

PERFORMANCE PORTFOLIO DECISION RECORD

23 March 2011

The meeting commenced at 3.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillor Jonathan Brash (Performance Portfolio Holder)

Also Present Councillor Marjorie James

Officers: Joanne Machers, Chief Customer and Workforce Services Officer
Andrew Atkin, Assistant Chief Executive
John Morton, Assistant Chief Finance and Customer Services Officer
Peter Turner, Performance and Consultation Manager
Sarah Harrison, Democratic Services Officer

43. Civic Centre Cash Office Operating Arrangements – *Assistant Chief Finance and Customer Services Officer*

Type of Decision

Non key.

Purpose of Report

To seek the Portfolio Holder's views on potential changes to the Civic Centre Cash Office operating arrangements.

Issues for Consideration

The reported outlined the services provided to the public via the cash office, patterns of usage and potential savings from operational changes to the number of days and operating hours of the cash office. There had been an increase in volume of the Council's transactions through internet and telephone payments as well as the opportunity to use the Paypoint terminals across the town. A survey had been undertaken of usage of the cash office last June and officers suggested that there be a reduction in opening hours to three days a week between 9.30 am and 3.30 pm. This would generate savings of between £20,000 and £24,000.

A letter had been received by the Portfolio Holder from the Chair of Scrutiny

Coordinating Committee expressing serious concerns regarding the negative impact of any potential reduction in opening hours. Scrutiny Co-ordinating Committee requested consideration of a proposal that Cash Office staff undertake Revenues and Benefits work during quiet times using terminal equipment in the cash office as a means of retaining existing cash office services / opening hours. The chair of SCC, at the invitation of the portfolio holder, gave a verbal explanation of her committee's position.

The Portfolio Holder said that he too had concerns about the proposals put forward in the report and had in recent weeks begun discussions around potential alternatives with officers. Following receipt of the letter from SCC on 18th March the portfolio holder had contacted the Chief Customer and Workforce Services Officer and asked for this suggestion to be incorporated into this work being done, although it was highlighted that it was dependant on a future decision of Cabinet relating to Revenues and Benefits generally.

The portfolio holder stated that until all options had been more thoroughly considered he would not consider the proposal to reduce opening hours. .

Decision

This item was deferred pending further information.

The Chair of the Scrutiny Coordinating Committee left the meeting.

44. Politically Restricted Posts - Chief Customer Services and Workforce Officer

Type of Decision

Non key.

Purpose of Report

To advise the Portfolio Holder of changes to the law regarding politically restricted posts and obtain ratification of the criteria to be used when determining which posts are politically restricted.

Issues for Consideration

The report provided information about changes in legislation in respect of politically restricted posts and proposed criteria to be used when determining which posts were politically restricted.

The Portfolio Holder highlighted a number of unrestricted posts which he felt met the criteria for being politically restricted. In response to information provided by the Chief Customer & Workforce Services Officer and Assistant Chief Executive the Portfolio Holder expressed his view that Scrutiny Support Officers and Solicitors regularly providing advice and guidance to the Planning and Licensing Committees should be politically restricted. He felt that there

may also be a case for political restriction for the whole of the Democratic Services team and Neighbourhood Managers who provided advice at Neighbourhood Action Plan Forums. He therefore asked that further consideration be given to those specific posts and reported back to him. He also asked that a report listing all politically restricted posts be submitted to this Portfolio on an annual basis for agreement.

Decision

The Portfolio Holder:-

- i) noted the report and posts identified as politically restricted
- ii) ratified the criteria to be used when determining which posts are politically restricted
- iii) authorised the Chief Customer and Workforce Services Officer in the future to determine any amendments to the list of politically restricted posts in conjunction with the relevant Director in accordance with the criteria identified in the report
- iv) requested a report annually listing all politically restricted posts for agreement by the portfolio holder.
- v) requested further information in relation to posts identified at the meeting

45. Single Status Agreement Appeals - Chief Customer and Workforce Services Officer

Type of Decision

Non key.

Purpose of Report

To provide an update on progress on appeals received and obtain ratification of Appeals Panel outcomes in respect of High Priority Appeals and a revised Appeals Procedure.

Issues for Consideration

The report provided a background to the Appeals Procedure together with an update on the progress of appeals received and requested ratification of Appeals Panel outcomes in respect of High Priority Appeals. In addition it sought ratification of a new Appeals Procedure.

The Chief Customer and Workforce Services Officer clarified that the Portfolio Holder was obligated to review the procedure if requested by herself or Trade Unions. If requested by anyone else, this was at the discretion of the Portfolio Holder.

