p> <ul style="list-style-type: none">● Para 1 – <u>any individual</u>;● Para 2 – the <u>identity of any individual</u>;● Para 3 – <u>financial or business affairs</u>;● Para 4 – <u>labour relations matters</u>;

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	<ul style="list-style-type: none">• Para 5 – <u>legal professional privilege</u>;• Para 6 – <u>a notice, order or direction</u>;• Para 7 – the <u>prevention, investigation or prosecution of crime</u>; <p>may need to be considered as ‘exempt’.</p>
17. Confidential Minutes / Referrals (if any)	To consider confidential matters not dealt with earlier in the evening and not separately listed below (if any).



Executive Committee

16th October 2012

MINUTES

Present:

Councillor Bill Hartnett (Chair), Councillor Greg Chance (Vice-Chair) and Councillors Michael Braley, Carole Gandy, Phil Mould, Mark Shurmer, Luke Stephens and Debbie Taylor

Also Present:

Councillor Andrew Brazier

Officers:

E Baker, T Beech, R Griffin, E Greenfield, S Hanley, J Pickering, D Poole, K Stokes and J Willis

Committee Services Officer:

D Sunman

78. APOLOGIES

There were no apologies for absence.

79. DECLARATIONS OF INTEREST

There were no declarations of interest.

80. LEADER'S ANNOUNCEMENTS

The Leader advised that the following items of business, scheduled on the Executive Work Programme to be dealt with at this meeting, had been rescheduled to a later meeting of the Committee:

- Sickness Policy - Review; and
- Concessionary Rents Policy.

He also advised that he had received the following items as Urgent Business:

- Item 8 – Dial a Ride Extended Services – Feasibility Report

.....
Chair

(Not meeting the publication deadline owing to the need for the report to be agreed by the Overview and Scrutiny Committee prior to its submission to the Executive Committee.)

- Item 9 – Localism Act: Community Right to Bid – Assets of Community Value
- Item 16 – Proposed Revised Arrangements for Performance Reporting

(Not on the Executive Work Programme for this meeting.)

81. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 18th September 2012 be confirmed as a correct record and signed by the Chair.

82. LOCAL DEVELOPMENT SCHEME

The Committee received a report, which detailed the timescales within the Local Development Scheme (LDS) No 5 for the production of Development Plans.

Officers reported that the LDS No 4 set out what plans would be produced including timescales for their production for the period July 2010 to February 2014.

Members were informed that LDS No 5 had been produced to update these timescales.

RECOMMENDED that

the timescales within the Local Development Scheme No 5, attached at Appendix A to the report, be agreed and published.

83. FIELDS IN TRUST - QUEEN ELIZABETH II DEDICATION

Members considered a report on the Fields in Trust (FIT) programme to dedicate, as part of Queen Elizabeth II Diamond Jubilee celebrations, key open spaces / playing fields in the Borough as follows:

- a) Batchley Pond;
- b) Greenlands;
- c) Headless Cross Green; and
- d) Overdale Park.

Officers reported that dedication of the sites would enable them to be protected as local outdoor spaces, specifically for use as playing fields for sport, play and recreation as well as contributing to the overall legacy of Jubilee celebrations. A dedication plate and notice board would be installed at each site.

Officers were requested to review and confirm the boundaries for the scheme at Headless Cross Green and amend the site plan accordingly.

Members were informed that further sites could be included in future FIT programmes.

RESOLVED, subject to the review of the site plan of Headless Cross Green, that

- 1) approval be granted for the four sites, listed in the preamble above, to be formally dedicated for use as playing fields by way of a Covenant / Deed of Dedication under the Fields in Trust programme.**
- 2) authority be delegated to the Heads of Leisure and Cultural Services and Legal, Equalities and Democratic Services to take the necessary steps to finalise the agreement with FIT in relation to the four sites and complete the Deeds of Dedication.**

84. CONCESSIONARY FARES - PRE 9.30AM

The Committee received a report regarding the implementation of pre-9.30 concessionary bus travel to those Redditch residents eligible for a concessionary bus pass.

A member of the Committee presented a written list of questions about issues regarding Value for Money (VFM), Accountability and Equality advising that answers were not expected at this meeting but would be made available to members of the Executive Committee before the next meeting of full Council.

Another member of the Committee expressed concern that the amount set aside to implement the scheme might not be enough to cover all costs and that some areas might not have a bus service.

RESOLVED that

- 1) delegated authority be given to the Head of Community Services and the Head of Legal, Equalities and Democratic Services to agree with the bus operators the detailed arrangements necessary to implement a pre-**

09.30 concessionary bus travel scheme; and

- 2) **to enter into a legal agreement with the bus operators to reflect those arrangements.**

85. DIAL A RIDE EXTENDED SERVICE - FEASIBILITY STUDY

The Committee received a report on a feasibility study for an extended Dial a Ride service to include transporting young people to local events and festivals and making the vehicles available for hire out of hours to other groups with transport needs.

The Overview & Scrutiny Committee considered the report at its meeting on 9th October 2012 and made the following recommendations to the Executive Committee:

- 1) the Dial-a-Ride scheme operated under a permit issued under section 19 of the Transport Act 1985, be extended to include making the Dial-a-Ride vehicles available to those community organisations registered with the Council for use during evenings and weekends;
- 2) that the charging schedule, as set out in Appendix 1 or the report, be adopted; and
- 3) that the scheme is based on the examples presented in appendix 2 of the report; and
- 4) subject to the extended Dial a Ride scheme being approved, the Overview and Scrutiny Committee receive a monitoring update report on the subject 12 months after the scheme's introduction.

RESOLVED that

the recommendations of the Overview and Scrutiny Committee, as listed in the preamble above, be approved.

86. LOCALISM ACT : COMMUNITY RIGHT TO BID - ASSETS OF COMMUNITY VALUE

The Committee received a report which outlined the provisions relating to the 'Community Right to Bid' and the implications for the Council resulting from the requirement to hold a 'List of Assets of Community Value'. Officers reported that these requirements came into force on 21st September 2012.

Members were asked to note amendments to the report as follows:

Para 3.22: The provisions indicate that the review is to be undertaken by a ~~Senior Officer~~ **the Head of Planning & Regeneration.....**

Para 3.23: It is proposed that the Executive Director Planning and Regeneration undertakes the review in ~~consultation with the Leader.~~

Para 3.25: It is proposed that Officers assess the compensation claims and decisions on eligible costs and levels of compensation are made by the ~~Executive Director Finance and Resources in liaison with the Head of Planning and Regeneration~~ **the Executive Director (Planning, Regeneration, Regulatory and Housing Services).**

Officers confirmed that land as well as buildings could be listed as Assets of Community Value.

RESOLVED that

- 1) **the process for compiling the 'list of assets of community value' be approved;**
- 2) **the process for the internal review of the listing decisions be approved;**
- 3) **the proposal that compensation decisions be undertaken by the Executive Director of Finance and Resources in liaison with the Head of Planning & Regeneration; and**

RECOMMENDED that

- 4) **delegation to the 151 Officer to make provision in the Medium Term Financial Plan for compensation sums (£20,000) be approved.**

87. OVERVIEW AND SCRUTINY COMMITTEE

The minutes of the meeting of the Overview and Scrutiny Committee held on 11th September 2012 were considered by the Committee

RESOLVED that

The minutes of the Overview and Scrutiny Committee held on 11th September 2012 be received and noted.

88. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.

There were no minutes or referrals to consider under this item.

89. ADVISORY PANELS - UPDATE REPORT

The Committee received the most recent report on the activity of the Council's Advisory Panels and similar bodies.

RESOLVED

that the report be noted.

90. ACTION MONITORING

The Committee received the latest Action Monitoring report.

RESOLVED that

the report be noted.

91. PROPOSED REVISED ARRANGEMENTS FOR PERFORMANCE REPORTING

Members received a presentation which contained details about the Council's new Performance Management Framework that would be required following a change of focus from performance indicators to local measures created through system thinking interventions.

Officers reported that new style performance reports would be operational from April 2013.

The presentation was received and noted.

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20th November 2012

SICKNESS ABSENCE POLICY & DISCIPLINARY POLICY REVIEW

Relevant Portfolio Holder	Councillor Phil Mould – Portfolio Holder for Corporate Management
Relevant Head of Service	Teresa Kristunas, Head of Finance and Resources
Wards Affected	None
Ward Councillors consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To seek the Committee's approval of the revisions to the Sickness Absence Policy and Disciplinary Policy that have been developed and provisionally agreed by the Corporate Management Team (CMT) and Trade Union Representatives.

2. RECOMMENDATIONS

The Committee is asked to RECOMMEND that

- a) **the revisions to the Sickness Absence Policy and Disciplinary Policy attached to the report at Appendix 1 and 2, and detailed at 3.7 and 3.9 be approved and adopted;**
- b) **the additional procedural guidance proposed for inclusion in the Sickness Absence Policy as detailed in the report at 3.8 be noted; and**
- c) **authority be delegated to the Head of Legal & Democratic Services to make the necessary changes to the scheme of delegations required to implement the proposed changes.**

3. KEY ISSUES

- 3.1 Human Resources and Organisational Development is in the process of reviewing policies in order to establish a consistent approach across the service. As part of this process it is proposed that revisions are made to both the Sickness Absence Policy and the Disciplinary Policy.
- 3.2 This report includes details of the proposed procedural changes primarily focused on the Sickness Absence Policy. However these proposals have also necessitated a concurrent review of the Disciplinary Policy.

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- 3.3 The proposed changes to the Sickness Absence Policy are aimed at supporting employees experiencing absence due to sickness, and Managers in the effective handling of both short-term and long-term absences. The recognised Trade Unions have had the opportunity to comment on the proposals as part of the development process.
- 3.4 The majority of employees will at some point during their employment with the Council be unable to attend work due to sickness. This type of occasional absence may be considered as practically inevitable and employees are not encouraged to attend work if they are not fit to do so. However, it is important that individuals, together with their Line Managers, understand what is expected of them during any period of absence and also what the process will be in supporting a return to work, together with the potential consequences of unacceptable levels of absence.
- 3.5 The Council's sickness absence policy, incorporating the changes proposed in this report, should above all be regarded as a supportive policy, recognising the importance of and promoting wellbeing amongst Council employees. It must also act as a tool for Line Managers to address issues and concerns they have in relation to absence in a fair and transparent way.
- 3.6 The proposed changes, whilst giving clarity to employees on the support available to them, also provide a more robust framework for Managers to manage sickness absence effectively within their teams.
- 3.7 **Key changes to the existing Sickness Absence Policy:**
- a) Procedural changes, as detailed in Appendix 1, including the introduction of a staged process for the management of long-term absence, providing clearer, more consistent timescales.
 - b) The removal of target setting for the management of short-term absence, instead establishing tolerance levels on a case-by-case basis.
 - c) Heads of Service able to dismiss at Stage 4, with any subsequent appeals against dismissal continuing to be heard by a Member panel.
- 3.8 Additional procedural guidance to be included:
- a) As part of the long-term absence process, Line Managers are to ensure that the employee is aware of how to access the Employee Assistance Programme (EAP) and the benefits of doing so.

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- b) Additional guidance concerning information provision as part of review meetings for long-term absence, including departmental and organisational updates.
- c) Introduction of vacancy notifications for those on long-term sickness, with consideration given to what appropriate redeployment options may exist at Stages 1, 2 and 3 as a precursor to consideration at Stage 4.
- d) Guidance concerning the exploration of suitable alternative vacant roles which may assist in the employee's return to work.
- e) Doctor's notes should be sent to Line Managers allowing them to monitor the reason and duration of the absence, enabling more appropriate case handling.
- f) Inclusion of guidelines for Line Managers to undertake risk assessments for all disabled employees and to undertake ongoing reviews.
- g) Development of guidance for Line Managers in how to support employees diagnosed with cancer, as well as how to support their colleagues.

3.9 Key changes to the existing Disciplinary Policy:

- a) Heads of Service to have the authority to suspend employees, with guidance from Human Resources, and where there is clear justification.
- b) Heads of Service to act as Hearing Officer with the authority to give sanctions up to and including dismissal.
- c) Executive Directors to hear appeals against sanctions up to and including final written warning.
- d) All appeals against dismissal to be heard by a Member panel, in line with the Sickness Absence Policy.

3.10 Should the proposals detailed within this report be approved, Officers will then incorporate these changes into revised policies ready for adoption.

3.11 Human Resources are developing a programme of briefing sessions relating to employment policies and procedures. These changes will be incorporated into these sessions to ensure staff awareness.

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Financial Implications

- 3.12 None as a direct result of this report. However, there is the potential for sickness absence cases to be resolved more efficiently leading to potential savings in respect of sickness scheme and staff cover costs.

Legal Implications

- 3.13 All proposed changes to employee related policies have been developed in conjunction with Union representatives in accordance with employment legislation. In addition Officers have considered the following in developing the proposals:

- a) Working Time Regulation 2007.
- b) National agreement on pay and conditions of service for Local Government Services.
- c) Employment Rights Act 1996.
- d) Employment Relations Act 2004.
- e) Trade Union and Labour Relations (consolidation) Act 1992.
- f) Equality Act 2010

Service / Operational Implications

- 3.14 The proposed revised policy has been discussed with Union representatives.

Customer / Equalities and Diversity Implications

- 3.15 Assessments have been made across all proposed policies to identify any equality issues. These have been discussed with the Union representatives and further analysis of impact has been undertaken where required.

4. RISK MANAGEMENT

The proposals reflect the changes required to ensure a consistent approach to employee related matters.

5. APPENDICES

Appendix 1 – Sickness Policy Review – Comparison of changes.
Appendix 2 – Disciplinary Policy Review – Comparison of changes.

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COMMITTEE**

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6. **BACKGROUND PAPERS**

N/A

AUTHOR OF REPORT

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APPENDIX 1 - SICKNESS ABSENCE POLICY REVIEW - COMPARISON BETWEEN CURRENT AND PROPOSED

SHORT TERM SICKNESS

	REDDITCH BOROUGH COUNCIL	PROPOSED
TRIGGER POINTS	3 occasions in a 12 months period or 7 working days during a 12 month period.	3 or more separate absences or a continuous absence of 6 days or more within a 12 month rolling period.
NUMBER OF STAGES	5 Stages	4 Stages Employees have the right to be accompanied by either a Trade Union representative or work colleague at all formal stages.
STAGE 1	Returning To Work Discussion No Targets Set No review period given	Sickness Absence Meeting Reasons for absence discussed. Occupational Health support where appropriate. Tolerance levels agreed. 3 month review period set.
STAGE 2	Welfare And Attendance Review Set Targets No review period given	Sickness Absence Review Meeting - (after 3 month review period or sooner if tolerance levels exceeded) Reasons for ongoing poor attendance discussed. Further tolerance levels agreed. Occupational Health support. 3 month review period set.

<p>STAGE 3</p>	<p>Formal Absence Review If there are 2 more absences in the following 3 months after stage 2, or more than 3 working days lost then the issue should be referred to the Service manager for a Formal Review Set Targets Review period of no more than 3 months from this meeting</p>	<p>Final Sickness Absence Review Meeting - (after 3 month review period or sooner if tolerance levels exceeded) Further tolerance levels agreed. 3 month review period set. Employee advised that next stage is hearing which may result in formal action up to and including dismissal. Following review or sooner if tolerances exceeded move to Stage 4 Hearing.</p>
<p>STAGE 4</p>	<p>Final Review This is when the Hearing takes place and dismissal is considered. Only a Director can make a decision on dismissal</p>	<p>Case Review Hearing Manager presents case. Employee presents views/response. Head of Service hears case and considers options. Head of Service may dismiss employee.*(See note)</p>
<p>STAGE 5</p>	<p>Dismissal Decision</p>	
<p>APPEALS</p>	<p>The employee will have the right to appeal against their dismissal in accordance with the Appeals procedure outlined in the council's Disciplinary Procedure.</p>	<p>Right of Appeal at Stage 4 which will be heard by a Member panel.*(See note)</p>

LONG TERM SICKNESS

	REDDITCH BOROUGH COUNCIL	PROPOSED
TRIGGER POINTS	If employee is absent for a month and there is no likelihood of return then the manager needs to complete occupational health referral form and notify the employee of this.	After 2 weeks of absence – manager contacts employee for a welfare chat and arranges a Stage 1 meeting for the 4 th week of absence. This may be a home visit, where agreed and appropriate, or at a suitable venue.
NUMBER OF STAGES	No set stages in place in this policy	4 Stages
STAGE 1	Maintaining Contact and Wait and See.	Welfare and Review Meeting - (Week 4) Discuss absence and prognosis. Update on work as appropriate. Referral to occupational health or other suitable support service.
STAGE 2	Maintaining Contact and Wait and See	Sickness Absence Review Meeting - (begin Week 8 – 10) One or several review meetings to review situation in accordance with occupational health guidance/other medical reports. Timescales for meetings should be every 4-6 weeks as a minimum.

