

Medway Council
Meeting of Business Support Overview and Scrutiny
Committee

Thursday, 26 October 2017

6.35pm to 10.00pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Carr (Chairman), Etheridge (Vice-Chairman), Freshwater, Hall, Mrs Josie Iles, Maple, Murray, Purdy, Royle, Stamp, Tejan and Tranter

Substitutes: Councillors:
Kemp (Substitute for Clarke)

In Attendance: Mark Breathwick, Head of Strategic Housing
Rob Dennis, Head of Property and Capital Projects
Tim England, Head of Safer Communities and Greenspaces
Perry Holmes, Chief Legal Officer/Monitoring Officer
Anna Marie Lawrence, Head of Performance and Intelligence
Carrie McKenzie, Assistant Director, Transformation
Michael Turner, Democratic Services Officer
Phil Watts, Chief Finance Officer
Glenn Stoneman, Howard Noble and Tracey Munton -
Department of Work and Pensions (for minute no. 444).

440 Apologies for absence

An apology for absence was received from Councillor Clarke.

441 Record of meeting

The record of the meeting held on 6 July 2017 was agreed and signed by the Chairman as correct.

442 Urgent matters by reason of special circumstances

There were none.

443 Declarations of interests and whipping

Disclosable pecuniary interests

There were none.

Other interests

There were none.

444 Universal Credit and Welfare Reforms - Six Monthly Progress Report

Discussion:

Members considered a progress report regarding Universal Credit and welfare reforms.

The Chairman welcomed Glenn Stoneman, Howard Noble and Tracey Munton from the Department of Work and Pensions (DWP).

The Chief Finance Officer introduced the report. Referring to the section on the Single Fraud Investigation Service he clarified that while the report could be read as being critical of the DWP team that was not the intent. Rather the intention had been to highlight systemic shortcomings with the current structure of SFIS nationally and some of the problems this caused for local authority officers.

During the discussion the following points were raised:

- **Member training** – there was general agreement that Member training on Universal Credit was needed, including how to signpost constituents for help and support. DWP representatives confirmed they would be happy to deliver an event jointly with the Council for Members.
- **Risks relating to the Single Fraud Investigation Service** – the Chief Finance Officer stated that, with regard to the risks highlighted in the report which Members had expressed concerns about, he was due to hold further discussions with the DWP where these would be discussed. Actions agreed to mitigate risks would be reported to the Committee.
- **Discretionary Housing Payments** – in response to a query, the Chief Finance Officer undertook to provide details of how many of the 900 applications for assistance had been approved.
- **Lessons learned from other areas** – as other parts of Kent had already gone live with Universal Credit full service the DWP had been able to learn lessons in advance of implementation in Medway. Generally, Kent was felt to be in a very good position with 95% of claimants paid on time and there had been no major issues so far.
- **Signposting** – in response to a question about the need to signpost claimants on how to claim for council tax reduction and free school meals, particularly given the importance of the latter for schools' budgets, the Chief Finance Officer undertook to provide further details about how the Council encouraged free school meals take up.

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- **Support for DWP staff** – a Member asked for an assurance that DWP staff were being adequately supported given the often stressful nature of their jobs. DWP representatives outlined in detail the training programmes in place for both new and existing staff before they were expected to deliver the UC service. DWP recognised that staff worked in a stressful environment and there was a programme of mental health and suicide awareness training for all staff as well as an emphasis on achieving a work/life balance. DWP were pleased to hear from Members about some of their constituents' positive feedback about DWP staff.
- **Managed migration** - a Member queried whether the date of 2020 for the completion of managed migration of an entire household from legacy benefits to one UC entitlement was a national or local timescale. DWP advised this figure had been set nationally and it may be achieved more quickly in Medway.
- **Outstanding debt** – a Member asked, following the experience of a constituent, what period of notice was given where a decision was made to recover outstanding debt. DWP representatives undertook to look at this case outside the meeting but added that claimants could access information about their claim and account on line at any time.
- **6 week wait for first Universal Credit payment** - a Member asked what information and advice was given to people in this situation where they said they did not have enough money to last until the first payment was made. DWP representatives advised that advance payments would be an option in such cases. Decisions were made on the same day an application was made with payments following quickly. Help was also available with personal budgeting. In addition, the Government website contained a great deal of useful information and budget planners etc.
- **Medical appeals involving intermittent medical conditions** - in response to comments about a Member's experience in representing appellants with intermittent medical conditions and the likelihood that appeals would not be upheld, DWP promised to look at this outside the meeting.
- **Training for the voluntary sector on Universal Credit** - DWP advised that a stakeholder event which would involve the voluntary sector was due to be held the following week. If more work was needed with the voluntary sector following this then that would be addressed.
- **Rent arrears** – officers described the actions being taken to inform and support council housing tenants.
- **Impact on Universal Credit of working extra hours/Change to state pension age for women** – regarding a query about the impact of the latter on the Employment and Support Allowance and also the effect of working extra hours on Universal Credit claims, DWP representatives undertook to look at this outside the meeting.

