

Overview and Scrutiny Committee

Thursday, 6th September,
2018

MINUTES

Present:

Councillor Joe Baker (Chair), Councillor Debbie Chance (Vice-Chair) and Councillors Joanne Beecham, Michael Chalk, Andrew Fry, Pattie Hill, Anthony Lovell, Gemma Monaco and Jennifer Wheeler

Also Present:

Councilor Tom Baker-Price - Portfolio Holder for Corporate Management
Councillor Mike Rouse - Portfolio Holder for Leisure and Tourism
Councillor Craig Warhurst - Portfolio Holder for Housing

Emma Brittain - Group Manager, Safeguarding Services, Worcestershire County Council and Sarah Wilkins – Interim Assistant Director of Early Help and Commissioning, Worcestershire County Council

Officers:

Kevin Dicks, John Godwin, Sue Hanley, Jayne Pickering and Judith Willis

Democratic Services Officers:

J Bayley and F Mughal

37. PRE-DECISION SCRUTINY - DRAFT COUNCIL TAX REDUCTION SCHEME AND WIDER SUPPORT FRAMEWORK

Approval was sought for the Executive Committee to approve the consultation in respect of the proposed revised Local Council Tax Support Scheme for 2019/20.

The Committee received a report in relation to the Draft Council Tax Reduction Scheme and Wider Support Framework. The Executive Director of Finance and Resources provided information on the work undertaken by the Customer Access and Financial Support Service to date in respect of the redesign of the CTSS for

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implementation by 1st April 2019. The report also set out proposals for public consultation.

Approval was sought for the Executive Committee to agree that the Council undertook a formal consultation with the major preceptors and the public on the proposed design of a revised scheme, which would take place for eight weeks from 1st October, 2018. The results of the consultation would be presented to the Overview and Scrutiny Committee and Executive Committee in January 2019, with any recommendations going forward to full Council in February, 2019.

The following key issues were highlighted:

- The CTSS had replaced Council Tax Benefit from 1st April, 2013.
- Council had previously agreed a minimum council tax contribution for working age claimants of 20% and 100% for pensioners.
- There were significant changes to the Universal Credit scheme. On average 40% of Universal Credit claimants had between eight and twelve changes in entitlement per annum.
- Since the introduction of Universal Credit a number of challenges had been identified to the administration of the CTS and also the collection of Council Tax generally.

It was proposed that the current means tested scheme should be replaced by a simple income band model. The indicative example of potential Grid Model Approach was provided in the report.

The Executive Director of Finance and Resources informed Members that the Executive Committee would be asked to approve consultation in relation to the draft scheme. This would involve consultation with a number of agencies, including; the Police, Fire, Members of the public and other stakeholders.

It was further reported that a new provision would be included to provide support for care leavers who would be provided with 100% Council Tax support up to the age of 21. Additional support would be provided for care leavers aged 21 and up to 25, with support tapering down to the 80% by aged 25.

Members were advised that if the new proposals for the scheme were not approved then the current scheme would remain in place. Any liable person affected by the proposals would be supported through transitional arrangements funded from the Hardship Fund.

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In response to a Member question, the Executive Director of Finance and Resources stated that generally the claimants' benefits would not be suspended unless they failed to provide all the information required. The claimants would be advised prior to any action being taken.

The Portfolio Holder for Corporate Management, Councillor Tom Baker-Price, informed the Committee that the current scheme had been challenging and had caused confusion for the claimants, where their benefits had sometimes been changed between eight and twelve times in one year. The scheme would be clear and simple to understand going forward.

In response to a Member question, the Executive Director of Finance and Resources informed the Committee that there was £25k available in the Hardship Fund and that the Council had underspent in the last financial year. It was further stated that the Hardship Fund was a statutory requirement.

Members felt that the revised scheme was prudent in order for any issues to be mitigated. Furthermore, the Committee supported the revised scheme and proposed that the Executive Committee approve the consultation.

RECOMMENDED that

the Council undertake a formal consultation with the major preceptors and the public on the proposed design of a revised scheme to take place for 8 weeks from 1st October. The results of the consultation will be presented to Overview and Scrutiny and Executive in January when it will consider any recommendations that will go to full Council in February.