STAGE 3	Maintaining Contact and Wait and See	Final Sickness Absence Review Meeting - (Week 12 onwards as appropriate) Review ongoing absence. Must seek and consider medical advice. Discuss redeployment options. Is continued employment feasible? Consider referral to Stage 4 Hearing. Advise employee that next stage may result in dismissal.
STAGE 4	Hearing Led by the director and who can make the decision to dismiss.	Long-term Sickness Case Hearing Case presented by Manager. Employee presents views/response. Occupational Health in attendance, with the provision of medical reports. Head of Service hears case and considers options. Head of Service may dismiss employee.*(See note)
APPEALS	The employee has the right to appeal against their dismissal in accordance with the Appeals procedure outlined in the council's Disciplinary Procedure	Right of Appeal at Stage 4 which will be heard by a Member panel.*(See note)

*Where the employee being managed through the Sickness Absence Policy is at Head of Service level or above, the procedure for hearings and appeals will apply as detailed in the Conditions of Service for JNC Chief Officers. Namely a Designated Independent Person will investigate and make recommendations, a politically-balanced Member Investigating and Disciplinary Committee will hear the case and a further Member Appeals Committee will hear any resulting appeals. Where appropriate, a recommendation to dismiss will be referred to the Council for a final decision.

APPENDIX 2 - Disciplinary Policy Review

The disciplinary policy applies to staff below Head of Service level on NJC terms and conditions. The procedure for Heads of Service and above is as detailed in the JNC terms and conditions of service.

	Current RBC	Proposed
Suspension	<p>Suspension may take place: Where an allegation could constitute gross misconduct; where relationships have broken down or where it is considered that there are risks to the councils property or responsibilities to other parties Only Directors have the authority to suspend staff.</p>	<p>Suspending Officer: Head of Service, or in their absence, Executive Director. Employee notified in writing.</p> <p>It is proposed that suspension is agreed by Head of Service or their designated officer based on where an allegation could constitute gross misconduct; where relationships have broken down or where it is considered that there are risks to the Council's property or responsibilities to other parties.</p>
Investigation	<p>Investigation: carried out by Director/alternative manager who are appropriately trained Line manager should be investigating manager (time off normal duties to carry out investigation)</p>	<p>Investigation Officer to be appointed by Hearing Officer.</p> <p>Investigating Officer to be from a different service area to the Hearing Officer and the individual being investigated.</p>
Hearing Officer	<p>Head of Service or, in the instance of gross misconduct, where dismissal is a potential outcome, an Executive Director.</p>	<p>Head of Service</p>
Actions/Sanctions	<p>Informal action: Head of Service/Directors can issue an informal oral warning</p>	<p>Informal Warning: This should be given by Line Manager and documented but not held on personnel file.</p>

	Oral Warning – held on file for 6 months	Verbal Warning: held on file for 6 months
	Written warning – 12 months	Written Warning: held on file for 12 months
	Final written warning – 24 months	Final Written Warning: held on file for a minimum of 12 months (in exceptional circumstances can be extended up to a maximum of 24 months)
	Demotions/loss of seniority – permanent (file record disregarded after 12 months) Loss in increment/suspension without pay – 12 months	Sanction short of dismissal: Permanent demotion/loss of seniority. Guidance on consideration of sanction to be included in revised policy. For disciplinary purposes record to be held on file for 12 months, with option of up to 24 months
	Dismissal	Dismissal
Appeals	Appeals to be heard by panel of elected members for all sanctions.	Appeal Hearing Officer for sanctions up to and including final written warning: Executive Director Appeals against dismissal heard by panel of elected Members.



Overview and Scrutiny Committee

Tuesday, 6th November, 2012

MINUTES

Present:

Councillor Simon Chalk (Vice Chair in the Chair) and Councillors David Bush, John Fisher, Andrew Fry, Roger Hill, Gay Hopkins, Yvonne Smith Pat Witherspoon.

Also Present:

Councillor Debbie Taylor
Ms T Buckley and Mr R Colebrook (co-opted members from Unison).

Officers:

T Beech, H Broughton, C Felton, D Poole, G Revans, I Roberts, J Staniland, M Stanley and J Willis.

Democratic Services Officers:

J Bayley and M Craggs

MINUTE 99

SICKNESS POLICY PRE-SCRUTINY SHORT, SHARP REVIEW

The Committee received the final report of the Sickness Policy Pre-Scrutiny Short, Sharp Review Group, which was presented by the members of the group; Councillors Fisher and Witherspoon.

The Committee was advised that the group had not been permitted to access the new Sickness Absence Policy proposed by Officers during their review. The Councillors had been prevented from scrutinising the report because, in accordance with the Council's constitution, Overview and Scrutiny Members were not entitled to access reports in a draft form. Members were advised that the report from Officers was not due to be finalised until Monday 12th November.

During the course of the review the group had, however, received evidence from a wide range of sources. An overview had been provided about the changes that Officers were proposing to the Council's Sickness Absence Policy. The content of the Council's existing Sickness Absence

.....
Chair

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Policy had also been considered alongside policies adopted by other local authorities. A number of expert witnesses had been interviewed during the review including: representatives of the Council's Finance department; representatives of Human Resources; the Portfolio Holder for Corporate Management, Councillor Mould; and union representatives from UCATT and Unison.

The Committee's co-opted members, from the union Unison, welcomed the review and noted that the group's recommendations reflected a common sense approach to managing staff absences due to sickness. Members were advised that Redditch Borough Council had a good track record in managing sickness absences. However, the review was considered to be timely, following the introduction of service transformation and shared services. In particular, it was suggested that the review would help managers to support staff absent due to stress related illnesses.

During the course of the group's interviews with union representatives the subject of a staff survey had been discussed. Members had recognised the potential value of the survey. However, the group had concluded that further work needed to be undertaken to review the potential uses of a survey.

The content of the proposed A5 laminated guide to the Sickness Absence Policy was discussed in detail. The group explained that the aim of this recommendation would be to ensure that employees were provided with simple guidance notes that could be referred to in the event of unexpected sickness. A simple guide was considered to be of more practical assistance to staff in these circumstances than reference to a lengthier policy document. To reassure staff that the guide was intended to be a practical tool it was suggested that consideration should be given as to the most appropriate method to use to communicate the introduction of the guide to staff.

RECOMMENDED that

- 1) the Council's Sickness Absence Policy should be updated and reduced in length, in order to clarify the structure and process for managing both short-term and long-term sickness absences;**
- 2) the terminology used in the policy be sensitive to the needs of staff experiencing sickness;**
- 3) an A5 laminated guide to the Council's Sickness Absence Policy should be provided for the use of managers and staff;**

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- 4) all changes to the Council's Sickness Absence Policy should be communicated to managers and staff;
- 5) the Sickness Absence Policy should be included in the induction process for new staff and managers employed by the Council;
 - a) staff and managers should also receive regular refresher training;
- 6) the Sickness Absence Policy should be applied consistently to staff across all service areas, but managers should be encouraged, recognising individual circumstances and different working environments to apply the policy appropriately;
- 7) the occupational health service available to staff experiencing sickness should be reviewed;
- 8) communication should form an integral part of the transformation process to ensure that staff understand the reasons for changes made to services as part of the transformation process and how transformation may impact on them; and

RESOLVED that

the report be noted.

The Meeting commenced at 7.00 pm
and closed at 9.10 pm

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**SICKNESS POLICY PRE-SCRUTINY SHORT, SHARP REVIEW GROUP – FINAL
REPORT**

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management.
Portfolio Holder Consulted	Yes, the Portfolio Holder was interviewed by the group.
Relevant Head of Service	Teresa Kristunas, Head of Finance and Resources.
Ward(s) Affected	No specific ward relevance.
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report contains a summary of the Sickness Policy Pre-Scrutiny Short, Sharp Review Group's work. The report should be considered alongside the Sickness Absence Policy Review produced by Officers for the consideration of Members.
- 1.2 **The group was not permitted to view the content of the Sickness Absence Policy Review because, in accordance with the Council's constitution the Overview and Scrutiny Committee is not entitled to access any document that is in a draft form.** However, Members did receive an overview outlining the proposals that were due to be made by Officers on the subject.

2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** that

- 1) **the Council's Sickness Absence Policy should be updated and reduced in length, in order to clarify the structure and process for managing both short-term and long-term sickness absences;**
- 2) **the terminology used in the policy be sensitive to the needs of staff experiencing sickness;**
- 3) **an A5 laminated guide to the Council's Sickness Absence Policy should be provided for the use of managers and staff;**
- 4) **all changes to the Council's Sickness Absence Policy should be communicated to managers and staff;**
- 5) **the Sickness Absence Policy should be included in the induction process for new staff and managers employed by the Council;**
 - a) **staff and managers should also receive regular refresher training;**

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- 6) **the Sickness Absence Policy should be applied consistently to staff across all service areas, but managers should be encouraged, recognising individual circumstances and different working environments to apply the policy appropriately;**
- 7) **the occupational health service available to staff experiencing sickness should be reviewed; and**
- 8) **communication should form an integral part of the transformation process to ensure that staff understand the reasons for changes made to services as part of the transformation process and how transformation may impact on them; and**

RESOLVE that

the report be noted.

3. KEY ISSUES

Background

- 3.1 The Sickness Policy Pre-Scrutiny Short, Sharp Review was launched by the Overview and Scrutiny Committee in July 2012. Two elected Members, Councillors John Fisher and Pat Witherspoon, were appointed to complete the review on behalf of the Committee.
- 3.2 The review was launched by the Overview and Scrutiny Committee as a pre decision scrutiny exercise. For pre-decision scrutiny exercises Members focus on reports that are due to be considered by the Executive Committee at a later date. Scrutiny recommendations are designed to assist the Executive Committee when making decisions about the subject. The Short, Sharp Review approach to pre-scrutinising this subject was selected to ensure that Scrutiny Members could base their recommendations on evidence based research.
- 3.3 The group gathered evidence from a variety of sources at six separate meetings. This included scrutinising the contents of the Council's existing Sickness Absence Policy. Information about the changes to the policy that had been proposed by Officers to the policy and the reasons for these changes was also considered during interviews with relevant Officers.
- 3.4 The group agreed that in order to review the subject effectively it was important to consider relevant practices and procedures followed by comparable local authorities. As part of this process the content of the sickness absence policies for the following local authorities were considered by the group: Boston Borough Council, Bromsgrove District Council, Oadby and Wigston Borough Council and Rugby Borough Council.

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- 3.5 Staff payments during periods of sickness absence were discussed during the review. Members discovered that some local authorities did not pay staff during the first few days of sickness absence. Members were concerned about the impact that this approach to managing sickness absence might have on staff morale and service delivery. For this reason the group concluded that a similar approach would not be suitable at Redditch Borough Council at this stage.
- 3.6 The group was aware that a number of staff employed by Redditch Borough Council are members of a trade union. Interviews were therefore held with representatives of both Unison and UCATT as part of the review process. The group also invited representatives of the GMB union to submit evidence for consideration as part of the review. Unfortunately no feedback had been received by the time of writing.
- 3.7 All of the evidence that was received during the review, both in a written form and verbally during interviews, helped to inform the group's final recommendations.
- 3.8 **However, the group was not able to access a copy of the Sickness Absence Policy that is in the process of being produced by Officers. Members were unable to review the policy because, in accordance with the Council's constitution, the Overview and Scrutiny Committee and by extension scrutiny groups are not entitled to access any documents that are in draft form.** The policy is not due to be finalised until Monday 12th November, six days after the Overview and Scrutiny Committee meeting in November.

Recommendations

Recommendation 1: We RECOMMEND that the Council's Sickness Absence Policy should be updated and reduced in length, in order to clarify the structure and process for managing both short-term and long-term sickness absences

- 3.9 During the course of the review the group considered the contents of the Council's current Sickness Absence Policy. The document had been produced using plain language and was separated into clear sections. The policy had previously been reviewed in 2010 and was scheduled for further review in November 2012.
- 3.10 Contained within the policy were guidelines for managers and staff regarding the appropriate procedure for reporting and managing sickness absences. A number of clear stages had been developed to manage short-term absences. However, no clear stages had been developed for managing long-term sickness absences. Instead, managers and staff had been provided with greater flexibility to manage long-term sickness in a variety of ways depending on the circumstances.

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- 3.11 Members learned during the course of the review that Officers were keen to include a staged process to manage both long-term and short-term sickness absences. Furthermore, expert witnesses interviewed by the group were not opposed to this proposal. Indeed, Members concluded that the use of staged approaches to manage both short-term and long-term sickness absences would add clarity to the process.
- 3.12 The various sickness absence policies at other local authorities that were considered by the group contained a mixture of processes for managing staff absences due to sickness (please view Appendix 1 for further information). The length of these policies varied from eight pages to 68 pages, which compared to 12 pages for the Council's current Sickness Absence Policy.
- 3.13 Whilst Members recognise the need to include information that will address legal requirements the group agreed that realistically both staff and managers were less likely to read and become familiar with the content of the Sickness Absence Policy if it was lengthy. For this reason, Members are proposing that the length of the Council's updated Sickness Absence Policy should be as short as possible.

Recommendation 2: We RECOMMEND that the terminology used in the policy being sensitive to the needs of staff experiencing sickness

- 3.14 Overview and Scrutiny Members do not have the right to access Executive Committee reports in draft form at Redditch Borough Council. For this reason the group had not had a chance to consider the Sickness Absence Policy Review prior to this meeting, though Members had received an overview of some of the changes that were being proposed to the policy.
- 3.15 However, during the review concerns were expressed by some expert witnesses that the terminology utilised in the current policy could be intimidating and cause some staff anxiety about the impact of their absence due to sickness on their career. For example, staff who were absent over a short period due to ill health might feel anxious about a formal requirement to attend a Return to Work Interview when presenting at work. To address these concerns Members concluded that appropriate language and terminology, sensitive to the needs of staff absent due to sickness, should be utilised in the policy to help reassure staff.

Recommendation 3: We RECOMMEND that an A5 laminated guide to the Council's Sickness Absence Policy should be provided for the use of managers and staff.

- 3.16 A key consideration during the review was the need for staff and managers to understand the basic process involved in managing staff absences due to sickness. In particular, employees and managers needed to understand their

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respective responsibilities in order to manage sickness absence consistently and fairly.

- 3.17 The group recognises that both individual employees and managers need to be familiar with the contents of the entire Sickness Absence Policy in order to manage sickness absences appropriately. However, Members recognised that in certain situations, particularly in cases where sickness arose unexpectedly, reference to the detailed policy might not be practicable. In these circumstances the group agreed that an A5 guide to the Council's rules and process for reporting and managing sickness absence would be useful for both managers and employees.

Recommendation 4: We RECOMMEND that all changes to the Council's Sickness Absence Policy should be communicated to managers and staff.

- 3.18 Staff and managers will need to be familiar with any changes that are made to the Council's Sickness Absence Policy. Whilst the group recognises that the new policy will probably be made available for staff to view on the Council's intranet Members believe that the changes need to be more actively promoted to staff and managers to ensure compliance with any new terms and conditions.
- 3.19 The group believes that changes to the policy could be easily communicated to both staff and managers. Outline information could be provided by senior managers during staff briefings. Managers could also be provided with more detailed information during management conferences, and these details could subsequently be communicated to staff at team meetings.

Recommendation 5: We RECOMMEND that the Sickness Absence Policy should be included in the induction process for new staff and managers employed by the Council:

a) staff and managers should also receive regular refresher training;

- 3.20 New staff employed by the local authority will also need to receive information about the Council's Sickness Absence Policy. New managers, in particular, will need to be familiar with the content of the policy in order to apply the terms and conditions contained within the policy consistently to staff.
- 3.21 The group is aware that the majority of new employees receive some written information in the form of an induction pack when they arrive at the local authority. In addition, some staff also receive induction training from managers when starting at the Council. The group is suggesting that a briefing on the Council's Sickness Absence Policy should be included in this induction process.

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- 3.22 Members were concerned that many staff over the course of time would forget about some of the content of the Sickness Absence Policy and the respective responsibilities of staff and managers. For this reason the group believes that refresher training should be provided to staff and managers from time to time to ensure ongoing compliance with the policy.

Recommendation 6: We RECOMMEND that the Sickness Absence Policy should be applied consistently to staff across all service areas, but managers should be encouraged, recognising individual circumstances and different working environments to apply the policy appropriately.

- 3.23 During the course of the review a number of expert witnesses expressed concerns that the Sickness Absence Policy was not being applied consistently across the organisation. Whilst managers in some departments, particularly back office functions and customer facing services, consistently applied the procedures detailed in the policy managers in other departments operated in a more flexible manner. For example, in some service areas home visits, a feature of the long-term sickness absence procedure, were not consistently taking place.
- 3.24 The group believes that there is a risk that this inconsistent application of the policy could lead to resentment and discontentment amongst some members of staff, as the differences in application could be considered to be unfair. To demonstrate that the Council is keen to treat all employees fairly the group concluded that there should be consistent application of the Sickness Absence Policy to all staff.
- 3.25 Members concluded during the review that the role of the manager was key to the fair application of the Council's Sickness Absence Policy. Managers need to be familiar with the content of the policy in order to apply the terms and conditions consistently. Managers need to be familiar with their staff and therefore able to distinguish between genuine absences due to sickness and employees abusing the process. In addition, managers need to be familiar with absence figures for staff in their teams as this enables managers to identify any patterns of behaviour or areas of staff welfare where further support might be required for an individual.
- 3.26 The manager also, though, has a responsibility to ensure that the process is managed in a manner sensitive to the needs of staff experiencing ill health. In some cases the employee experiencing illness may feel anxious about the formal managerial process, including Return to Work Interviews. Indeed, some staff may be worried about taking leave to recover from an illness and might return to work before they are physically able to do so. There are also some working environments where additional sickness problems and accidents occur as a result of the work undertaken by employees, particularly in manual operative and frontline operational roles. In these circumstances managers need to be encouraged to use common sense when applying the policy to ensure that affected staff are placed at their ease and treated fairly.

