

# Public Document Pack



Despatched: 11.06.12

## **SERVICES SELECT COMMITTEE**

**19 June 2012 at 7.00 pm**

**Conference Room - Council Office**

### **AGENDA**

#### **Membership:**

Chairman: Cllr. Davison Vice-Chairman: Cllr. Brown

Cllrs. Abraham, Mrs. Ayres, Ball, Edwards-Winsor, Mrs. George, Hogarth, Horwood, Mrs. Parkin, Pett, Piper, Raikes, Scholey, Towell, Ayres, Mrs. Dibsdall, Fittock and Neal

|  | <u>Pages</u>    | <u>Contact</u> |
|--|-----------------|----------------|
| Apologies for Absence.   |                 |                |
| 1. <b>Minutes</b>  | (Pages 1 - 10)  |                |
| 2. <b>Declarations of interest.</b>  |                 |                |
| 3. <b>Formal Response from the Cabinet following matters referred by the Committee and/or requests from the Performance and Governance Committee (please refer to the minutes as indicated):</b> | (Pages 11 - 12) |                |
| (a) Performance Monitoring ( <i>Referral from Performance and Governance Committee – 13 March 2012</i> )(See Item 12)  |                 |                |
| 4. <b>Actions from the Previous Meeting (if any)</b>   |                 |                |
| 5. <b>Future Business, the Work Plan 2011/12 (attached) and the Forward Plan.</b>  | (Pages 13 - 16) |                |

Members will develop a schedule of work over the year to reflect the terms of reference of the Committee focussing on the Council's priorities for policy development. This includes opportunities to invite other organisations who provide services in the District to provide information to the Committee and discuss issues of importance to the Community.

6. **Reconstitution of Informal groups**
  - a) Members' IT Working Group (Pages 17 - 18)
  - b) Members' Under Occupation of Social Housing Working Group (Pages 19 - 20)
  - c) Members' Universal Credits Working Group (Pages 21 - 22)
  
7. **Under-occupation of Social Housing - final strategy and action plan** (Pages 23 - 46) Pat Smith  
Tel: 01732 227355
  
8. **Universal Credits - Stage 5(b)** (Pages 47 - 50) Adrian Rowbotham  
Tel: 01732 227153
  
9. **Localising Support for Council Tax** (Pages 51 - 60) Adrian Rowbotham  
Tel: 01732 227153
  
10. **Sickness Absence and Human Resources Update** (Pages 61 - 76) Syreeta Gill  
Tel: 01732 227403
  
11. **Waste And Recycling - DCLG Weekly Collection Support Scheme And Health And Safety Executive Audit Of Waste And Recycling Services** (Pages 77 - 106) Richard Wilson  
Tel: 01732 227262

#### **EXEMPT ITEMS**

(At the time of preparing this agenda, there were no exempt items. During any such items which may arise, the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

**The Democratic Services Team (01732 227241)**

# Agenda Item 1

## SERVICES SELECT COMMITTEE

### Minutes of the meeting of the Services Select Committee held on 3 April 2012 commencing at 7.00 pm

Present: Cllr. Davison (Chairman)  
Cllr. Brown (Vice-Chairman)

Cllrs. Abraham, Ball, Butler, Edwards-Winser, Mrs. George, Hogarth, Horwood, Mrs. Parkin, Pett, Piper, Raikes, Scholey, Towell and Walshe

Apologies for absence were received from Cllrs. Mrs. Ayres and Firth

Cllrs. Mrs. Clark and Ramsay were also present

#### 38. MINUTES

Resolved: That the minutes of the meeting of the Services Select Committee held on 31 January 2012 be approved and signed by the Chairman as a correct record.

#### 39. DECLARATIONS OF INTEREST.

Cllr. Mrs. George declared a personal interest in that she worked closely with Deborah White from West Kent Housing Association.

Cllr. Mrs. Parkin declared a personal interest in matters relating to housing and benefits as she had relatives in both social housing and on benefits.

#### 40. FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS REFERRED BY THE COMMITTEE AND/OR REQUESTS FROM THE PERFORMANCE AND GOVERNANCE COMMITTEE (PLEASE REFER TO THE MINUTES AS INDICATED):

(a) Performance Monitoring (Referral from Performance and Governance Committee – 13 March 2012)

Members noted that it had not been possible to gather all of the information required for consideration at the meeting, but that it had been added to the work plan for June 2012, and would be reported along with the Human Resources Update report.

#### 41. ACTIONS FROM THE PREVIOUS MEETING

An amended version of the report was tabled as the printed copy had omitted Action 5.

With reference to financial contributions received in lieu of affordable housing, a Member queried whether there were any plans to spend the money yet and any plans to build more housing. In response, the Head of Housing and Communications advised that they had been working closely with the Planning Policy unit and that the Affordable Housing Supplementary Planning Documents provided advice and guidance on a range of approaches, standards and mechanisms required to deliver a range of affordable housing to meet local needs which included building. The Planning Policy Manager reported that there was no scheme at the moment which stated where the money should be allocated. A Member advised that the Finance Advisory Board had on their Work Plan to look at the management of the fund and how the money was allocated.

All of the remaining actions from the previous meeting were noted.

42. IN DEPTH SCRUTINY OF UNDER-OCCUPATION OF SOCIAL HOUSING

**Chairman's' Introduction**

The Chairman welcomed the Panel to the meeting, and explained the questioning process he wished to follow.

**Questions to the Panel (as tabled)**

Members asked the Panel of speakers the pre-arranged questions and the following responses were received:

How can Planners help to improve down sizing of under occupied Social Housing?

(Alan Dyer – Planning Services Manager, Sevenoaks District Council)

There were two ways this could be achieved. Firstly by granting permission for more small dwellings to increase the stock of smaller dwellings that were available for tenants of larger properties to move into. Policy SP5 of the Core Strategy stated that the Council “will seek the inclusion of small units (less than three bedrooms) in new development schemes in suitable locations to increase the proportion of smaller units in the District housing stock.” Secondly, by using affordable housing financial contributions collected under Policy SP3 of the Core Strategy to support down sizing initiatives. The Core Strategy stated that financial contributions may be used to support initiatives to reduce under occupation of family housing in the social rented sector. The Affordable Housing SPD included supporting initiatives to make better use of the existing housing stock as one of five ways in which funds collected under the policy can be used. Those five ways were: Provision of new affordable housing in the District via a Registered Provider of social housing (including adding to provision on development sites, new stand alone schemes and existing property purchase); Initiatives to make better use of the existing stock (including tackling under occupation and fuel poverty where it enabled better

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use to be made of the stock); Managing future needs for affordable housing, including homelessness prevention and benefit advisory services; Assisting those in housing need to access low cost home ownership; and Supporting the development of rural exception sites to meet rural housing

When asked the difference between 'social' and 'affordable' housing, the Planning Policy Manager responded that for planning purposes the definition of affordable housing was 'housing for people who cannot afford to buy or rent on the open market.' Social housing is one type of affordable housing but the definition also includes shared ownership. Low cost market housing does not count as affordable.

How many tenants do you assist to move from under occupied housing per annum, under the "Small is Beautiful" scheme?

(Deborah White – Housing and Communities Director, West Kent Housing Association)

The figure varied depending on demand and availability of suitable vacancies but was around eleven to twelve cases a year between 2009 and 2011 with a budget of £20,000 which included some funding from SDC. It would be possible to increase this if there a surge in demand. WKHA had moved six cases from a 3 bed to a 1 bed, three from a 2 bed to a 1 bed and one from a 6 bed to a three bed. The policy had changed in 2010 increasing the offer so expenditure was more appropriate though one less case was assisted. Also more people were downsizing from 3 beds to 1 bed. However the main issue was availability of suitable 1/2 bed properties, and it remained a challenge to negotiate, convince and support people to move.

In response to a further question, she replied that it was eleven/twelve cases assisted out of just under 4000 properties in the district but of course not all of those were under occupied. Under occupation points were provided through the Allocation policy and the new banding system would give some priority in the new Allocation policy which was currently being revised.

What percentage of the stock do Moat tenants currently under occupy in this district?

(Sam Jacobs – Housing Options Manager, MOAT)

The short answer was 26% though there was a range of under occupancy from 4 beds down.

In your opinion, do you think in the older people client group, that single or couples would rather have 2 bedrooms when downsizing?, if so for what reasons?

(Brian Horton – Strategic Housing Advisor, Kent County Council)

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The answer was yes for various reasons. In his past experience as the Chief Executive of a Housing Association and Head of Housing at Thanet District Council before his position at Kent County Council, both singles and couples aspired to 2 bed properties. Most people wanted room for relatives to stay, or had health issues that required sleeping in separate bedrooms, room for overnight carers, space for hobbies/study and a strong desire to have space to keep items collected over a lifetime. He stated that aspirations had changed and downsizing for older people was different to how it had been in the past. Accommodation built in the 1960s/70s had shared facilities but now there were different expectations. If one were to invest capital it needed to be in the provision of homes people today would aspire to live in, in the future.

### Which tenants will be affected by the welfare reform?

(Liz Crockford – Housing Enabling Officer, Sevenoaks District Council)

The Welfare Reforms would affect every tenant in receipt of benefits unless they were retired. The Department for Work and Pensions (DWP) had carried out an impact assessment and on average, for every 1 bedroom which was under occupied, tenants would lose 14% of their housing benefit entitlement, every 2 bed under occupied – 25%. Within the South East 50,000 socially rented households would be affected. 35.55 % were under occupied under the DWP definition. The definition used was in the form of a matrix, as to who was suitable to have own bedroom and who needed to share. For example the age limit for children of different sexes to share a room was ten years old. There had recently been a lot of publicity with regards to those families who fostered, would not be able to keep a spare room. Nor did it account for custody visits of children from other relationships. Members queried whether it would affect disabled children who perhaps needed their own room. In response she advised that there were some exceptions such as the categories that fell under benefit caps or Personal Independent payments. It was not clear at the moment whether there would be guidance on room size.

### What Kent wide schemes are in place to reduce under occupation?

(Lisa Webb – Housing Initiatives Officer, Sevenoaks District Council)

The 'Perfect Fit' scheme operated across a number of Local Authorities and Housing Associations in South East London, including two Local Authority areas in the Kent borders (Bromley and Bexley). It had been originally from CLG funding and was now funded by a contribution fee. The scheme worked well, providing hand-holding services and financial incentives such as paying for removal costs, disconnections/reconnections of white goods and redirection of post etc. It was geared to getting people out of London, and it would be a good idea for this district to implement something similar.

### Can the synergy between Planning and Housing be improved to reduce under occupation in the social sector?

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(Alan Dyer – Planning Service Manager, Sevenoaks District Council)

Officers were always looking to improve, but in general the departments worked well together. For example at the moment they were working closely on commissioning research on housing issues relevant to Planning, including the Strategic Housing Market Assessment which provided the evidence of the scale of under occupation. Both teams had worked closely on the production of the affordable housing section in the Core Strategy and the Affordable Housing SPD, and Planning Policy had also contributed where relevant to the development of the Housing Strategy.

The issue of under occupation cut across many areas and by working together they had identified new opportunities to raise financial contributions from development sites too small to fund on-site affordable housing. Moving forward from policy development to implementation the teams were looking at options with regards to allocating funds to ensure the money was used appropriately. There was good cooperation but they were always looking to improve.

At the end of March 2012 contributions had been collected amounting to £206,144. The first of these had been received on 16 January 2012, nothing had been received up until then, and commitment to any initiatives had been avoided until there was money in the bank. Where legal agreements were currently in place there was a pledged amount of an additional £329, 516, and there were a number of other schemes where negotiations were taking place to finalise contribution amounts. This now meant that there was a sum, that would build up with the potential to make significant contributions subject to prioritisation.

In your opinion, what are the main solutions to reducing under occupation in West Kent Housing Association's stock?

(Deborah White – Housing and Communities Director, West Kent Housing Association)

A Resettlement Service had now been introduced for older people similar to the Perfect Fit scheme, for whom the thought of moving was very difficult. It was hoped that this would be expanded to everyone who was down-sizing, during the year. One way was to have more suitable properties that people would want to move to, as demonstrated by the Bonney Way redevelopment.

The welfare reforms would have an impact, but again it would be a question of having suitable properties, and it would not encourage the elderly or widows. Encouraging mutual exchange, and having more bungalows would help but this was not achievable due to the larger footprint and lack of land available in the district. There was no one solution.

In response to a Members question that downsizing was proven more successful if carried out in your 60s rather than your 80s, and whether age

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was considered, she responded that they tried to speak to all those 55+ and encourage them to move, as yes it was more problematical if left too late. This had been backed by research.

In your opinion, what are the main solutions to reducing under occupation in the Moat stock?

(Sam Jacobs – Housing Options Manager, MOAT)

The incentive scheme Perfect Fit, part funded an officer and they had been trying to team up with Local Authorities to see if they could provide assistance. They had launched their own transfer list and had neighbourhood response teams. They were looking to fund an officer to work jointly and would be willing to help fund one.

Alan Dyer, Planning Policy Manager, confirmed in response to the Chairman, that Social Housing contributions could be used to fund an Officer as long as it fell within the remit of the activities covered.

How else could Kent County Council support us?

(Brian Horton – Strategic Housing Advisor, Kent County Council)

KCC worked with fourteen local authorities in Kent to support housing and were willing to work jointly. An Older Persons Accommodation Protocol, was currently being worked on as part of the Kent Housing Group and Joint Policy and Planning Board, and they were looking at what could be done with partners. They worked in Families and Social Care to look at extra care accommodation strategy. At the moment they were also looking at using County Council owned land, and he encouraged the Council to look at any owned assets such as garages in order to build bungalows. If mixed accommodation were available within communities people, could move with out changing the dynamics of that community. Mr Horton praised the Council for the pragmatic and innovative move with regards to the contributions, and he felt it was a unique opportunity to invest in some practical measures.

What type of housing do we need to build to improve down -sizing options?

(Liz Crockford – Housing Enabling Officer, Sevenoaks District Council)

A short answer would be bungalows. However there were two distinct client groups, those that needed encouragement to move such as older people, and the forced movers i.e. those affected by the Welfare Reform Act. Work undertaken through the Kent-wide study into older persons housing had shown good quality and spacious 1/2-bed units, close to facilities and local amenities and safe such as Rockdale. Properties that were wheelchair adapted; lifetime homes; single-storey and/or lifts - homes that can sustain tenancies through all life stages.



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One of the issues facing those forced to move because of the welfare reforms, would be that if there was not suitable housing stock locally they would be expected to look elsewhere. People may choose to take in lodgers to help with the shortfall but it may have repercussions on their entitlements.

Can we bid for any funding to reduce Under occupation in the social sector of this district?

(Lisa Webb – Housing Initiatives Officer, Sevenoaks District Council)

Although this was a Government objective, there did not appear to be any funding available at the moment. The only current source available for the Council was the s.106 planning gains. There had been a Kent wide bid to the Innovation Fund to fund an officer, but this had not progressed and had been unsuccessful. Although other elements of the bid were successful such as developing a section of the Kent Home choice website specifically for under occupation/downsizing.

In response to a question, Deborah White reported that it was difficult for the Housing Association to make charitable bids as it had a healthy balance sheet, however they did receive some charitable funding through West Kent Extra.

Can Planning gains be used to supplement the West Kent HA "Small is Beautiful" scheme?

Can Planning gains be used to match fund, with say two Housing Associations, a dedicated Under Occupation Support Officer?

(Alan Dyer – Planning Service Manager, Sevenoaks District Council)

Yes, provided they fell within the categories listed in the Affordable Housing SPD. The management of allocation of funding needed further discussion. If a legitimate scheme fell within the remit then it would be entitled to funding. He did not see that it would be necessary to evaluate every application but if something was funded that did not fall within the relevant categories the contracted party could request their money back.

What percentage of the total stock, do West Kent HA tenants under occupy?

(Deborah White – Housing and Communities Director, West Kent Housing Association)

It was estimated that 27% of tenants were under-occupying their home. They were allowing some older people to move into 2 bed properties in order to free up 3/4 bed properties. Part of the problem was keeping up with family changes, children returning after a relationship breakdown, consequences of the current economic climate/housing market etc. People were not obliged to

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inform them of a change in family circumstances, and they could only visit around 20% of households per annum so information gathering was therefore slow. Visits were cold call.

In response to a question as to whether short hold tenancies would solve this problem, she replied that it could, however it could only be applied to new tenants as existing tenants were protected. There was also a lack of suitable homes for people to move to.

### Chairman's Closing Comments

The Chairman on behalf of the Committee, thanked the Panel for attending. He advised that written answers from Mr. John Clark Housing Services Manager, Places for People, who had not been able to attend, had been tabled and that the written responses from the Panel members would be made available in the Member's Room. He requested that if any Members had any supplementary questions they would like the Panel members to answer, that they should forward them to the Housing Policy Manager. He would be drawing up a draft Under Occupation Action Plan for the working group to consider before bring it to the Committee for consideration in June 2012. Once the Committee had agreed the action plan it would be referred, with recommendations, to Cabinet.

8.15pm The Committee adjourned for a comfort break.

8.22pm The Committee reconvened.

#### 43. UNIVERSAL CREDIT INDEPTH SCRUTINY - UPDATE

In addition to the report presented by the Group Manager – Financial Services, the Committee received a presentation from the Vice Chairman of the Universal Credit Working Group. He reported that since the last meeting of the Committee they had appointed Cllr. Firth as Chairman and himself as Vice Chairman and had already held a number of meetings. He reported that the system would be rolled out from 1 April 2013, which only left a year to prepare. It was being brought in to address inadequacies in the current benefits system which appeared to penalise people for working and causing them to be better off by remaining on benefits. There were so many different benefits that could be claimed, and not everyone knew what they were entitled to and didn't always know how any wages may affect those benefits. However Universal Credit would automatically adjust this. There were potential problems though. Under the new system only the Department for Work and Pensions (DWP) would administer the Universal Credit, but the Council would be responsible for the Council Tax Discount. The Working Group had received a presentation from the Benefits Manager which the representative attending from the DWP had asked to take away with him, so it appeared the Council's Officers were very clued up. Another potential problem was the 'digital by default' expectation that all applications would be carried out online. The target was 80%. The group had made enquiries as to

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whether the Job Centre would provide a worker in Edenbridge or Swanley to help people apply.

Universal Credit would be paid monthly in arrears, the idea was to make it like a salary. This would also have an impact, as many people would be used to budgeting fortnightly. There would also be penalties for under occupation, and tenants would receive the money for their rent directly with them responsible for paying the landlord which would be another learning curve for many people that could potentially cause some issues. A possible consequence would be people falling into arrears and as the Council was responsible for emergency accommodation this could have a cost impact. In response to a question asking whether many had bank accounts, he responded that 97-98% of those in receipt of unemployment benefit had bank accounts, but yes there was the issue of those without. Another potential issue was the fact that the money would only be paid to one individual within the household, giving one person ultimate power to administer the benefits within the household and the potential issues that could arise from that.

In response to a question, he replied that the DWP had not finalised a lot of the finer detail, but this was primary legislation and much of what he was reporting was unchangeable. There was also a potential issue of staffing within the Revenues and Benefits section. There would be no role for some of them once the DWP took over administration of the Universal Credit system. An issue the Council would have to face was how to use or retain staff, whether it would be possible to relocate them, how to keep enough staff in place during the transitions when they knew there would not be a job for them at the end of the process. The transition period was from 2013 to 2017.

The Director of Corporate Resources and Deputy Chief Executive reported that many staff already realised that they needed to make different career choices and some were leaving the organisation. With no prospects it would be even harder to recruit more staff and there was also the training issue, or cost implications of agency staff, and therefore this was already having a significant impact on the service provided. The DWP had made it clear early on that they would not consider TUPE arrangements.

A connected issue was the Council Tax Support Localisation policy which was a massive issue affecting all authorities. In essence the Government was taking a top slice of 10% from funding. There would be protected groups, including the elderly which made up 52% of claimants. Therefore the remainder would bear a reduction in support of about 30%.

It was agreed that there were a lot of unanswered questions but that the Council seemed to be ahead of the game in the fact that they were asking them. It was hoped that the Council would be able to participate in a pilot scheme.