43. PRE-DECISION SCRUTINY - LEISURE SERVICES BUSINESS PLAN

Members considered the report in relation to the Leisure and Cultural Services – Local Authority Trading Company Business Case (LATC). The Executive Director of Finance and Resources provided an overview and highlighted the key areas.

Members were advised on the progress that had been made following approval in March, 2018, to set up a not for profit, Teckal compliant, Local Authority Trading Company (LATC/NewCo) to

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operate a number of the Council's Leisure and Cultural Services subject to approval of the final Business Plan.

The Business Plan summary and detailed report had been prepared by V4 Consulting with input from officers and Members which outlined the approach proposed to the delivery of services based upon the Council's previous committee decisions, Service Specification and Measures Dashboard.

The themes were highlighted in the report that supported the delivery of the Council's Strategic Purposes of "Provide Good Things to See, Do and Visit" and "Help me to live my Life Independently.

NewCo would be formally set up and registered following Council approval of the transfer of services to it. The Company would be constituted in accordance with the governance arrangements approved by Council.

The Council would be asked to formally delegate its powers as Shareholder to a Shareholder's Committee (constituted of Members) which would oversee the Company and exercise the Shareholder's powers on behalf of the Council.

A report would be presented to Members in October/November 2018, to establish the Shareholder Committee. It was proposed that to enable the recruitment to take place prior to go live of 1st December a Member Panel was set up to undertake the selection process on behalf of the Shareholder Committee. Members were informed that the recruitment process had commenced this week. It was further proposed that this panel comprises the Leader, relevant Portfolio Holder and the leader of the opposition, or their nominees. This panel would be supported by two senior officers of the Council.

The service review and restructuring report for the remaining client side functions had been finalised. Staff and union consultation had been discussed at Stage 3a in preparation for future discussion. However until a formal decision had been made, the detailed consultation and engagement plans would not be formalised. They would be in accordance with all statutory requirements and the Council's Reorganisation and Change Policy.

Officers had consulted with leisure development experts Alliance Leisure Services Ltd (ALS) to look at the potential development opportunities across three of its major facilities.

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The investments had received appraisal by V4 to assess the rate of return on the investment to ensure financial viability and delivery of additional income to further develop the facilities in the Borough. The key investments were Abbey Stadium Development; Palace Theatre, 3G and Parkour, Forge Mill Museum and Pitcheroak Golf Course. Clarity was sought that Community Centre had been included since October, 2017 and the allotments were not included in this scheme.

Should approval was given to progress to Stage 3b, a new Risk Register would be produced to cover these aspects up to the transfer of services on the 1st December, 2018.

RECOMMENDED

that Members are asked to note that the Executive Committee will be asked to agree the following:

- 1) It is recommended that Executive consider the detail in this report, the V4 Business Plan and all other information provided and RECOMMEND to Council the following:**
- 2) Approval of the Business Plan at Appendix 5 to include the key assumptions at Section 8 and confirmation of a date of transfer as from 1st December 2018 for the following services:**
 - **Abbey Stadium Sports Centre**
 - **Palace Theatre and Palace Youth Theatre**
 - **Forge Mill Needle Museum and Bordesley Abbey Visitors Centre Inc. access to Bordesley Abbey Ruins**
 - **Community Centres at Windmill Drive, Oakenshaw, Batchley and Winyates Green; and**
 - **Pitcheroak Golf Course.**
- 3) Approval of the establishment of a member panel to undertake the recruitment of the Managing Director and Non Executive Directors. It is proposed that this panel comprises the Leader, relevant Portfolio Holder and the leader of the opposition, or their nominees. This panel will be supported by 2 senior officers of the Council;**
- 4) Approval of, in principle, the investment opportunities as detailed in Appendix 6 and request officers bring**

detailed business cases to the Board of Directors for final approval;

- 5) Approval of the funding of £55k from balances to fund an Electronic Point of Sale (EPOS) system to ensure the NewCo has the functionality to enable marketing, income generation and customer insight to be at its most effective;
- 6) Approval of a transfer from balances of £74k to cover the period of the initially agreed transfer date of 1st September 2018 to the revised date of 1st December 2018;
- 7) Approval of the measures framework as included in Appendix 3; and
- 8) Approval of the Company name as Forge Leisure Solutions trading as Forge Leisure.