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Recommendation 7: We RECOMMEND that the occupational health service available to staff experiencing sickness should be reviewed

- 3.27 During the course of the review the Committee was advised about the current occupational health service available to employees absent due to sickness. At present occupational health services, to which staff are referred as part of the sickness absence management process, are delivered by an external provider. Staff have to access occupational health services from an external location, primarily in Stoke Prior.
- 3.28 The group was advised that current arrangements for delivering occupational health support to staff were not considered to be satisfactory. Members have also been advised that the joint Health, Safety and Welfare Committee has suggested in the past that occupational health services should ideally be provided in house.
- 3.29 Unfortunately, the group were informed that it had not been possible to recruit an individual to work as an Occupational Health Practitioner for both Councils. Furthermore, Members were advised that an Occupational Health Practitioner employed by the Council would not be able to deliver certain specialist functions, which would need to continue to be delivered by an external service provider.
- 3.30 Based on the information provided for Members' consideration regarding occupational health support the group recognises that this issue is complex and may be difficult to resolve. However, Members agree that staff access to an occupational health service is important to ensure that employees experiencing ill health can be provided with appropriate support to help them return to work. For this reason the group is proposing that the occupational health service available to staff should be reviewed as soon as possible.

Recommendation 8: We RECOMMEND that communication should form an integral part of the transformation process to ensure that staff understand the reasons for changes made to services as part of the transformation process and how transformation may impact on them.

- 3.31 During the course of the review the group considered the potential impact of internal changes, including the introduction of shared services and service transformation, on staff. The group recognised that there was the potential for transformation to have a positive impact on service delivery. However, Members were also aware that change can impact on people in different ways and were keen to understand the extent to which these internal processes might be impacting on sickness absence rates within the organisation.
- 3.32 Members were advised that it was difficult to determine to what extent shared services or transformation had had an impact on sickness absence levels. Staff

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were unlikely to refer to specific Council processes as the cause of their sickness when reporting absences due to sickness.

- 3.33 However, the group were advised about concerns regarding the impact of transformation on staff. In particular, staff were not always clear about the intended objectives of the process, how transformation would impact on existing services and the potential implications for individual jobs. The uncertainty that has arisen as a consequence was perceived to be impacting on staff anxiety and stress levels within teams going through transformation.
- 3.34 The group believes that this problem could be resolved relatively easily, by ensuring that appropriate internal communications processes are in place. Staff should be informed about the objectives of transformation for the particular service together with the potential implications for their work. This information could be provided during team meetings and staff briefings. Further information should also be provided during the course of transformation as well as at the end of the process. This would ensure that staff understand the purpose of transformation throughout the process and would help to reassure affected staff.

Financial Implications

- 3.35 Financial expenditure would be required to produce A5 guides to the Sickness Absence Policy. The arrangements for charging for reprographic jobs are in the process of changing. For this reason it is currently only possible to provide an estimate of the costs involved in producing a single A5 guide to the Sickness Absence Policy. In this context the group has been advised that it would cost approximately 4.5 pence to produce two A5 guides to the Sickness Absence Policy, if the guides were produced in black and white. The group has been informed that there would be no extra cost involved in laminating the guides.
- 3.36 In the event that recommendation three is approved the group is proposing that a guide should be provided to every employee.

Legal Implications

- 3.37 There are no specific legal implications.

Service / Operational Implications

- 3.38 This review has been launched following a decision by Officers to refresh an existing Council policy. The group's recommendations are designed to enhance the content of this policy.
- 3.39 All of the group's recommendations have human resources implications as detailed in the body of the report above.

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- 3.40 One of the Council's objectives is to be a well managed organisation. The group recognises that staff absences due to sickness are not ideal. However, sickness cannot be eliminated altogether. As a well managed organisation Redditch Borough Council should aim to support staff who are genuinely absent due to sickness as well as to apply the Sickness Absence Policy consistently and fairly to all staff to ensure that leave arrangements are not abused.
- 3.41 During the review the group was urged to consider suggesting that a staff survey be reintroduced at the Council. In previous years a staff survey had been circulated by the Council's policy team for the consideration of all staff. Based on the content of completed questionnaires it was possible to identify trends in work practices as well as issues that might require further investigation. However, the number of completed surveys that had been received had decreased over time and no surveys had been issued for a number of years.
- 3.42 The group debated the value of a staff survey in detail at a series of meetings and a mixture of feedback was provided from the expert witnesses interviewed during the review. Whilst some expert witnesses regarded the staff survey as a useful tool that could be used to identify trends in behaviour and work practices other interviewees questioned the benefits and suggested that a survey could raise expectations which it might not be possible to meet. As a consequence of this mixed feedback, Members concluded that it was not possible to determine as part of the review whether to propose the reintroduction of a staff survey.

Customer / Equalities and Diversity Implications

- 3.43 There are no specific implications for customers of Redditch Borough Council services. However, the group recognises that staff should not be encouraged to deliver services when ill to ensure that illnesses are not passed on to the Council's customers or to other staff. Equally staff need to be encouraged not to abuse sickness absence arrangements to ensure that minimum disruption occurs to service delivery as a consequence of staff absences.
- 3.44 There are no specific equalities and diversity implications.

4. RISK MANAGEMENT

No risks have been identified.

5. APPENDICES

Appendix 1 - Sickness Absence Policy Review – Comparison Table

6. BACKGROUND PAPERS

Boston Borough Council Sickness Absence Policy and Procedure (2011).
Bromsgrove District Council, Harassment Policy (2003).

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Oadby and Wigston Borough Council, Sickness Absence Policy and Procedure (2012).

Redditch Borough Council, Comparison of Council's Absence Policies, (2012).

Redditch Borough Council, Dignity at Work Policy, (2010).

Redditch Borough Council, Sickness Absence Performance and Health for Period Ending 31st March 2012.

Redditch Borough Council, Sickness Absence Policy (2010).

Redditch Borough Council, Sickness Absence Policy Review – Current and Proposed, (2012).

Rugby Borough Council Absence Management Policy and Procedure (2007).

Sickness Absence Policy and Procedure For Employees at Bromsgrove District Council (2007).

AUTHOR OF REPORT

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APPENDIX 1
SICKNESS ABSENCE POLICY REVIEW – COMPARISON TABLE

SHORT TERM SICKNESS

	REDDITCH BOROUGH COUNCIL - CURRENT	REDDITCH BOROUGH COUNCIL - PROPOSED	Boston Borough Council	Bromsgrove District Council	Oadby and Wigston Borough Council	Rugby Borough Council
TRIGGER POINTS	3 occasions in a 12 month period or 7 working days during a 12 month period.	3 or more separate absences or a continuous absence of 6 days or more within a 12 month rolling period.	3 occasions in a 12 month period or 7 working days during a 12 month period.	3 or more absences in previous 6 months or 6 days in previous 6 months.	3 episodes of sickness absence or; 14 calendar days or; 1 episode or several episodes that total 14 calendar days in any rolling 12 month period.	3 or more occasions in any rolling 6 month period; 4 or more occasions in any 12 month period or 10 or more days in any rolling 12 months.
NUMBER OF STAGES	5 Stages	4 Stages	3 stages	5 stages (inc informal)	3 (inc informal)	3 (inc informal)
STAGE 1	Returning To Work Discussion No Targets Set No review period given.	Sickness Absence Meeting Reasons for absence discussed. Occupational Health (OH) support where appropriate. Tolerance levels agreed. 3 month review period set.	Review Concerns that you have work related health problems or an existing condition. Reasons for absence and restrictions or adjustments that could be made. Timescale considered. Action Plan set.	Informal Action – Meeting Manager to consider the particular circumstances. Is there a pattern or cause for problem? Set targets for improvement where necessary and review date.	Informal Procedure An informal discussion will take place at the Return to Work interview to discuss absences and ascertain support/ Assistance required. Discussion must be documented in a letter.	Sickness Consultation Interview (informal) Informal discussion to discuss period of absence, focused on health and welfare to make improvements. Targets will be set. Written notes taken and provided for employee.
STAGE 2	Welfare And Attendance Review Set Targets No review period given.	Sickness Absence Review Meeting - (after 3 month review period or sooner if tolerance levels exceeded) Reasons for ongoing poor attendance discussed. Further tolerance levels agreed. OH support. 3 month review period set.	Stage 2 Held after conclusion of timescale set at stage 1. Failure to meet requirements set at stage 1. An agreed extension of the action plan. Only 1 extension can be granted. Referral to OH if appropriate.	Stage 1 Sickness Absence Review Meeting If there are continued management concerns relating to absence. Further targets and review period set.	Stage 1 This is triggered following informal discussion and 4 episodes/more than 14 calendar days of absence in the preceding (rolling) 12 months. Possible referral to OH. Review and identify support. Review date set within 3 months of Stage 1 meeting. Stage 1 can be extended at that review.	Stage 1 If no improvements are made a formal interview will be held and a first warning issued. Further targets for improvement will be set. A referral to OH can be used to help set reasonable targets. Stage 1 can be repeated if appropriate.

STAGE 3	Formal Absence Review If there are 2 more absences in the following 3 months after stage 2, or more than 3 working days lost then the issue should be referred to the Service manager for a Formal Review Set Targets Review period of no more than 3 months from this meeting.	Final Sickness Absence Review Meeting - (after 3 month review period or sooner if tolerance levels exceeded) Further tolerance levels agreed. 3 month review period set. Employee advised that next stage is hearing which may result in dismissal. Following review or sooner if tolerances exceeded move to Stage 4 Hearing.	Stage 3 This will be required where improvement is genuinely beyond the person's ability and a stage 2 review has taken place. May be necessary as a last resort to consider terminating employment or possible redeployment.	Stage 2 Sickness Absence Review Meeting Written request to formal meeting. New targets and review period set (not exceeding 6 months).	Stage 2 If attendance still remains a cause for concern a Stage 2 meeting will be convened and the employee informed that dismissal may be contemplated.	Stage 2 If no improvement after Stage 1 a further warning can be given. A final warning can be given. Where a final warning is issued an employee may be dismissed – this will only follow after a formal disciplinary hearing.
STAGE 4	Final Review This is when the Hearing takes place and dismissal is considered. Only a Director can make a decision on dismissal.	Case Review Hearing Manager presents case. Employee presents views/response. Head of Service hears case and considers options. Head of Service may dismiss employee.		Final Sickness Absence Review Meeting Written request to formal meeting. New targets and review period set (not exceeding 6 months).		
STAGE 5	Dismissal Decision			Case Review Hearing Senior management may dismiss or take other action such as setting new targets and review period (not exceed 6 months).		
APPEALS	The employee will have the right to appeal against their dismissal in accordance with the Appeals procedure outlined in the council's Disciplinary Procedure.	Right of Appeal at Stage 4 which will go to an Executive Director.	There is right of appeal against decisions made at any stage of the process.	There is a right to appeal at all formal stages.		

LONG TERM SICKNESS

	REDDITCH BOROUGH COUNCIL	PROPOSED	Boston Borough Council	Bromsgrove District Council	Oadby and Wigston Borough Council	Rugby Borough Council
TRIGGER POINTS	If employee is absent for a month and there is no likelihood of return then the manager needs to complete occupational health referral form and notify the employee of this.	After 2 weeks of absence – manager contacts employee for a welfare chat and arranges a Stage 1 meeting for the 4th week of absence. This may be a home visit or at a suitable venue.	A period exceeding 12 consecutive calendar days certificated sickness absence.	If absence continues for a period of 4 weeks.	Continued absence in excess of four working weeks.	A sickness period that goes on longer than 4 consecutive weeks.
NUMBER OF STAGES	No set stages in place in this policy	4 Stages	No formal stages	4 Stages	No formal stages	No formal stages
STAGE 1	Maintaining Contact and Wait and See.	Welfare and Review Meeting - (Week 4) Discuss absence and prognosis. Update on work as appropriate. Referral to OH.	No set timescales – telephone calls at beginning of absence followed by home visits if necessary and referral to OH.	Home Visit If no imminent return to work date referral to OH.	Referral to OH No later than 4 weeks after the absence commences. In the case of work related stress, infectious disease, industrial injury or skeletal injury referral should be made as soon as certificate received and no later than 8 days of absence.	Pre arranged Home Visit After initial 4 week period of absence. If not fit to return to work a referral to OH will be made at this point.
STAGE 2	Maintaining Contact and Wait and See.	Sickness Absence Review Meeting - (begin Week 8 – 10) One or several review meetings to review situation in accordance with occupational health guidance/other medical reports. Timescales for meetings should be every 4-6 weeks as a minimum.	No strict timescales, but procedure followed is similar to short term but with more flexibility.	Meeting to discuss OH Report Consider options available as recommended by OH. Arrange meetings to review situation in accordance with OH guidance.	Monthly Health Review Meetings To ensure appropriate management support is provided, OH advice is sought and action plan agreed to facilitate early return to work.	Meeting arranged to discuss OH Report Consider options available as recommended by OH. Arrange meetings to review situation in accordance with OH guidance.
STAGE 3	Maintaining Contact and Wait and See.	Final Sickness Absence Review Meeting - (Week 12 onwards as appropriate) Review ongoing absence. Must seek and consider medical advice. Discuss redeployment options. Is continued employment feasible? Consider referral to Stage 4 Hearing. Advise employee that next stage may result in dismissal.		Is Continued employment feasible? Yes – review and discuss arrangements for return to work or consider redeployment.	Final Review Meeting Arranged on receipt of OH report to discuss options available i.e. redeployment or issue of notice of termination of contract on grounds of incapability due to ill health.	If continued employment not feasible – it is council policy to give employee time to recover from their illness so a decision is likely to be made between 6-12 months in respect of dismissal.

STAGE 4	Hearing Led by the director and who can make the decision to dismiss.	Long-term Sickness Case Hearing Case presented by Manager. Employee presents views/response. Head of Service hears case and considers options. Head of Service may dismiss employee.		Case Review Meeting Senior management may discuss dismissal or take other action as appropriate.		
APPEALS	The employee will have the right to appeal against their dismissal in accordance with the Appeals procedure outlined in the Council's Disciplinary Procedure.	Right of Appeal at Stage 4 which will go to an Executive Director.			There is a right to appeal at all formal stages of the procedure.	Right to appeal if dismissed.

EXECUTIVE COMMITTEE

20TH NOVEMBER 2012

ACCESS TO INFORMATION RULES – UPDATE

Relevant Portfolio Holder	Councillor Phil Mould
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non-key

1. SUMMARY OF PROPOSALS

- 1.1 This report proposes changes to the Access to Information Rules in the Council's Constitution. These are needed to comply with recent Regulations issued under the Localism Act.
- 1.2 The Executive Committee is being asked to consider the proposals in advance of the Council since many of the changes directly affect the governance of the Executive.
- 1.3 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations came into force in September. They are issued under the Localism Act but were unexpected and did not include any transition arrangements.
- 1.4 The main changes introduced by the Regulations are:
 - a) The Executive is no longer required to produce a Forward Plan (of Key Decisions published 4 months in advance) or publish details of consultation being carried out for any items;
 - b) This is replaced by a requirement to give 28 days' notice of Key Decisions, including a notice about any key decision items where it is intended for the decision to be taken in private (exempt and confidential items). Members of the public can make representations if they feel an item should be considered in public and the Executive has to give notice of any such contact and its response to the request 5 clear days before its meeting;
 - c) Where 28 days notice of key decisions has not been given or key decisions are submitted with less than 5 clear days' notice then certain notices have to be published giving reasons for this;
 - d) A new requirement for officers making executive decisions to publish a notice of the decision, reasons for it and any conflicts of interest declared by the officer or a consultee;

EXECUTIVE COMMITTEE**20TH NOVEMBER 2012**

- e) A requirement to publish background papers for reports to the Executive Committee – currently these are simply listed and made available on request. In future these must be published at the same time as the report and remain accessible to the public for 4 years via the website and in paper form.
- 1.5 The enclosed Access to Information Rules have been updated to take account of the legal requirements. In drafting these we have gone beyond the minimum requirements of the Regulations. For example, we suggest that the replacement for the Forward Plan (the “Work Programme”) continues to include non-key decisions and items due more than 28 days’ after publication. This is transparent and helps plan the business of the Executive, Overview and Scrutiny Committee and Council.
- 1.6 We are seeking clarity about the definition of Officer decisions that are required to be recorded under the legislation. At face value the Regulations appear to imply that all decisions identified in the Council’s Scheme of Delegation as Executive functions would be recorded. This would include day-to-day management decisions about the running of departments such as ordering stationery which are already set out in the Council’s scheme of delegations and details of expenditure over £500 are already published in the Council’s website.
- 1.7 A reasonable approach would be to require officers to record and publish Executive decisions that are either delegated from meetings of the Executive for specific items or relate to expenditure or savings over £50,000. This figure is consistent with where tenders have to be obtained for procurement purposes and with the financial cut-off for determining key Executive decisions.