The Chairman thanked Cllr. Horwood for an excellent presentation and for the excellent work the Working Group had carried out so far.

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Resolved: That the report be noted.

44. FUTURE BUSINESS, THE WORK PLAN 2011/12 (ATTACHED) AND THE FORWARD PLAN.

Members noted the Work Plan. It was agreed that the Human Resources Update would be combined with the Performance Monitoring report on sickness absence and reported to the meeting in June 2012.

THE MEETING WAS CONCLUDED AT 9.07 pm

Chairman

## MATTERS REFERRED BY PERFORMANCE AND GOVERNANCE COMMITTEE

### PERFORMANCE MONITORING

*(Performance and Governance Committee – Minute 52 - 13 March 2012)*

The report provided the Committee with a summary of Council performance and detailed all 'Red' performance indicators for the period to the end of January 2012.

With reference to LPI DS 002 – Total Trading Account Position (year to date), the Policy and Performance Manager assured a Member that whilst the Finance Advisory Group would be considering diesel costs they would also be looking at the trading account as a whole and looking at all elements of the budget.

Members were concerned at the 10% level of staff affected by illness and requiring extended periods of absence. Members were interested to know how much was stress related, work related or other causes, and how it compared with the national average. The Director of Corporate Resources and Deputy Chief Executive recognised that long term sickness levels were high but it had been a difficult 12 months. He stated that a number of processes were in place to manage and control sickness levels, however, some delays were out of the Council's control such as chasing G.P. reports, which can take 3-4 months. The Chief Executive reported that Management Team had looked very carefully at this issue and the new Human Resources Manager had been asked to look at it and see if she could develop a revised strategy to bring the figures down.

Resolved: That

- (a) that LPI HR 003 – Number of working days lost through long term sickness absence per FTE (>20cumulative days) be referred to Services Select Committee; and
- (b) the contents of the report be noted.

**PLEASE NOTE** It was agreed to consider this at the June 2012 meeting as it was not possible to gather all of the information required for consideration at the last meeting. This is now dealt with under Item 12 – Sickness Absence.

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SERVICES SELECT COMMITTEE - WORK PLAN 2012/13

| Topic                                  | June 2012   | September 2012                 | November 2012                              | January 2013 | April 2013 |
|--|---|--------------------------------|--|--------------|------------|
| In-Depth Scrutiny                      | Under-occupation of Social Housing – final strategy and action plan |                                |  |              |            |
|  | Universal Credits – Stage 5(b)                                      | Universal Credits – Stage 6    |  |              |            |
| Housing (Pat Smith)                    | Affordable Housing Position Report (information only)               | SDHR amended Allocation Policy |  |              |            |
| Licensing (Richard Wilson)             |   |                                | Licensing Update Report (information only) |              |            |
| Payments & Benefits (Adrian Rowbotham) |   |                                | Revenues and Benefits Partnership Update   |              |            |
| Human Resources (Syreeta Gill)         |   |                                |  |              |            |

| Topic   | June 2012   | September 2012 | November 2012   | January 2013                                | April 2013 |
|---|---|----------------|---|---|------------|
| Information Technology (Jim Carrington-West)      | Annual IT Update (information only)   |                |   |   |            |
| Waste and Recycling (Richard Wilson)              | Waste And Recycling – Dclg Weekly Collection Support Scheme And Health And Safety Executive Audit Of Waste And Recycling Services |                |   |   |            |
| Communications & Customer Service                 |   |                |   | Customer Services Report (information only) |            |
| Budget (Adrian Rowbotham)                         | Localising Support for Council Tax<br>Retention of Business Rates   |                | Review of Service Plans<br>Review of Budget Proposals for 2013/14 |   |            |
| Referral of Performance Issues from P&G Committee | Sickness Absence – Update to incorporate Human Resources Update   |                |   |   |            |
| Other   |   |                |   |   |            |

\*Items to be confirmed by the Head of Housing.



Kent and Medway Forum strategy\*

### Key Stages of In-Depth Scrutiny Review

Stage 1 – Scoping and identifying key lines of inquiry

Stage 2 – Familiarisation with subject area

Stage 3 – Submission of evidence

Stage 4 – Deliberation/Consideration of Options

Stage 5(a) – Formulation of recommendations and reporting

Stage 5(b) – Outcomes

Stage 6 – Review and Monitoring

### Working Group Membership

#### Members IT Working Group

Cllrs. Abraham, Edwards-Winsor, Pett (Chairman), Scholey and Walshe\*.

#### Members' Under-occupation of Social Housing Working Group

Cllrs. Mrs Ayres, Mrs George, Horwood, Mrs Parkin and Piper.

#### Members' Universal Credits Working Group

Cllrs. Ball, Firth\*, Hogarth, Horwood and Raikes.

- No longer members of the committee

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## RECONSTITUTION OF INFORMAL GROUPS – MEMBERS IT WORKING GROUP

Services Select Committee -19 June 2012

Report of the: Corporate Resources Director

Status: For Decision

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This report supports the Key Aim of improving Service Performance in a cost effective way.

Head of Service Head of Legal and Democratic Services – Christine Nuttall

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**Recommendation:** The Committee is asked to decide whether the Members IT Working Group should continue to meet and if so, agree the membership for the 2012/13 municipal year.

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### Background

- 1 At the meeting of the Services Select Committee on 11 October 2005 it was suggested that a Members IT Working Group be set up to work closely with the Officers IT Group.
- 2 Draft terms of reference had been considered at the meeting of the Services Select Committee on 17 January 2006.
- 3 At the meetings of the Services Select Committee on 21 March 2006 and 10 June 2008 the following Terms of Reference were agreed:
  - “(a) The membership of the Group will be made up, where appropriate, of Members from the Services Select Committee with experience in IT applications.
  - (b) To provide another source of technical expertise and a sounding board on Information Technology matters rather than providing technical solutions on behalf of the Council.
  - (c) To analyse any proposed new IT systems to be introduced by the Council and to receive reports on existing Council systems, to monitor the Council’s development, implementation and operation of IT systems. This will cover all IT systems planned, owned and used by the Council and include Members’ and Officers’ lap-tops and Officers’ desk-top systems. However, the Group will concentrate upon the Council’s main business systems.
  - (d) To provide IT advice, when requested, to the Services Select Committee and, if appropriate, to the Leader of the Council as Portfolio Holder.
  - (e) To produce a work plan for the Group for approval by the Services Select Committee and to receive input on the Work Plan from the Committee.

(f) To report on its work, its conclusions and any suggestions to the Services Select Committee.”

4 The Working Group has continued to meet recently helping to produce the I.T. Strategy Action Plan 2012/15.

5 At the Services Select Committee meeting on 31 January 2012 (Minute 37), it was agreed that the Group continue to meet in order to work on the Disaster Recovery Plan due for renewal at the end of the year.

#### **Membership of the Members' IT Working Group**

6 The membership of the Group was confirmed at the meeting of the Services Select Committee on 21 June 2011 as:

Cllrs. Abraham, Dibsall, Edwards-Winsler, Pett (Chairman) and Scholey.

7 Following the loss of Cllr. Dibsall, it was agreed at the meeting of the Services Select Committee on 31 January 2012 to appoint Cllr. Walshe to the vacancy.

8 However at the Annual Meeting of Council on 15 May 2012 Cllr. Walshe ceased to be a member of this Committee.

9 If the Committee were minded to keep the same membership this would mean that an appointment would need to be made to the existing vacancy created through the change of committee memberships agreed by the meeting of Annual Council.

#### **Risk Assessment Statement**

There is no risk attached to this report as long as the Members' IT Working Group follows the correct decision-making procedures in attempting to implement initiatives.

Sources of Information: Services Select Committee Minutes: 11.10.05, 17.01.06, 05.06.07, 10.06.08, 21.06.11

Contact Officer(s): Democratic Services  
Ext. 7241

PAV RAMEWAL  
CORPORATE RESOURCES DIRECTOR

## RECONSTITUTION OF INFORMAL GROUPS – MEMBERS’ UNDER-OCCUPATION OF SOCIAL HOUSING WORKING GROUP

Services Select Committee – 19 June 2012

Report of the: Corporate Resources Director

Status: For Decision

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This report supports the Key Aim of improving Service Performance in a cost effective way.

Head of Service Head of Legal and Democratic Services – Christine Nuttall

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**Recommendation:** The Committee is asked to decide whether the Members’ Under-Occupation of Social Housing Working Group should continue to meet and if so, decide membership for the 2012/13 municipal year.

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### Background

- 1 At the meeting of the Services Select Committee on 21 June 2011 it was agreed that a Members’ Under-Occupation of Social Housing Working Group be set up to work to consider the In-depth Scrutiny topic of under-occupation of social housing within the District.

### Introduction

- 2 The Working Group has met and reported regularly to this Committee and is currently at Stage 5 of the In Depth Scrutiny Process with recommendations due to be considered at this meeting.
- 3 It is proposed that the Membership be reconfirmed to allow the Working Group to complete the review.

### Membership of the Working Group

- 3 The current membership of the Group was last confirmed at the meeting of the Services Select Committee on 21 June 2011 as:

Cllrs. Mrs Ayres, Mrs George, Horwood, Mrs Parkin (Chairman) and Piper.

### Risk Assessment Statement

There is no risk attached to this report as long as the Working Group follows the correct decision-making procedures in attempting to implement initiatives.

Sources of Information:

Services Select Committee Minutes: 21.06.11

Contact Officer(s):

Democratic Services  
Ext. 7241

PAV RAMEWAL  
CORPORATE RESOURCES DIRECTOR

## RECONSTITUTION OF INFORMAL GROUPS – MEMBERS’ UNIVERSAL CREDITS WORKING GROUP

Services Select Committee – 19 June 2012

Report of the: Corporate Resources Director

Status: For Decision

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This report supports the Key Aim of improving Service Performance in a cost effective way.

Head of Service Head of Legal and Democratic Services – Christine Nuttall

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**Recommendation:** The Committee is asked to decide whether the Members’ Universal Credits Working Group should continue to meet and if so, agree membership for the 2012/13 municipal year.

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### Background

- 1 At the meeting of the Services Select Committee on 31 January 2011 it was agreed that a Members’ Universal Credits Working Group be set up to consider the In-depth Scrutiny topic of Universal Credits as they were a key element of the Welfare Reform Bill.

### Introduction

- 2 The Working Group has met and reported regularly to this Committee and is currently at Stage 3 of the In Depth Scrutiny Process.

### Membership of the Members’ Universal Credits Working Group

- 3 The previous membership of the Group was agreed at the meeting of the Services Select Committee on 31 January 2012 as:  
  
Cllrs. Cllrs. Ball, Firth (Chairman), Hogarth, Horwood (Vice Chairman) and Raikes.
- 4 However at the Annual meeting of Council on 15 May 2012 the membership of the Services Select Committee was amended and Councillor Firth is no longer a member of this Committee.
- 5 Considering the significant work already undertaken and depth of knowledge gained by the members on this Working Group, the Committee may wish to consider maintaining the current membership. However technically there is now one vacancy. Members may therefore wish to consider appointing another Committee member to the vacancy and/or inviting Councillor Firth to remain as a guest of the Working Group.

## **Risk Assessment Statement**

There is no risk attached to this report as long as the Members' Universal Credits Working Group follows the correct decision-making procedures in attempting to implement initiatives.

**Sources of Information:** Scheme of Delegations, Services Select Committee Minutes: 31.01.12 and 03.04.12, Annual Meeting of Council 15.05.12

**Contact Officer(s):** Democratic Services  
Ext. 7241

PAV RAMEWAL  
CORPORATE RESOURCES DIRECTOR



## IN-DEPTH SCRUTINY: UNDER-OCCUPATION IN THE SOCIAL SECTOR

### Services Select Committee – 19 June 2012

Report of the: Deputy Chief Executive and Director of Community and Planning Services

Status: For Decision

Also considered by: Cabinet – 13 September 2012

Key Decision: Yes

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#### This report supports the Key Aim of:

- a) Community Plan; and
- b) Housing Strategy Action Plan.

**Portfolio Holder** Cllr. Mrs Carol Clark

**Head of Service** Head of Housing and Communications – Mrs. Pat Smith

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#### Recommendation to Services Select Committee:

- a) Members support the adoption of the attached strategy and recommend it to Cabinet for approval as District Council policy.

#### Recommendation to Cabinet:

- a) Cabinet adopts the attached strategy as District Council policy.

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**Reason for recommendation:** To support the delivery of key housing objectives contained in the Housing Strategy Action Plan; to make more effective use of the existing housing stock; and to minimise negative impacts as related welfare reform is introduced.

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#### Introduction

#### Background

- 1 With an acute shortage of affordable housing and the financial imperative for down-sizing as a result of upcoming welfare reform, under-occupation is a key and timely issue to consider and re-approach as a local housing strategy priority.

### **In-depth scrutiny**

- 2 With the above in mind, District Council's Services Select Committee (SSC) agreed to undertake an in-depth scrutiny of social sector under-occupation (from September 2011 through to June 2012).
- 3 A Member sub-group was subsequently set up and tasked with reviewing existing services (aimed at encouraging and enabling down-sizing); available resources and capacity (across the public sector); and current policies/procedures.

### **Key findings and recommendations**

- 4 The sub-group has now concluded its investigations and presents the SCC with its key findings and recommendations, as set out in the attached strategy and supporting action plan (Appendix A).
- 5 If approved, the strategy will also provide the framework for future policy development in relation to social sector under-occupation.

### **Monitoring outcomes**

- 6 Annual progress reports will be provided to SSC as part of ongoing performance monitoring of related outputs/outcomes. This area of housing strategy will also continue to be monitored and delivered through the LSP Strategic Housing Sub-group.
- 7 Housing Services will continue identify and share good practice between partners to further develop effective tactics to tackle social sector under-occupation.

### **Key Implications**

#### Financial

Some finances would be required from Housing Association (HA) partners (which was agreed, in principle, during the strategy development stage), and supported by affordable housing planning gains – which, again, was approved through the Affordable Housing SPD priority spending criteria (p19, para. 6.11).

#### Community Impact and Outcomes

Key objectives would help to create better household mixes and support key local services.

#### Legal, Human Rights etc.

There are no issues to consider.

#### Resource (non-financial)

If a dedicated under-occupation officer were not agreed, an option would be to allocate some of an existing housing officer's time to under-occupation duties – though, this would see an adverse impact on the District Council's long-term empty homes work programme.

### Value For Money and Asset Management

- Key objectives would provide value for money for HA partners, making much more effective use of their housing stock;
- Less CO<sup>2</sup> would be generated through more effective use of existing stock by reducing the requirement for new-build process; and
- Key objectives would create joint working opportunities and reduce financial burdens.

### Equality Impacts

*Does the activity have the potential to cause adverse impact or discriminate against different groups in the community?*

No

*Does the activity make a positive contribution to promoting equality?*

Yes – more housing would be allocated to suit household needs.

### *Summary of Impacts*

There are no adverse impacts to consider.

### Sustainability Checklist

Completed and available from Housing Policy by request.

### **Conclusions**

The attached strategy would go some way towards delivering future housing strategy in a heavily restricted financial environment.

### **Risk Assessment Statement**

There are a number of risks associated with not adopting the attached strategy, including:

- A weaker response to the restricted financial environment and limited affordable housing development opportunities going forward into the medium-term;
- Growing numbers on the Sevenoaks District Housing Register;
- Under-occupying households unable to pay rent shortfalls when welfare reform is introduced;
- HAs suffering significant numbers of rent defaults, impacting on revenue and future borrowing; and
- Increased homelessness as households are evicted and/or are unable to secure affordable housing to suit their situation.

**Appendices**

Appendix A – Under-occupation Strategy

**Background Papers:**

Housing Strategy Action Plan;  
Community Plan; and  
Affordable Housing SPD.

**Contact Officer(s):**

Pat Smith, x7355

Gavin Missons, x7332

Kristen Paterson

Deputy Chief Executive and Director of Community and Planning Services

# UNDER-OCCUPATION STRATEGY 2012 - 2015

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Services Select Committee



## Introduction

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Being a high-priced area and mostly designated Green Belt, there is limited opportunity to build affordable housing. As a result, local housing strategy aims to make best use of the existing housing stock to meet the District's ongoing housing need and demand.

Recent research highlighted a significant level of under-occupation across sectors, as would be expected. Under-occupation occurs mostly as family make-up changes over time, e.g. children leaving home; relationship breakdowns or widowhood; or legal succession to tenancies in social rented housing. This is typical across much of the country and local authorities are increasingly reviewing under-occupation in search of cost-effective housing strategy.

At present, very few local households are actively looking to downsize and there is consequent scope to improve take-up. Improving on current levels of down-sizing would help to free-up additional family housing, much of which is currently under-occupied by two-bedrooms or more.

A proven approach elsewhere is one that has combined the availability of smaller decent/quality housing, a range of transitional support services, and some cash incentives to further encourage take-up. Many of these services are already in place locally, but more could be done to build on and improve existing options.

Better matching households to properties would help to address the key policy objective of making best use of the existing housing stock and a number of other consequent housing strategy objectives, e.g. less use of emergency/temporary accommodation; reduced cases of over-crowding; and more sustainable household and neighbourhood mixes.

In turn, this would support wider policy objectives such as containing growing Housing Benefit expenditure; encouraging mobility and economic development; and driving more people back into paid employment (all intended outcomes of the Localism Act and current Welfare Reform).

Although under-occupation is a cross sector issue and, in fact, more predominant in the private sector, this strategy will focus on social housing - the sector where local authorities and housing associations can best influence change.

With an acute shortage of affordable housing and the financial imperative for down-sizing as a result of upcoming welfare reform, under-occupation is a key and timely issue to consider and re-approach as a local housing strategy priority.

## **In-depth scrutiny process**

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With the above in mind, the District Council's Services Select Committee (Committee) agreed to undertake an in-depth scrutiny of social sector under-occupation.

The Committee formed a member sub-group to review existing services (aimed at encouraging and enabling down-sizing), available resources and capacity (across the public sector), and current policies/procedures. Members of the sub-group included: 1) Cllr Faye Parkin (Chair); 2) Cllr Barbara Ayres; 3) Cllr Angela George; 4) Cllr Lorraine Stack; 5) Cllr Michael Horwood; and 6) Cllr Robert Piper. Officers also attended as advisors.

## **Definition**

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The extent of under-occupation is measured by the actual number of bedrooms required by the household. For the purposes of this strategy, under-occupation is defined as: 'where a household is occupying a property with one or more bedrooms above the statutory requirement'.

## **Assessing supply and demand**

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### **Housing stock profile**

The District has a higher than average proportion of larger detached housing and a consequent lower proportion of semi-detached, terraced and flats/maisonettes. Such a stock profile offers fewer opportunities for those looking to down-size and this is compounded by higher than average values across all property types in the District.

### **Social housing stock profile**

At 14%, the District has a lower proportion (and overall number) of social housing units than its local authority counterparts in West Kent. There are also far fewer 1-bedroom units in comparison to neighbouring authorities and this, again, results in fewer opportunities for down-sizing. At April 2012, the District's social housing stock comprised: 1-beds (19%); 2-beds (35%); 3-beds (44%); and 4-beds (2%).