(During consideration of this item Councillors Joe Baker and Debbie Chance declared an other disclosable interests as they had been involved in the Executive Committee when a decision had previously been taken. As such they left the room during consideration of this item and took no part in the debate or voting thereon. In the absence of the Chair Councillor Pattie Hill chaired the meeting during consideration of this item).

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public during the course of the debate on the grounds that information would be revealed which relates to the financial and business affairs of the local authority and which relates to consultations and negotiation, including contemplated consultation and negotiation with staff].

44. PRE-DECISION SCRUTINY - LEISURE SERVICES RE-STRUCTURE

Members considered the report in respect of the proposed service restructure for Leisure and Cultural Services. The Head of Leisure and Cultural Services provided an overview of the proposed changes in relation to the revised management structure for the delivery of Leisure and Cultural Service offer both Redditch Borough Council and Bromsgrove District Council.

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It was noted that this report would be read in conjunction with the LATC report and would only require a decision on future structures should Members be minded to approve the LATC project.

It was reported that as part of the shared services arrangements between Redditch Borough Council and Bromsgrove District Council a shared L&CS department was created in August, 2011 with Redditch acting as host authority. As part of the establishment of the costs for the shared service, staff time was allocated to each authority based upon the amount of work each employee was expected to undertake for that authority. Operational budgets used to deliver the services were not considered as part of the financial consideration as these were treated as being a matter for each authority and were to be used by officers to deliver the services required by Members.

It was recommended that the Executive Committee should consider the detailed V4 report and all other information provided and the proposed recommendations to Council were outlined in the report.

The review would be undertaken across all Leisure and Cultural Services to reflect the need to move from a delivery based model to a development, facilitated and contract management position and the changes in the experience and skills set to successfully achieve this transition. Staff with skills and knowledge would be transferred into the new company.

There were key assumptions that had been used to formulate the response to the change of service model and the proposed shared services structure that was to be implemented for Leisure and Cultural Services.

In order to ensure that the service continued to deliver high quality services that met the expectations of Members and residents, that were sustainable and capable of responding to service need proactively, it was agreed that the Council needed to respond to this change of delivery model constructively and undertake a full service review to bring forward a proposed revised service structure to be implemented as part of the wider project.

A ten week gap was required after the Council took a decision in respect of the company; starting with effect from 17th September should council approve the proposals. However, staff engagement would be undertaken at an earlier stage, which would be anticipated to commence on 20th September, 2018, to ensure that staff were aware of the proposals before the start of formal

consultation on 5th December 2018. An interim management structure would be put in place to reflect changes within the service from the 1st October, 2018.

The Portfolio Holder for Leisure and Tourism, Councillor Michael Rouse, thanked Councillor Pat Witherspoon for her work and contribution to support the restructure.

In response to a Member question, The Head of Leisure and Cultural Services stated that the revised model would potentially bring both Redditch Borough and Bromsgrove District Councils' leisure and cultural services closer together in terms of the model in place in the two authorities.

RECOMMENDED that

the proposed management structure, timeline and associated costs contained within this report are approved.

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public during the course of the debate on the grounds that information would be revealed which is likely to identify an individual and which relates to consultations and negotiation, including contemplated consultation and negotiation in connection with any labour relations matters. However, there is nothing in this minute which is exempt].

45. PRE-DECISION SCRUTINY - HOUSING / HRA OVERVIEW AND RECOVERY PLAN

The Deputy Chief Executive presented the Housing / HRA Overview and Recovery Plan and in so doing circulated a presentation for Members' consideration (Appendix 1). During the delivery of the presentation the following matters were highlighted for Members' consideration:

- Audit reports in 2016/17 had highlighted areas of concern in relation to Housing, particularly Housing Capital.
- A Senior Contracts Manager had been appointed who had identified issues in terms of compliance with contract management and procurement processes.
- Eight members of staff had been suspended and had subsequently left the organisation.
- No evidence had been found of criminality.
- Since August 2017 there had been a wholesale review of Housing Services.