2. RECOMMENDATIONS

The Committee is asked to RECOMMEND that

the revised Access to Information Rules be approved for inclusion in the Council’s constitution.

3. KEY ISSUES**Financial Implications**

- 3.1 There are no financial implications arising from this report.

Legal Implications

- 3.2 The proposed changes to the Access to Information Rules result from the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.

Service / Operational Implications

- 3.3 Most of the requirements of the Regulations can be accommodated within our existing administrative arrangements for the appropriate meetings. However, the new requirement to record executive decisions made by officers has the potential to increase the bureaucracy around day-to-day administrative decision-making. The proposals take account of this by restricting this to decisions made on matters involving expenditure above £50,000.

Customer / Equalities and Diversity Implications

- 3.4 We are proposing to achieve the changes required by the Regulations without introducing extra bureaucracy so that the information produced is accessible to the public.

4. RISK MANAGEMENT

- 4.1 There is a risk of less information being available to Councillors and the public if the Regulations are implemented to the letter (for example, there would be less than 4 months' notice of key decisions if the 28 days' notice of items was adhered to). The proposals continue the Council's current approach which is more transparent.
- 4.2 As with all governance items, if our processes do not comply with the law then there is a risk that decisions of the Council will be challenged.

5. APPENDICES

Appendix 1 - Access to Information Rules – proposed new rules for part 5 of the Constitution.

6. BACKGROUND PAPERS

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<http://www.legislation.gov.uk/2012?title=access%20to%20information>

EXECUTIVE COMMITTEE

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AUTHOR OF REPORT

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Tel.: 01527 548240

ACCESS TO INFORMATION PROCEDURE RULES

Proposed changes are shown in bold lettering in italics

1. SCOPE

These rules apply to all meetings of the Council, the Executive Committee, the Overview and Scrutiny Committee, the Standards Committee, Area Committees and other formal Committees, Sub-Committees and Panels, unless a statutory exemption applies. Overview and Scrutiny Task and Finish Groups are not covered by these Rules.

These rules also apply to Executive Decisions made by individual officers.

2. ADDITIONAL RIGHTS TO INFORMATION

These Rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these rules.

4. NOTICES OF MEETING

4.1 The Council will give at least 5 clear days' notice of any meeting by posting details of the meeting on the Council website.

4.2 However, in cases of exceptional urgency the Chief Executive, having consulted with the Mayor or the Chair of the relevant Committee, Sub-Committee or Panel, may convene a meeting giving less than 5 clear days' notice. The agenda and minutes of the meeting shall specify the nature of the exceptional urgency.

4.3 For the avoidance of doubt, where the term "clear days" is used, this does not include statutory and concessionary holidays, the day on which notice is given, the day of the meeting or any Saturday or Sunday.

5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

5.1 Copies of the agenda and reports for all meetings will be provided electronically to all members of the Council at least 5 clear days before the meeting.

The Council will make copies of the agenda and reports open to the public

available for inspection on the Council's website and at the Town Hall at least 5 clear days before the meeting.

- 5.2 Items will only be added to an agenda less than 5 clear days before the date of the meeting in cases of exceptional urgency and only if the officer or member presenting the item has, before the meeting, submitted to the Head of Legal, Equalities and Democratic Services a form signed or approved by the Mayor or the relevant Committee Chair as appropriate giving reasons why:
- (a) the item could not have been included on the agenda; and
 - (b) the item required a decision before the next scheduled meeting of the Council or Committee.
- 5.3 If an item is added to the agenda less than 5 clear days before the date of the meeting, the revised agenda will be open to inspection from the time the item was added to the agenda.
- 5.4 In cases of exceptional urgency where less than 5 days' notice of a meeting is given, copies of the agenda and reports will be made available and shall be open to inspection from the time the meeting is convened.

6. **SUPPLY OF COPIES**

The Council will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Chief Executive thinks fit, copies of any other documents supplied to councillors in connection with an item

to any person on payment of a charge for postage and any other costs.

7. **WITHDRAWAL OF ITEMS FROM AN AGENDA**

Items on the agenda for meetings of the Council, Executive Committee, Audit and Governance Committee, Overview and Scrutiny Committee will not be withdrawn less than 3 clear calendar days before the date of the meeting except in exceptional circumstances and only when the Mayor, the Leader or the Committee Chair, as appropriate, has agreed to the item being withdrawn at that time.

8. ACCESS TO MINUTES ETC. AFTER THE MEETING

The Council will make available copies of the following for 6 years after a meeting:

- (a) the minutes of the meeting, or records of decisions taken, together with reasons, for all meetings of the Executive Committee, excluding any part of the minutes of proceedings which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

9. BACKGROUND PAPERS

9.1 List of background papers

The Chief Executive will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (a) disclose any facts or matters on which the report of an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report

but does not include published works or those which disclose exempt or confidential information (as defined in Rule 11), and in respect of Executive Committee reports, the advice of a political adviser.

9.2 Public inspection of background papers

When a report for a meeting is made available for Executive Committee meetings the Council will also make available at the Town Hall and on its website, one copy of each of the background papers referred to in the list prepared under rule 9.1 above.

These ***background papers*** will be available for public inspection for **4** years after the date of the meeting. Copies of background papers will be supplied to any person on payment of a charge for postage and any other costs.

For all other Council, Committee and Sub-Committee meetings, the Council will make available for public inspection for 4 years after the date of the meeting one copy of each of the documents on the list of background papers.

Copies of these background papers will be supplied on payment of a charge to cover postage and any other costs.

10. **SUMMARY OF THE RIGHTS OF THE PUBLIC**

These Rules constitute a summary of the rights of the public to attend meetings and to inspect and copy documents.

These Rules will be made available to the public on the Council's website and kept at the Town Hall, Redditch.

11. **EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS**

11.1 **Confidential information - requirement to exclude public**

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

11.2 **Exempt information - discretion to exclude public**

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

11.3 **Meaning of confidential information**

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

11.4 **Meaning of exempt information**

Exempt information means information falling within the following categories (subject to any condition):

Category	Condition
1. Information relating to any individual.	Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission

Category	Condition
	<p>pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.</p> <p>Information is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>2. Information which is likely to reveal the identity of any individual.</p>	<p>Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General regulations 1992.</p> <p>Information is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>	<p>"Financial or business affairs" includes contemplated, as well as past or current, activities.</p> <p>Information falling within paragraph 3 is not exempt by virtue of that paragraph if required to be registered under:</p> <ul style="list-style-type: none"> a) the Companies Act 1985 b) the Friendly Societies Act 1974 c) the Friendly Societies Act 1992 d) the Industrial and Provident Societies Acts 1965 to 1978 e) the Building Societies Act 1986 f) the Charities Act 1993. <p>"Registered" in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning</p>

Category	Condition
	<p>of that Act).</p> <p>Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.</p> <p>Information is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>	<p>"Employee" means a person employed under a contract of service.</p> <p>"Labour relations matter" means:</p> <ul style="list-style-type: none"> a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or b) any dispute about a matter falling within paragraph (a) above; <p>and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority.</p> <p>"office holder", in relation to the authority means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or</p>

Category	Condition
	<p>by any person who holds any such office or is an employee of the authority.</p> <p>Information is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>	<p>Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.</p> <p>Information is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>6. Information which reveals that the authority proposes:</p> <p>(a) to give, under any enactment, a notice under, or by virtue of, which requirements are imposed on a person; or</p> <p>(b) to make an order or direction under any enactment.</p>	<p>Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.</p> <p>Information is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>7. Information relating to any action taken, or be taken, in connection with the prevention, investigation or prosecution of crime.</p>	<p>Information is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>

12. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

If the Chief Executive thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Rule 11, the meeting is likely not to be open to the public. Such reports will be marked "Not for Publication" together with the category of information likely to be disclosed.

In some cases the Council may consider an item in public although the report it is discussing contains some exempt information. In all cases a public summary of the item will be provided after the meeting, usually as part of the minutes of the meeting.

The Executive Committee will indicate on its Work programme where it is likely to exclude the public from a meeting or part of a meeting. Members of the public can make representations to the Council if they feel that the item should be considered in public. Rule 15 below refers to this in more detail.

13. APPLICATION OF RULES TO THE EXECUTIVE COMMITTEE

Rules 14-24 apply to the Executive Committee and its Sub-Committees. If the Executive Committee or its Sub-Committees meet to take a Key Decision then it must also comply with Rules 1-12 unless either Rule 16 (General Exception) or Rule 17 (Special Urgency) applies. A Key Decision is as defined in Article 13.3 of this Constitution.

14. PROCEDURE BEFORE TAKING KEY DECISIONS

Subject to Rule 16 (General Exception) and Rule 17 (Special Urgency), a Key Decision may not be taken unless:

- (a) a notice (called here a **Work Programme**) has been published in connection with the matter in question;
- (b) at least **28** days have elapsed since the publication of the **Work Programme**; and
- (c) where the decision is to be taken at a meeting of the Executive Committee or its Sub-Committees, notice of the meeting has been given in accordance with Rule 4 (Notice of Meetings).

15. THE WORK PROGRAMME

15.1 Period of Work Programme

Work Programmes will be prepared by the Leader to cover a period of **at least 28 days**. They will be prepared on an **approximately** monthly basis

and **published at least 28 days before the first meeting of the Executive Committee to which Key decisions on the Programme relate.**

15.2 Contents of *Work Programme*

The ***Work Programme*** will contain matters which the Leader has reason to believe will be subject of a Key Decision to be taken by the Executive Committee, a Sub-committee of the Executive Committee, individual members of the Executive Committee, officers or under joint arrangements in the course of the discharge of an Executive function during the period covered by the ***Programme***. It will describe the following ***items*** in so far as the information is available or might reasonably be obtained:

- (a) the matter in respect of which a ***key*** decision is to be made;
- (b) where the decision taker is an individual, his/her name and title, if any and where the decision taker is a body, its name and details of membership;
- (c) the date on which, or the period within which, the decision will be taken;
- (d) ***a list of the documents submitted to the decision-maker for consideration in relation to the matter in respect of which the key decision is to be made;***
- (e) ***the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;***
- (f) ***that other documents relevant to those matters may be submitted to the decision maker; and***
- (g) ***the procedure for requesting details of those documents (if any) as they become available.***
- (h) ***which of the key decisions outlined may involve the consideration of exempt or confidential information, the reasons why and how the public may make representations when they consider the item should be considered in public.***

The ***Work Programme*** must be published at least **28** days before the start of the period covered.

Exempt information need not be included in the ***Work Programme*** and confidential information cannot be included.

16. **GENERAL EXCEPTION**

If a matter which is likely to be a key decision has not been included in the **Work Programme**, then subject to Rule 17 (Special Urgency), the decision may still be taken if:

- (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next **Work Programme**;
- (b) the Chief Executive has informed the Chair of the Overview and Scrutiny Committee, or in his/her absence **each member of the Committee**, by notice, of the matter **about** which the decision is to be made;
- (c) the Chief Executive has made copies of that notice available to the public at the offices of the Council and **published it on the Council's website; and**
- (d) at least 5 clear days have elapsed since the Chief Executive complied with (a) and (b).

The notice should include reasons why it has not been possible to include the item on the Work Programme.

17. **SPECIAL URGENCY**

If the date by which a decision must be taken **means that** Rule 16 (General Exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chair of the body making the decision, obtains the agreement of the Chair of the Overview and Scrutiny Committee, or in his/her absence the Vice-Chair, that the taking of the decision **is urgent and** cannot be reasonably deferred.

If the Chair of the Overview and Scrutiny Committee, or in his/her absence the Vice-Chair, is unable to act, then the agreement of the Mayor, or in his/her absence the deputy Mayor, will suffice.

As soon as reasonably practicable after the decision-maker has agreement that the decision is urgent and cannot reasonably be deferred, they must publish a notice on the Council's website setting out the reasons why the meeting is urgent. The notice must also be available at the Council's offices for members of the public to see.

18. **REPORT TO COUNCIL**18.1 **When the Overview and Scrutiny Committee can require a report**

If the Overview and Scrutiny Committee considers that a Key Decision has been taken which was not:

- (a) included in the **Work Programme**; or
- (b) the subject of the general exception procedure (Rule 16); or
- (c) the subject of an agreement with the Mayor / Deputy Mayor of the Council under the Special Urgency procedure (Rule 17)

the Overview and Scrutiny Committee may, subject to Rule 18.2, require the Executive Committee to submit a report to the next available meeting of the Council. The power to require a report rests with the Overview and Scrutiny Committee, but is also delegated to the Chief Executive, who shall require such a report on behalf of the Overview and Scrutiny Committee when so requested by the Chair or Vice-Chair of the Overview and Scrutiny Committee or any three members of the Overview and Scrutiny Committee. Alternatively the requirement may be raised by resolution passed at a meeting of the Overview and Scrutiny Committee.

18.2 Executive Committee report to Council

The Executive Committee will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council falls within 7 days of receipt of the written notice or the resolution of the Overview and Scrutiny Committee, then the report may be submitted to the following meeting of the Council. The report to Council will set out particulars of the decision, the individual or body making the decision, and if the Leader is of the opinion that it was not a Key Decision, the reasons for that opinion.

18.3 Quarterly reports on special urgency decisions

In any event the Leader will submit quarterly reports to the Council on the Executive Committee decisions taken in the circumstances set out in Rule 17 (Special Urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

19. RECORD OF DECISIONS

19.1 Meetings

After any meeting of the Executive Committee or any of its committees, whether held in public or private, the Chief Executive or, where no officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting as soon as practicable. The record will include:

- a statement of the reasons for each decision;
- any alternative options considered and rejected at that meeting;
- ***A record of any conflict of interest relating to the matter declared by any member of the decision-making body;***

- *For any declared conflict of interest, a note of dispensation granted by the Head of Paid Service (the Chief Executive).*

19.2 Officer Decisions

From time to time, Officers will make decisions that would otherwise be made at meetings of the Executive Committee. As soon as practicable after the decision is made the officer will provide a written statement which will include:

- *A record of the decision and the date it was made;*
- *The reasons for the decision;*
- *Details of alternative options considered and rejected when making the decision;*
- *Any conflict of interest declared by any executive member who is consulted by the officer which relates to the decision;*
- *A note of dispensation granted by the Council's Head of Paid Service (the Chief Executive) relating to any declared conflicts of interest.*

The Decisions recorded will be those where a matter has been delegated to an officer/s at a meeting of the Executive Committee or involves expenditure above £50,000.

Where a decision has been delegated to an officer/s at a meeting of the Council or another decision-making body, the Officer will also make a report after the decision has been made.

19.3 Publication of Decisions

Once a decision is made under paragraphs 19.1 and 19.2 above, copies of the record of the decision will be published, as soon as reasonably practicable, on the Council's website. Copies will also be available for inspection by members of the public at the Council's offices.

20. EXECUTIVE COMMITTEE MEETINGS RELATING TO MATTERS WHICH ARE NOT KEY DECISIONS

Meetings of the Executive Committee relating to matters which are not Key Decisions will be held in public and must comply with Rules 1-12.

21. ATTENDANCE AT MEETINGS OF THE EXECUTIVE COMMITTEE

- 21.1 All members of the Council are entitled to attend a meeting of the Executive Committee. Members of the Council who are not members of the Executive Committee may speak at meetings of the Executive Committee only with the consent of the person presiding. Only members of the Executive Committee may vote.

- 21.2 All members of the Council are entitled to attend a meeting of a Sub-Committee of the Executive Committee. Members of the Council who are not members of the Executive Committee and who are not members of the Sub-Committee may speak at such meetings only with the consent of the person presiding. Only members of the Sub-Committee may vote.
- 21.3 The Head of Paid Service, the Section 151 Officer and the Monitoring Officer, and their nominees are entitled to attend any meeting of the Executive Committee and its Sub-Committees. The Executive Committee may not meet unless the Chief Executive has been given reasonable notice that a meeting is to take place.
- 21.4 A meeting of the Executive Committee or any of its Sub-Committees may only take place in the presence of the Chief Executive or his/her nominee with responsibility for recording and publicising the decisions.
- 21.5 In all cases, the provisions of Rule 19 (Record of Decisions) will apply.

22. OVERVIEW AND SCRUTINY COMMITTEE - ACCESS TO DOCUMENTS

22.1 Rights to copies

Subject to Rule 22.2 below, a **member of** the Overview and Scrutiny Committee will be entitled to copies of any document which is in the possession or control of the Executive Committee or its committees and which contains material relating to:

- (a) any business transacted at a meeting of the Executive Committee or its committees; or
- (b) any decision taken by an individual member of the Executive Committee.
- (c) ***Any decision made by an officer in accordance with executive arrangements.***

Subject to paragraph 22.2 below, the Executive Committee must provide the document requested as soon as reasonably practicable and in any case no later than 10 clear days after the Executive receives the request.

22.2 Limit on rights

The Overview and Scrutiny Committee will not be entitled to:

- (a) any document that is in draft form;

- (b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise; or
- (b) the advice of a political adviser.

23. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS

23.1 Material relating to previous business

All members will be entitled to inspect any document which is in the possession or under the control of the Executive Committee or its Sub-committees and contains material relating to any business previously transacted at a meeting or **to a decision made by an officer in accordance with Executive arrangements**, unless (a) (b) or (c) below applies:

- (a) it contains exempt information, **unless it is exempt under paragraphs 3 or 6 of the categories of exempt information. However, information which is exempt under paragraph 3 does not have to be disclosed if it related to terms proposed or to be proposed by or to the authority in the course of negotiations for a contract;**
- (b) it contains confidential information; or
- (d) it contains the advice of a political adviser.

The information set out above must be made available at the latest within 24 hours of the decision being made.

23.2 Material relating to Key Decisions

All members of the Council will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Executive Committee or its committees which relates to any key decision unless paragraph (a) or (b) above applies.

23.3 Nature of rights

These rights of a Member are additional to any other right he/she may have.

**EXECUTIVE
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20th November 2012

**MAKING EXPERIENCES COUNT - QUARTERLY CUSTOMER SERVICE
REPORT - QUARTER 2, 2012/13**

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management
Portfolio Holder Consulted	√
Relevant Head of Service	Amanda de Warr, Head of Customer Services
Wards Affected	All Wards
Non-Key Decision	

1. SUMMARY OF PROPOSALS

This report provides Members with details of customer feedback data for the second quarter of 2012/13, along with some transactional data relating to the Customer Service Centre.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that:

the update for the period 1st July 2012 - 30th September 2012 is noted.

3. KEY ISSUES

3.1 The report, attached at Appendix 1, sets out details of customer feedback, including complaints, compliments, Local Government Ombudsman complaints and other customer satisfaction feedback. It gives information on how well we have handled complaints against our agreed timescales.

3.2 It also provides some transactional information for the Customer Service Centre and One Stop Shops.

Financial Implications

3.3 There are no direct financial implications.

Legal Implications

3.4 There are no specific legal issues arising from this report. Any legal issues arising from complaints are dealt with on a case by case basis.

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Service/Operational Implications

- 3.5 The Every Customer Every Time Customer Experience Strategy was launched in March 2011 and sets out our vision for excellent customer service provision and improve the customer experience when having contact with the Council.
- 3.6 Quarterly reporting is intended to ensure Members are aware of progress and updated in respect of customer feedback, especially complaints made in respect of service provision.
- 3.7 Good customer service improves value for money by reducing failure demand. Improvements to the way we handle complaints has resulted in less Officer time spent chasing responses and re-investigating.

Customer / Equalities and Diversity Implications

- 3.8 It is important to monitor aspects of customer service to ensure that we are improving and developing. Customers need to know that we respond properly to complaints, act on the issues raised and report on them. Customer feedback is a valuable tool for understanding what is going well, and what not so well, within the organisation. These form vital information for all transformation reviews.
- 3.9 Measures provide us with useful information about what is happening in our organisation and help us to understand where changes may impact.
- 3.10 Although led by the Head of Customer Services, the customer experience strategy applies to all services and all customers and progress against the action plan involves Officers from many services working together to the benefit of customers.

4. RISK MANAGEMENT

- 4.1 It is important to analyse the Council's complaints or compliments and for the Council to identify whether there are any trends which need to be addressed and any lessons learned in order to improve the Council performance and service to the customer. The Customer Service Centre data is important for monitoring service delivery and identifying areas for change or improvement.
- 4.2 Failure to monitor actions in respect of the customer experience strategy could result in failure to progress.

**EXECUTIVE
COMMITTEE**

20th November 2012

5. APPENDICES

Appendix 1 - Making Experiences Count, Quarterly Customer Service Report Quarter 2 2012/13.

6. BACKGROUND PAPERS

The details to support the information provided within this report are held by Head of Customer Services.

AUTHOR OF REPORT

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**EVERY CUSTOMER, EVERY TIME -
“Everybody Matters”**

Making Experiences Count

Quarterly Customer Service Report

REDDITCH BOROUGH COUNCIL

1st June 2012 – 30th September 2012



www.redditchbc.gov.uk

1. Introduction

This report provides some of the key customer service information for the organisation, including:-

- Analysis of the complaints and compliments received during this quarter and any other relevant feedback.
- Customer Service Centre management information, including transactional statistics for information; and
- Customer satisfaction information.

2. Customer Feedback Analysis

73 complaints were received during this quarter because we did not meet the customer expectations, or failed to meet our own standards, or the customer was unhappy with an outcome. **60 complaints** (82%) were answered in 15 working days or less. **9 complaints** took longer than 15 working days to respond to and details of these complaints are detailed below. This shows an increase in the percentage dealt with within our agreed timescales.

We also received **91 compliments**.

These figures compare with last quarter and last years totals as follows:-

Quarter 2 11/12		Total 11/12		Quarter 1 12/13		Quarter 2 12/13	
Complaints	Compliments	Complaints	Compliments	Complaints	Compliments	Complaints	Compliments
45	57	204	177	56	81	73	91

The main reason for the rise in numbers is that teams in transformation are now much more aware of the need to capture demand data and therefore more contact from customers is being recorded. This in turn is helping to improve understanding of when a matter should be logged as a complaint rather than just dealt with as a request for service. In due course through transformation we should see the nature of complaints change as we better meet customers needs.

The majority of complaints received this quarter had several factors in common which were:

- Not doing what we have said we will do
- Giving customers incorrect or confusing information
- Not responding to customers calls and queries
- Delays in taking action
- Wasting tax payers money.
- Failure to provide service (card payments)

These are issues that we are addressing by:

- Redesigning services through systems thinking transformation.
- Delivering a series of courses for managers designed to develop their coaching and communications skills in customer care
- Arranging small workshops with teams to discuss customer service issues and then delivering training tailored to their needs.

The issue with card payments is still under review. We continue to have an intermittent problem which is being addressed, and which impacts on customers wishing to pay online or via the automated telephone service.

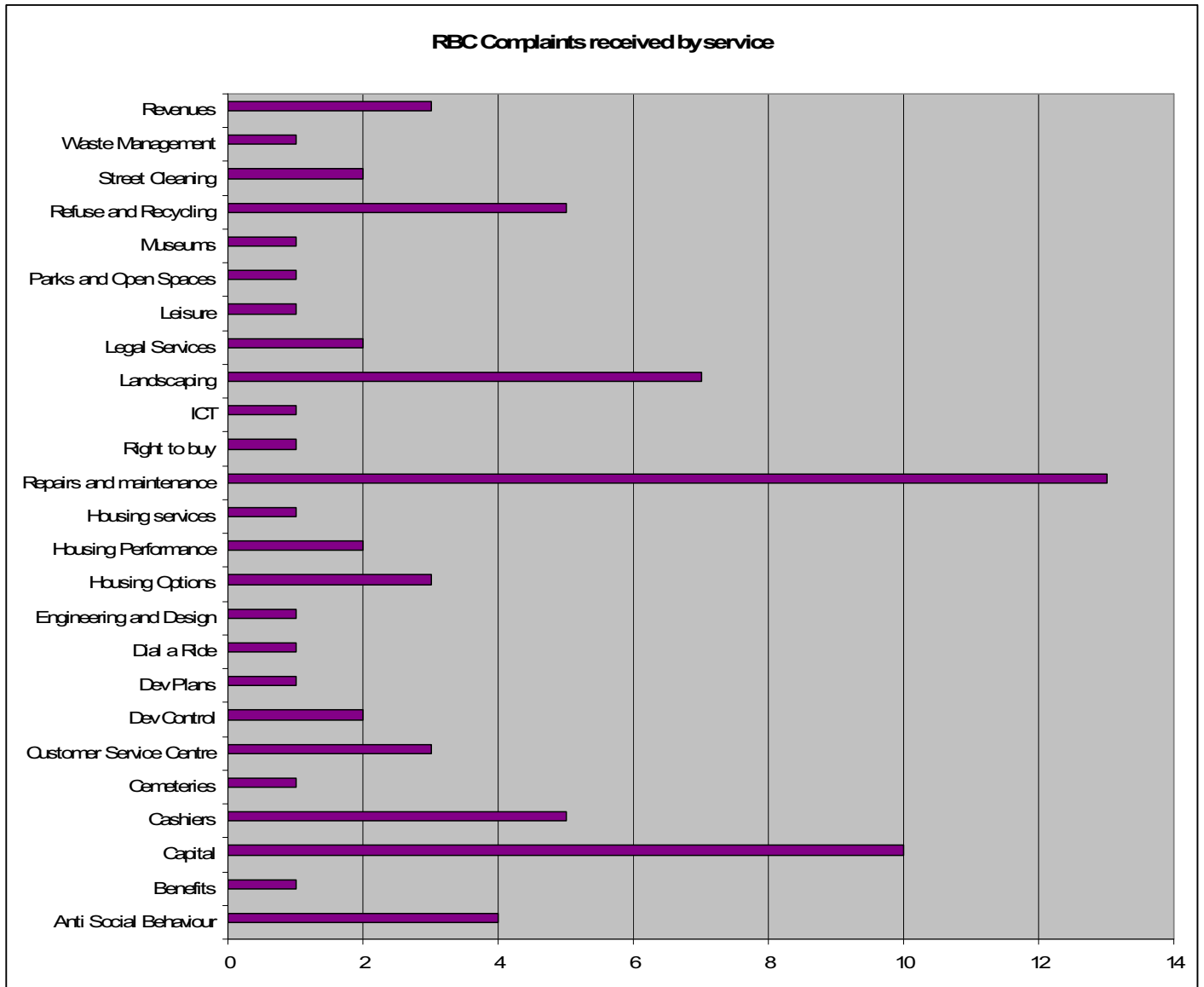
The following table shows the total of the complaints and compliments received by department. Those departments with the highest demand inevitably have higher number of complaints but compared with the total demand the numbers are low.

Complaints and compliments by department

Dept	Compliments	Complaints	Responded to within 15 working days	Still open
Business Transformation	0	1	1	0
Community Services	20	5	3	2
Customer Services	22	8	8	0
Environmental Services	11	17	14	0
Legal and Democratic Services	1	2	2	0
Leisure and Culture	15	3	3	0
Housing	17	30	23	2
Planning and Regeneration	2	3	3	0
Resources	3	4	3	0
Totals	91	73	60	4

The following table provides a more detailed breakdown of complaints by service.

Number of complaints by service (detailed)



Time taken to respond to complaints

We aim to respond to customer complaints within 15 working days and 82% of complaints received during this quarter were dealt with within that timeframe. Where it has taken us longer to respond than expected, (9 cases) customers were informed that there would be a delay, except where the delay was only 1 day (3 cases), or where the customer could not be contacted (1 case).

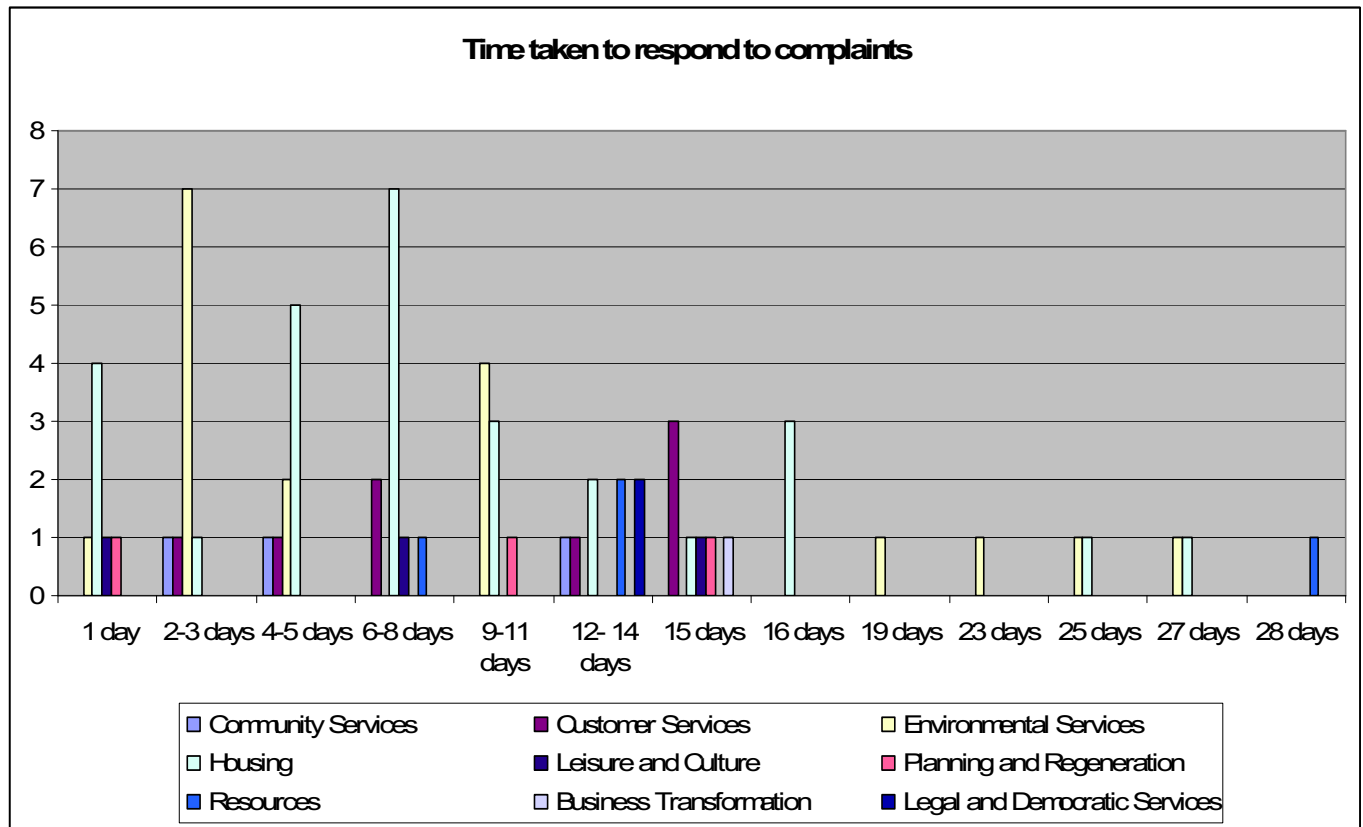
The reasons for delay are detailed below, along with details of the complaint and the outcome.

Complaint details	Outcome of investigation	Action taken	Days taken to respond and reason for delay
Environmental Services			
<p>Customer unhappy about the hole left in the cemetery fence after works on the Abbey Stadium . She was promised that the fence would be replaced when the work was completed. The work was completed in December last year but a large hole is still there.</p>	<p>Customer was advised that the fencing/hedge would be repaired after the work was completed and this hasn't happened. Temporary barriers will be put in place until fencing work is completed in September.</p>	<p>Apology given and customer will be informed when the repair has been completed.</p>	<p>27 Complex investigation</p>
<p>Customer unhappy about the grass area near his home and feels that it is neglected and not maintained on a regular basis.</p>	<p>The difficult growing conditions have affected the grass mowing operations.</p>	<p>Apology given to customer and explanation about how we are going to address this.</p>	<p>19 Difficulty contacting customer</p>
<p>Customer complained that her report from Dec 2011 had not been acted on. She reported a large amount of rubbish dumped on council land by a neighbour. Customer had been informed that it was being dealt with, to be patient and that it was not a fly-tipping issue. After chasing the report again she has been told that the Community Safety Enforcement Team are dealing with as a fly tipping issue and have started the enforcement process by requesting witness statements. Customer is very angry and feels that nothing has been done since Dec last year.</p>	<p>Whilst there was lots of work happening internally, there appears to have been only limited feedback to the customer, some of which was conflicting information. As nothing has actually been removed as yet, from the customers point of view it does look as if the Council has not taken any decisive action.</p>	<p>Apology and explanation given to customer.</p>	<p>23 Officer on leave</p>
Housing			

Customer unhappy that he made a request for new thermostat valves but after 4 months has had no response from Council.	After investigation it was found that the customer's details had been lost so the team were unaware of the request.	Apology given to Customer and job actioned.	25 Complex investigation
Customer had letter from Contractor regarding a final visit for the annual gas inspection and was unhappy that she had not received any previous communication.	After investigations it was found that the customer had been sent several letters but had not responded.	No further action.	16
Customer is unhappy about the delay to the marking out of car park spaces for residents	Car park marking job had been scheduled.	Customer informed when this job will be done	16
Customer has a wet room installed by Council contractors. After one month a leak into the kitchen appeared and was reported. She has repeatedly reported this problem but nothing has happened	Delay by a contractor which has now been remedied.	Process put in place to ensure tenants are informed of the work to be carried out and all relevant information	23 Reason for delay not known
Customer unhappy about the about the standard of work carried out on repair to communal fence which she feels that the charge is excessive as all that was done was a few nails were knocked in which the residents could have done themselves	It was found that the charge was justified.	Customer informed	16
Resources			
Customer wrote to complain about a council tax bill received when she thought she was exempt due to the renovations taking place at her property.	It was found that the exemption should have ceased automatically and a revised demand should have been issued.	Apology given to customer and new payment arrangements made. Systems are to be checked for errors.	28 Complex investigation

Time taken to respond to complaints by service.