### **Current under-occupation in the social sector**

Social sector under-occupation was compared alongside overcrowding data and highlighted a significant miss-match of households to properties.<sup>1</sup> This reinforced existing housing strategy which aims to make more effective use of the stock to

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<sup>1</sup> Data compiled from two main stock holding HAs (comprising c95% of social housing stock)



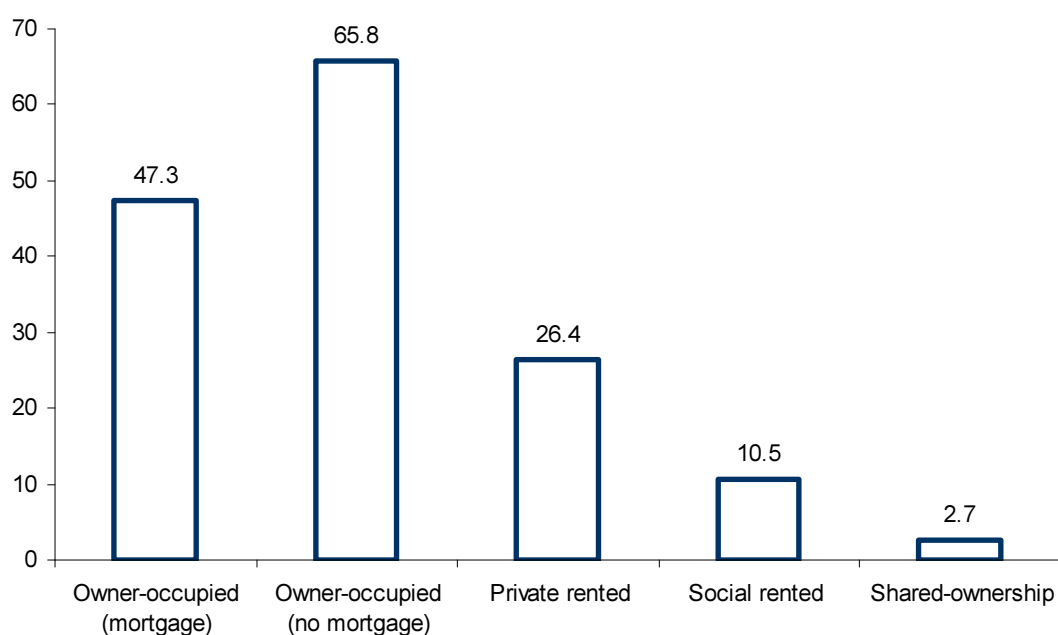
meet housing need. As can be seen, there is scope for mutual exchanges between these groups (addressing both issues through the one action).

| Under-occupation (social sector) |                |              |
|----------------------------------|----------------|--------------|
| By:                              | Moat Homes Ltd | West Kent HA |
| 1-bedroom                        | 0              | 1,086        |
| 2-bedrooms                       | 66             | 790          |
| 3-bedrooms                       | 57             | 28           |
| 4-bedrooms (+)                   | 5              | 1            |
|                                  |                |              |
| Over-crowding (social sector)    |                |              |
| By:                              | Moat Homes Ltd | West Kent HA |
| 1-bedroom                        | 0              | 528          |
| 2-bedrooms                       | 24             | 88           |
| 3-bedrooms                       | 42             | 13           |
| 4-bedrooms (+)                   | 1              | 5            |

## Tenures

The District Council and its housing association partners are best placed to tackle under-occupation in the social sector. Focusing on social tenures would also help to ensure that public resources are utilised to best effect – social sector under-occupation being an area where, mostly, this is not the case.

## Under-occupation by tenure (%)



A great deal of the District's under-occupation occurs in the private sector and this has long been the case. Many of those under-occupying in private housing wish to

do so, however, and housing strategy does not aim to discourage this choice, nor could it do so (being a market phenomenon mostly beyond the remit of housing strategy).

The planning framework does, however, encourage the development of smaller private sector dwellings to balance the housing stock - there being a high proportion of larger, detached and executive private sector housing in the District. This helps to increase market housing options for those looking to down-size in the private sector and can therefore be considered in the overall approach to reducing under-occupation.

Although under-occupation is not as acute in the social sector, the scale is still significant and one that needs to be addressed in housing strategy. This is similarly the case across West Kent and there is consequent scope to address the issue sub-regionally and in the context of the overall West Kent housing market.

### Sevenoaks District Housing Register

At November 2011, just 58 households were registered on the Sevenoaks District Housing Register as actively looking to down-size to more suitable housing. Of those, 62% were located in urban areas and 38% in rural parishes. This accounts for just a small percentage of those currently under-occupying in the social sector and demonstrates significant scope for improving take-up.

| Sevenoaks District Housing Register (applicants/family units) |              |
|---|--------------|
| 1-bedroom   | 785          |
| 2-bedrooms  | 388          |
| 3-bedrooms  | 248          |
| More than 3-bedrooms  | 62           |
| Not stated  | 2            |
| <b>Total</b>  | <b>1,485</b> |

### Strategic Housing Market Assessment (2008)

The West Kent Strategic Housing Market Assessment (2008) identified a shortfall of all property sizes in the social rented sector. These findings are backed up by growing numbers on the Sevenoaks District Housing Register and reflect a general increase in the need for affordable housing (both locally and across West Kent). Lettings data shows a higher turnover of 1 and 2-bed units, as would be expected, but need is also greater for smaller units – so need has grown over time, rather than reduced. In comparison, turnover rates are much longer for larger units and need has consequently grown, but with fewer re-lets arising.

### Anticipated re-lets

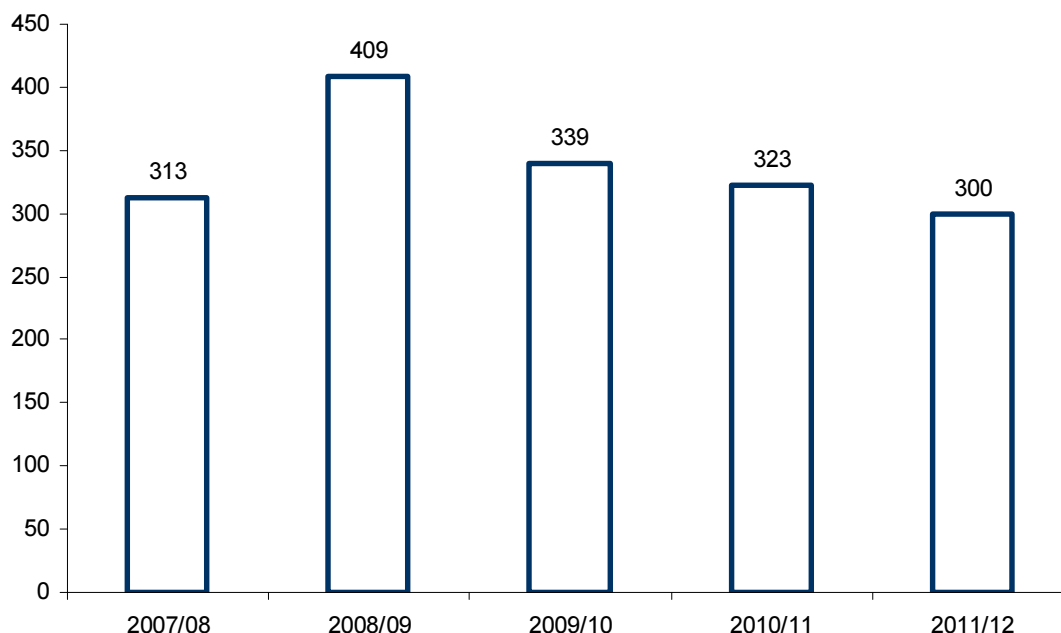
With two decant projects underway on supported schemes for older people, a number of recent 1- and 2-bed vacancies have been offered to affected residents.<sup>2</sup> This will continue in the short-term and have a consequent impact on

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<sup>2</sup> Redevelopment at Bonney Way, Swanley and St Andrew's Court, Swanley

the availability of smaller units for those looking to down-size to. A number of decanted residents have expressed a desire to return to completed schemes and this will create a temporary surge in small unit vacancies (both in new and existing units) in the medium-term.

### Historic re-lets



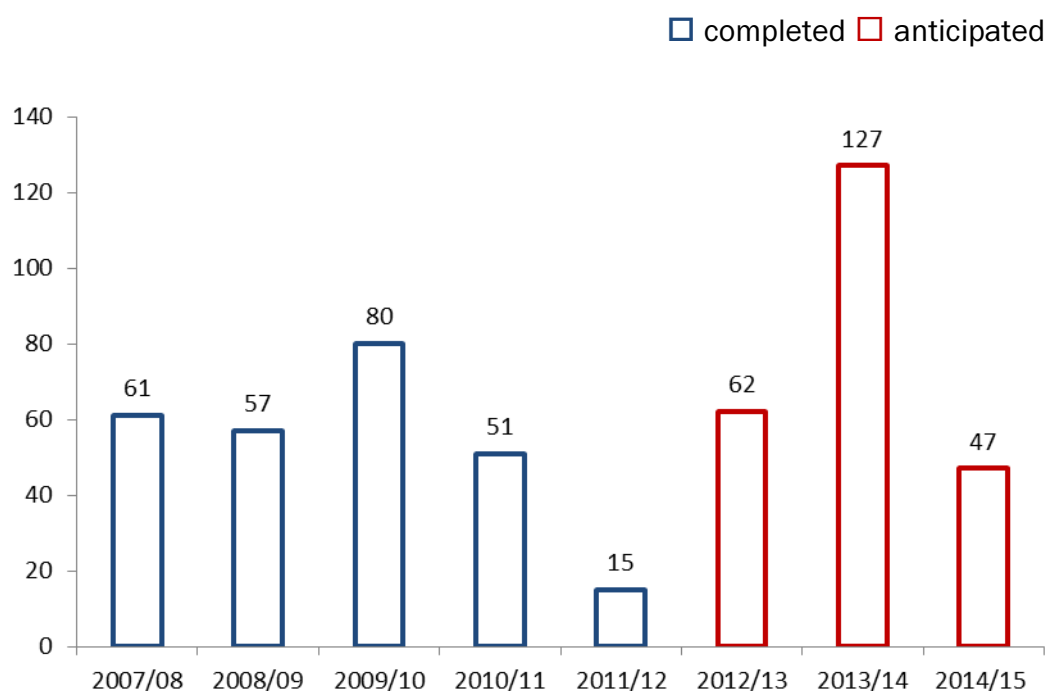
### New social housing

The District Council's affordable housing development programme continues to deliver new affordable housing, albeit it in relatively small numbers. In the past 5-years, a total of 264 units were completed and these ranged in sizes from 1- to 4-bedrooms. Looking ahead, a further 136 units are anticipated in the period up to 2014/15. Smaller units (1- and 2-beds) account for approximately 65% of both previous and planned developments.

The Core Strategy has a target of 40% affordable housing on housing sites with 15 units or more; 30% on sites with 10-14 units; and 20% for those with 5-9. Of those proportions, a target of 65% one and two-bed units is included.

New and anticipated development will not address under-occupation on its own. However, new housing can be designed with under-occupiers in mind and to better meet their needs, if down-sizing (something that has been identified as a positive measure). Therefore, new development continues to play an important part in the overall strategy to increase down-sizing.

## Social housing development programme



With limited re-lets and relatively few development opportunities, there is a need to step-up social sector under-occupation activity in order to avoid significantly growing numbers on the Sevenoaks District Housing Register as unemployment rises and more people become financially constrained.

## Typical household types

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Relevant data is being collected and will be improved on as part of the development of this strategy. Generally, though, there are a high proportion of middle-aged occupiers and older residents under-occupying in the District's social housing (corresponding with under-occupation across the country).

## Barriers to downsizing

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There are a number of reasons why people wish to remain under-occupying in their current homes (across sectors) and key disincentives for those who might otherwise consider down-sizing. These are summarised, as follows:

- Having family, friends and a good support network in the neighbourhood;
- The property holding memories, i.e. family home;

- The property being a safety net for the occupier;
- Accumulated possessions and storage issues, if down-sizing;
- Rapidly changing society - worried about new and unfamiliar neighbours/ neighbourhoods; experience and/or perception of anti-social behaviour, crime elsewhere; already unsettled in modern society and consequently wanting to remain in familiar surroundings;
- Pets - companions; having the run of a larger house/garden; known and settled environment; perhaps pets not permitted elsewhere;
- Being the support network for others, i.e. older people looking after one another; or caring for other, perhaps more older and frail neighbours;
- People having high aspirations for space and liking the status that goes with having a big home, garden and garage;
- Some people under-occupying deliberately - including an increase in home working;
- Always wanting to have at least one spare bedroom, plus space for other activities;
- Older people requiring a spare room for grandchildren or a carer;
- Having non-dependent children staying on occasion;
- Disabled people requiring spare room for a carer and/or medical equipment; and
- Lack of suitable or desirable housing to downsize to, either in the same neighbourhood or general area.

## **Key benefits of reducing under-occupation**

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There are clear benefits to those down-sizing, including lower rents; council tax and water bills; having somewhere easier and cheaper to manage; absence of stairs; possibility of more care and support; escaping harassment and/or anti-social behaviour; and a better quality of life.

Conversely, over-crowded households can be offered freed-up family housing with evidenced benefits being a reduction in stress; improvements in general health; and children's education/development improved in a more stable environment with quiet/separate space to do homework.

With limited social housing in the District, social landlords would be able to make better use of the housing stock by better matching households to properties in the social rented sector. The result of this would be less pressure on the local housing register and fewer households living in emergency, temporary and other unsuitable accommodation - all key and existing local housing strategy objectives.

With additional re-lets created by households downsizing, less reliance would need to be placed on new development. This is particularly important with significantly reduced Government grant going forward and social housing development being particularly costly in the Sevenoaks District.

A sustainable community requires a good mix of households with a range of income levels. Reducing under-occupation can directly address the housing shortage and contribute to wider sustainability - the key overarching priority of the District Council's Community Plan.

## Consequent effects

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Long-term occupation can provide stability for households and neighbourhoods, though a number of consequent issues can also arise as household sizes reduce. Managing a larger home can be far more expensive and difficult to manage, particularly for older and vulnerable households. Many under-occupiers can find themselves struggling to pay additional rent and also fall into fuel poverty, with heating costs having risen way above inflation in recent years. As time goes by, homes can also fall below standard as jobs mount up, e.g. in need of redecoration; furniture in need of replacement; and/or unmanageable gardens.

Making up the largest generational cohort, older people can experience additional mobility issues such as climbing stairs, using bathrooms, and generally navigating a larger property. Aids, adaptations and support services can assist those in need, but these are not the best or most practical solution in a great deal of cases. Support can also be the least financially-effective means of addressing need, i.e. a move to a more suitable property can negate support needs in many cases and significantly reduce costs to the household and/or service providers. This will increasingly be the case as improving assistive technologies and telecare enables more remote care and becomes the norm.

An unbalanced household mix can also have a wider negative effect on local services such as schools, for instance. This can see some under-utilised in areas where a high number of older households may have evolved through time and stretched elsewhere with an over-capacity of new families living in unsuitable and/or over-crowded accommodation.

Community imbalance can be particularly evident in rural areas where newly-forming and economically-active (but low-income) households have to leave the area in search of cheaper family housing elsewhere. Those left may be mostly

middle/high earners (and not likely to take up local key/essential worker roles), and economically-inactive groups such as older people or those fully dependent on welfare benefits. As a consequence, key and essential worker roles may be hard to fill and this can, in turn, directly affect local commerce and see neighbourhoods/areas suffer a downturn.

With a wide-range of consequent negative effects, under-occupation can have a serious and wide-ranging impact on communities. If addressed, this area of housing strategy has the potential to provide direct housing solutions as well as contributing to a wide range of other community outcomes.

## Upcoming Welfare Reform

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Social housing tenants currently benefit from long-term security of tenure and are not required to downsize to smaller accommodation when children grow up and move out. From April 2013, however, new rules will see working-age social tenants experience a reduction in their entitlement if they live in housing that is deemed to be too large for their household's needs.<sup>3</sup> This new rule corresponds with existing size criteria applied to private sector tenants receiving Housing Benefit.

With the above in mind, under-occupiers can be approached as two separate groups for strategy purposes: 1) those that would benefit from a move but could essentially stay-put, and 2) those that will have no alternative but to down-size, being unable to fund the anticipated shortfall in benefits themselves. Clearly, there is a pressing need to address the second group in the short-term and as a priority.

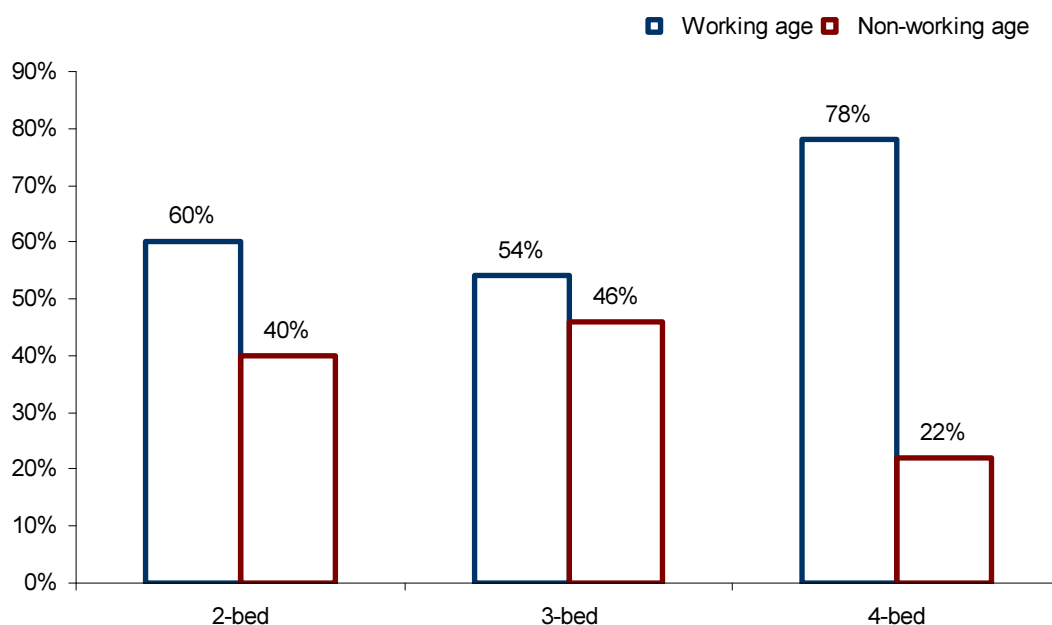
It is important that social tenants under-occupying their home are given sufficient priority to enable them to move to smaller accommodation – both to address anticipated shortfalls in benefit payments and also to free-up family-sized homes. However, a key concern is that there will be too few smaller homes available for those affected by welfare cuts to be able to down-size to.

This could leave many households with no option but to move out of the area in search of cheaper rents, as is currently occurring with out-migration from London. The effects of such a policy are not yet known, though wide-ranging concerns have been raised with Government.

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<sup>3</sup> Working-age defined as those below the qualifying age for Pension Credit (expected to be at 61 by April 2013 and rise in line with women's state pension age until equalisation with men is achieved in 2018)

## Under-occupation by working/non-working age



Those not moving to more suitable alternative accommodation may well find themselves falling into rent arrears with little chance of making up the shortfall. This would not only see housing associations losing revenue, but potentially having to take costly and lengthy action to evict tenants as arrears mount up (with little chance of recovering debts).

In order to minimise potentially significant housing crises, affected households are being informed ahead of these changes and given housing options advice in good time. By taking a proactive approach, housing associations will be less likely to experience significant rent defaults in the future - a key current concern for those organisations and equally amongst partners, such as the District Council, who rely on housing associations' development programmes to deliver local housing strategy.

Considering the above, a key short-term focus of this strategy will be to prioritise those likely to be affected by upcoming welfare cuts, with the aim of minimising future housing crises. This approach would also help to protect housing association delivery programmes by addressing anticipated debt issues beforehand - with the key outcome still being a more effective use of the limited social housing stock to meet future need.



## **In-depth scrutiny recommendations**

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Having completed sub-group investigations, a panel meeting was held on 03/04/12 and provided committee members with the opportunity to question a range of experts on under-occupation.<sup>4</sup>

A number of options were subsequently considered and this strategy sets out the Committee's final recommendations to tackle social sector under-occupation for the period up to and including 2014/15.

## **Governance and monitoring**

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Annual progress reports will be provided to the Committee as part of ongoing performance monitoring of related outputs/outcomes. This area of housing strategy will also continue to be monitored and delivered through the LSP Strategic Housing Sub-group.

Housing Services will continue to identify and share good practice between partners to further develop effective tactics to tackle social sector under-occupation.