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- A number of actions had been taken to address the problems that had been identified but more action was needed, as detailed in the report.
- Whilst the report focussed on Housing Services the findings had implications for the whole of the Council as well as elected Members.
- All of the financial and contractual issues that had been identified would be detailed in a report that was due to be considered by the Audit, Governance and Standards Committee in October 2018. The purpose of this report would be to provide Members with assurance.
- Nationally there were challenges within the housing market, particularly in terms of the availability of social and affordable housing.
- Changes to the welfare system, including the introduction of Universal Credit, were impacting on the extent to which people could afford accommodation.
- Redditch Borough Council managed its own housing stock, comprising 5,800 properties.
- The Government had introduced a policy that required rents for Council properties to decrease by one per cent per annum. This policy had been applied over a four-year period.
- The reduction in rents had had a negative impact on the Council's Housing Revenue Account (HRA).
- For the first time the Council had only been able to balance the budget for the HRA for one year rather than three consecutive years.
- There had been a number of reasons that had meant that the Council could only balance the HRA budget for one year including the reduction and the costs of recruiting interim management during the course of the review.
- The Council had agreed a business plan for Housing Services in 2012. However, at the time the financial pressures facing the Council had not been appreciated.
- Estimates had been provided regarding the financial position of the HRS moving forward depending on the rent position for both Council properties and garages. These were only indicative models.
- Culture issues within the workforce had been identified. This had been one of the most contentious issues identified in the report but Members were advised that this had been highlighted to ensure that the report was open and honest.
- The culture challenges involved complex issues, including patterns in behaviour.

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- There had been a number of findings in the report including:
 - Management weaknesses.
 - The need for greater performance management of staff.
 - The lack of a shared purpose for Housing Services.
 - A reluctance amongst staff to report issues of concern to senior managers.
 - Some staff blaming others for the problems and not regarding the need for change as a collective responsibility.
 - There was a need to bring the various parts of the department together so that they worked holistically in the interests of the tenants rather than as separate entities.
 - There was an issue with challenge and scrutiny of the service.
 - Health, safety and welfare issues needed to be prioritised and taken far more seriously than in the past.
- The Executive Committee would be asked to consider proposed new management arrangements for Housing Services. Officers were proposing that the Head of Community Services should manage the Tenancy, Locality and Community Services and the Head of Environmental Services should manage services involved in property and compliance.
- Phased service reviews would then need to be undertaken, though the first priority would be to undertake a review of the management structure within the services.
- A number of compliance areas had previously been reported to be compliant, including for gas safety, electrical maintenance and asbestos checks. Officers had subsequently found that this was not the case and a lot of work had had to be undertaken to ensure that the Council became compliant and constant scrutiny would be required to ensure that this continued to be the case.
- Housing management needed to be refocused on all tenants not just those who were vulnerable.
- Action needed to be taken to tackle the numbers of void properties. These numbers had been masked and the turnover times were impacting on income as well as the availability of accommodation for those who needed it.
- An urgent review of Repairs and Maintenance was required, which would need to consider both productivity and performance.
- The council needed to deliver on a Tenant Engagement Strategy rather than to just have a policy.
- A business case had been included in the report which called for Members to agree to replace the Council's housing

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system. Officers were currently using the oldest system in the country and this was not considered to be fit for purpose.

- Officers had developed an action plan designed to shape improvements to services. There would be regular reporting to the Executive Committee on the progress that was being made with this. The first of these update reports would be presented for the consideration of the Executive Committee in January 2019.
- The capital staffing costs had been removed as they had been viewed as being inflated but they would need to be built back in to financial estimates.