This chart shows the break down of all complaints by response time. This suggests that the end to end time for responding to complaints is generally based on the nature of the service and/or complaint rather than any one service dealing with complaints in an unsatisfactory way.



The nature of Leisure and Culture complaints is such that they can usually be dealt with either on the spot or within a few days. Complaints for Housing and Resources (Council Tax and Benefits included) Services are more variable because investigations can be quite complex and time consuming. A high proportion of Environmental Services complaints are dealt with within 2 to 3 days.

“You said – we listened” – what did we change as a result of complaints?

Some of the changes made as a result of complaints include:-

- A new procedure is being developed to keep tenants informed of scheduled repair works.
- We are developing a new process for attachment of earnings, in respect of Council Tax arrears.
- Staff reminded to thoroughly check information handed over at reception.

Number of complaints escalated to Head of Customer Services

There were two complaints escalated to the Head of Customer Services, for further investigation or action.

CCTV and Lifeline. The customer was unhappy that following a request for CCTV footage to be examined by police after his car was damaged in a car park it was subsequently wiped so couldn't be used. After investigation it was found that proper procedure was followed by the Council, however communication with the customer could have been clearer to avoid misunderstandings. CCTV Officers have taken this on board and will ensure that customers are provided with clear information in such cases.

Repairs and Maintenance. A tenant was very unhappy about the delays to various repairs and the quality of the work already carried out. After investigation it was found that there had been delays in taking agreed actions by the Council, and this was further complicated by the tenant themselves cancelling jobs. Furthermore the Council had not kept to an agreement to inform the customer in advance of any visits to the property. An apology has been given to the customer and arrangements put in place to continue the works by an agreed date, however the customer remains unhappy and has taken this matter to the Local Government Ombudsman.

Happy Customers!

From the **91** compliments received we can see that customers appreciate the range of services the Council provides, especially when we deal with their requests in a timely and professional manner. Here are some of the compliments we have received for information.

Team	Compliment Detail
Children's Centre	Customer very happy with result of recent OFSTED inspection.
Customer Service Centre	Customer contacted to report that Beverley Hopcroft was very helpful and understanding. Customer reported that Beverley was caring and listened. Customer suggested we should employ more helpful staff like her. Customer stated that Beverley had helped them with a homelessness enquiry.
Customer Service Centre	Customer reported that Hilary Dewhurst was very helpful to and showed utmost respect when assisting with a homeless application. The customer reported that it was the first time they had walked away with a smile and that Hilary had potentially helped them to get a job.
Engineering and Design	Customer phoned to report manhole blocked and raw sewerage coming up in the front garden. Matthew Mead arranged for contractors to attend and customer phoned to thank the Council in arranging the quick response from contractors, who did a very good job.
Landscaping	Customer rang to say "I am delighted to see the hedge at the front of my flat has been beautifully cut. The lads deserve a big thank you."
Refuse and Recycling	Customer rang to say that waste collection operative by the name of Joy, is always very pleasant, always smiling and works exceptionally hard, she always has a pleasant word for every one.

Housing Services	Customer rang to compliment Jenny Saunders, Home Support Officer. She wanted to pass her thanks to Jenny for all the work she had done with her since her move. She said Jenny had been her back bone and doesn't know how she would have coped without Jenny, so well done.
Repairs and Maintenance	Customer phoned to say a very big thank you to all concerned - especially contractors for the works carried out to the installation of his new boiler. He is very happy with the works carried out.
Repairs and Maintenance	Customer phoned to pay a compliment to the Aids and Adaptations team. He wanted to say an operative named Darren came to install some grab rails for him due to his mobility problem, and he was quick, efficient, there were no problems or grief, he was lovely and chatty, he answered his questions happily, he was fantastic! His name was Darren and he deserves a pat on the back. He also added that he is so thankful for the service, his condition is progressive and the rails will be immense help.
Repairs and Maintenance	Customer would like to express his thanks for the swift response and workmanship carried out at his property last week. He would like the original Inspector Steve Ballard and also the tradesman Gary Harris to be thanked for all their hard work.
Development Control	Customer emailed about the service received from Iain Mackay to say that such great service is very much appreciated and it's a long time since somebody has dealt with something so quickly and professionally for him.
Theatre	Thank you and all the staff for all their hard work last night. We had a fantastic experience at the theatre and everyone enjoyed the show.
Arts Development	Customer emailed to say: We would like to say a very big thank you for the entertainment provided on Church Green on the 31st July 2012. It was a great day out, with Robot being the highlight. Face paints and playing drums was just great. Children and adults alike just loved it. Thank you.
Income and Debt Management	Thanks very much to Joyce for dealing with my query and for coming back to me so quickly! Great service!
Benefits	I wish to thank Clare Colley very much for her polite, efficient service, she worked alongside Kim Brazier in Benefits in getting everything sorted for me ready for my next rent payment due next week.

3. Local Government Ombudsman Complaints

During this quarter there were two complaints referred from the Local Government Ombudsman. Both are still in the process of being investigated.

Complaint 1 – is in relation to the delay and poor quality of repairs to a tenant’s property and information is currently being gathered in response.

Complaint 2- is in relation to tree roots causing damage to a water pipe, affecting the water supply to a private home and information is currently being gathered in response.

4. Customer Service Centre Information

This section provides some statistical information in respect of the service provided at the Customer Service Centres (CSC) and One Stop Shops (OSS). The purpose of the Customer Services team is **to help resolve customer’s problems or requests**.

Customer numbers

The following table shows the numbers of customer enquiries dealt with by the Customer Service Team:

	Totals for 2011/12	2nd Quarter 2011/12	1st quarter 2012/13	2nd quarter 2012/13
Face to face	72,785	17,724	14,130	15,080
Telephone	76,813	19,261	27,180	31,851
Email	3,270	469	825	770
Payments	118,576	31,958	28,031	28,867
Total customer contacts	271,444	69,412	69,341	76,568

Due to technical problems we were unable to take credit or debit card payments for some weeks during this period. This had an impact on those wishing to pay by telephone or online and saw a reduction of payments by these channels of over 6,000 payments.

However, the total number of payments processed during the second quarter (including all automated channels) was 37,487, compared with 39,373 in the 1st quarter. We always see a drop in payments in the second quarter as new year billing for Council Tax and Non Domestic Rates has an impact during the 1st quarter. Therefore, it would appear that the net result is that payments are not significantly lower than anticipated although there has been considerable disruption to customers, and a higher number of customers using the face to face service.

The technical problems that we were experiencing at that time are now resolved although we do have an intermittent problem which is affecting the payment of Council Tax or Sundry Debtors online or via telephone, which is still being addressed by the ICT and Revenues Teams.

5. Customer Satisfaction

The majority of problems or requests received by Customer Service Staff are handed over to someone else within the organisation to resolve.

We have established a scheme to gain feedback from customers who have recently made contact with us on how well the organisation (or a part of it) responded to customer's problems and during this quarter we made contact with 30 customers, who had made contact with us with issues relating to Benefits. We received the following responses to our questions:

How was your enquiry handled by the customer services adviser?

Poor	Fair	Average	Good	Excellent
0	0	0	6	24

Was your enquiry resolved to your satisfaction by the council?

Yes	No
28	2

Those customers who did not feel their issue had been resolved had commented as follows:-

1. Benefits were not paid on the expected day. Called and told the matter would be processed and that given a date when the money would in account. Benefits were still not in account and was told that it would be a further week. Staff were reportedly unhelpful.
2. My claim took too long and was too much messing around having to bring documents back all the time.

The feedback from this exercise has been fed back to the relevant officers to take into account when reviewing service delivery.

Amanda de Warr
 Head of Customer Services
 October 2012

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**APRIL - SEPTEMBER (QUARTER 2) - FINANCE MONITORING REPORT
2012/13**

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management.
Portfolio Holder Consulted	
Relevant Head of Service	Teresa Kristunas, Head of Finance and Resources
Wards Affected	All Wards
Ward Councillor Consulted	
Non Key Decision	

1. SUMMARY OF PROPOSALS

This report details the Council's financial position for the period April to September 2012 (Quarter 2 - 2012/13).

2. RECOMMENDATIONS

The Executive Committee is asked to RESOLVE that

the current financial position on Revenue and Capital be noted, as detailed in the report.

3. KEY ISSUES

- 3.1 This report provides details of the financial information across the Council. The aim is to ensure Officers and Members can make informed and considered judgement of the overall position of the Council.

Financial Implications

- 3.2 The Council set a balanced budget in February 2012 for the financial year 2012/13. Within the budget were included savings of £654K which were not fully identified. These included savings relating to Shared Services, Transformation, and general vacancies within the Council.

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**Revenue Budget summary Quarter 2 (April – September) 2012/13 –
Overall Council**

- 3.3 The current financial position for services delivered within the Borough is detailed in the table below.
- 3.4 Internal recharges have not been included in these figures to allow comparison for each service area.

Service Head	Budget 2012/13 £'000	Budget April - September £'000	Actual spend April - September £'000	Variance to date April - September £'000	Projected Outturn £'000	Projected Variance Full Year £'000
Environmental Services	3,642	1,994	1,999	5	3,637	-5
Community Services	2,182	1,042	1,037	-5	2,169	-13
Regulatory Services	573	293	284	-9	563	-10
Leisure & Cultural Services	3,915	1,986	2,012	26	3,944	29
Planning & Regeneration	1,694	756	782	26	1,778	84
Customer Services	793	393	358	-35	727	-66
Finance & Resources	5,418	2,951	3,042	91	5,508	90
Legal, Equalities & Democratic Services	1,153	602	606	4	1,114	-39
Business Transformation	1,086	597	597	0	1,086	-
Head of Housing Services	924	462	451	-11	913	-11
Corporate Services	1,190	772	781	9	1,179	-11
SERVICE TOTAL	22,570	11,848	11,949	101	22,618	48

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Financial Commentary**3.5 Environmental Services**

- a) There is an assumption that S106 income will be received during the year for maintenance of adopted land, and cleansing. If this money is not received there would be an unavoidable pressure up to the value of 112k.
- b) On street parking enforcement income is projecting a shortfall of 35k.
- c) Bereavement Services income has projected a shortfall of 14k due to the closure while capital works were being completed.
- d) Savings have been made within waste management of 30k.

3.6 Leisure & Cultural Services

- a) The Learn Direct service is projecting a shortfall of income due to a change in the funding stream and a lower than expected number of users. The shortfall is expected to be £20K.
- b) Salary costs are higher than expected for 4th Tier Managers due to additional responsibilities following the shared service. This is estimated at £23K.
- c) The Community Centres have not made the savings expected of £20K. As 2 sites were due to be closed, this has not yet been achieved and work is ongoing.
- d) There is additional income forecasted elsewhere within the Service which is projected to partially off-set the overspends identified above.

3.7 Legal, Equalities & Democratic Services

The legal underspend is largely due to maternity leave and the fact that posts were not filled until part way through the financial year as a result of the shared service restructure. In addition half a post remains vacant in the legal team to support the transformational work that has been done in housing, revenues and benefits which has revealed compelling evidence to support the need for additional debt management and income maximisation support to be made available to our customers. The Head of Service has undertaken some work to identify costs historically allocated to debt recovery and realigned the same in a trial exercise to support the provision of income

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maximisation and debt advice to customers. Whilst there is an underspend currently identified in the area it is likely that this will reduce before the end of the financial year as the support for this trial continues.

3.8 Planning & Regeneration

- a) There is an overspend on Building Control of £28K; this is due to redundancy costs following the shared service.
- b) There are a number of vacant units at the in the Business Centres, resulting in lower than expected rents on this service. This service is expected to cost an additional £48K.
- c) The salaries for the 4th tier Managers within the service have been regarded due to the additional responsibility relating to managing a shared service. £9K

3.9 Customer Services

The underspend within the customer services department is due to a number of vacancies that exist within the department and spending has been reduced to a minimum.

3.10 Finance and Resources

- a) Benefit Services have made savings of 28k due to services being shared with Bromsgrove District Council, however the variance to date and outturn will show an overspend due to increased payments in benefits due to the economic downturn. HRA 45K, homelessness 10k (additional B&B costs), rent allowance 20k.
- b) Investment Properties forecast an overspend due to increased NNDR on some of the properties and also underachieved rent of 43k.

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3.11 Capital Budget summary Quarter 12 (April - September) 2012/13 – Overall Council

Department	Budget 2012/13 £'000	Actual spend April – September £'000	Remaining Balance 2012/13 £'000
Business Transformation	115	31	84
Environmental Services	3,817	2,116	1,701
Regulatory Services	100	0	100
Community Services	952	234	718
Leisure & Cultural Services	150	29	121
Finance & Resources	745	250	495
Housing Services (inc HRA)	8,597	4,913	3,684
Total	14,476	7,573	6,903

Financial Commentary:

- The Capital expenditure is on track to be spent during this financial year.
- The Budget for Regulatory Services will be spent during the latter half of the year.
- There is an underspend on Community Services due to a lower take up of grants available to the public such as DFG's
- Financial Services is awaiting invoices from WCC who manage the building on our behalf.

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Treasury Management

- 3.12 The Council's Treasury Management Strategy has been developed in accordance with the Prudential Code for Capital Finance prudential indicators and is used to manage risks arising from financial instruments. Additionally treasury management practices are followed on a day to day basis.

Credit Risk

- 3.13 Credit risk arises from deposits with banks and financial institutions, as well as credit exposures to the Council's customers. Credit risk is minimised by use of a specified list of investment counterparty criteria and by limiting the amount invested with each institution.
- 3.14 At 30th September 2012, short-term investments comprise:

	30th September 2012 £000
Deposits with Banks/Building Societies	4,500

Income from investments

- 3.15 An investment income target of £79k has been set for 2012/13 using a projected rate of return of 0.75% - 1.50%. During the past financial year, bank base rates have remained at 0.50% and current indications are projecting minimal upward movement for the short-term.
- 3.16 In the 6 months to 30th September, the Council earned income from investments of £45k. The Council is on track to achieve the budget on investments for 2012.
- 3.17 The Council's Treasury Management Strategy has been developed in accordance with the Prudential Code for Capital Finance prudential indicators and is used to manage risks arising from financial instruments. Additionally treasury management practices are followed on a day to day basis.

General Fund Balances

- 3.18 The General Fund Balance as at the 31st March 2012 is £1,289K; the budget set in February 2012, amended on 23rd July 2012 included an estimated use of balance of £192K.

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- 3.19 Any overspend on Revenue Budgets would have to be funded from Balances, thus affecting future year budgeted use of balances.

Legal Implications

- 3.20 No Legal implications have been identified.

Service/Operational Implications

- 3.21 Sound performance management and data quality are keys to achieving improved scores in the Use of Resources judgement. This performance report supports that aim.

Customer / Equalities and Diversity Implications

- 3.22 Performance Improvement is a Council Objective.

4. RISK MANAGEMENT

Risk considerations are covered within the report.

5. APPENDICES

None.

6. BACKGROUND PAPERS

None.

AUTHOR OF REPORT

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QUARTERLY MONITORING OF WRITE OFFS – 1ST APRIL – 30TH SEPT 2012

Relevant Portfolio Holder	Councillor Mould
Portfolio Holder Consulted	
Relevant Head of Service	Teresa Kristunas, Head of Finance & Resources
Wards Affected	All

1. SUMMARY OF PROPOSALS

Members are requested to consider the action taken by Officers with respect to the write off of debts during the first half of 2012/13 and to note the profile and/or level of outstanding debt.

2. RECOMMENDATIONS

The Executive is requested to RESOLVE that:

Subject to any comments, the contents of the report be noted.

3. KEY ISSUES

3.1. In 2010/11 Members approved a revised Write Off Policy which changed the process for the reporting and approval process for the writing off of debts due to the Council. The revised Policy requires Officers to report to Members of the actual level of write offs and the profile of outstanding debt.

3.2. The current bad debts provisions are as follows:

	£
Council Tax	249.2
Housing Revenue Account	586.8
Sundry Debtors	114.8
Benefits	227.1
Misc.	<u>3.3</u>
Total	<u>1,181.2</u>

Financial Implications

3.3 The current bad debt provisions are adequate in relation to level of write offs and the level of outstanding debt.

Legal Implications

3.4 There are no legal implications.

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Service / Operational Implications

3.5 No direct implications.

Customer / Equalities and Diversity Implications

3.6. No direct implications.

4. RISK MANAGEMENT

There are no risks identified.

5. APPENDICES

Appendix 1 – Write offs 1st April 2012 – 30th Sept 2012

Appendix 2 - Aged Debt Profile for Sundry Debts and Former Tenant
Arrears

Council Tax Arrears and Business Rates Arrears as at 30th
Sept 2012

Appendix 3 – Write off of Overpaid Housing Benefit 1st April 2012 – 30th
Sept 2012

6. BACKGROUND PAPERS

There are no background papers with this report.