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<sup>4</sup> Summary of questions and answers can be viewed at:

## Action Plan

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The overall approach of this strategy will be to generate additional demand, but at a manageable rate to ensure that supply is adequate. To do so, short-term objectives will address an anticipated demand in down-sizing from those affected by upcoming welfare reform and longer-term plans will fit in with pipeline developments and the subsequent availability of smaller units.

More generally, this strategy aims to collectively contribute to wider outcomes, including:

- Maximising the usage of social housing stock to meet housing need;
- Reducing numbers on the local housing register;
- Maximising the satisfaction of tenants;
- Reducing financial exclusion;
- Reducing fuel poverty;
- Making best use of local resources e.g. aids and adaptations, gardening and handy person services;
- Greater mobility within the social rented sector;
- Tenants assisted to avoid upcoming benefit deductions for under-occupation;
- Reducing Housing Benefit budgets;
- Encouraging economic development; and
- Driving more people back into paid employment.

**Note:** this strategy does not aim to force under-occupying residents to down-size. It aims to encourage down-sizing by assisting those who wish to do so, or who might find themselves facing a shortfall in benefits as welfare reform is introduced. The strategy also aims to enable support services for those wishing to stay put (generally older people).

| OBJECTIVE  | LEAD        | BY WHEN | EXPECTED OUTCOME   |
|--|-------------|---------|--|
| <u>Partnership working</u>   |             |         |  |
| Work with Moat and WKHA to explore opportunities for a specialist officer to act as advocate and advisor for people down-sizing                        | LW/HAs      | 09/12   | Officer in place for 1-year trial period   |
| Increase funding for the Small is Beautiful scheme to coincide with strategy drive (if possible, SDC to provide £20k from planning gains for year one) | LW/HAs      | 09/12   | Increased take-up (SSC would like WKHA to aspire to 20 x cases per annum and to review in 2-years) |
| Assist working-age tenants to avoid benefit deductions for under-occupation by offering suitable down-sizing options                                   | HERO scheme | Ongoing | Fewer benefit dependent households in difficulty; minimal HA rent arrears                          |
| Increase the supply and availability of smaller affordable homes   | HP/HAs      | Ongoing | Additional units available for down-sizing   |
| Work with smaller HAs to offer down-sizing incentives  | LW/HAs      | Ongoing | Incentives in place for smaller stock-holding HAs  |
| Increase the supply of properties that meet the needs of disabled down-sizers  | HP/HAs      | Ongoing | Improved down-sizing options for older and disabled households                                     |
| Increase the supply of modern supported housing for older people   | LC/HAs      | Ongoing | Improved down-sizing options for older households  |
| Promote and participate in local/national home-swapping schemes  | LW/HAs      | Ongoing | Improved down-sizing and mobility options  |
| Review mutual exchange policy and consider chain lettings approach to facilitate a number of different moves at once                                   | HAs         | Ongoing | Improved take-up   |
| Develop sustainable community lettings plans on new development  | GM/LC       | 2012/13 | Sustainable community lettings plans in  |

|  |  |  |   |
|--|--|--|---|
| <p>to enable down-sizing</p> <p>Work with the Elderly Accommodation Counsel to develop a local FirstStop service (work underway)</p> <p>Consider taking suitable 1- and 2-bed units out of CBL for direct lets to under-occupiers</p> <p>Explore sub-regional approach with West Kent LAs</p>  | <p>GM/LC/JE</p> <p>JE/HAs</p> <p>JE/GM/HAs</p> | <p>2012/13</p> <p>2012/13</p> <p>2012/13</p> | <p>place to prioritise under-occupiers</p> <p>Improved services for older under-occupiers</p> <p>Improved options</p> <p>Improved options</p>   |
| <p><u>Promotion and communication</u></p> <p>Develop targeted communications for groups identified with specific needs</p> <p>Review and improve existing communication channels for disseminating information about housing options to under-occupying households</p> <p>Deliver digital inclusion initiatives to increase use and access to Kent HomeChoice for potential mutual exchanges</p> | <p>LW/HAs</p> <p>LW/HAs</p> <p>HAs</p>         | <p>08/12</p> <p>08/12</p> <p>Ongoing</p>     | <p>More reach and raised awareness amongst key under-occupying groups; linked in with Moat UO strategy</p> <p>Generic leaflet produced and promoted amongst under-occupiers; campaigns through Kent HomeChoice</p> <p>Increased access/mutual exchanges</p> |

| <b><u>Policy development/implementation</u></b>  |            |         |  |
|--|------------|---------|--|
| Increase housing mobility through a clear Allocations Policy:  |            |         |  |
| - Consider additional priority for under-occupiers   | JE/LC/WKHA | 08/12   | Policy in place/improved take-up   |
| - Consider offering priority for new one and two-bed units as an incentive for under-occupying households to move to | JE/LC/WKHA | 08/12   | Sustainable community lettings plans introduced on new schemes giving priority to under-occupiers at first-let |
| Develop under-occupied/over-crowded mutual exchange policy/procedures  | HAs        | Ongoing | Improved take-up/reduced OC  |
| Discourage/prevent mutual exchanges that result in under-occupation  | HAs        | Ongoing | Policies/procedures in place   |
| Consider removing no-pet policies on currently restricted schemes to improve down-sizing options for older people    | HAs        | 2012/13 | Amended policies, where appropriate; improved take-up  |
| Consider including UO clauses in new tenancies   | HAs        | 2012/13 | Amended policies   |
| Review and update succession policy to avoid subsequent UO   | HAs        | 2012/13 | More control over UO   |
| Ensure that under-occupation is considered in all relevant future policy reviews                                     | All        | Ongoing | Effective housing strategy   |

|   |               |         |  |
|---|---------------|---------|--|
|   |               |         |  |
| <b><u>Housing intelligence</u></b>  |               |         |  |
| Develop a more comprehensive housing database to capture information  | HP/HAs        | 2012/13 | Accurate information available to assess strategy performance/effectiveness                |
| Undertake surveys of tenants to identify down-sizing preferences  | HAs           | Ongoing | Feedback considered in ongoing service development   |
| Undertake follow-up surveys for those who have down-sized   | HAs           | Ongoing | Feedback considered in ongoing service development – further promotion of successful cases |
| Review SDC/HA data sharing to ensure targeted advice and schemes to the right customers                       | HP/HAs        | 2012/13 | Improved housing intelligence  |
| <b><u>Alternative tenures</u></b>   |               |         |  |
| Promote private sector options through landlord forums; lettings scheme etc                                   | JE            | Ongoing | More down-sizing across tenures  |
| Promote HomeBuy options to those under-occupying  | HP/HAs        | 2012/13 | Increased take-up; drop-in session provided  |
| Consider SHOE schemes on new affordable housing developments to provide intermediate options for older people | HP/HAs        | Ongoing | Additional down-sizing options for older people looking to retain equity                   |
| Consider extending cash incentive payments to enable tenants to   | LSP Strategic | 2013/14 | Additional down-sizing options/freed-up  |

|   |  |                                 |   |
|---|--|---------------------------------|---|
| <p>purchase open market or shared-ownership properties</p> <p>Consider rent differences for those down-sizing from social rented to new affordable rented tenures</p> <p>Ensure that under-occupation strategy is taken into account in future development plans</p>                                  | <p>Housing Sub-group</p> <p>LW/JE/HAs</p> <p>All</p> | <p>2013/14</p> <p>Ongoing</p>   | <p>social sector units</p> <p>Affordability issues identified and addressed</p> <p>Improved housing strategy response</p> |
| <p><b><u>Monitoring</u></b></p> <p>Establish social sector under-occupation baseline data and agree clear targets for tackling under-occupation (clearer targets to be agreed when additional funding and dedicated post objectives are decided)</p> <p>First progress report to SSC in July 2013</p> | <p>HAs/HP</p> <p>HP</p>                              | <p>09/2012</p> <p>07/2013</p>   | <p>Improved housing intelligence/strategy assessed/targets in place</p> <p>Members appraised</p>                          |
| <p><b><u>Ongoing service improvements:</u></b></p> <p>Monitor and review through LSP Strategic Housing Sub-group</p> <p>Provide staff training in our approach to under-occupation</p>  | <p>LSP Strategic Housing Sub-group</p> <p>LW</p>     | <p>Bi-annual</p> <p>2012/13</p> | <p>Performance assessed; tactics reviewed; strategy developed</p> <p>Increased expertise</p>                              |

|   |    |         |   |
|---|----|---------|---|
| Produce case study pack to further promote scheme                       | LW | 2012/13 | Improved promotion; elected members promote to parish/town councils     |
| Undertake case study cost-benefit analyses                              | LW | 2012/13 | Financial effects (residents/partners) considered in policy development |
| Benchmark against best practice via CLG's Making Best Use of Stock Team | HP | Ongoing | Service improvements/ongoing learning                                   |

**Abbreviations**

GM - GAVIN MISSONS  
 HA - HOUSING ASSOCIATIONS  
 HP - HOUSING POLICY  
 JE - JANE ELLIS

LW - LISA WEBB  
 LC - LIZ CROCKFORD  
 SHOE - SHARED-OWNERSHIP FOR THE ELDERLY  
 WKHA - WEST KENT HOUSING ASSOCIATION



## UNIVERSAL CREDIT INDEPTH SCRUTINY BOARD - UPDATE

### SERVICES SELECT COMMITTEE – 19 JUNE 2012

Report of the: Deputy Chief Executive and Director of Corporate Resources

Status: For Information

Key Decision: No

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This report supports the Key Aim of Effective Management of Council Resources

Portfolio Holder Cllr. Ramsay

Head of Service Group Manager – Financial Services – Adrian Rowbotham

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Recommendation to Services Select Committee: That the report be noted.

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#### Introduction

- 1 At the Services Select Committee meeting on 31 January 2012 it was agreed that a Scrutiny Board would carry out an indepth scrutiny of Universal Credit.
- 2 The Scrutiny Board consists of the following Members: Cllrs. Firth (Chairman), Horwood (Vice-Chairman), Ball, Hogarth and Raikes.
- 3 An update report was presented to Services Select Committee on 3 April 2012. Cllr Horwood also gave a presentation updating the committee on the effects of Universal Credit and progress made by the Scrutiny Board.
- 4 The findings of the Scrutiny Board will be presented to this committee on 18 September 2012.

#### Key Lines of Enquiry

- 5 The key lines of enquiry agreed by the Scrutiny Board are:

1. How is the new system of universal credit expected to work?
2. What are the key challenges for this Council in adjusting to the new system of universal credit, especially during the transitional phase:
  - a. What departments/services will be affected?
  - b. What impact will the changes have on demand for the Council's services?

- c. How can the current benefits service, including the staff currently operating in this area, best be protected given the uncertainty surrounding the service and its effect on staff numbers/morale?
3. What other organisations will also be affected?
  4. How should the Council best prepare for these changes?
    - a. What role should the Council play, if any, in helping other affected organisations prepare for the changes?
    - b. How might the Council ensure full accessibility to the new service especially by those who have difficulty accessing computer based services or have no access to a computer?
    - c. What opportunities are there to lobby DWP/play a part in how the new system is implemented? (e.g. Could Sevenoaks become a pilot Council for implementing the new scheme?)

- 6 The Scrutiny Board has received evidence from officers of this Council and visitors from other organisations to gain a wider understanding of how Universal Credit will operate and how it will affect the various parties.
- 7 Progress has now been made on all of the key lines of enquiry. An update will be presented by members of the Scrutiny Board at the meeting.

**Schedule of Meetings**

- 8 The meetings of the Scrutiny Board:

| Scrutiny Stage   | Meeting Date     | Comments   |
|--|------------------|--|
| 1. Scoping and identifying key lines of enquiry (KLOE) | 17 February 2012 | KLOE agreed by group   |
| 2. Familiarisation with subject area                   | 1 March 2012     | Further information on how the current benefits service operates |

|   |   |  |
|---|---|--|
| 3. Submission of evidence                       | 2 March 2012<br><br><br><br><br><br><br><br><br><br>16 March 2012 | Visitors:<br>WKHA<br>WKHA Tenant Rep.<br>National Landlords Association<br>Sevenoaks MIND<br>Sevenoaks CAB<br>Job Centre Plus<br>DWP – Customer Insight Team<br>District Council Network (DCN) Lead for Welfare Reform<br>Sevenoaks DC Housing Service |
| 4. Deliberation / consideration of options      | 17 April 2012<br><br><br><br>11 May 2012                          | Review of progress to date and planning the final report<br><br>Visitor: Cllr Fleming – update on Welfare reform.<br><br>Updates on pilot schemes and future staffing & budget requirements  |
| 5. Formulation of recommendations and reporting | 26 June 2012  |  |

### Key Implications

#### Financial

The findings of the Scrutiny Board should highlight the financial implications.

#### Community Impact and Outcomes

The findings of the Scrutiny Board should highlight the community impact and outcomes.

#### Legal, Human Rights etc.

There are no legal or human rights implications arising from this report..

#### **Risk Assessment Statement**

The findings of the Scrutiny Board should highlight the risks.

**Background Papers:**

Report to Services Select Committee 3 April 2012 –  
Item 6 – Universal Credit Indepth Scrutiny Update

Report to Services Select Committee 31 January  
2012 – Item 6 – Universal Credit Indepth Scrutiny  
Briefing Note

Report to Services Select Committee 8 November  
2011 – Benefits Service update

**Contact Officer(s):**

Adrian Rowbotham Ext. 7153

Meryl Young Ext. 7397

**Dr. Pav Ramewal**

**Deputy Chief Executive and Director of Corporate Resources**

## LOCALISATION OF SUPPORT FOR COUNCIL TAX

### SERVICES SELECT COMMITTEE – 19 JUNE 2012

Report of the: Deputy Chief Executive and Director of Corporate Resources

Status: Decision

Also considered by: Cabinet – 12 July 2012

Council – 24 July 2012

Key Decision: Yes

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**Executive Summary:** The Local Government Finance Bill has introduced one of the biggest fundamental changes that will require all council tax billing authorities to devise a local Council Tax Support Scheme to replace the current national Council Tax Benefit Scheme to commence on 1 April 2013.

This reports sets out the options for a local scheme and proposes a scheme that has been recommended by the Kent Forum.

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**This report supports the Key Aim of Effective Management of Council Resources**

**Portfolio Holder** Cllr. Ramsay

**Head of Service** Group Manager Financial Services – Adrian Rowbotham

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**Recommendation to Services Select Committee:** It be RESOLVED that Members recommend the Proposed Localisation of Support for Council Tax Scheme as set out at Appendix A to Cabinet, for its consideration and recommendation to Full Council.

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**Reason for recommendation:** to agree a scheme to be used to calculate Council Tax Support for three years from 1 April 2013.

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### Introduction

- 1 The current national scheme for council tax benefit will cease on 31 March 2013 and be replaced by local schemes from 1 April 2013.
- 2 Currently district councils, as billing authorities, make a “payment” of council tax benefit to eligible claimants and generally recover the full amount as grant from Government. The “payment” is by way of a charge to benefits and a credit to the council tax account. No cash is involved.
- 3 With new local schemes, if a claimant is eligible for any support it will be deducted as a “discount” from the council tax bill, rather than as a “payment”, in the same

way as other discounts e.g. single person discount. This has the effect of reducing the council tax base and thus affects all tiers of authorities, including parish councils.

- 4 Government grant to contribute towards council tax “discounts” given to claimants will, in future, be paid direct to both districts and upper tier authorities, but not parish councils. Grant will be a fixed amount and for 2013/14 (at least) it will be lower than the current level by about 10% although there is uncertainty as to how the 10% reduction will be calculated. Thus from 1 April 2013 all the financial risk of new local schemes of support for council tax rests with local authorities. Nationally expenditure on council tax benefit has roughly doubled in the last ten years so this is a significant financial risk in that such demographic growth will be born by councils in the future and in the case of Sevenoaks there is an increased element of risk in that it has the highest proportion of elderly in Kent who will remain a protected group.
- 5 One effect of these changes will be that some claimants who have not previously had to pay any council tax may be required to pay a proportion under a new scheme.
- 6 The fundamental questions to consider in developing local schemes are:
  - Which vulnerable groups (other than pensioners) should receive council tax support.
  - How much extra it is reasonable to ask existing beneficiaries to pay towards their council tax bill.
- 7 Sevenoaks District Council, as the billing authority, is the lead authority and is responsible for developing and approving a scheme.
- 8 A consultation process will take place to ensure that the views of the affected parties are taken into account before the new scheme is finalised.

### **Government Announcements**

- 9 The Government included within the Spending Review 2010 a policy commitment to localise support for council tax by 2013/14, reducing expenditure by 10%. The Welfare Reform Bill, published on 17 February 2011, contained provisions for the abolition of council tax benefit, paving the way for new localised schemes.
- 10 On 2 August 2011, the Department for Communities and Local Government (CLG) published its consultation paper “Localising support for Council Tax in England”. This consultation paper considered how local schemes for council tax benefit could be established in England. In December 2011, the Government put before parliament the Local Government Finance Bill 2011 and published its response to views expressed in the consultation on its proposals for the localisation of support for council tax.
- 11 In May 2012 the Government issued a Statement of Intent which sets out policy statements of intent for the regulations to be provided under the Local Government Finance Bill. The statements are intended to inform discussion of the

Bill in Parliament and provide further detail to help billing authorities in their preparation of local schemes.

- 12 The Government has stated that it has two underlying principles behind the localisation of council tax benefits in England:
- Localised schemes should provide support for the most vulnerable, including vulnerable pensioners;
  - Localised schemes should assist with lifting the poorest off benefits and supporting them into work.
- 13 The Government's ambition to put this legislation into effect is included in the Local Government Finance Bill which is expected to receive Royal assent in July 2012.

### **Constraints when Devising a Local Scheme**

- 14 The timescale for implementation is extremely tight and it is almost impossible to devise a new scheme from scratch by 1 April 2013. Lead authorities have to devise a scheme, consult on it, put all administrative processes in place, procure and test software enhancements and notify claimants. All of this has to be done without detailed knowledge of the legislative requirements and without knowing how much grant will be received.
- 15 The risk of producing a poor scheme with unintended consequences for claimants for 2013/14 is high.
- 16 Benefit and council tax administration are complex processes and authorities rely on specialist software. The benefits database includes core information that calculates entitlement for both housing benefit and council tax benefit. This means that if the data requirements for the local scheme of support for council tax are different from the data requirements for housing benefit, then data may need to be input twice, incurring additional cost.
- 17 There are only a few suppliers of this specialist software so it would be impossible for them to provide the resources to construct unique systems for potentially over 300 local schemes within the required timescale. The suppliers have informed Government of this issue.
- 18 It is not yet clear what functionality will be available, or if all suppliers will offer the same functionality. The risk of system failure is the biggest single risk to successful implementation.

### **Options Considered**

- 19 An operational group of officers at this Council has been considering the possible options whilst taking into account the stream of information provided by the Government during this year. There has also been a Kent-wide group consisting of lead authorities and precepting authorities looking at alternative options. The Leader, Chief Executive and Director of Corporate Resources have all been heavily

involved in negotiating a Kent-wide deal that minimises the risk to this council and limits the impact on affected groups.

Option 1 – A scheme which delivers reductions in cost to fully mitigate estimated grant loss

- 20 It is not possible to devise a completely new scheme by 1 April 2013 and suppliers have indicated that only limited changes to the current software will be possible.
- 21 The simplest solution under this option is to calculate entitlement under existing rules, estimate the amount likely to be payable to pensioners and then apply a “standard percentage reduction” to all other claimants (mainly working poor).
- 22 The higher the percentage of pensioners as a proportion of all claimants then the higher the percentage reduction that is required from all other cases. Based on expenditure in 2011/12, the Kent average is 18.65% with Sevenoaks being the highest at 20.8% due to it having the highest percentage of pensioners. Demand for council tax benefit is currently rising so the actual percentages could be significantly higher.
- 23 The main advantages of this option are that it is relatively simple to implement, it minimises the risks of error and reduces financial risk for all tiers of authority. Financial risks would be shared based between each authority based on their share of the total council tax .
- 24 The main disadvantages are that it is an arbitrary reduction on all non-pensioner claimants and makes no allowance for individual circumstances or other changes affecting the income of claimants. It would lead to an increase in complaints and appeals. It is likely that authorities will be faced with collecting small amounts of council tax from many new households.
- 25 A further refinement of this option could be protection for other vulnerable groups e.g. households with children, or those with disability premium. This would require the remaining groups to bear a greater reduction in council tax benefit.