Following the presentation of the report Members discussed a number of points in detail:

- The action that needed to be taken to ensure that the problems that had been identified did not happen again and the approach that had been adopted by officers to handling this. Officers advised that no one action could address the problems as wholesale system change was required.
- The requirement for action to be taken to provide assurance to both tenants and Councillors.
- The need for Members to set a strategic lead for the Housing Services which informed how those services performed.
- The fact that tenants needed to feel safe and the different ways in which various services could help residents to both feel and be safe.
- The need for Officers to be held to account if the measures identified in the action plan did not lead to the systemic change required.
- The training that existing staff within Housing Services had received and whether the Council had provided adequate development opportunities to staff to enable them to deliver the services that were needed.
- The need for staff to receive a range of training, both professional and technical to enable them to develop the expertise required to deliver services effectively.
- The extent to which the skills of staff were understood within the organisation. Members were advised that there had been limited awareness of the skills gap amongst staff and the skills of employees needed to be reviewed in order to identify what training needed to be delivered.
- The need for specialist technical support to be provided to housing services.
- The extent to which staff had been informed about the proposals. Officers explained that staff had all been briefed.

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Managers had been briefed at an earlier stage to enable them to support their staff.

- The extent to which officers would be supported to enable them to change services. Members were advised that support would be provided, including from external sources where needed, though senior officers would be uncompromising in their view that there needed to be change in order to meet the needs of tenants.
- The extent to which experienced Members had appreciated the gravity of the situation and the need for Members to learn lessons so that they could ensure that effective services were in place across the authority.
- The £350,000 in capital staffing costs that had been proposed in the recommendations within the report and the extent to which these would be sufficient to meet the needs of the service. Members were advised that at least this amount of funding would be required, though more might be necessary in the long-term, for example to pay for external technical expertise.
- The role of the locality teams in meeting the needs of tenants. Members suggested that they were keen for more staff to get involved with the work of these teams so that the focus would be more on the needs of tenants.
- The need for ward Members to visit and get involved with the work of the locality teams and the tenants they served.
- The value of appraisals for staff and the potentially positive impact that this could have on both staff morale and employees' development.
- The current approach adopted by the council to appraisals. Officers explained that a corporate approach to Personal Development Reviews (PDRs) had been introduced and was being cascaded down the organisation.
- The need for further development of managers. Officers advised that the Council was in the process of developing management role indicators.
- The need for there to be a two-way process, in terms of communication and contributions, in order for an appraisal to have a positive impact.
- The reaction of staff to the findings. Members were advised that the report and briefing had caused some staff to feel upset. There were staff who were passionate about the services that they provided and it could be difficult for them to hear about the criticisms that were being made about the department as a whole.
- The feedback that had been received from staff since they had been briefed on the findings detailed in the report.

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Officers explained that some staff had reported that they were relieved the issues had been identified. A number had recognised that there were issues with Housing Capital but, for whatever reason, had not reported their concerns on to senior officers.

- The need for staff to feel comfortable and confident enough to report concerns about services to senior managers. It was noted that this should include staff feeling comfortable reporting their concerns to elected Members.
- The need for Members to work together to support the change that would be necessary over the next few months.
- The potential for mentors to be provided to support staff within the Housing Department.

During consideration of this item Members considered a proposal from the Chair that appraisals should be undertaken by an external person who could provide an independent assessment of an employee's performance. However, concerns were raised that the use of an external organisation for this purpose could be financially expensive for the Council. Members also noted that activities such as the Corporate Peer Challenge could assess the performance of the Council and ensure that staff were supported appropriately. The Committee therefore agreed not to pursue this idea further.

RECOMMENDED that Executive Committee

- 1) consider the content of the report and endorse the strategic action plan detailed at Appendix A to the report;**
- 2) support the financial actions undertaken in respect of the Housing Revenue Account and note the proposed actions subject to formal budget and rent setting processes as detailed in the strategic action plan;**
- 3) support the Director / Heads of Service remits and authorise the Chief Executive / Corporate Management Team Officers to proceed to recruit to the proposed senior managers for the service (subject to service review) with support for phased service reviews for the whole of the services detailed, over the following 12 – 18 months;**
- 4) endorse that the governance and reporting of progress on the strategic action plan be through Executive Committee; and**

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- 5) recommends that a sum of £350,000 (capital staffing costs) be built into the capital budget (HRA) for 2018/19 to resource the immediate review of Housing Capital / property and compliance team(s).**

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public during the course of the debate on the grounds that information would be revealed which relates to the financial and business affairs of the local authority].

The Meeting commenced at 6.30 pm
and closed at 8.45 pm