AUTHORS OF REPORT

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Appendix 1**Write Offs of Council Tax and Non-Domestic Rates**
1st April – 30th Sept 2012

Council Tax Period		01/04/12 - 30/09/12
CT - 01	Gone away	22,860.66
CT - 02	Deceased no funds in estate	1,155.99
CT - 03	Bankruptcy	9,980.61
CT - 04	Statue Barred	758.09
CT - 06	Uneconomical to pursue	4,075.08
CT - 09	Automatic w/o +1/-1p	0.02
CT - 10	Balance under £5.00	10.89
CT - 11	Other	-507.96
CT - 12	Credits - unable to refund	-12,594.13
CTAX	Original w/o code	-255.29
Total		25,483.96

NDR Period		01/04/12 - 30/09/12
NDR - 01	Gone away	17,542.56
NDR - 03	Liquidation/Winding up	124,110.96
NDR - 06	Uneconomical to pursue	131.17
NDR - 09	Automatic w/o +1/-1p	0.01
NDR - 10	Ratepayer deceased	16,908.21
NDR - 11	Credits - unable to refund	-28.54
Total		158,664.37

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Write Offs of Sundry Debts and Former Tenant Arrears (HRA)
1st April 2012– 30th Sept 2012

Sundry Debts	Reason	01/04/12 – 30/09/12 £
SDR – 01	Gone away	32,319.23
SDR – 02	Imprisonment	475.00
SDR – 03	Liquidation/Bankrupt	3,455.42
SDR – 04	Statue Barred	4,895.71
SDR – 05	Remitted by Court	
SDR – 06	Uneconomical to pursue	26,225.02
SDR – 07	CVA	15,083.48
SDR – 08	Discretionary/Hardship	15,113.92
SDR – 09	Automatic w/o +1/-1p	
SDR – 10	Debtor deceased	7,708.39
SDR – 11	Credits - unable to refund	
	Total	105,276.17*

* £30,069 will be charged against the bad debt provision. The balance will be charged direct to services.

Former Tenant Arrears	Reason	01/04/12 - 30/09/12 £
FTA – 01	Gone away	27,133.12
FTA – 02	Imprisonment	237.60
FTA – 03	Liquidation/Bankrupt	6,783.77
FTA – 04	Statue Barred	2,919.41
FTA – 05	Remitted by Court	
FTA – 06	Uneconomical to pursue	24,686.91
FTA – 07	CVA	2,919.41
FTA – 08	Discretionary/Hardship	423.74
FTA – 09	Automatic w/o +1/-1p	
FTA – 10	Tenant deceased	2,763.37
FTA – 11	Credits - unable to refund	
	Total	65,172.88

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Appendix 2**Aged Debt profiles for Sundry Debts and Former Tenant
Arrears - 1st April 2012 to 30th Sept 2012**

Age	Sundry Debts	Former Tenant Arrears
	£	£
0 - 3 months	1,239,358.44	23,311.75
3 - 6 months	133,167.29	16,523.92
6 - 12 months	158,409.83	58,753.51
12 - 24 months	311,414.66	71,106.40
24 months and over	656,332.27	190,961.89

Council Tax Arrears

Year	Arrears Total as at 30/06/12	Arrears Total as at 30/09/12
1996/97	734.68	582.96
1997/98	1,115.61	1,052.33
1998/99	2,596.19	2,428.59
1999/00	6,670.78	6,347.03
2000/01	10,702.52	10,522.82
2001/02	19,083.45	18,357.06
2002/03	25,592.61	24,583.09
2003/04	40,027.58	36,683.47
2004/05	63,535.51	59,960.32
2005/06	86,473.54	80,478.36
2006/07	136,912.04	130,896.98
2007/08	175,632.70	165,931.76
2008/09	213,806.34	201,078.70
2009/10	264,459.34	241,137.80
2010/11	361,723.86	331,117.49
2011/12	630,406.76	533,314.16
Total	2,039,473.51	1,844,472.92

**EXECUTIVE
COMMITTEE**

20th November 2012

Business Rates Arrears

Year	Arrears Total as at 30/06/12	Arrears Total as at 30/09/12
2000/01	600.50	344.49
2001/02	2,222.72	1,938.42
2002/03	11,269.43	11,075.00
2003/04	13,281.67	13,005.36
2004/05	20,779.80	20,423.60
2005/06	21,778.48	24,217.83
2006/07	43,472.11	44,746.45
2007/08	108,596.53	99,002.62
2008/09	104,483.58	93,846.43
2009/10	79,234.83	48,054.86
2010/11	249,601.11	228,307.30
2011/12	322,016.70	263,473.97
Total	977,337.46	848,436.33

**EXECUTIVE
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Appendix 3**Write off of Overpaid Housing Benefit – 1st April 2012 to 30th
Sept 2012**

Housing Benefit Write-Offs as at 30/09/2012		
Reason	Amount £	No. of cases
Possible Write back	460.64	1
Deceased	2,175.98	13
Debt Relief Order	4,796.68	5
Bankruptcy	Nil	Nil
Person Abroad	Nil	Nil
Hardship/Compassion	1,460.17	3
Not reasonable to recover	15,427.36	55
Uneconomic to recover	899.64	18
Debt matching	Nil	Nil
Cannot trace	Nil	Nil
No prospect of recovery	1,432.01	5
Totals	£26,652.48	100



Overview and Scrutiny

Committee

9th October 2012

MINUTES

Present:

Councillor Juliet Brunner (Chair), and Councillors Andrew Brazier, David Bush, John Fisher, Andrew Fry, Pattie Hill, Roger Hill (substituting for Councillor Simon Chalk), Gay Hopkins and Pat Witherspoon

Also Present:

Councillors Greg Chance and Michael Chalk

Officers:

R Bamford, C Felton, R Griffin, J Willis, R Bamford, C Felton, S Morgan, p.smith and J Staniland, and J Willis

Committee Services Officer:

J Bayley and M Craggs

75. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Simon Chalk. Councillor Roger Hill was confirmed as his substitute.

76. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of any party whip.

77. MINUTES

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 11th September 2012 be approved as a true and correct record of the meeting and signed by the Chair.

.....
Chair

Overview and Scrutiny Committee

9th October 2012

78. PORTFOLIO HOLDER ANNUAL REPORT - PLANNING, REGENERATION, ECONOMIC DEVELOPMENT AND TRANSPORT - COUNCILLOR GREG CHANCE

Further to consideration of the Portfolio Holder for Planning, Regeneration, Economic Development and Transport's written report at the meeting of the Overview and Scrutiny Committee on 11th September 2012 Councillor chance provided a response to Members' questions as detailed in Appendix 1. Additional information was also provided in relation to the following subjects:

a) Business expansion in Council properties

Members were advised that the potential for local businesses to expand their premises on Council owned land was altogether dependent on the merits of the individual planning application. The importance of increased employment was fully appreciated, however important environmental considerations needed to be taken into account. Members heard that the co-existence of planning and economic development within the remit of a single portfolio ensured that both matters could be considered alongside one another as part of the application process.

b) New business start-ups in the town

The action being taken by the Council to attract high-class restaurants to the town centre was also discussed. Officers explained that the role of the Local Plan was to make the land and infrastructure available to make Redditch an attractive proposition for all business. Ultimately, however, it was a commercial decision for any restaurant chain or business regarding whether to open new premises in Redditch.

c) Redditch Town Centre - TikTap

The Committee was advised that Redditch residents and shoppers would soon be able to benefit from discounts and special offers from town centre shops and businesses through 'TikTap' which was being introduced by the Redditch Town Centre Partnership. Redditch would be one of the first locations in the UK to launch this service. Additional information was requested by Members regarding the operation of this new service.

Overview and Scrutiny Committee

9th October 2012

c) Choose How You Move 2

There was a mixed response from Members in terms of their experience of the Choose How You Move 2 project. Whilst the project was delivered by Worcestershire County Council Members suggested that Councillors and Officers at the Council needed to develop a clearer understanding of how to utilise the project effectively to ensure that sufficient value for money was obtained.

d) Economic Advisory Panel (ECAP)

Members noted that the Council's Economic Advisory Panel (ECAP) had the potential to assume a key role co-ordinating the Council's response to economic development issues, in a similar manner to the role of the Planning Advisory Panel in developing Planning policy. However, concerns were expressed that the panel was meeting infrequently and the remit of the body was currently restricted in scope.

Following the presentation, Members suggested that more needed to be done to ensure that the Council's Economic Advisory Panel (ECAP) meetings were better attended and were more effective in general.

On behalf of the Committee, the Chair thanked Councillor Chance for his comprehensive report.

RECOMMENDED that

- 1) **Redditch Borough Councillors and Officers develop a clear understanding of the most effective uses of *Choose How You Move 2* monies in Redditch Borough;**
- 2) **the Economic Advisory Panel (ECAP) should meet more frequently, the scope of the Panel should be expanded and more active participation of elected Members at meetings of the Panel should be promoted; and**

RESOLVED that

the report be noted.

Overview and Scrutiny Committee

9th October 2012

79. INCREASING RATES OF RECYCLING - MONITORING UPDATE REPORT

As no relevant Officer from Environmental Services was in attendance to present the report, Members agreed to defer the item until the following meeting to ensure that any related questions could be adequately addressed.

RESOLVED that

consideration of the item be deferred to the following Committee meeting on 9th November 2012.

80. DIAL A RIDE EXTENDED SERVICE - FEASIBILITY STUDY

The Committee considered a feasibility report for extending the Dial a Ride service to include transporting young people to local events and festivals, and making the vehicles available for hire out of hours to other groups with transport needs. Officers explained that the potential for the service to be extended to transporting young people had originally been proposed in the Youth Services Provision Task Group's final report. The Executive Committee had expressed interest in the proposal when the item was presented in April 2012 but had suggested that further information was required from Officers regarding the feasibility of the proposal and had requested that a report on the subject be produced for the consideration of the Overview and Scrutiny Committee.

Concerns were raised regarding the cost implications for this extended service. Officers acknowledged that any permanent driver working more than 37.5 hours a week would need to be paid at an overtime rate. However, in this instance, Members heard that it could be cheaper for the Council to employ extra drivers on a temporary basis to meet increased demand. Officers further clarified that the extended service would only be made available to community groups that met the Council's eligibility criteria.

It was suggested that the Committee receive a monitoring report twelve months after the introduction of the extended service to enable Members to review its effectiveness and to propose any necessary amendments in the event of the extended scheme being approved.

Overview and Scrutiny Committee

9th October 2012

RECOMMENDED that

- 1) the Dial-a-Ride scheme operated under a permit issued under section 19 of the Transport Act 1985, be extended to include making the Dial-a Ride vehicles available to those community organisations registered with the Council for use during evenings and weekends;
- 2) that the charging schedule as set out in Appendix 1 be adopted; and
- 3) that the scheme is based on the examples presented in appendix 2;
- 4) subject to the extended Dial a Ride scheme being approved, the Overview and Scrutiny Committee receive a monitoring update report on the subject 12 months after the scheme's introduction.

RESOVED that

the report be noted

81. QUARTERLY FINANCE MONITORING REPORT - QUARTER 1 - APRIL - JUNE 2012

Officers presented an overview of the quarterly budget monitoring report for the period from April up to and including June 2012.

RESOLVED that

the report be noted.

82. PORTFOLIO HOLDER ANNUAL REPORT - WRITTEN REPORT - LOCAL ENVIRONMENT AND HEALTH

The Committee proposed the following list of questions for the consideration of the Portfolio Holder for Local Environment and Health, Councillor Debbie Taylor, ahead of her appearance before the Committee on 6th November 2012.

- 1) Please could you outline what you consider to be:
 - a) The successes within the remit of your Portfolio?
 - b) Areas of concern within the remit of your Portfolio?(Within your answer please could you refer to the impact of recent budget cuts on resurfacing of footpaths in the Borough).

Overview and Scrutiny Committee

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- 2) Why has there been an under spend on the budget for the Solar PV project?
 - a) What will the surplus funds remaining be spent on?
- 3) The written report for your portfolio stated that “progress has been made on the transfer of assets under Section 106 agreement at Brockhill. The initial transfer of two areas that contain the majority of POS and drainage features will lead to the ‘unlocking’ of other transfer funds”. How long will it take to transfer these assets?
- 4) What progress has been made on transformation of the services within your remit and what impact are you anticipating transformation will have on those services?
- 5) How many trees is Redditch Borough Council due to plant in the next twelve months – two years?
- 6) As Redditch Borough Council’s representative on the Health and Wellbeing Board how do you report back to Council?
- 7) Which organisations have been identified to deliver healthy eating and cookery sessions?
- 8) LED lighting was introduced at the Palace Theatre relatively recently. What plans, if any, are there to extend the provision of LED lighting to other Council properties in order to reduce the Council’s carbon footprint?

RESOLVED that

the report be noted.

83. ACTIONS LIST

The Committee heard that an email that contained the requested information on action being taken to attract new tenants to Threadneedle House had been circulated to Members since the publication of the agenda.

RESOLVED that

the Committee’s Actions List be noted.

Overview and Scrutiny Committee

9th October 2012

84. EXECUTIVE COMMITTEE MINUTES AND SCRUTINY OF THE FORWARD PLAN

RESOLVED that

the minutes of the meeting of the Executive Committee held on 18th September 2012 and the Forward Plan be noted.

85. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS

There were no draft scoping documents.

86. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Committee received the following reports in relation to current reviews:

a) Arts and Cultural Centre – Chair, Councillor Gay Hopkins

It was reported that the group had made a promising start to its review having already held two productive meetings, while a number of future interviews had been booked until early December 2012. The group was also planning to visit a number of art centres as part of the review.

b) Concessionary Rents Short, Sharp Pre-Scrutiny Review – Councillors Andrew Brazier and Juliet Brunner

Members were advised that the review had been completed. The final report was due to be considered by the Committee at its meeting in November.

c) Redditch Market – Chair, Councillor Andrew Brazier

Members were informed that that the group had recently held a mid-review meeting to set out its direction of travel towards the review's completion. Councillor Brazier also informed the Committee that he had recently visited another local market in a personal capacity and would feed back to the group at its next meeting.

d) Sickness Policy Short, Sharp Pre-Scrutiny Review – Councillors John Fisher and Pat Witherspoon

Members were advised that the review had been completed. The final report was due to be considered by the Committee at its meeting in November.

Overview and Scrutiny Committee

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The Chair thanked the participating Councillors on the Short, Sharp reviews for their hard work during a short period of time.

RESOLVED that

the update reports be noted.

87. HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Councillor Witherspoon, the Committee's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), provided an update on the latest meeting of HOSC which had taken place on Wednesday 12th September 2012.

Members were advised that the outcomes of the Joint Services Review (JSR), as part of NHS Worcestershire's review of four areas of acute healthcare services, had not been available for the HOSC's consideration. It was understood that this would be considered at the following meeting on 10th October 2012. Elsewhere, the HOSC received a very informative presentation on the county's successful Integrated Care Programme which was one of the best performing in the country.

The JSR would continue to be monitored at the following meeting of the HOSC, at which Members were also due to receive a general update on the work of the West Mercia Cluster, and a progress update on planned changes to the West Midlands Ambulance Service.

RESOLVED that

the report be noted.

88. CRIME AND DISORDER SCRUTINY PANEL - CHAIR'S UPDATE

The Chair of the Redditch Crime and Disorder Scrutiny Panel, Councillor Andrew Brazier, delivered an overview of his report from the most recent Panel meeting on 4th October 2012.

Members were advised that the three community safety partnerships for Redditch, Bromsgrove, and Wyre Forest, had recently been merged together to form a North Worcestershire Community Safety Partnership. This was officially operating in a shadow form until its terms of reference had been ratified by the Home Office. The Panel would help to ensure that Redditch's own

Overview and Scrutiny Committee

9th October 2012

crime and disorder issues and priorities were not lost as a result of the merger.

The Panel had received a significant amount of crime data, including detailed breakdowns on criminal damage and hate crimes in Redditch.

RESOLVED that

the report be noted.

89. REFERRALS

There were no referrals.

90. WORK PROGRAMME

The Chair confirmed that the Committee would receive a briefing on the Council's projected budget position for the following three years on Thursday 29th November 2012. Members would also have the opportunity to look at any initial budget bids and other relevant financial information that was available at that point.

Members entered into a brief discussion about the most appropriate start time for future Committee meetings. It was felt that there needed to be a consistent start time to avoid any confusion being created.

RESOLVED that

the Committee's Work Programme be noted.

The Meeting commenced at 6.30 pm
and closed at 8.05 pm

**REDDITCH BOROUGH COUNCIL AND
BROMSGROVE DISTRICT COUNCIL**

SHARED SERVICES BOARD

11th October 2012 at 5.30pm

COMMITTEE ROOM 2, TOWN HALL, REDDITCH

Present: Councillors Bill Hartnett (Chair), Greg Chance, Carole Gandy and Debbie Taylor (Redditch Borough Council)

Mark Bullivant (substitute for Cllr Sherrey), Steve Colella and Roger Hollingworth (Bromsgrove District Council).

Officers: Ruth Bamford, Kevin Dicks, Angie Heighway, Helen Mole, Deb Poole and Liz Tompkin

Notes: Denise Sunman

1. **APOLOGIES**

There were no apologies for absence.

2. **MINUTES**

2.1 The minutes of the previous meeting of the Board held on 23rd August 2012 were agreed as a correct record.

CONFIDENTIALITY

These notes are an open public record of proceedings of the Board.

[Meetings of the Board are not subject to statutory Access to Information requirements; but information relating to individual post holders and/or employee relations matters would nonetheless not be revealed to the press or public.]