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- **Proof of tenancy** – a Member commented that in other areas private housing tenants had been required to produce an up to date tenancy agreement before Universal Credit could be paid. For tenants who had lived in the same property for many years this may not be possible without co-operation from the landlord. DWP advised that a letter from the landlord showing proof of tenancy would also be accepted.
- **Road shows** – an undertaking was given to let local councillors know when roadshows were taking place in their wards.

Decision:

The Committee agreed to:

- a) note the progress on the various work streams referred to within the report, and;
- b) request a training session for all Members on Universal Credit.

445 Building Security at Council Offices

Discussion:

Members considered a report which set out details of building security arrangements at Council offices, including details of a review of security at Gun Wharf Council Office and the options to mitigate risks identified.

In response to a question it was clarified that, following discussions with emergency planning, it had been decided not to include the risk of a terrorist attack as a key risk facing the Council.

There was general agreement amongst Members that the actions outlined in the paper were proportionate to the risks faced and the point was made that the risk assessments needed to be kept under review.

The following issues were discussed:

- **Elected Members and fire safety arrangements** - A Member asked whether consideration needed to be given to introducing signing in procedures for councillors so there was a record of who was in the building in the event of a fire drill or incident. The Chief Legal Officer replied that fire wardens would carry out a sweep of the building to ensure everyone had left during any such event. In addition, as part of the proposals to improve safety and security at Gun Wharf, additional access control measures would be implemented which would allow a record to be produced of who was in the building.
- **Security at other Council offices** - based on a recent visit a Member commented that in his view security arrangements at Kingsley House

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needed to be strengthened. The Chief Legal Officer commented that he felt security arrangements were appropriate and a security guard was present at the site. He was happy to review the arrangements though.

- **Gun Wharf entrance and lobby area** – there was general agreement that security in the lobby area could be improved. A suggestion that the main entrance doors be locked and accessed only via a security fob with the public requesting access through an intercom was not generally supported.
- **Security at meetings and at large Council organised events** – it was noted that for large events a specific risk assessment would be carried out. Security at Council meetings was looked at on a case by case basis and if necessary officers would request a police presence to be on standby. Regarding security at meetings taking place at the St George's Centre, officers advised that in addition to the planning mentioned, extra staff were always present at Council meetings. Reference was made to the fact that two Councillors were also Members of Parliament and that this may need to be factored into the security planning arrangements for Council meetings where considered necessary.
- **IT security** – a Member described a potential flaw in the Council's IT security procedures which officers undertook to address.

Decision:

The Committee agreed to note the steps taken to review security and fire requirements initially at Gun Wharf.

446 Major Incident Response Update

Discussion:

Members considered a report on the Council's preparedness for emergency situations including both the exceptional demands placed on the Council to support the emergency response (emergency planning) and the need to keep critical Council services running at all times (business continuity management).

A Member asked whether the number of emergency trained staff detailed in the report was comparable to similar size councils and whether there were any minimum requirements which had to be met in terms of numbers. It was clarified that there was no legal requirement to have a certain number of trained officers and numbers were appropriate to the risks facing Medway.

A discussion took place about whether and at what level Members would be involved in a response to an emergency. The Chief Legal Officer advised that, in terms of Member involvement, the Leader may become involved to give reassurances to the public. Once briefed local members may be involved in providing re-assurances to their local communities. A Member added that local councillors would sometimes be expected to do the same in situations which

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communities regarded as emergencies but did not fall within the definition of a major emergency facing the Council.