Option 2 – A scheme which maintains current levels of eligibility where the grant loss is absorbed by authorities

- 26 This is the easiest option to implement but has significant financial implications. Each claimant would receive the same level of “discount” that they currently receive as a “benefit”, therefore the 10% grant loss would have to be funded by the local authorities.
- 27 This is expected to be the default scheme the Government will impose if lead authorities do not agree a local scheme.
- 28 This option would cost this council in excess of £200,000 per annum and if all Kent lead authorities chose this option, the cost to Kent County Council would be in the region of £10m.



- 29 Absorbing the cost of this option is likely to have an impact on other council tax payers through increased council tax or lead to reductions elsewhere in the budget.
- 30 The main advantages of this option are that it would be easy to implement; there would be no additional ongoing administration costs and no increase in customer complaints and it would give authorities time to consider a longer term scheme.
- 31 The main disadvantage is the increased cost to be absorbed.

Option 3 – A scheme which delivers reductions in cost that partially mitigates estimated grant loss, or full reductions phased

- 32 It is possible to have a variation that is someway between the extremes of the first two options.
- 33 The simplest option would be a standard reduction, as in the first option above, but at a lower standard percentage. It is not clear at this stage what other variations the software will allow.
- 34 The main advantage of Option 3 over Option 1 is that it would reduce the impact on households.
- 35 The main disadvantages are that there will potentially be an increase in costs of collecting more small council tax amounts and the reduction in costs will not offset the reduction in grant.

## Other ways to bridge any funding gap

- 36 As part of the wider localism reforms the Government is proposing to give authorities discretion to vary some of the statutory exemptions from council tax. Details of the exemptions that could be localised, and the amount of council tax exemption granted in 2011/12 are set out in the following table.

|   | Total Amount<br>in 2011/12<br>£000 | Sevenoaks DC<br>Proportion<br>(12%)<br>£000 |
|---|------------------------------------|---|
| Class A - Vacant dwellings where major repair works or structural alterations are required, under way or recently completed (up to 12 months) | 174                                | 21  |
| Class C - A vacant dwelling, i.e. empty and substantially unfurnished (up to 6 months)  | 866                                | 104   |
| Class L - An unoccupied dwelling which has been taken into possession by a mortgage lender  | 25                                 | 3   |
| Discount on Second Homes  | 43                                 | 5   |
| Discount on Long Term Empties   | 0                                  | 0   |
| TOTAL   | 1,108                              | 133   |

- 37 The only category likely to have any significant effect on the amount of council tax raised is Class C where exemption of up to six months is granted for vacant properties.

## Proposed Scheme

- 38 Members of the Kent Forum have agreed to recommend a scheme that is shown in Appendix A.
- 39 This scheme will be consistent across Kent with the three major precepting authorities (Kent County Council, Kent Police Authority and Kent & Medway Fire & Rescue Authority) agreeing to fund the scheme for three years.
- 40 This scheme is based on Option 1 above with an adjustment to the Class C discount, most likely by reducing the discount from six months to three months.
- 41 This approach has significant advantages including only requiring one scheme for consulting across Kent, one scheme for equality assessment, opportunities to standardise forms and processes, no confusion for claimants moving between authorities. Also, lead authorities should not be adversely affected financially for three years as the precepting authorities have agreed to fund additional collection costs and any increased costs above this council's grant level.
- 42 The disadvantage of common criteria is that it limits local flexibility.

- 43 Each authority may want to revise their schemes after the initial three years so that they better suit local circumstances
- 44 From October 2013 housing benefits will be closed to new claimants, who will move to Universal Credit. Over the following four years all existing housing benefit claimants will move to Universal Credit. This will have a major impact on claimants, systems and staffing due to the changing role of local authorities. A separate report is being presented to this committee by the In-depth Scrutiny Group looking at the effects of Universal Credit.

## **Key Implications**

### Financial

By adopting the proposed scheme, the financial impact for the first three years will be borne by the three major precepting authorities instead of this council. If a different option is chosen, the financial impact for this council could be significant.

### Community Impact and Outcomes

A consultation will be undertaken on the content of the proposed scheme with the public and other affected parties.

### Legal, Human Rights etc.

The final scheme approved by the council must meet the requirements to be provided under the Local Government Finance Bill.

### Resource (non-financial)

The proposed scheme should not result in additional staffing requirements. If a different option is chosen, there may be additional staffing requirements due to the changes required and the duplication of benefits and council tax data.

### Equality Impacts

An Equalities Impact Assessment will be carried out for the proposed scheme in conjunction with all Kent authorities.

## **Conclusions**

Localisation of council tax benefit is seen by many as one of the biggest changes to local government since the community charge. In an economic climate that shows no real signs of recovery, the cost of benefits will continue to increase and the impact on district councils both financially and from a social wellbeing perspective is likely to be significant and unsustainable.

By adopting the proposed scheme, the three major precepting authorities will bear the additional costs for the first three years instead of this council.

It therefore seems sensible for this council to accept the proposal as set out in Appendix A as it provides an element of stability during what are likely to be difficult times.

## **Risk Assessment Statement**

Failure to agree a local scheme would result in the forced adoption of the Government's default scheme which would result in a significant cost to this council.

**Appendices** Appendix A – Proposed agreement between districts and major precepting authorities on Local Schemes of Support for Council Tax.

**Background Papers:** Department for Communities and Local Government – Localising Council Tax Support documents:  
<http://www.communities.gov.uk/localgovernment/localgovernmentfinance/counciltax/counciltaxsupport/>

**Contact Officer(s):** Adrian Rowbotham Ext. 7153

**Dr. Pav Ramewal**  
**Deputy Chief Executive and Director of Corporate Resources**

**PROPOSED AGREEMENT BETWEEN DISTRICTS AND MAJOR PRECEPTING AUTHORITIES ON LOCAL SCHEMES OF SUPPORT FOR COUNCIL TAX**

If a District

1. Accepts Option 1 with a standard deduction of 18.5% on all non pensioner claimants, or produces an alternative local scheme that achieves the equivalent of a 10% saving in expenditure on discounts to claimants,

and

2. Agrees to reduce the exemption on Class C empty properties from 6 months to 3 months (or its equivalent).

THEN

Major Precepting Authorities will agree:

1. If a district incurs a cost on new council tax discounts from the local scheme that is higher than the grant receivable from government, then major precepting authorities (jointly) will reimburse the district the difference.
2. Major Precepting Authorities (jointly) will pay £125,000 to each district each year as a contribution to the increased administrative, collection and recovery costs of the new scheme.
3. Major Precepting Authorities (jointly) will reimburse each district reasonable increased administrative costs necessarily incurred if the case load on the local scheme (during the period of this agreement) exceeds the case load of the council tax benefit scheme (as at 31 March 2013) by more than 15%.

FURTHER

1. This agreement to operate for three years
2. A review is undertaken between April and June 2015..

This agreement will limit the cost to districts of discounts granted under a local scheme to the value of the grant received from government. Districts will also receive a contribution from major preceptors to offset estimated additional administrative and recovery costs. The agreement gives major preceptors some certainty and increased income for the change to class C empty exemptions.

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## SERVICES SELECT COMMITTEE – 19 JUNE 2012

### SICKNESS ABSENCE

Report of the: Deputy Chief Executive and Director of Corporate Resources

Status: For Consideration

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**Executive Summary:** This report updates Members on the levels of sickness absence across the council in response to a concern identified by the Performance & Governance Committee. The report sets out an analysis of sickness absence levels across the council, incorporating trends from previous years and available benchmarking. The strategy and actions to reduce sickness absence levels is also included for Members consideration.

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**This report supports the Key Aim of Corporate Performance Plan “Effective Management of Council Resources”**

**Portfolio Holder** Cllr. Ramsay

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**Recommendation:** It be RESOLVED that the levels of sickness absence be noted and the planned action to reduce the levels of sickness absence be endorsed.

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### Background

- 1 At its meeting of the 13 March 2012 the Performance and Governance Committee considered a Performance Monitoring report which highlights areas across the council where performance is not meeting target. Due to Members concerns surrounding the levels of sickness absence it was resolved that the matter be referred to the Services Select Committee to review.

### Introduction

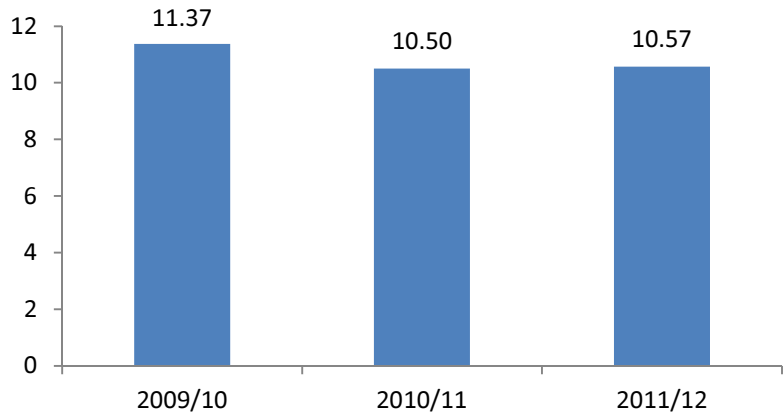
- 2 This report provides Members with an analysis of the levels of sickness absence across the council and highlights actions taken in the last year and actions already planned for 2012/13 that are aimed to reduce sickness absence levels further.
- 3 The Human Resources (HR) team play a critical role in developing the council’s policies and procedures for the management of its staff, including Managing Attendance and policies surrounding staff wellbeing. The HR team also ensure that sickness absence is accurately and thoroughly recorded and that managers are supported in managing sickness absence within their departments. Resources such as occupational health and employee support programmes that are available to staff are also procured and managed by HR.

**Managing Attendance**

- 4 The Council’s Managing Attendance policy recognises that “the Council is committed to both the health and welfare of employees, as well providing excellent services to the community”. It sets out clear procedures for the monitoring of employee absence, taking appropriate action to ensure a prompt return to work, and encouraging the promotion of good health.
- 5 The council defines procedures for the management of both short term and long term absence. Short term absence is considered to be a continuous period of absence less than 20 calendar days and long term absence a continuous period of absence of 20 calendar days or more. Within these periods there are trigger points that ensure that managers discuss, and if issues arise, address absence from work at pre-determined points.
- 6 The council will always work to support employees to return to work in the first instance. Measures such as referral to occupational health, phased returns to work and making reasonable adjustments to the work required or the hours worked are common. Redeployment will also be considered where an appropriate vacancy exists. But ultimately if an employee is unable to return to work and carry out their duties capably they may be dismissed.

**Sickness Absence**

- 7 Sickness absence is measured as the average number of days absence per full time equivalent (FTE) member of staff. The following chart sets out the total level of sickness absence since 2009/10.



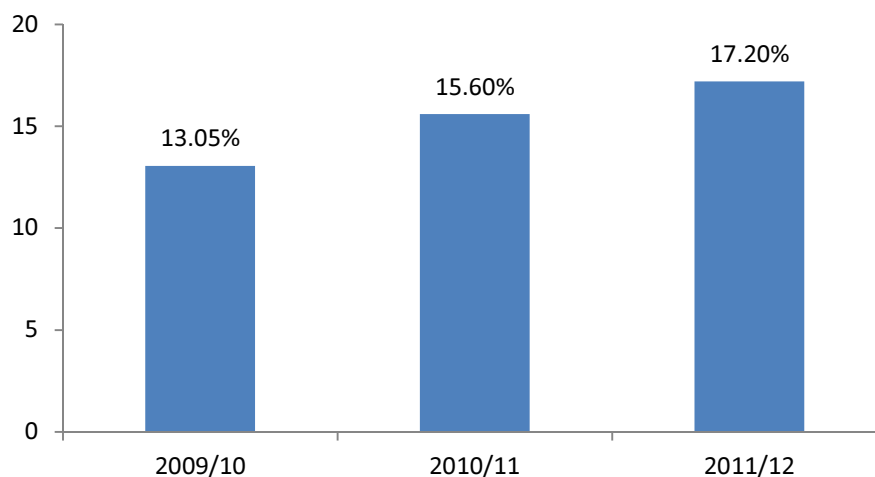
- 8 Sickness absence can also be represented as an absence rate. The absence rate is the proportion of working days lost in the working year. The councils absence rate for 2011/12 was 4.6%. This is against a local government average of 4.2%.
- 9 The Absence Management Survey 2011 carried out by the Chartered Institute for Personnel and Development (CIPD) determined that the average days lost to sickness absence per year in local government was 9.6 days. Across the public sector as a whole the CIPD concluded that sickness absence had decreased between 2010 and 2011 by 0.5 days. Analysis shows that this is as a result of low levels of absence in the education sector. No equivalent benchmark was provided for the local government sector.



10 In 2010 the Council went through a significant period of change. A four year savings plan totalling £4 million was agreed, with £2.5 million delivered in 2011/12. Despite significant effort to limit the number of staff lost, to deliver a sustainable budget the council saw its full time equivalent staff count fall by 11%. This is a fall of 47.5 FTE from 435.2 in 2010/11 to 387.6 in 2011/12.

11 Resultantly the Council's employees are increasingly being expected to deliver more with less resource. The continued demand on staff to seek new ways of working and to be more productive to deliver the high quality services the Council expects has had an impact on well being. It is recognised that high levels of sickness absence increases this pressure further. The impact on staff well being from organisational change is evidenced from an analysis of the causes of sickness absence.

12 In 2011/12 the most common reason for absence from work was Stress, Anxiety or Depression. The chart below shows the marked increase in the proportion sickness absence in Stress, Anxiety or Depression since 2009.



13 Stress, Anxiety or Depression can relate to a work situation or to someone's personal life. In reality the two become intertwined. The council monitors a separate category of absence where sickness is specifically certified as work related stress. In 2011/12 this accounted for just 1.1% of all absence from work (in addition to the 17.2% set out above).

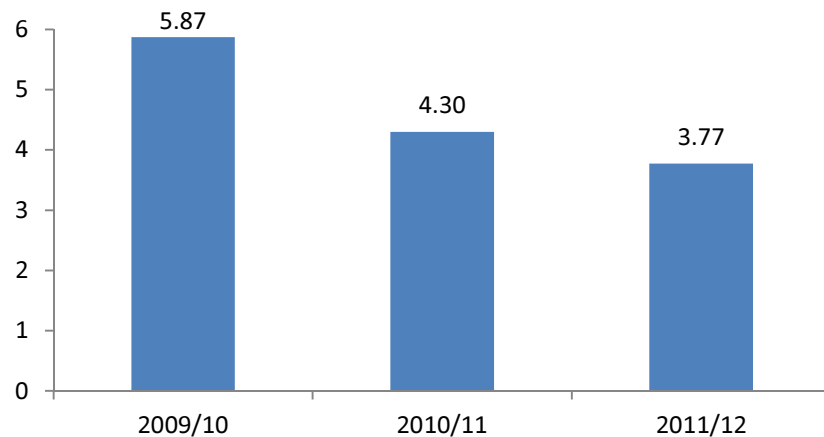
14 The CIPD's Absence Management Survey concluded that stress was the most common cause of long term sickness absence. Where stress was work related workloads or volume of work were the most commonly cited reason. 50% of public sector organisations reported that stress-related absence had increased over the past year.

15 It is also important to recognise the cultural and organisational transformation that the Council has gone through. External assessors, including Investors in People, have cited Sevenoaks District Council as one that has the highest levels of productivity on an individual staff member basis. Through their own analysis and assessment Investors in People has shown that much of this has been achieved through the introduction of empowerment, where individuals at all levels have taken on more responsibility and greater ownership of decision making.

- 16 The consequence of a Sevenoaks District Council member of staff having comparatively high levels of productivity will have an impact on levels of sickness absence. However under these circumstances the Council needs to ensure that whilst making every effort to reduced sickness levels it remains sympathetic in order to avoid impacting on overall productivity levels.

### Short Term Sickness Absence

- 17 The council defines short term sickness absence as less than 20 continuous calendar days absence. Since 2009/10 the Council has made significant progress in reducing the level of short term absence, as shown in the chart below.

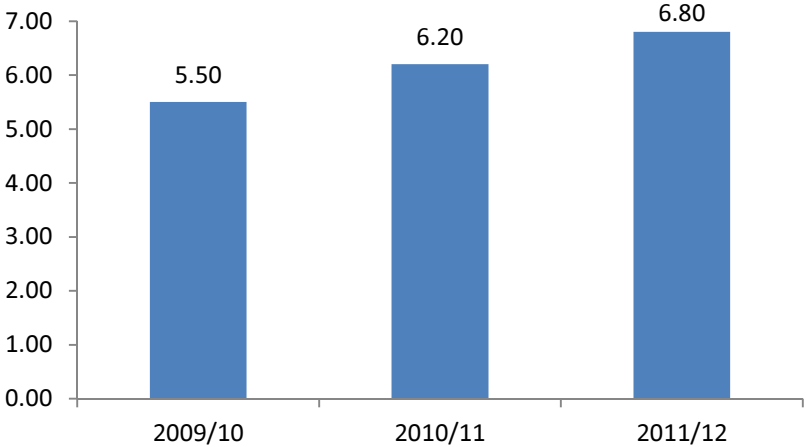


- 18 The CIPD Absence Management Survey concluded that across the private and public sector short term absence accounts for more than 65% of all absence. However by implementing improved monitoring, more stringent trigger points and improved support for managers, short term absence at the council accounts for only 35.6% of all absence.
- 19 The data collected by the HR team shows that a relatively large number of employees require time off work for short term illness. In 2011/12 242 members of staff (64% of the workforce) were absent from work due to short term sickness absence.
- 20 The most common reasons for short term sickness absence in 2011/12 were:
- Cold/Flu, accounting for 14.2% of all short term absence;
  - Stomach upsets, 12% of all short term absence; and
  - Chest / Respiratory pain, 9.3% of all short term absence.
- 21 This is in common with the previous year, when Cold/Flu accounted for 18.4% of short term absence and also in line with the findings of the CIPD Absence Management Survey.
- 22 The HR team will continue to work hard to minimise levels of short term absence. In addition to the best practice initiatives already in place that have reduce short term sickness absence by 36% over the last two years a strategy and action plan is in place for 2012/13 that is explained further from paragraph 34 of this report.

### Long Term Sickness Absence

23 Long term sickness absence was the key area of concern of the Performance & Governance Committee in referring the matter to this Committee. The council defines long term sickness absence as 20 or more continuous calendar days absence. Since December 2011 the level of long term sickness absence has exceeded the targeted level for 2011/12, ending the year at an average of 6.8 days per FTE against a target of 6.1 days per FTE.

24 The table below illustrates that there has been a steady increase in the level of long term sickness absence since 2009.



25 Long term sickness absence accounted for 64.4% of all sickness absence at the council during 2011/12. In terms of staff numbers 48 people required extended absence from work. Therefore two thirds of all absence was attributable to 13% of the workforce.

- 26 The most common reasons for long term sickness absence in 2011/12 were:
- Stress, Anxiety or Depression, accounting for 23.5% of all long term absence;
  - Operations and Recovery, 13.6% of all long term absence; and
  - Chest / Respiratory pain, 9.7% of all long term absence.

27 The most common reasons for long term absence are broadly similar to the previous year. However in 2010/11 Operations and Recovery accounted for 28% of all long term absence, with Stress, Anxiety or Depression the second highest cause at 23.5%, and treatment for serious illness the third highest at 8.5%.