3. PRESENTATIONS – TRANSFORMATION UPDATES

3.1 Locality – Joined Up Working

Mrs Heighway outlined work which was ongoing to understand multi-organisation services. The organisations involved were:

- a) Public Health & Clinical Commissioning Group;
- b) Social Services / Worcestershire County Council (WCC);
- c) Police;
- d) Prison;
- e) New College;
- f) CAB;
- g) Worcestershire Health & Care NHS Trust; and
- h) Schools (Arrow Vale)

Key issues had been identified as follows:

- i) Referrals lead to more referrals;
- ii) Organisations operate in silos;
- iii) Lack of data sharing;
- iv) Issues are processed rather than fixed;
- v) Agencies do not take ownership of cases;
- vi) Manage risk by being seen to do the right thing.

She reported that a further meeting of the Joined Up Working Group was to take place at the beginning of November to take ownership of the next steps which would include:

- A presentation to the Public Services Executive Group (PSEG);
- Agencies to share learning from the project within their organisations;
- Help for the three locality cases identified by the process;
- Explore Data Protection Act (& Freedom of Information) as a barrier to getting things done; and
- Grow and extend the Winyates trial (Locality).

Members acknowledged the importance of the work that had been done.

3.2 Housing Maintenance

Mrs Tompkin gave an up-date on the trial that had commenced in February 2012.

She reported the following outcomes from data collected between 28th March 2012 and 5th September 2012:

- a) 59.6 hours total end to end time to fix;
- b) 88.1% arrived at time first requested by customer;
- c) 92.9% of repairs completed at the first visit;
- d) 2.5% failure demand;
- e) Supervisor was called on 9 occasions;
 - 6 for advice

- 2 for delivery of stores
- 1 for an urgent job
- f) Called on stores 40 times to deliver parts;
 - Unable to deliver on 11 occasions.

Members were informed that work was ongoing to:

- i) to design a better IT system for controlling the work and appointments;
- ii) More trades to be included in the team – trial of an external works team;
- iii) More back office staff to be available to take calls;
- iv) Development of job descriptions;
- v) Production of a skills matrix for all staff;
- vi) Creation of a training programme for tradesmen;
- vii) Discussions with College;
- viii) Increased number of apprenticeships;
- ix) Programming of more 'planned works';
 - x) More planned maintenance carried out 'in-house';
 - xi) Seek accommodation to site Repairs & Maintenance and Housing teams on a single site;
 - xii) Investigate more flexible working based on customer appointment times;
 - xiii) Work with Stores on their transformation

3.3 Housing Management Transformation

Mrs Tompkin gave an update on the Housing Management Transformation and its links to the Locality Project in Winyates. She outlined the lessons that had been learnt:

- a) Working to a set of principles, rather than procedures, enabled better understanding of the problems to be solved;
- b) Working as a team with 'one' purpose enabled delivery of outcomes;
- c) Ownership of cases was required;
- d) Removal of the 'that's not my job' way of thinking;
- e) Invest in more training for teams to increase skills;
- f) Current demand for Equipment and Adaptations is not being met and ways to work differently need to be identified;
- g) More 'joined up' working with external agencies is required;
- h) A 'joint purpose' with external agencies is required.

The next steps would be to:

- i) Include all Winyates demand;
- ii) Start a separate trial in Equipment and Adaptations;
- iii) Begin work on identifying waste in tenancy management processes;
- iv) Continue to work alongside the Housing Options and Repairs and Maintenance transformation teams;
- v) Continue to work with the Joined Up Working Group.

It was **AGREED** that

a joint Member Development session be arranged to brief on the Joined Up Working Project and Locality Working.

3.4 Mrs Tompkin reported on work ongoing to look at the feasibility of the Councils setting up a Social Letting Agency in partnership with the private sector to manage vacant properties on behalf of owner / occupiers.

3.5 Planning

Mrs Bamford gave a verbal update on transformation of the planning application process. She reported that work was ongoing to use computer software more efficiently for the production of letters to customers in conjunction with making those letters more understandable and 'customer friendly'.

She reported that in future a planning officer would be responsible for an application from receipt to decision. She said that this approach might take longer but would lead to more positive decisions being made.

4. PROGRESS REPORT

The Board received a progress report which provided an update on all elements of the Shared Services / Transformation work taking place across both Councils.

5. NEXT MEETING

Members noted that the next meeting of the Board would be held on **Thursday, 10th January 2013** in the **Conference Room, Bromsgrove District Council** commencing at **5.30 pm**, as previously.

The meeting commenced at 5.30 pm and closed at 7.15pm

BROMSGROVE DISTRICT COUNCIL**WORCESTERSHIRE REGULATORY SERVICES****MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE****THURSDAY, 27TH SEPTEMBER 2012 AT 5.30 P.M.**

PRESENT: Councillors M. Hart (Chairman), D. Thain (Vice-Chairman, during Minute No's 18/12 to 24/12), M. A. Bullivant, C. B. Taylor, Mrs. B. Behan, D. Hughes, Mrs. P. Witherspoon, R. Hill, Mrs. L. Hodgson, A. N. Blagg, Mrs. E. Stokes and P. Harrison

Observers: Mr. V. Allison, Deputy Managing Director, Wychavon District Council

Officers: Mr. S. Jordan, Mrs. S. Sellers, Mr. M. Kay and Mrs. P. Ross

15/12 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M. Braley, Redditch Borough Council, P. Mould, Redditch Borough Council, J. Riaz, Worcester City Council and K. Jennings, Wychavon District Council.

16/12 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

17/12 **MINUTES**

The minutes of the meetings of the Worcestershire Shared Services Joint Committee held on 28th June 2012 and 11th July 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

18/12 **WORCESTERSHIRE REGULATORY SERVICES GROWTH POTENTIAL**

The Committee considered a preliminary report which detailed opportunities to explore potential growth for Worcestershire Regulatory Services.

The Head of Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed the Committee that WRS were well aware of the implications of the next Government settlement (2014/2015 onwards) and the significant impact this was likely to have on local authority finance. Members were informed that an options report on the likely impact of further cuts to the budget (5%, 10%, and 15%) in 2014/2015 would be presented to the next meeting of the Joint Committee.

The creation of WRS had helped the seven participating authorities to reduce costs whilst maintaining resilience. In light of the uncertainty of the financial settlement that would be available to Local Government from 2013/2014, WRS had developed two strategies, as detailed in the report.

There was an opportunity to grow the business in such a way that growth would deliver benefits for the original partners. WRS had had discussions with five Local Authorities, as detailed in the report, to gauge interest in either joining the partnership or outsourcing their services to WRS. WRS were also looking at the feasibility of working with a wider range of partners to establish a regional Animal Health team and metrology. The Head of WRS highlighted that WRS were currently looking at the feasibility of these opportunities and that these discussions were still at an early stage. A report detailing potential business models would be presented to the Joint Committee early in 2013. It was clear that there were real opportunities for WRS to grow the business in a way that would generate an income for partners and help offset the WRS budget.

The Head of WRS advised Members that in order to maximise these opportunities it had become clear during the preliminary discussions that a review of the current governance arrangements would need to be undertaken to support a different business model.

The Head of WRS responded to Members' questions with regard to:

- Founder Members being treated as preference shareholders
- Business Model options
- Financial analysis of opportunities
- Profit sharing amongst the core partners
- Would WRS consider opportunities to enter into the private sector?

Councillor Mrs. B. Behan, Malvern Hills District Council expressed reservations in respect of the governance arrangements and how would this impact on Bromsgrove District Council as the host authority. The service had already been pared back to make savings and the service was currently operating on a slim field of operators, had staff been trained or would staff be trained if additional services were undertaken for other authorities. She was not opposed to it, but was worried. She also expressed further concern in respect of the public and their line of entry via the Worcestershire Hub. Would further operators be required if additional services were undertaken for other local authorities? She was slightly hesitant to go down this route, she sensed the need, but wondered how the current WRS structure would grow. She would not like to see a north/south/east/ west split of any sort.

The Head of WRS responded and highlighted that he understood the concerns expressed and that there would be no commitment until any opportunities had gone through the correct governance arrangements.

RESOLVED that Worcestershire Regulatory Services continued to explore opportunities to grow the business by taking on other partners or being contracted to deliver similar services for others, be approved.

19/12 **ICT PROJECT - VERBAL UPDATE FROM STEVE JORDEN**

The Head of Worcestershire Regulatory Services (WRS) provided the Committee with a verbal update on the ICT Project. Members were informed that the IT contract with IDOX had been signed. The Head of WRS considered the contract to be advantageous to WRS and that it would work well for IDOX. The next phase would be to fill in the detail on the IT Project Plan and align resources. Staff from WRS would work on the IT Project so that WRS staff had ownership of the IT system, this would involve 'backfilling' where needed, a budget had been allocated for 'backfilling'. The detailed IT Project Plan would be presented by the ICT Project Manager to a future meeting of the Joint Committee. Members were further informed that penalty clauses had been built into the contract with IDOX to ensure delivery of the system as specified and that deadlines were met.

Following further discussion the Head of WRS responded to Members' questions with regard to:

- The host authority for the ICT system
- The type of ICT system supplied, whether bespoke or an off the shelf system.
- Ownership of the Licence. Could IDOX sell the system as a marketable product?

20/12 **WORCESTERSHIRE REGULATORY SERVICES JOINT COMMITTEE**
BUDGET MONITORING APRIL - JULY 2012

The Committee was asked to consider a report which detailed the financial position for the period April to July 2012.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council introduced the report and in doing so apologised to the Committee and ask Members to note that the figure of £6.008m shown on page 11 of the report should read £5.626m. Member's attention was drawn to Appendix 1 to the report and the Training and Seminars figure of £35,000. The Executive Director, Finance and Corporate Resources reminded the Joint Committee that Members had agreed at the Joint Committee meeting on 28th June 2012 to set aside £35,000 to fund a leadership development programme for senior for managers.

RESOLVED that the financial position for the period April to July 2012, be noted

21/12 **WORCESTERSHIRE REGULATORY SERVICES ANNUAL RETURN 2011 /**
2012

The Committee was asked to consider a report which detailed the amended Worcestershire Regulatory Services (WRS) Annual Return 2011/2012, which included the Accounting Statements for the Joint Committee for the period 1st April 2011 to 31st March 2012.

With the agreement of the Chairman the External auditor's certificate and opinion for the year ended 31st March 2012 was distributed to all Members present.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council introduced the report and in doing so drew Member's attention to the reasons for the amended report. The initial WRS Annual Return 2011/2012 approved by Members at the Joint Committee meeting on 28th June 2012, included the pension adjustments. Following further clarification and the advice given in relation to the presentation of the reserves relating to pension adjustments, the amended WRS Annual Return 2011/2012 excluded the pension adjustments as now advised by the new External Auditors, Clement Keys.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council informed Members that she had sought assurance from Clement Keys in respect of governance arrangements. More specifically if any concerns were raised at a later date, that the Joint Committee approved and the Chairman signed the initial Accounting Statements on 28th June 2012 and that the amended Accounting Statements were approved by the Joint Committee and signed by the Chairman on 27th September 2012. Clement Keys had acknowledged the concerns expressed by the Executive Director, Finance and Corporate Resources, Bromsgrove District Council and had agreed to confirm in writing that it was their error and therefore no concerns would be raised at a later date.

RESOLVED that the amended Worcestershire Regulatory Services Annual Return 2011/2012, to include the Accounting Statements for the Joint Committee for the period 1st April 2011 to 31st March 2012, be approved.

22/12 **EXCLUSION OF THE PUBLIC**

The Committee considered whether or not to exclude the public from the meeting for the consideration of Agenda Item No. 9; Worcestershire Regulatory Services Joint Committee, Confidential Minutes, 11th July 2012. The Chairman advised that the Committee had considered whether the public interest in maintaining the exemption outweighed the public interest in disclosing the information, which the Committee agreed it did not.

RESOLVED that the public not be excluded from the meeting during the consideration of Agenda Item No. 9; Worcestershire Regulatory Services Joint Committee, Confidential Minutes, 11th July 2012, and that the minutes be placed in the public domain.

23/12 **MINUTES**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 11th July 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

24/12 **COMMUNICATIONS**

(The Chairman agreed that this matter be raised as an urgent item).

Councillor Mrs. E. Stokes, Wychavon District Council informed the Committee of the issues raised by Members at Wychavon District Council's Overview and Scrutiny Committee on 18th September 2012, as detailed in the minutes:

"A significant number of Members raised issues with making contact when using the Worcestershire Hub, explaining that at times it was impossible to make contact until they used a private direct dial number into the service. Steve Jorden thanked members for this feedback noting them and confirmed he would investigate what was causing the issues."

Wychavon District Council, Overview and Scrutiny Committee had requested that Councillor Mrs. E. Stokes raise these issues at the next meeting of the Worcestershire Shared Services Joint Committee. The Head of Worcestershire Regulatory Services confirmed that he had attended Wychavon District Council's, Overview and Scrutiny Committee meeting on 18th September 2012 and had, as requested by Members, investigated the issues raised; which had included looking at the duty log, but he could find no information in relation to the issues raised. He further informed the Committee that should Members of the participating authorities experience further communication issues, it would be helpful if they could log the date, time and brief details of the issues encountered. Members could also raise any concerns in respect of communications directly with him or Mark Kay, Business Manager, Worcestershire Regulatory Services.

The meeting closed at 6.20 p.m.

Chairman

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REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

20th November 2012

ADVISORY PANELS, WORKING GROUPS, ETC - UPDATE REPORT

Relevant Portfolio Holder	Councillor Phil Mould
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels, and similar bodies which report via the Executive Committee.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

subject to Members' comments, the report be noted.

3. UPDATES**A. ADVISORY PANELS**

	<u>Meeting :</u>	<u>Lead Members / Officers :</u> (Executive Members shown <u>underlined</u>)	<u>Position :</u> (Oral updates to be provided at the meeting by Lead Members or Officers, if no written update is available.)
1.	Climate Change Advisory Panel	Chair: <u>Cllr Debbie Taylor</u> / Vice-Chair: Cllr Andy Fry Kevin Dicks / Ceridwen John	Last meeting – 10th October 2012
2.	Economic Advisory Panel	Chair: <u>Cllr Greg Chance</u> / Vice-Chair: Cllr John Fisher John Staniland / Georgina Harris	Next meeting – 21st January 2013.

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3.	Housing Advisory Panel	Chair: <u>Cllr Mark Shurmer</u> / Vice-Chair: Cllr Pat Witherspoon Liz Tompkin	Next meeting – Date to be established
4.	Planning Advisory Panel	Chair: <u>Cllr Greg Chance</u> / Vice-Chair: <u>Cllr Rebecca Blake</u> John Staniland / Ruth Bamford	Last meeting - 7th November 2012 Next meeting – 20th November 2012 18th December 2012

B. OTHER MEETINGS

5.	Constitutional Review Working Party	Chair: <u>Cllr Bill Hartnett</u> / Vice-Chair: <u>Cllr Greg Chance</u> Sheena Jones	Next meeting – Date to be established.
6.	Member Support Steering Group	Chair: <u>Cllr John Fisher</u> / Vice-Chair: <u>Cllr Phil Mould</u> Sheena Jones	Next meeting – Date to be established.
7.	Grants Panel	Chair: <u>Cllr David Bush</u> / Vice-Chair: <u>Cllr Greg Chance</u> Donna Hancox	Next meeting – January 2013.
8.	Procurement Group	Chair: <u>Cllr Bill Hartnett</u> / Vice-Chair: <u>Cllr Greg Chance</u> Jayne Pickering / Teresa Kristunas	In abeyance pending Transformation.

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9.	Independent Remuneration Panel	Chair: Mr R Key / Sheena Jones	Next meeting – 19th November 2012
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ACTION MONITORING

Portfolio Holder(s) / Responsible Officer	Action requested	Status
27th January 2010		
Cllr Hartnett / R Dunne	Single Equalities Scheme Members requested that a report/action plan be submitted to a future meeting of the Committee or Council detailing what the Council, as Community Leader, expected to receive in terms of education provision for the Borough and its children and young people.	Officers to update at future meeting. The LSP action plan in respect of this issue is under consideration at present. The Single Equalities Scheme itself is no longer extant.
21st May 2011		
Cllr Mould / T Kristunas	Review of Lease - 21 and 21a Salters Lane Officers to prepare a report on a policy regarding the granting of concessionary rents.	Policy to be submitted to the meeting of the Committee on 18th December 2012.
13th September 2011		
Cllr Mould / T Kristunas	Review of Lease - Unit 1, Matchborough Centre Alongside consideration of the terms of the lease Members requested that a policy be developed to determine appropriate rents for voluntary sector organisations.	Policy to be submitted to the meeting of the Committee on 18th December 2012.

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18th September 2012		
Cllr Mould / Jayne Pickering	Council Tax Support Scheme Officers were requested to prepare a further report at the end of the 8 week consultation period.	This report will be presented to the Executive Committee on 18th December 2012.
<u>Note:</u>	<i>No further debate should be held on the above matters or substantive decisions taken, without further report OR unless urgency requirements are met.</i>	Report period: 27/01/10 to 21/08/2012