The portfolio holder asked what progress had been made following the concerns highlighted by himself and other cabinet members about the speed of the appeals process. The Chief Customer & Workforce Services Officer

confirmed that an update on a revised programme and process for considering outstanding appeals had been given to Cabinet and the Local Joint Consultative Committee so that all appeals were concluded by December 2011.

The Portfolio Holder wished to receive financial details related to the confidential appendix attached (**This item contained exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely, information relating to the financial or business affairs of any particular person (including the authority holding that information) – para 3, and it was noted that this would be discussed in confidential session minute 47 refers.**

Decision

The Portfolio Holder:-

- i) noted the progress made
- ii) ratified the Appeals Panel Outcomes in respect of Council Employees and the new Appeals Procedure.

46. Local Government (Access to Information) (Variation) Order 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 47 – Single Status Agreement Appeals - *Chief Customer and Workforce Services Officer* - Appendix B (**This item contained exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely, information relating to the financial or business affairs of any particular person (including the authority holding that information) – para 3)**

47. Single Status Agreement Appeals - *Chief Customer and Workforce Services Officer*

During the discussions under minute 45, the Portfolio Holder asked for financial details as disclosed in the confidential appendix B (**This item contained exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely, information relating to the financial or business affairs of any particular person (including the authority holding that information) – para 3).** Further details can be found in the confidential section of the minutes.

The meeting then returned to open session.

48. Proposed Risk Management Framework – Performance and Consultation Manager

Type of Decision

Non key.

Purpose of Report

To seek Portfolio Holder approval of a new Risk Management Framework.

Issues for Consideration

Risk Management is the process of assessing and managing risks which could prevent the Council from achieving its objectives. The Council has a responsibility to put in place arrangements for managing risks and maintaining a sound system of internal control. The new Framework should improve this process by the introduction of a specific risk tolerance level to help prioritise risk activity and so help clarify the decisions to be taken about risks that are both above and below the tolerance line. This would mean that risks would be monitored although reported less frequently to members. These risks would be on the Accepted Risk Register and reported to Members on an annual basis. They would however continue to be monitored within the department. Some risks would be actively managed by the department taking further actions or increasing control measures to help reduce the likelihood or impact. These would be reported to members on a more regular basis.

The Portfolio Holder queried whether there was an inherent risk in monitoring some risks less; he was informed that there would not be less monitoring, but less reporting of them. By focussing on those risks which had a higher impact plans could be put into place to mitigate these risks. In response the portfolio holder asked whether officers felt that by removing the duty to report certain risks there was a danger that monitoring would inevitably reduce. Officers stated that they did not believe this would be the case.

The Portfolio Holder was informed that it was a redirection of resources in a targeted manner, ensuring that high risks would have a greater degree of scrutiny despite reducing resources.

Decision

The Portfolio Holder approved the new Risk Management Framework.

49. Impact of Coalition Government Plans on Remit of Performance Portfolio Holder (Initial Report) - Assistant Chief Executive

Type of Decision

Non key.

Purpose of Report

The purpose of the report is to summarise a range of Coalition Government initiatives and highlight their relationship to and impact on the remit of the Performance Portfolio Holder.

Issues for Consideration

The Government is implementing a wide range of policy initiatives against the background of significant reductions in Council expenditure over the next four years. In this context it is important that the Council retains a focus on ensuring that the arrangements in place to satisfy its broad governance responsibilities remain sound, although there is scope to review these as part of an ongoing process of improvement.

The report summarised the Council's corporate governance requirements (section 2), the Coalition Government's proposals (section 3) and the Local Government Group's proposals for sector self-led regulation and improvement (section 3).

Over the next few years there will be a need to balance the Coalition Government's plan for further spending reductions and the need to ensure that Council business is conducted in accordance with the law and proper standards. Achieving this balance will require seeking more economical and efficient means of meeting the requirements placed on local authorities as budgets reduce further after 2011/12. The report identifies the actions from the Chief Executive's Department Plan for 2011/12 that will contribute to establishing the new ways of working required (section 4).

The Mayor had asked in a recent Cabinet whether there was still a need to manage performance following the abolition of the Comprehensive Area Assessment and the Assistant Chief Executive confirmed that there was, as there were other inspections including Ofsted and the Quality Care Commission. The report outlined a number of new approaches by the Coalition Government including how responsibility for improving public health was to be transferred to Local Government, the requirement to publish data, including expenditure more than £500 and senior officer salaries as part of the transparency agenda.