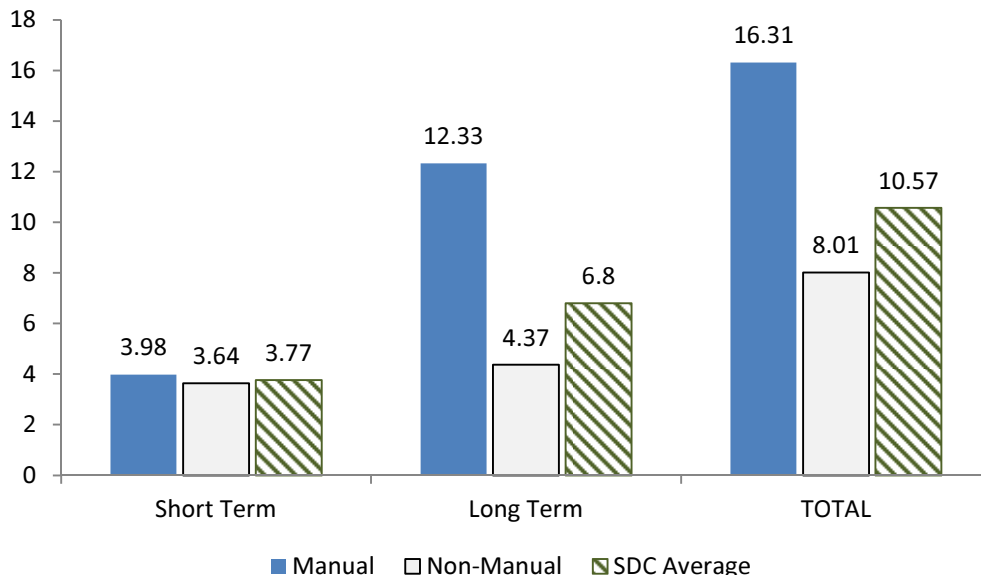
28 The most common causes of long term absence in 2011/12 are also in line with the findings of the CIPD Absence Management Survey, which ranked stress, acute medical conditions and musculoskeletal injuries as the top three causes of long term absence.

29 Addressing the increase in long term sickness absence is a key objective for the HR team in 2012/13. In order to do so a number of actions are planned to be delivered in the coming months, many of which are referred to from paragraph 34 of this report. But specifically to improve the council’s ability to address long term sickness absence the HR team will:

- Revise the Managing Attendance Policy to address the need for more contact when officers absent from work due to long term sickness. This will be effective from June 2012;
- Deliver training for all managers on the revised Managing Attendance Policy; and
- Re-launch the successful onsite Occupational Health resource, providing managers with improved support and tools to manage long term sickness absence. This will be effective from June 2012 and more details are provided at paragraph 34 of this report.

### Direct Services

- 30 A high proportion of the staff working within Direct Services are manual workers. Therefore there are some illnesses or injuries that will result in a greater number of days out of work than if they were experienced by a non-manual employee, increasing the levels of long term sickness.
- 31 The council commonly uses phased returns to work to bring staff back in to the workplace as soon as possible. However this is more difficult to achieve with the manual workforce as many of the roles they fulfil are not suitable for phased returns.
- 32 Resultantly the sickness absence levels of the manual workforce are higher than that of the average for the council as a whole. The following chart shows the level of sickness absence for manual and non-manual staff in 2011/12, with the third column showing the average sickness levels for the council as a whole.



- 33 The most common reasons for long term absence amongst the manual workforce relate to acute illnesses such as chest and heart problems, musculoskeletal injuries and operations and recovery.

### Strategy for Improvement

- 34 The HR team, in partnership with managers across the council, are determined to minimise the levels of sickness absence experienced by the council. The strategy for improvement incorporates providing staff with the tools they need to manage their own wellbeing and providing managers with the support, tools and confidence to effectively manage their workforce and address absence from work. The strategy applies equally to both the manual and non-manual workforce.
- 35 To deliver on this strategy a number of key actions are planned for 2012/13. These include:
- Improving the Employee Assistance Programme available for all staff by making it available on the internet. This is in addition to the current service where staff can access support over the telephone or access support in person where it is necessary;
  - The HR team will invest more time in management reporting. Each month a member of the team will meet with each Head of Service to ensure they are aware of all sickness issues in their respective areas;
  - Each quarter a member of the team will attend Departmental Management Team meetings, ensuring Directors, alongside their Heads of Service are fully briefed on all sickness issues across their Directorate; and
  - Detailed monthly reports will be sent to all managers on staff absence, helping to ensure immediate action is being taken when an issue with sickness absence has been identified.
- 36 In addition the HR team will be re-launching the already successful onsite Occupational Health resource in June 2012. Following a successful procurement exercise an improved service will be delivered by Health Management. This will include a range of additional services that will assist staff in taking greater responsibility for their own health and greatly improve the resources available to managers to manage any absence in their service areas. New features will include:
- An online portal through which occupational health referrals can be made;
  - Improved response times in relation to referral reports. The report from Occupational Health will now be available on the same day the officer is seen;
  - Access to a physician over the telephone for immediate advice;
  - A website hosted on the Council Intranet on which all officers can read articles and features on a range of health issues; and
  - Health and well being days specifically targeted to tackle issues such as stress, depression, healthy lifestyles and life skills.

## Conclusion

- 37      Sickness absence levels are currently higher than the council would wish them to be. The Council is amongst the few that retains its own Direct Services. This has ensured that the Council's costs have remained low, but due to the nature of the work Direct Services staff carry out sickness absence levels will always be higher than the rest of the organisation.
- 38      Significant progress has been made in reducing the level of short term sickness absence, by 36% since 2009. However long term sickness absence has increased as the council has begun a significant period of organisational change that has seen the number of staff employed fall by 11% in one year alone. A number of teams across the council are striving to deliver high quality services on much reduced resources and may be considered to be working at full capacity. Analysis of sickness absence data suggests this is having an impact on staff wellbeing, with stress, anxiety or depression accounting for the greatest proportion of sickness absence across the council.
- 39      A strategy and action plan are in place to ensure the council is doing all it can to minimise the levels of both short term and long term absence. There will be a strong focus on addressing long term absence in the coming year. However, with the council taking on new services as a result of Government legislation, further reductions being made as a result of the required budget savings, and some departments finding vacancies increasingly difficult to fill there will continue to be high levels of pressure on staff.
- 40      The council has a committed workforce that has a strong recognition of the customer and a desire to deliver services that meet the expectation of the community. Initiatives such as empowerment continue to contribute positively to increasing efficiency and productivity. However, it is recognised that sickness levels need to be reduced further.

## **Key Implications**

### Financial

- 41      Payments to staff related to sickness absence are managed within the Council's salaries budgets and every effort is made to ensure that actual salaries spend does not exceed the allocated budget.

### Community Impact and Outcomes

- 42      To ensure the Council continues to deliver high quality services to the community it is essential that it maximises the potential of its workforce. High levels of sickness absence may have an impact on the quality of service experienced by the community.

### Legal, Human Rights etc.

- 43      None

### Resource (non-financial)

- 44 The staff the council employs are one of its most important resources. It is therefore important that they are given the tools and support to deliver to their full potential. Being supportive at times of sickness absence but recognising when officers are no longer capable of performing their role is essential in delivering an effective workforce.

#### Value For Money

- 45 It is essential that the Council delivers value for money from its workforce. Minimising the levels of sickness absence makes the most cost effective use of the workforce and maximises the value for money delivered.

#### **RISK ASSESSMENT STATEMENT**

- 46 High levels of sickness absence have the potential to place the quality of service delivery and cost effectiveness of the workforce at risk.

**Sources of Information:** SDC Managing Attendance Policy  
CIPD Absence Management Survey 2011  
Covalent Performance Management Software

**Contact Officer(s):** Syreeta Gill, HR Manager. Ext 7403

**Dr. Pav Ramewal**  
**Deputy Chief Executive and Director of Corporate Resources**

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## SERVICES SELECT COMMITTEE – 19 JUNE 2012

### HUMAN RESOURCES UPDATE

Report of the: Deputy Chief Executive and Director of Corporate Resources

Status: For information

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**Executive Summary:** This report provides a high level overview of recruitment, retention, and workforce development across the authority.

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**This report supports the Key Aim of Effective use of Council resources**

Portfolio Holder Cllr. Ramsay

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**Recommendation:** That this report be noted.

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#### Background and Introduction

- 1 This report provides Members with an update on the key Human Resources strategies and their impacts.
- 2 The Human Resources team has played a key role in managing the result of staffing changes that took place last year. The Human Resources team will continue to support the delivery of challenging future budget savings that remain a pressure due to the economic environment.

#### Staff Turnover

- 3 The economic downturn and reduced budgets within the public sector have led to a significant reduction in the number of posts held across local government. The Local Government Association research concluded that 214,000 jobs have been lost in local government since December 2010, with a 9.7% drop in the pay bill. In implementing its 10 year budget and four year savings plan Sevenoaks District Council saw its full time equivalent staff count fall by 11%. This is a fall of 47.5 FTE from 435.2 in 2010/11 to 387.6 in 2011/12.
- 4 As a result of such pressure on employment the number of vacancies arising across local government has been falling. This has been mirrored at Sevenoaks District Council.
- 5 During 2011/12 the two Service Managers and two Heads of Service have left the Council, moving on to other organisations due to promotions. This reflects well on the way the Council develops its people. Staff join the Council at officer level, are developed and promoted to managerial positions, where their development continues to the extent that they can move on to Senior appointments. In order to contribute to targets in the four year savings plan both Head of Service positions have been left vacant, with departments restructured to ensure effective

management arrangements are continued. In line with the council's culture of empowering and developing its own staff the Council always seek to redeploy or internally promote staff before considering external recruitment.

- 6 During the last year the Council's staffing numbers have continued to decrease, with 373.9 FTE employees at 1 April 2012. Despite this the requirements placed on staff are increasing as there continues to be pressure for the Council to deliver more for less. To ensure the Council continues to be recognised as one of the best performing and best employers across local government it is essential that it retains its best staff. High staff turnover is disruptive, makes it hard to maintain service standards and results in expenditure on recruitment and temporary staff.

### **Staff Retention**

- 7 Analysis of officers leaving the authority over the past two years shows that staff turnover has reduced. The number of leavers as a percentage of staff in post has decreased from 11.9% in 2010/11 to 7.9% in 2011/12.
- 8 Reflecting the low number of vacancies and improved levels of staff retention, the average length of service increased to 11.4 years in 2011/12 from 10.4 years in 2010/11. This is a positive figure for the organisation overall as it shows the authority is a good employer with market competitive and fair benefits.
- 9 In recent years the Human Resources team has targeted key areas of skills shortages, 2010/11 saw Planning, Building Control and Environmental Health as areas of focus. In 2011/12 HR, Legal and Benefits were the targeted areas in relation to skills shortages. It has been reported nationwide that there are difficulties recruiting to posts in Housing and Council Tax Benefits, particularly frontline posts such as Benefits Assessors. This is due to imminent changes expected from the introduction of Universal Credit and the current uncertainty on local delivery models and the subsequent impact on local authority staff.
- 10 As well as improving retention rates, paying particular attention to areas of skills shortages has increased productivity, efficiency and the Council's ability to deliver high quality services to the community.

### **Partnership Working**

- 11 Since 2011, the Council has successfully implemented partnership working with Dartford Borough Council in respect of Revenues and Benefits, Audit and Fraud, and Environmental Health services. During 2011/12 significant resource was dedicated to supporting the Environmental Health project. The Human Resources team continue to support all Council employees involved in partnership working to ensure that the partnerships work effectively for both councils.

### **Workforce Planning**

- 12 The Human Resources team has successfully led the changes to staff terms and conditions and is pleased to be able to report that all of the Council's employees have signed their new contracts of employment, without the need to dismiss and re-engage any staff. As a result the Council can deliver on the significant element of its saving plan. Successful delivery of this project required careful management

to minimise the impact on staff motivation and retention, particularly at a time when staff will have had no inflationary pay award for four years.

- 13 The Human Resources team is currently working on a revision to its Workforce Development Plan. The revised plan will enable the authority to identify key areas of resource need and plan strategically for any skills shortages and cross training requirements.

### **Managing Sickness Absence**

- 14 A separate report on sickness absence is provided elsewhere on the agenda for this meeting. In summary sickness absence totalled 10.57 days per full time equivalent employee in 2011/12. Of this 3.77 days was categorised as short term sickness absence and 6.8 days as long term sickness absence.
- 15 Revised policies and procedures implemented by the Human Resources team and delivered in partnership with Service Managers successfully reduced the level of short term sickness absence by 36% since 2009/10. However there has been an increase in the levels of long term sickness absence which the Human Resources team has a strategy and action plan to address during 2012/13.

### **Investing in People**

- 16 The Council was first awarded the Investors in People accreditation in 1997. In 2010 it was re-assessed, for the 3<sup>rd</sup> time, against a newer much improved and harder criteria called New Choices. New Choices allows an organisation to focus its assessment on its key business priorities. The key themes for New Choices are employees feeling valued and empowered, consultation with the workforce, coaching, recognition and reward and continuous improvement. The overall outcome can be Bronze, Silver or Gold.
- 17 Sevenoaks was assessed as Gold, making it the first local authority to be awarded the prestigious Investors in People Gold status. Further to this achievement the Council was also awarded the coveted Champion status making it a key resource for other organisations wishing to establish best practice. Receiving these awards ensured Sevenoaks remains a key employer within local government and ensures that it continues to retain, motivate and recruit the best and most talented officers.
- 18 In November 2012 the Council will be reassessed with the aim to be once again awarded Gold status. The Council will be assessed against up to 189 criteria and despite the difficult period the Council has been through since the last assessment, it is hoped that a positive result will be delivered.

### **Staff Development**

- 19 In March 2012, the Council successfully agreed a NVQ programme which will enable all of the Council's staff to achieve a recognised qualification in customer services. This innovative and unique training programme has been achieved by working in partnership with a training partner, Synergy, and an administrative body, Nescot College.

- 20 The first enrolment is enabling 117 participants to be accredited in NVQ level 2 customer service skills. Participants have applied at all officer levels within the Council. In the four months since the launch of the training scheme the Council has seen a tremendous amount of cross departmental working. Officers are working together to complete their portfolios and gain their individual accreditations. The Council is the first local authority to launch such a scheme.
- 21 In May 2012 the Council launched its coaching scheme. Coaching is being formally launched across the Council to increase productivity and morale. Council officers are being trained as coaches and will then go on to deliver one to one sessions to other officers focused on improving performance. Coaches will not provide answers, but help others to develop themselves by sharing experiences and providing direction to assist in problem solving and knowledge sharing across the organisation. The first project for the Coaches will be working with the NVQ candidates, assisting them with completion of their NVQ portfolios.

### **Conclusion**

- 22 The Council's recruitment and retention and sickness absence levels are likely to remain challenging in the coming year. However it is hoped through careful and effective strategic planning the overall impact will be maintained within manageable levels.
- 23 The actions of the Human Resources team in collaboration with Heads of Service and Service Managers to address staff retention and workforce development continue to deliver significant benefits.
- 24 In overall terms the Council has ensured that in comparative terms it has maintained good levels of recruitment and retention. The Council has continued to build on its excellent reputation as a good employer with the launch of the NVQ and coaching programmes and is confident in achieving the Investors in People Gold status when reassessed in October 2012.

### **Key Implications**

#### Financial

- 25 None relating to the decision of this report.

#### Community Impact and Outcomes

- 26 None relating to the decision of this report.

#### Legal, Human Rights etc.

- 27 None

#### Resource (non-financial)

- 28 The staff the council employs are one of its most important resources. It is therefore important that they are given the tools and support to deliver to their full potential.

### Value for Money

- 29 It is essential that the Council delivers value for money from its workforce. Maximising levels of staff retention, moral and motivation makes the most cost effective use of the workforce and maximises the value for money delivered. Initiatives are being constantly developed to ensure that this happens.

### **RISK ASSESSMENT STATEMENT**

- 30 Failure to maintain a highly skilled and motivated workforce places a significant risk to the Council's ability to deliver on its objectives and to provide high quality services to the community.

**Contact Officer(s):** Syreeta Gill - Ext 7403

**Dr. Pav Ramewal**  
**Deputy Chief Executive and Director of Corporate Resources**

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## WASTE AND RECYCLING – DCLG WEEKLY COLLECTION SUPPORT SCHEME AND HEALTH AND SAFETY EXECUTIVE AUDIT OF WASTE AND RECYCLING SERVICES

Services Select Committee 19 June 2012

**Report of the:** Deputy Chief Executive and Director of Community and Planning Services

**Status:** For consideration.

**Also considered by:** Cabinet - 10 May 2012.

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This report supports the Key Aims of a Clean and Healthy Environment and Effective Management of Council Resources.

**Portfolio Holder** Cllr. Mrs Hunter.

**Head of Service** Head of Environmental and Operational Services. Richard Wilson

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**Recommendation to Services Select Committee:** That the Committee consider the report to Cabinet on 10<sup>th</sup> May 2012 regarding the DCLG Weekly Collection Support Scheme bidding process and the result of the recent HSE audit of waste and recycling services, and consider the Cabinet's response.

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### Background

1 Attached to this covering report is the Full Report and appendices to the Cabinet meeting on 10<sup>th</sup> May.

- Report entitled 'Waste and Re-cycling – DCLG Weekly Collection Support Scheme and Health and Safety Executive Audit of Waste and Re-cycling Services.
- Weekly collection Support Scheme – Submitted expression of interest.
- Letter from HSE dated 24<sup>th</sup> February 2012.
- SDC response to HSE dated 15<sup>th</sup> March 2012.

2 Minutes from Cabinet Meeting 10<sup>th</sup> May 2012.

Waste and Recycling - DCLG Weekly Collection Support Scheme and Health and Safety Executive Audit Of Waste and Recycling Services

The Portfolio Holder for the Cleaner and Greener Environment introduced a report which outlined the Department of Communities and Local Government (DCLG)

Weekly Collection Support Scheme bidding process and reported on the results of the Health and Safety Executive (HSE) Audit of Waste and Recycling Services. It was agreed that these two issues would be considered separately.

A. DCLG Weekly Collection Support Scheme

The Department of Communities and Local Government, (DCLG), had announced a £250 million 'Weekly Collection Support Scheme' three year fund, available for Local Authorities to 'increase the frequency and quality of waste collections and make it easier to recycle'. It was a challenge fund that would support Authorities in providing a weekly collection service. As an Authority that had worked hard to preserve weekly residual collections the District could only bid if a new recycling component such as weekly food (or organic) waste was agreed. Due to the timescales for submissions, it was noted that there had not been enough time to bring the report forward for consideration by the Services Select Committee first. Expressions of interest had to be submitted by 16 March 2012, and the outline bid had to be submitted by 11 May 2012.

Members were concerned that even if a bid were successful it was a five year commitment that would need to find its own funding for years four and five, and that it would be difficult to cease the service after the five year commitment as an expectation of provision would have been created.

The Chairman expressed disappointment that the Council was seemingly being penalised for protecting its weekly collection service. He tabled a draft letter for Members approval to send to Secretary of State for Communities and Local Government, which Members read and agreed subject to an amendment to reflect the need for future funding. The Chairman of Services Select Committee requested that any resulting correspondence be shared with the Services Select Committee.

Resolved: That

- (a) An outline bid and detailed final bid not be submitted to the DCLG Weekly Collection Support Scheme for the introduction of a separate weekly collecting of food waste for composting; and
- (b) the Chairman submit the letter tabled at the meeting, to the Secretary of State for Communities and Local Government subject to the agreed amendment.



The Portfolio Holder for the Cleaner and Greener Environment thanked Officers for all their hard work.

B. Health and Safety Executive (HSE) Audit of Waste Recycling Services

The Portfolio Holder for the Cleaner and Greener Environment reported on the findings and Officer's response to the Health Safety Executive (HSE) Audit of Waste and Recycling collecting operations undertaken on 20 and 21 February 2012. It was felt that the HSE seemed to favour a wheeled bin collection service over a sack collection method. Members were keen not to feel pressured into changing what was a favoured and well run service. Since publication of the report a further Inspector had looked at the new drop fronted bins, which had been funded by the Kent Waste Partnership, and given the impression that he was less concerned, however no formal response had yet been received. The Head of Environmental and Operational Services reported that, depending on that response, it may be advisable for the Council to engage it's own independent advisor.