Decision:

The Committee agreed to note the arrangements for responding to a major emergency.

447 6 Monthly Review of the Council's Corporate Business Risk Register and Annual Review of the Strategic Risk Framework

Discussion:

Members considered a report regarding the 6 monthly review of the Council's Corporate Business Risk Register and the annual review of the Strategic Risk Framework.

Officers undertook to look into a request that the narrative on the alternative delivery model risk should include more detail about concerns previously raised at the Committee regarding TUPE and pensions risks.

Decision:

The Committee agreed to:

- a) note officers' recommendations on amendments to the Council's Risk Register as detailed in section 3, Appendix A and B to the report, and;
- b) note the risk management framework, Appendix C, and the response from Corporate Management Team, as detailed in paragraph 4.3 of the report, to the comments on risk management made at the April 2017 meeting of the Business Support Overview and Scrutiny Committee.

448 Council Plan Performance Monitoring Report - Quarter 1 2017/18

Discussion:

Members considered a report regarding the Council Plan 2017/18 which looked at performance for quarter 1 2017/18.

The following issues were highlighted:

Timing of consideration by Overview and Scrutiny (O&S) Committees of performance information – it was suggested that a discussion should take place informally amongst members to see if the timeliness of council plan and budget performance information at O&S could be improved

Number of private sector properties improved as a result of the Council's intervention (Target HC4) – officers advised that examples of interventions included giving advice to tenants on mould etc., serving formal notices on

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landlords and issuing dangerous building prohibition orders. An undertaking was given to provide a breakdown of the 571 figure for 2016/17.

Digital transformation – in response to a question about what this encompassed, officers advised that the emphasis was on making services digital where they had not previously been digital.

Adult social care complaints - following concerns about poor performance in responding to complaints, members of the Health and Social Care O&S Committee advised that recent discussions on this issue at their committee had provided them with some assurances on this.

Inward investment – in response to a query, Members were advised that this was monitored through the inward investment strategy,

Decision:

The Committee agreed to note the Quarter 1 2017/18 performance against the measures of success used to monitor progress against the Council's priorities.

449 Revenue Budget Monitoring 2017/18 - Quarter 1

Discussion:

Members considered a report which presented the results of the Council's revenue budget monitoring for Quarter 1 of the 2017/18 financial year.

The following issues were highlighted:

- **Income from car parking charges** – a Member commented that the recent increase in car parking charges had led to a reduction in income received – for example income at the Council's car park at Gillingham railway station had reduced as a nearby non-council car park was now cheaper. The Chief Finance Officer replied that the £400,000 overspend was not a result of a reduction in levels of income but due to the fact that the levels of additional income forecast in the budget had not been achieved.

Following a comment from a Member, officers agreed to investigate levels of income across all Council car parks to help inform future decisions on levels of charges.

In response to a query about the NNDR pressure of £77,000 caused by an unexpected increase in the rateable value of car parks, the Chief Finance Officer advised this increase had not been foreseen in the budget setting process.

- **Leisure services** – referring to a £1m reduction in spending on leisure services over the last three years, a Member queried whether this had led to a loss of confidence in the service amongst the public. The Chief Finance Officer advised that there was a three year programme to

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remove the subsidy for leisure services. However, the impact of competition from private gyms had not been foreseen when this decision to remove the subsidy had been made. A Member commented that, whilst that was a factor, a lack of investment in the maintenance of leisure pools was a contributory factor.

- **Bad debt provision** – the Chief Finance Officer undertook to report back on what the figure was for bad debt provision requirement at the end of the 2016/17 financial year.
- **Gun Wharf** – a Member queried what progress had been made in attracting tenants to Gun Wharf to achieve the target of £200,000 rental income. Members were advised that this target was not now achievable and other measures would need to be found.
- **Britton Park supermarket site** - referring to the budget pressures resulting from the loss of the tenant a Member asked for regular reports on this to scrutiny. The Chief Legal Officer advised there were active discussions ongoing on the future of this site and progress reports would be submitted to Members.
- **Social worker vacancy rates** – a Member referred to the high percentage of vacancies for social workers and commented that recent re-organisations appeared to have exacerbated the position. In addition a social care pilot was coming to an end and there was a need to learn lessons from this. The Assistant Director – Transformation advised that this needed to be seen in the context of a national shortage of social workers. The social worker academy and the new staffing agency were examples of measures the Council had taken to respond to this problem. It was not uncommon for some employees to leave an organisation following a restructuring. There were robust processes in place to recruit social workers and student social workers were also being employed. In response to a comment from a Member that too high a proportion of the latter could lead to an inadequate Ofsted rating, the Assistant Director assured Members that the right mix between student and experienced social workers had been struck for that reason. Lessons from the pilot would be learned across the Council.