The Portfolio Holder suggested that the governments' current direction appeared to be leading to an increase in bureaucracy rather than a reduction. He was informed there did not appear to be a reduction in workload when it comes to various aspects of information management and that there were measures already in place concerning good governance at the Authority. In relation to the publication of expenditure of more than £500, the Portfolio Holder highlighted his concern that as this information was not published with

any context or further information. Therefore rather than informing the public it actually creates more unanswered questions, e.g. what does the money fund and what was the funding stream in each case. It was his view that this lack of context rendered the information published as ill informed and irrelevant. However, he was assured that the system in place to publish this information required minimal effort by officers. The Portfolio Holder queried whether proposed requirement to “publish all data held by the authority” included sensitive information e.g. child protection or social care records. He was informed that this had not yet been explained. As and when requirements were clarified, details would be brought to the relevant Portfolio Holder or Cabinet.

Decision

The Portfolio Holder noted the report and the implications of the Coalition Government’s current plans and impact on the remit of the Performance Portfolio Holder.

50. Employee Attendance 2010/11 – 3rd Quarter - Chief Customer Services and Workforce Officer

Type of Decision

Non key.

Purpose of Report

To update the Portfolio Holder on sickness absence management performance up to the third quarter of 2010/11 and actions taken across the Council.

Issues for Consideration

The report provided details of employee sickness absence for the third quarter of 2010/11 and actions taken across the Council to achieve this. The Portfolio Holder was informed that up until the end of December 2010 figures were below the 9.3 days absence per whole time equivalent employee target with a predicted 8.83 days outturn for 2010/11. There had been continuous improvement since 2006. The Portfolio Holder asked what would be a realistic target for next year’s performance and was informed that Departments were asked to determine targets which would ensure continued improvement. The Portfolio Holder commented that targets should always stretch the Departments and that he would not approve any target that in his view failed to do this.

Decision

The Portfolio Holder noted the employee absence in the third quarter of 2010/11 and actions taken or planned and paid tribute to all managers and staff during this time of reduced resources and stress to improve attendance figures in this way.

51. Future Housing and Council Tax Benefit Changes and New Welfare Reform Bill – *Assistant Chief Finance and Customer Services Officer*

Type of Decision

Non key.

Purpose of Report

To inform the Portfolio Holder of future regulatory changes to Housing and Council Tax Benefit and proposals within the new Welfare Reform Bill.

Issues for Consideration

The report focussed on the short term impacts of changes associated with the 2010 comprehensive spending review announcements in respect of housing and council tax benefit administration. The report also considered the operational and strategic responses the council was implementing including engaging with claimants, landlords and other stakeholders on how the changes may impact on them. The report also considered other issues contained within the Welfare Reform Bill.

The Assistant Chief Finance and Customer Services Officer said that the changes affecting local housing allowance would be confusing for the public as the changes did not come into effect uniformly and there was a huge challenge in communicating the details to claimants. The impact of the changes would be staggered over up to 18-21 months after April 2011 dependent on personal circumstances. A further impact of the changes was that Local Authority Benefit Fraud Investigators would be transferred to a new national team incorporating investigators from the Department for Work and Pensions and Revenues and Customs. The Portfolio Holder asked whether Local Authority staff would be TUPE'd and was informed that it should be so. He asked whether any savings from this change would come to the Local Authority and could be factored into the council's future savings. He was informed that the DWP would probably make reductions to the administration grant paid to the council to reflect this. The Government hoped that private landlords would reduce rents in response to the changes and are giving councils the flexibility to pay more benefit direct to landlords rather than to tenants. The local housing allowance changes would apply fully to new claimants in April and to any tenants moving house after April. It was thought that the changes could discourage tenants from moving as they would be worse off under the new system.

The Portfolio Holder queried how the funding of the Council Tax Rebate scheme would work as it was to be calculated a year in lieu and the Authority would be unable to predict in advance how much would be needed. The Assistant Chief Finance and Customer Services Officer outlined the potential

impact of cuts in the amount of central government funding for a local council tax rebate scheme and acknowledged the risks, adding that further national consultation and clarity on the new rebate arrangements are expected later this year. The Portfolio Holder requested that Cabinet be briefed on these issues and their implications.

Decision

The Portfolio Holder:-

- i) noted the contents of the report
- ii) endorsed the financial modelling process and engagement plans
- iii) endorsed the planned review of the council's Discretionary Housing Payment scheme

The meeting concluded at 4.03 pm.

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 29 March 2011