Concern was expressed as to the Council's potential legal liability if all the recommendations within the letter were not adhered to and its potential use in a claim. The Head of Environmental and Operational Services advised that under the Health and Safety Work Regulations, if a risk was identified steps needed to be taken to mitigate that risk. The Council's Risk Assessment's with regard to refuse collection had been recently reviewed and reissued and he believed using the risk assessment employed along with suitable manual handling training should be sufficient to mitigate risk. The Chief Executive advised that it was an on going dialogue with the HSE, this was their offered opinion and they had invited the Council's response. It was a process of identifying the real issues and appropriate steps that needed to be taken.

Resolved: That

- (c) the recommendations from the HSE referring to the Waste collection methods currently employed be noted;
- (d) Officers advise the HSE that Cabinet had taken the matter very seriously and instructed them to discuss the best ways of remediation; and
- (e) Officers report back on the outcome of the on going dialogue with HSE

Also attached is the letter from the leader of the Council to the Rt Hon, Eric Pickles M.P. Secretary of State for Communities and Local Government as agreed at the Cabinet Meeting.

3 Key Implications

4. Financial

Covered in the report to Cabinet.

5. Community Impact and Outcomes

Covered in the report to Cabinet.

6. Legal, Human Rights etc  
Covered in the report to Cabinet.
7. Equality Impacts  
Covered in the report to Cabinet.
8. Risk Assessment Statement  
Covered in the report to Cabinet.

Contact Officer(s): Richard Wilson Ext 7262 or 01959 567351

**Kristen Paterson, Deputy Chief Executive and  
Director, Community and Planning Services**

**WASTE AND RECYCLING – DCLG WEEKLY COLLECTION SUPPORT SCHEME AND HEALTH AND SAFETY EXECUTIVE AUDIT OF WASTE AND RECYCLING SERVICES**

**Cabinet – 10 May 2012**

**Report of the:** Deputy Chief Executive and Director of Community and Planning Services.

**Status:** For Decision.

**Key Decision:** Yes.

Also to be considered by Services Select Committee – 19<sup>th</sup> June 2012.

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**Executive Summary:** This report outlines the DCLG Weekly Collection Support Scheme bidding process and reports on the results of the recent HSE audit of Waste and Recycling Services.

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**This report supports the Key Aim of:** A clean and healthy environment and effective management of Council resources.

**Portfolio Holder** Cllr. Mrs Hunter.

**Head of Service** Head of Environmental and Operational Services – Richard Wilson.

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**Recommendation to Cabinet:** It be RESOLVED that:

- (a) Cabinet determine if the Council should submit a detailed final bid to the DCLG Weekly Collection Support Scheme fund, for the introduction of a separate weekly collection of food waste for compositing, and
- (b) Cabinet give consideration to the recommendations from the HSE referring to the Waste Collection methods currently employed and determine any future action required at this time.

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**A. DCLG Weekly Collection Support Scheme**

**Introduction**

- 1 The Department of Communities and Local Government, (DCLG), have announced a £250 million ‘Weekly Collection Support Scheme’ fund available for Local Authorities to ‘increase the frequency and quality of waste collections and make it easier to recycle’.

2 The Weekly Collection Support Scheme is a challenge fund that will support Authorities in providing a weekly collection service.

3 Below are relevant extracts for the DCLG bidding document:-

#### **Objectives**

4 “The Weekly Collection Support Scheme is a challenge fund designed to support Local Authorities to introduce, retain or reinstate a weekly collection of residual waste and/or recycling (for example food (or organic) waste).

5 The fund is designed to achieve the three outcomes of maintaining or improving frequency of collection, improved environmental benefit and value for money.

6 Examples of the type of projects the Scheme might support include; recycling schemes that divert more waste from landfill; reward schemes for householders that recycle more; equipment to increase collection capacity; investment in technologies like Mechanical Biological Treatment facilities, Materials Recovery Facilities, Composting or Anaerobic Digestion; and awareness raising campaigns.

#### **Criteria**

7 Through this challenge fund approach, innovative bids will be invited from Local Authorities that:

- Guarantee to introduce, retain or reinstate weekly collections of residual waste for five years; and,
- Provide environmental benefits or improvements on current environmental performance; and,
- Demonstrate value for money.

8 In addition, and in recognition that some Councils are locked into long term contractual arrangements tying them to fortnightly collections, the Scheme will also accept bids from Councils with a fortnightly refuse collection that do not currently offer a weekly food (or organic) waste collection. The addition of a weekly food (or organic) waste collection for five years in this circumstance is considered to be a significant increase in the service offered to householders.

#### **Eligibility**

9 Projects that meet the objectives and criteria of the Weekly Collection Support Scheme are eligible for funding. As a challenge fund, bids will be assessed as to how well they score against the criteria and how they compare relative to other bids.

## Timescale

10 The Weekly Collection Support Scheme is a three year fund from 2012/13 to 2014/15. The spend profile is up to £250m over three years: £50m in year one, and £100m in each of years two and three. Outline and final bids should clearly profile requested funding, which could be either in a single year sum or spread over the one, two and/or three years of the Scheme. Local Authorities should provide a profile of expenditure as part of their bid. Where possible the Department will try to accommodate the funding profile requested by successful bidders, but the budget is limited to a fixed amount in each year so until all bids have been assessed no guarantees can be made that a specific profile can definitely be met.

## 11 Timetable

- Expressions of interest should be submitted by 16<sup>th</sup> March 2012.
- Outline bids should be submitted by 11<sup>th</sup> May 2012.
- Final bids should be submitted by 17<sup>th</sup> August 2012.
- The Secretary of State for Communities and Local Government will announce successful bids in October 2012.

## Five Year Commitment

12 This scheme is designed to invest in better weekly collections. Making a five year commitment to weekly waste collections, demonstrates that Local Authorities are committed to putting customer service and residents' needs first when configuring local waste services. Helpfully, it also enables Councils to profile over the medium term the positive impact this funding can have in terms of delivering better cost-effectiveness and environmental outcomes.

13 A weekly collection should comprise of:-

- a) A residual waste collection once a week and,
- b) Additional recycling of food/organic waste or dry recycling at least once a fortnight.

14 Authorities that have worked hard to preserve weekly residual collections can also bid into the Scheme if they want to add a new recycling component such as weekly food (or organic) waste.

15 If a Local Authority is already operating a fortnightly collection of residual waste, then we are encouraging them to reinstate weekly collections or to at least add an extra collection of food (or organic) waste once a week.

## Bidding

- 16 Any Local Authority in England can lead a bid – whether they are a collection or disposal authority. We also encourage joint bids from groups of Local Authorities or consortiums (that include businesses/third parties). For grant allocation purposes, however, the lead bidder in all instances must be an English Local Authority.

#### **Additionality**

- 17 Where an Authority would no longer be able to offer its residents a weekly residual collection without the support of this Scheme, continuing to offer this service would be classed as “additional”. Alternatively, for Authorities that would still be able to offer a residual collection without the support of the Scheme, additionality could be demonstrated by improving the service level in some other way, for example, by improving recycling, or improving the affordability or sustainability of the weekly service for Local Council tax payers.
- 18 All bids need to provide reasonable evidence that funding will support additional activity, rather than activity that would progress anyway.
- 19 Where bids seek to retain a pattern of service provision already in place, they should provide evidence that their bid will fund service improvements, for example by increasing affordability and sustainability of the chosen service configuration, rather than solely subsidising an inefficient service.

#### **Bid Amounts**

- 20 There is no minimum or maximum amount for which a Local Authority can bid for through the Weekly Collection Support Scheme fund. It is possible to bid for up to 100% of the costs of a project. Given the high levels of interest in the fund, bidders need to present realistic and competitive bids. If we feel that the requested funding is higher than the current market value, but the aims of the bid otherwise meet the fund’s criteria, we may offer to fund a smaller amount than requested. In such instances, it would then be up to the Council if they wanted to continue with the bid on those terms.

#### **Feasibility**

- 21 The Technical Advisory Group will review each bid in terms of the evidence and information presented against the criteria. As part of that, they will review the bids to ensure that they can be delivered, are achievable and realistic and that sufficient governance and/or infrastructure is in place (or being prepared) to support the proposed project.
- 22 All Local Authorities should ensure that any submitted bids follow the standard processes and procedures for spending public money.
- 23 Where the Technical Advisory Group consider that a bid does not sufficiently demonstrate the feasibility of the bid, then they may ask for more information.

#### **Consultation**

- 24 The application form will require Local Authorities to confirm that residents' needs have been considered in the configuration of waste services being funded by this Scheme.
- 25 Where an Authority intends to consult or canvass opinion to shape the delivery of a bid, this should be detailed in the application, especially if some/all of the funding being bid for will support the activity being consulted on."

#### Expression of Interest

- 26 An expression of interest, (EOI), has been submitted to the DCLG by the deadline of 16<sup>th</sup> March 2012. This is provided as Appendix 'A' to this report.
- 27 The EOI is based on providing a separate weekly collection of household food waste, for diversion to in-vessel composting as an improvement to the Council's existing weekly residual and dry recycling collection service. It is proposed to provide this service to 21,000 households, increasing the Council's overall recycling/composting rate by up to 4.25%.
- 28 Final costed bids need to be submitted by 17<sup>th</sup> August 2012.
- 29 Preliminary costings, based on providing a separate weekly collection of food waste to 21,000 households in the residential population centres of Sevenoaks, Swanley, Edenbridge and Westerham, utilising free issue of containers, caddies and liners, are in the region of £180,000 per annum plus the one-off capital costs of containers and caddies (£120,000). The annual revenue costs would be reduced if the three collection vehicles required are purchased from the fund and not included in depreciation charges in the annual revenue costs. (Estimated purchase cost of 3 vehicles is £225,000). A bid representing 100% of the estimated scheme costs would be approx £345,000 one off capital costs and £180,000 per annum running costs. These estimates would be confirmed if a final detailed bid was to be submitted by the August deadline.

#### B. Health and Safety Executive (HSE) Audit of Waste and

##### Recycling Collection Operations

- 30 The HSE undertook an audit of Waste and Recycling collection operations on 20<sup>th</sup> and 21<sup>st</sup> February this year. Their findings are detailed in the letter reproduced as Appendix 'B'. The Council's response is reproduced as Appendix 'C'.
- 31 This was a National Initiative by the HSE and Sevenoaks District Council was the last collection Authority to be audited in Kent.
- 32 As can be seen from the Appendices 'B' and 'C', there are a number of actions the Council is required to take.

- 33 With regard to Sack Collection from resident owned wheeled bins, the Council will write to all residents who use wheeled bins informing them that on HSE instruction, the collectors will be instructed not to lift refuse sacks from the bottom of wheeled bins, due to the manual handling risk.
- 34 Residents will be required to either:-
- (a) Present their waste for collection in sacks outside of their wheeled bin,
  - (b) Convert to a more traditional type of dustbin that does not present these manual handling difficulties, or,
  - (c) Place an upturned box, or similar, in the bottom of the wheeled bin, so the bottom sack is not so low down for lifting out.
- 35 Customer Services will inform residents who may complain if the bottom sack is not collected from their bin of this situation and, therefore, their refuse will not be collected, unless it is presented for collection in compliance with the above.
- 36 The actions to be taken with regard to the sack collection from 1,100 litre drop fronted bins; route risk assessment; driving vehicle equipment checks and other issues are detailed in the Council's response in Appendix 'C'.
- 37 With regard to the comments and recommended actions relating to the Sack Collection method generally, it is clear from a Health and Safety for operatives, risk assessment perspective, that the HSE prefer a wheeled bin and bin lift collection method to the use of refuse sacks.
- 38 As can be seen in the Council's response, the HSE have been informed that this collection method provides an effective service that is strongly embedded and highly valued by residents, having very high customer satisfaction rates.
- 39 The action identified indicates that the HSE's concerns and recommendations would be brought to the Council's Cabinet Members for consideration as to future collection methods, and recommends the Council survey residents on the use of wheeled bins for waste collection.

### **Key Implications**

#### Financial Implications

- 40 The financial commitment required to fund additional waste collection and recycling services in years four onwards if a bid to the DCLG Weekly Collection Support Scheme was successful, is outlined in the report. [Preliminary estimate £180,000 per annum] The bidding criteria requires any detailed bids to be signed off by the Section 151 Officer.



- 41 Funding is available from the Weekly Collection Support Scheme for three years, but bidding Council's must commit to delivering the service for five years. Even if 100% of the capital and revenue costs were met by the fund for years one to three, the Council would still have to commit to delivery and finding funding for the Scheme for years four to five, and thereafter. Unless, these funds could be secured from other external sources, (Kent County Council/Kent Waste Partnership), this would result in a growth item from 2015/16 onwards as there is currently no provision for this in the approved budget plan.
- 42 The financial implications of moving to a wheeled bin collection method would have significant capital cost implications with regard to the provision of wheeled bins for residents and adapting vehicles for bin lift operation. Depending on the collection method adopted, if wheeled bins were introduced, savings may be realised on annual collection costs.

#### Resource Implications

- 43 To submit an outline bid by 11<sup>th</sup> May 2012 and a final bid by 17<sup>th</sup> August 2012 will involve a significant amount of Officer time.

#### Community Impact and Outcomes

- 44 It is considered a separate weekly collection of food waste for composting would be well received and used by residents, and this could be tested by an on-line survey using the Council's web-site, if felt appropriate.
- 45 Any decision regarding changes to collection methods utilising wheeled bins, as recommended by the HSE, would require extensive consultation with residents.

#### Legal, Human Rights etc.

- 46 The recommendations made by the HSE are in regard to the Council's responsibilities for it's employees under the Health and Safety at Work etc Act 1974.

#### Equality Impact Assessment

- 47 If a separate food waste collection service was introduced an equalities impact assessment would have to be undertaken, but it is considered there would not be any equalities impact that could not be easily overcome.
- 48 Similarly, if a revised collection method of household waste was proposed to be introduced an equalities impact assessment would have to be undertaken.

#### Risk Assessment Statement

- 49 There is a risk that not submitting a bid to the DCLG Weekly Collection Support Scheme fund would deny potential financial funding being made available to improve existing waste collection and recycling services. However, this needs to be balanced against the financial commitment required for the Scheme for years four and future years.

50 By not fully addressing the concerns raised by the HSE and providing a full reasoned response, puts the Council at risk from enforcement action, under the Health and Safety at Work etc Act, 1974, by the HSE.

**Background Papers:**

- DCLG Weekly Collection Support Scheme Bid Funding Criteria.
- Letter from HSE dated 24.2.12.
- Response to HSE dated 15.3.12.

**Contact Officer(s):** Richard Wilson Ext x 7262 and 01959 567 351.

**Kristen Paterson**  
**Deputy Chief Executive and Director of Community and Planning Services**

Weekly Collection Support  
Scheme Policy Team  
Department for Communities  
and Local Government  
3 J/2 Eland House  
Bressenden Place  
London SW1E 5DU

**Sevenoaks District Council**  
**Direct Services**  
**Dunbrik Depot**  
**2 Main Road**  
**Sundridge**  
**Kent TN14 6EP**

**Weekly Collection Support Scheme - Expression of Interest Form for Sevenoaks District Council**

Sevenoaks District Council is interested in bidding for funding from the WCSS. As the primary contact within our authority, I have provided some information about the project we are proposing to develop into an outline bid below;

|  |   |
|--|---|
| <p>Would your bid be an individual one or as part of a group or consortium with other authorities and/or third parties?</p>  | <p>Although an individual bid, it is supported in principle by Kent County Council, the waste Disposal Authority.</p>   |
| <p>An outline in very brief terms of what the bid is and how it will meet the criteria (eg weekly collections for X households and X increase in environmental benefits)</p> | <p>A separate weekly collection of household food waste, for diversion to in-vessel composting, would be an improvement to Sevenoaks District Council's existing weekly residual waste collection service.</p> <p>Diversion of household food waste from landfill and/or incineration (the current methods of disposal) would improve our overall environmental performance and ensure the long-term sustainability of the District's weekly collection of smelly biodegradable waste.</p> <p>Environmental benefits: By our estimates, the diversion of food waste from 21,000 households would:</p> <p>(1) Increase our composting rate by up to 50%, and our overall recycling rate by up to 4.25 percentage points.</p> <p>(2) Save 1,300 to 1,700 tonnes of CO2 equivalent.</p> <p>(3) Divert liquid food and other food wastes from household foul drains to significantly reduce negative impacts on the water</p> |

|  |   |
|--|---|
|  | <p>treatment system.</p> <p>(4) The product, a bio-fertiliser, will realise a further 5 tonnes of CO2 equivalent savings per tonne of nitrogen displaced.</p>   |
| <p>What would the funding deliver and approximately how much would it cost (NB: costing information will not be considered binding in any way, so it's fine if the eventual bid ends up being for a smaller or greater amount)</p> | <p>The funding would deliver a separate weekly kerbside household food waste collection service, including kitchen caddies and kerbside collection bins, to 21,000 households within residential population centres in the Sevenoaks District. It is estimated that the service, over the course of three funding years, will cost an estimated £1,031,600 (to be confirmed).</p>   |
| <p>Will this underpin weekly collections (as defined in Section One)? Please explain.</p>  | <p>The proposed bid addresses the goals outlined in section 1a and 1b of the scheme prospectus. This service-improvement will allow SDC to retain a weekly collection of residual household waste, improve the environmental performance of that service, and allow maintenance of a weekly separate recyclables collection.</p>  |
| <p>Does your bid demonstrate environmental benefits? Please explain.</p>   | <p>As detailed in question 2 above, the environmental benefits of the proposed service-improvement include, but are not limited to: 1,300 to 1,700 tonnes of CO2 equivalent saved, diversion of liquid food and other food wastes from household foul drains to the benefit of the water treatment system, a further 5 tonnes of CO2 equivalent savings per tonne of nitrogen displaced by the bio-fertiliser product, and an increase in the District's composting rate by up to 50% and overall recycling rate by up to 4.25 percentage points.</p> |
| <p>Does your bid demonstrate value for money? Please explain.</p>  | <p>Yes. By diverting household food waste from landfill and/or from inefficient recovery by incineration-to-energy (due to high moisture content) to in-vessel composting to provide a high quality bio-fertiliser, the service will deliver a disposal cost savings of approximately £30/tonne, and increase the District's overall recycling/composting rate as outlined above.</p>   |
| <p>Will procurement or planning permissions be required?</p>   | <p>Planning permissions are not required, but procurement for vehicles, kitchen caddies, etc. will be conducted using statutory procurement procedures.</p>   |

|   |   |
|---|---|
| Are there likely to be any state aid considerations?  | No  |
| Are there any particular barriers or challenges to bidding that central Government could address ahead of outline bids being submitted? | No  |
| Additional Comments   | In both formal and informal surveys about the provision of household waste collection and other street-scene services conducted since 2001, the desire for a weekly collection of residual, smelly wastes and recycling has remained overwhelmingly unanimous among District residents. Despite being one of the most efficient local authorities in England, Sevenoaks District Council continues to face the on-going challenges of providing high-quality direct services in a time of austerity. We therefore believe that, if the proposed service is funded by the 3-year Weekly Collection Support Scheme, we can bridge these difficult times and maintain the weekly refuse and recycling collection services that our residents value so greatly. |

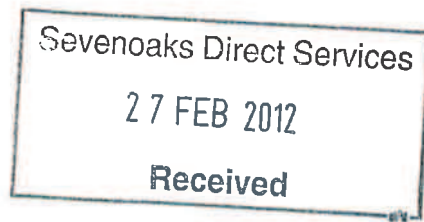
This Expression of Interest is non-binding. I understand that the Department for Communities and Local Government will use this information to assess and prepare for the volume and range of bids that the Scheme might receive, and help local authorities refine and improve their bids.