Decision:

The Committee agreed to note the result of the first round of revenue monitoring for 2017/18 and to note the forecast position and proposed management action.

450 Capital Budget Monitoring 2017/18 - Quarter 1

Discussion:

Members considered a report which presented the results of the Council's capital monitoring for Quarter 1 of the 2017/18 financial year, including out-turn forecasts and reference to any new schemes.

The following issues were discussed:

Members' priorities – noting that after 2017/18 there was no provision for this, a Member asked if the programme was ending. The Chief Finance Officer advised that the programme was funded from a capital receipt. Funds from the receipt were coming to an end and no request had been made for further funding to be identified. At present the 2017/18 budget was not fully committed.

Housing company – a Member asked if new builds by the new Housing Company would appear in the capital programme and also how Members would hold the company to account. Officers explained that in the first 5 years the company would build out 12 sites for housing but this would not feature in the capital programme. The Council would lend money to the company and as the Council wholly owned the company its assets would appear in the Council's balance sheet.

Improvements to Sure Start Centres and Hubs – a Member asked where the agreed capital works to improve these buildings featured in the capital programme. The Chief Finance Officer advised this would appear in the Quarter 2 monitoring report.

Decision:

The Committee agreed to:

- a) note the additional funding identified in section 4 of the report, to be added to the programme in quarter 2 under the Chief Finance Officer's delegation;
- b) note the spending forecasts summarised at Table 1 in the report, and;
- c) request that a discussion take place at the informal meeting of Scrutiny Chairmen, Vice-Chairmen and Opposition Spokesperson on 31 October on how to hold the new housing company to account (as part of the planned discussion on scrutinising Norse and Medway Commercial Group).

451 Work Programme

Discussion:

Members considered a report regarding the Committee's work programme and also the programme for the next round of Task Groups.

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The following topics had been put forward by the other Overview and Scrutiny (O&S) Committees for discussion as potential Task Group topics for 2018/19:

- Physical activity (*Children and Young People O&S Committee, Regeneration, Culture and Environment O&S Committee & Health and Adult Social Care O&S Committee*)
- Support and resources for Carers (*Health and Adult Social Care O&S Committee*)
- Impact of social isolation for the Council (*Health and Adult Social Care O&S Committee*)

At the agenda planning meeting it had been agreed to put forward the following topics:

- Complaints handling
- Reliance on increase in support provided by the voluntary sector

A Member proposed that town centres for the 21st century should also be considered, which would be a joint Business Support O&S and Regeneration, Culture and Environment O&S Committee Task Group.

It was suggested that it might be possible at this point to reach agreement on which three topics to prioritise without the need for the informal O&S Members meeting on 31 October. Following a discussion it was agreed the later should still go ahead where Members should discuss all 6 potential topics.

Decision:

The Committee agreed to:

- a) note the current work programme (Appendix 1 to the report);
- b) agree the changes to the current work programme as set out in paragraph 3 of the report;
- c) note the work programmes of all overview and scrutiny committees (set out in Appendix 2 to this report);
- (d) note the process for the selection of topics for the next round of Scrutiny Task Groups in 2018/19 and agree that the proposed reviews on complaint handling and the voluntary sector (as detailed in paragraph 3.11 of the report) plus the proposed review on town centres for the 21st century be supported as possible topics for Task Group reviews.

452 Exclusion of the Press and Public

The Committee agreed that the press and public should be excluded during consideration of Appendix 2 to the report at agenda item no 6 because consideration of these matters in public would disclose information falling within paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972 and

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also agreed that, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Chairman

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