Name of officer: Charles Nouhan  
 Position: Recycling Manager  
 Date: 12 March 2012  
 Contact email: [charles.nouhan@sevenoaks.gov.uk](mailto:charles.nouhan@sevenoaks.gov.uk)  
 Contact telephone number: 01959 567360

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Sevenoaks District Council  
Dunbrik Depot  
Main Road  
Sundridge  
Sevenoaks  
Kent  
TN14 6EP

Reference FMU09/RWH/1301509/1



Field Operations Directorate

**Robert Hassell**

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International House  
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Principal Inspector of Health and  
Safety  
Mike Walters

For the attention of: Mr R Wilson, Mr I Finch and Mr D Field (Unison Health and Safety Officer)

Date 24<sup>th</sup> February 2012

Dear Sirs

## **HEALTH & SAFETY AT WORK ETC. ACT 1974**

I visited the Dunbrik depot of Sevenoaks District Council, accompanied by my colleague Jan Combs, on the 20<sup>th</sup> and 21<sup>st</sup> February 2012 to conduct an announced inspection as part of an HSE project regarding Local Authority procurement of waste contractors. During the visit we discussed your health and safety management systems with Richard Wilson, Ian Finch, Michael Holdsworth, John Cox and Tim Glover. The following matters require your attention, I would emphasise however, that this is not an exhaustive list. The responsibility for complying with Health and Safety requirements lies with you and therefore health and safety issues should be kept under constant review.

### **Manual Handling Operations Regulations 1992**

#### Sack collection from resident owned wheelie bins

During the visits we observed operatives removing bags from resident owned bins. Whilst the risk assessment for this details that they are not to remove bags from the bottom this is happening in practice, it was learnt that if bags are left in the bottom of bins they frequently have to return to collect them anyway. Regulation 4 (1) of the above Regulations states that each employer shall, so far as is reasonably practicable, avoid the need for his employees to undertake any manual handling operations at work which involve a risk of their being injured; accident records provided indicate that there have been several occurrences within the last 6 months of back injuries arising from removing sacks from wheelie bins, plainly something needs to be done to address the issue.

As discussed during the visit the council needs to draw up and adopt a suitable plan of action for dealing with the issue, giving regard to the factors and questions specified in schedule 1 of these Regulations (enclosed). One way of doing this would be to inform residents that bags in

the bottom of wheelie bins will not be collected as there has been a pattern of back injuries as a result of this practice.

#### Sack collection from 1100 litre bins (drop fronted or otherwise)

Again during the inspection we observed operatives emptying bags from 1100 bins that were either traditional style or the newly adopted drop fronted bins. We were informed that these were introduced in an attempt to increase the potential for recycling at sites where there are blocks of flats. As discussed the Council is again not reducing the manual handling risk to its employees as far as is reasonably practicable.

As discussed during the visit the council needs to draw up and adopt a suitable plan of action for dealing with the issue, giving regard to the factors and questions specified in schedule 1 of these Regulations (enclosed). One way of dealing with the issue would be to recommence collection of 1100 bins with the use of a tail lift vehicle, perhaps one for waste and one for recycling.

*An Improvement Notice was considered for both of the above issues but it was felt that with prompt and appropriate action on behalf of the Council the risks could be addressed and suitably controlled. If a suitable response and action plan is not received by the requested date then enforcement action will be considered.*

#### **Sack collection**

During discussions it was stated that the Council has no future plans to change from a sack collection service. Such arrangements are not in accordance with HSE research, an assessment of sack collection has recently been carried out by an HSE specialist within Gravesham, the outcome and recommendations of this report are pertinent to Sevenoaks District Council. The report asks for surveys to be carried out to assess the potential for areas within the District to use wheelie bins. In view of the higher MH risks which studies have linked with bag collection (HSL, 2002), following the Manual Handling Regulations (1992rev) hierarchy of controls, the alternative and lower risk option of using wheeled bins should be considered for reasonable practicability by the council. A detailed MH risk assessment should be central to the decisions about the collection methods to be used.

In addition he recommended the following, note should be taken of these and appropriate action taken where necessary:

#### **ACTIONS RECOMMENDED**

##### **Consider where wheeled bins would be reasonably practicable**

Because of the well understood higher physical workload and MH risks that are typically associated with black bag collection, the council should take steps to identify any areas where use of wheeled bins is feasible. Plans should be drawn up for separating rounds to allow for the use of wheeled bins. Bin rounds are likely to be more suitable in the less densely populated areas with larger house. However it may also include high density terraces etc where the residents have space in porches. These decision and plans will rely on the council undertaking a more detailed survey of housing types in the borough.

##### **Survey residents opinions**



A useful step would be to survey residents for their views on introduction of wheeled bins, however from the HSE point of view although this is something to be aware of the safety of collection operators would take precedence over resident preferences. It is important to bear in mind that there is often resistance to changes like these initially but people generally become accustomed to the new methods and that resistance will pass.

### **Educate residents**

In areas or for properties where bags need to continue to be used, the council should provide guidance to residents requesting that they consider how their refuse is divided between bags and to try and even them out and use more bags, making each one lighter. The reasons behind this request should be provided in the context of the health and safety of collection operators and the difference in MH risk exposure between a single resident putting out one heavy bag and an operator who may have to pick up tens of bags of similar heavy weight during a single round.

## **Management of Health and Safety at Work Regulations 1999**

### *Route risk assessments*

We were informed that route risk assessments were in place for every round, however, these assessments do not contain sufficient information regarding where reversing manoeuvres are to take place, where schools are (including pre and post school clubs), the presence of unadopted roads/tracks and houses not within the remit of the Council.

Regulation 3 of the above Regulations states that every employer shall make a suitable and sufficient assessment of the risks to the health and safety of his employees to which they are exposed whilst they are at work; and the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking. Furthermore, where the employer employs five or more employees, he shall record the significant findings of the assessment.

As discussed you need to review the route risk assessments ensuring there is sufficient information contained within the documents; I would recommend using the vast knowledge base of the crews when carrying out this task.

### *Risk assessments*

The risk assessments seen do not reflect the quality of the instructions within the handbooks supplied during the inspection. It is recommended that the Council reviews the current risk assessments in place and makes them more detailed, following the information within the books is recommended.

## **Provision and use of Work Equipment Regulations 1998**

The drivers are following the sheet provided when carrying out their daily checks on the vehicles is adequate for the operation of the vehicle but does not currently include the safety measures on the vehicle should someone wish to stop the compactor mechanism in an emergency.

Under regulation 6 (2) of the above regulation every employer shall ensure that work equipment exposed to conditions causing deterioration which is liable to result in dangerous situations is inspected at suitable intervals and each time that exceptional circumstances which are liable to jeopardise the safety of the work equipment have occurred.

The company needs to review its daily check sheet to include the addition of emergency stop buttons, this amendment should be extended to the sheets used by supervisors when conducting their checks. Additionally it is recommended that the frequency and number of random stop checks carried out by the supervisors and managers is increased and monitored to ensure continuity.

### **Other issues**

*Vehicle equipment:* It was observed that several vehicles are without shovels and brooms, equipment that is more necessary when carrying out bag collections. The council needs to ensure that the appropriate equipment is added to the vehicles where required.

*Gloves:* Several operatives raised the issue of gloves; either they are not being worn as they are deemed inappropriate or worn and uncomfortable. As discussed the Council needs to continue trying out various types of gloves in an attempt to provide the most suitable, sometimes a range of gloves gives the operatives a better choice and increases uptake and use.

### **Information for Employees**

In accordance with section 28(8) of the Health and Safety at Work etc. Act 1974 it is my duty to inform employees of matters affecting their health, safety and welfare. I enclose a second copy of this letter and this should be brought to the attention of your employees, perhaps by displaying it on a notice board.

Please supply me with your response to the above issues, including actions taken by the **16<sup>th</sup> March 2012**, should have any questions regarding this letter or require further information then please do not hesitate to contact me.

Yours faithfully



**Robert Hassell**  
**HM Inspector of Health and Safety**

Schedule 1

**Schedule 1 Factors to which the employer must have regard and questions he must consider when making an assessment of manual handling operations**

**Regulation 4(1)(b)(i)**

Column 1

Column 2

*Factors*

*Questions*

1 The tasks

Do they involve:

- holding or manipulating loads at distance from trunk?
- unsatisfactory bodily movement or posture, especially:
  - twisting the trunk?
  - stooping?
  - reaching upwards?
- excessive movement of loads, especially:
  - excessive lifting or lowering distances?
  - excessive carrying distances?
- excessive pushing or pulling of loads?
- risk of sudden movement of loads?
- frequent or prolonged physical effort?
- insufficient rest or recovery periods?
- a rate of work imposed by a process?

2 The loads

Are they:

- heavy?
- bulky or unwieldy?
- difficult to grasp?
- unstable, or with contents likely to shift?
- sharp, hot or otherwise potentially damaging?

1

**Schedule 1**

**Regulation 4(1)(b)(i)**

| Column 1                  | Column 2  |
|---------------------------|---|
| <i>Factors</i>            | <i>Questions</i>  |
| 3 The working environment | <p>Are there:</p> <ul style="list-style-type: none"> <li>- space constraints preventing good posture?</li> <li>- uneven, slippery or unstable floors?</li> <li>- variations in level of floors or work surfaces?</li> <li>- extremes of temperature or humidity?</li> <li>- conditions causing ventilation problems or gusts of wind?</li> <li>- poor lighting conditions?</li> </ul> |
| 4 Individual capability   | <p>Does the job:</p> <ul style="list-style-type: none"> <li>- require unusual strength, height etc?</li> <li>- create a hazard to those who might reasonably be considered to be pregnant or to have a health problem?</li> <li>- require special information or training for its safe performance?</li> </ul>  |
| 5 Other factors           | <p>Is movement or posture hindered by personal protective equipment or by clothing?</p>   |

**1**

Deputy Chief Executive and  
Director of Community and Planning Services:  
Kristen Paterson



Mr R Hassell  
HM Inspector of Health and Safety  
Southern Division  
International House  
Dover Place  
Ashford  
Kent  
TN23 1HU

Tel No: 01732 227262  
Ask for: Richard Wilson  
Email: richard.wilson@sevenoaks.gov.uk  
My Ref: RW/IF/HSE  
Your Ref: FMU09/RWH/1301509/1  
Date: 15<sup>th</sup> March 2012

Dear Sirs,

#### Health and Safety at Work Etc. Act 1974

Thank you for your letter dated 24<sup>th</sup> February 2012. We take all Health and Safety matters very seriously and confirm immediate action has been taken as explained below to address your concerns. We would welcome the opportunity to discuss our further action plans with the Health and Safety Executive at your convenience.

We understand your inspection formed part of a national project to audit Local Authority procurement of waste contractors and to discover and promote best practice. In this respect we very much appreciated the positive comments made by your Inspectors Ms Jan Combs and Mr Robert Hassell on conclusion of their visit, as well as their important observations on how we might improve our Health and Safety systems for collection of household waste and recycle.

The positive comments included our effective use of limited depot space through a combination of marked vehicle bays, pedestrian routes and signage to achieve a safe layout. Mr Hassell said he had seen a variety of layouts in each depot he had visited, but none had used marked vehicle bays. On site Mr Hassell had observed some good reversing practice. Both Inspectors liked the clear instructions given in our Health and Safety Handbook and Safe Working Practices (produced in A5 format), which they noted our crews had adopted. Ms Combs agreed sack collections and wheeled bin collections both had advantages and disadvantages and noted the sack collection method adopted seemed to work well for us. Ms Combs particularly liked our use of compostable garden waste sacks and took a sample to show others. Both Inspectors commented that our refuse freighters looked well maintained and they liked the nearside air doors, low entry and walk through cabs.

In response to the important matters requiring our attention and confirmed in your letter we reply as follows:



## Manual Handling Operations Regulations 1992

### Sack collection from resident owned wheelie bins

Our risk assessment entitled 'Domestic Refuse Collections (sacks)', identifies the risk to employees of removing sacks from resident owned wheeled bins and lists controls. Our Safe Working Practice booklet for Waste and Recycling Services instructs that closed plastic sacks should only be manually lifted from customer supplied 'wheelie' bins after assessment by the operative that it is practical to do so without injury. However, we acknowledge that over the last two years there have been six reported strain injuries due to operatives disregarding this instruction.

#### **Action:**

*Working with the Council's Communications Team and Customer Contact Centre colleagues, we will inform residents that sacks at the bottom of wheeled bins will not be collected as there has been a pattern of back injuries as a result of this practice. Our collection crews will be reminded not to attempt removal of sacks from the bottom of wheelie bins.*

### Sack collection from 1100 litre bins (drop fronted)

We have consulted with our drop front bin manufacturer who confirms their product has been purchased and deployed nationally by Waste Authorities, private waste companies and National Health Service organisations. They have not been advised by any other customer of Health and Safety concerns over the intended use. The purpose behind our deployment is to allow separation and collection of residual and recyclable household waste in sacks from multi-occupancy residencies by our sack collection crews. We have reviewed our Health and Safety Personal Injury Records and are pleased to report that to date there are no reported injuries directly related to our limited deployment of these drop front bins.

#### **Action:**

- 1. We have stopped deployment of drop front 1100 litre wheeled bins;*
- 2. We are arranging for removal of drop front bins at the sites visited by Ms Comb and replacement with mixed waste 1100 litre bins that will be emptied by a vehicle equipped with a bin lift;*
- 3. We shall employ an experienced external Health and Safety Consultant to undertake a detailed manual handling risk assessment of our use of drop front wheeled bins and, in co-operation with the manufacturer, evaluate modifications that may improve the manual handling ergonomics around the intended design use. We would be keen to discuss our joint findings with HSE ergonomics experts before determining if withdrawal and disposal of all drop front bins is the only course of action to meet our obligation to reduce the manual handling risk to as low as reasonably practicable.*

*Complete withdrawal would have operational, (lower recycling capture; increased waste to final disposal and poorer services to residents), and financial implications for Sevenoaks District Council. It is also likely to have similar implications for other Local Authorities, waste companies and National Health Service organisations, assuming the Health and Safety Executive would wish to take a consistent approach and enforce these bins withdrawal nationally.*

*Please note the funding of the purchase of these bins, (£47,000), was made available from the Kent Waste Partnership, (comprised of the twelve Kent District Council's and Kent County Council, as Disposal Authority), to facilitate the capture of this recyclate*

*We are grateful for the opportunity to address the above issues in co-operation with the Health and Safety Executive.*

### **Sack Collection**

We appreciate your valuable observations regarding HSE research and higher manual handling risks, which studies have linked to sack collection. We would very much like to review this study material and would appreciate your guidance as to where we may access this research as part of any consideration of the benefits of wheeled bin collections compared to our established sack collection method. Our weekly collection of household residual and dry recyclable waste in sacks provides an effective service that is strongly embedded and highly valued by our residents having one of the highest published satisfaction rates in the country. We note your recommendation that we should educate residents to use more sacks to reduce the weight in each sack. During our discussion with your Inspectors, Ms Combs stated the weight of sacks was not bad it was the repetition of handling large numbers of sacks that increased the risk to our employees. With this in mind we wonder if encouraging residents to use more sacks thereby increasing the number of repetitions would be preferable.

The sack collection method is strongly valued by all three political parties as a well established and well supported service and ensures weekly collection of all waste from every household in the District. Any departure from this tried and tested method would therefore need full consideration and decision by elected Members.

### **Action:**

*We shall report your recommendation for detailed manual handling risk assessments to be undertaken and for the outcome to be central to a decision on collection methods to our Council's Cabinet Members for consideration. We shall include the HSE expectation that following the Manual Handling Regulations hierarchy of controls a change to wheeled bin collections, either partially or in full, should be considered for reasonable practicability by the Council. We shall also make Cabinet Members aware of your recommendations that we survey residents upon the use wheeled bins.*

### **Management of Health and Safety at Work Regulations 1999**

#### ***Route Risk Assessments:***

Our refuse collection rounds were subject to detailed examination by an external Consultant in 2010. The route optimisation software used removed the need for right turns and vehicle reversing wherever possible, planned the routes to avoid schools and similarly congested roads at peak times, and ensured single sided collections on wide roads to reduce the risk to our employees and other road users.

With these rounds now established and possibly subject to small scale variation by our collection crews, we are working with our drivers to identify the remaining reversing manoeuvres on each of our refuse collection rounds. This survey work and review is concurrent with refresher training of drivers and reversing assistants as explained to your Inspectors.

**Action:**

*In addition to the review described we have begun discussion with Kent County Council highway transportation colleagues, to ensure our current round routes observe all traffic restrictions and avoid congested areas at peak times. Our planned production of round route maps will update and inform our round lists and we agree we should include further references to access restrictions and other necessary route specific instructions. We do not propose to include customer exemptions from highway boundary collections on these route schedules, but shall keep this as a separate listing available to each collection crew as we explained to your Inspectors.*

**Risk Assessments**

Our risk assessments are subject to review and are used to identify hazards and control measures. While copies of risk assessments are issued to our crews for reference and retention in the cab of their vehicle, we consider them a management tool to inform and develop our Health and Safety Handbook and activity related Safe Working Practices which are our primary means of written Health and Safety instruction to our employees. Given your Inspector's observation on the quality of our handbook and safe working practices, we have some concerns that the inclusion of more detail within the risk assessments, to reflect the detailed information and instruction given in the booklets could become more confusing and complicated for operatives.

**Action:**

*We will update our refuse collection risk assessments as part of our regular review of these documents so they define key control measures that align with our detailed Health and Safety instruction booklets.*

**Provision and Use of Work Equipment Regulations 1998****Daily Vehicle Equipment Checks**

Our current Daily Vehicle Check sheets applicable to all our commercial vehicles includes for a check on Tail Lift, Bin Lift or Crane Operation. Our annual Driver CPC training instructs drivers in more detail on the equipment checks that need to be undertaken for safe operation of the vehicle and equipment and particularly key safety equipment such as emergency stop buttons. However, we agree the check sheet does not include specific reference to the emergency stop function.

**Action:**

*We have instructed Managers and Supervisors to ensure all drivers and charge hands know equipment checks must include emergency stop buttons. We have amended our Daily Vehicle Check sheet to include specific reference to the emergency stop function and will issue these sheets once a new stock has been printed.*

**Other Issues****Vehicle Equipment**

We note your Inspectors concern that not all refuse freighters were equipped with broom and shovel.



**Action:**

*We have instructed a fleet wide check of our refuse freighters for the presence of broom and shovel. Where not present we will fabricate and fit secure stowage and ensure brooms and shovels are provided.*

**Gloves**

Your recognition of our continued efforts to provide the most suitable gloves is appreciated.

**Action:**

*We shall continue to try out various types of gloves and broaden the range of gloves available to increase uptake and use.*

**Information for Employees:**

I confirm a copy of your letter has been displayed on the notice board in our depot mess room as requested in discharge of your duty to inform employees of matters affecting their Health, Safety and Welfare. We have also discussed and agreed this response with our depot UNISON representatives at our regular liaison meetings.

We found the inspection and feedback most informative and helpful. Please consider our response and feel free to contact Mr Ian Finch or myself to discuss further, if necessary.

Yours faithfully,



Richard Wilson  
Head of Environmental and Operational Services

Copy: Robin Hales – Chief Executive  
Dave Field – UNISON Health and Safety Representative, Dunbrik Depot



The Rt. Hon. Eric Pickles MP  
Secretary of State for Communities & Local Government  
Department for Communities & Local Government  
Eland House  
Bressenden Place  
London  
SW1E 5DU

Tel No: 01732 227180  
Ask for: Cllr Peter Fleming  
Email: Cllr.Fleming@sevenoaks.gov.uk  
Date: 10 May 2012

Dear Eric

I feel I must share with you my disappointment and frustration with the way applications for your department's Weekly Collection Support Scheme are judged and the criteria they have to fulfil.

As a council who has retained a weekly collection of both recycling and waste for every household, Sevenoaks District Council has never taken the service away or even threatened to do so. We are a council that has made difficult decisions in other areas to protect a service that we believe is right and our residents want. We are also a council who didn't raise council tax last year.

It is particularly frustrating that we can only claim financial assistance through this scheme if we had either, taken the weekly service away or threatened to do so or alternatively, if we add a whole new level of unwanted and costly complexity to the scheme we currently. On top of this, we would have to fund any such scheme into the future.

Please can you look again at the criteria for your scheme and reward those who have delivered what you have consistently asked for and we both know is right, and not those councils who have not seen this service as a priority in the past and won't again in the future when the funding runs out.

Yours sincerely,

**Peter Fleming**  
Leader of Sevenoaks District Council

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