



## **SERVICES SELECT COMMITTEE**

**21 June 2011 at 7.00 pm**

*CONFERENCE ROOM - COUNCIL OFFICE*

### **AGENDA**

#### **Membership:**

Chairman: Cllr. R J Davison

Vice-Chairman Cllr. C Brown

Cllrs: Cllr. L Abraham, Cllr. Mrs B Ayres, Cllr. L Ball, Cllr M Butler,  
Cllr. C Dibsdall, Cllr. J Edwards-Winser, Cllr. Mrs A Firth,  
Cllr. Mrs A George, Cllr. R Hogarth, Cllr. M Horwood, Cllr. Mrs F Parkin,  
Cllr. A Pett, Cllr. R Piper, Cllr. S Raikes, Cllr. J Scholey, Cllr. P Towell and  
Cllr. R Walshe

Apologies for absence

#### **Apologies for absence**

1. **Minutes of the meeting of the Committee held on 13 April 2011** (Pages 1 - 4)
2. **Declarations of interest.**
3. **Committee's Terms of Reference - For Information** (Pages 5 - 18)
4. **Formal Response or Consultation Requests from the Cabinet following matters referred by the Committee:**  
  
None
5. **Formal Response or Consultation Requests from the Performance and Governance Committee:**  
  
None
6. **Actions from the Previous Meeting** (Pages 19 - 20)
7. **Future Business, the Work Plan 2011/12 and the Forward Plan** (Pages 21 - 22)

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.

8. **Overview and Scrutiny training**

*Christine Nuttall*

(Verbal)

9. **Revenues and Benefits Partnership Update**

**(Pages 23 - 32)**

*Tricia Marshall*

10. **Reconstitution of Informal Groups**

- a) Members IT Working Group
- b) Members Recycling Task Group

**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)**

**SERVICES SELECT COMMITTEE**

Minutes of a meeting of the Services Select Committee held on  
13 April 2011 commencing at 7 p.m.

Present: Cllr. Harrod (Chairman) in the Chair.

Cllrs. Abraham, Cole, Darrington, Davison, Lankester, Mrs. Parkin, Pett and Piper.

Apologies for absence were received from Cllrs. Arnold, Mrs. Broomby, Brown, Bruce, Ryan, Scholey and Underwood

37. MINUTES OF PREVIOUS MEETINGS

Resolved: That the minutes of the meeting of the Services Select Committee held on 25 January 2011 be approved and signed by the Vice-Chairman as a correct record.

38. DECLARATIONS OF INTEREST

None.

39. FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS REFERRED BY THE COMMITTEE

None.

40. ACTIONS FROM THE PREVIOUS MEETING (Report No. 4)

The completed actions were noted.

41. FUTURE BUSINESS, THE WORK PLAN 2010/11 AND THE FORWARD PLAN (Report No. 5)

An updated work plan was tabled for Members' attention. It was noted that a discussion on the budget had been added to November 2011.

*Action 1: To include an update on Empty Homes Target for the Housing item in the workplan for September 2011.*

Members discussed the amount of work in the Committee's work programme. It was noted that there was a current review of committee structures, which may lead to changes in the way select committees work. An example of the proposed changes could be for select committees to consider fewer items but in greater depth.

# Agenda Item 1

## Services Select Committee – 13 April 2011

### 42. HUMAN RESOURCES UPDATE (Item No. 6)

The Chairman welcomed the Head of Finance and Human Resources and the Human Resources Manager to the meeting.

Members were updated on current developments in Human Resources (HR). The Committee noted that the average length of service for employees was increasing and there was a challenge to balance financial constraints with retaining a highly motivated workforce. Members welcomed the significant external recognition of Sevenoaks as a good employer from the Times Best Councils to Work For Survey, Investors in People Champion accreditation and the Audit Commission's highest score for workforce development.

A Member requested background and feedback on the HM Revenue and Customs (HMRC) secondment at Sevenoaks. HMRC had approached Sevenoaks because of the Times Best Councils to Work For Survey and they wanted to develop how HMRC engages with its employees. The feedback from the secondment confirmed that productivity at Sevenoaks was high, there was a strong customer focus for all staff and also that the HR team performed at a very high level.

Members asked how many redundancies there were and to explain the term "slotted"? The Committee was informed that there had been 18 redundancies (16 voluntary) out of a workforce of 434. The term "slotted" referred to staff who successfully applied for their own posts or were allocated a post substantially the same as their previous post.

The Director of Corporate Resources commented that the figures were for the first year of a four year savings plan and in the remaining three years the Council would lose more management posts and other posts across a number of departments.

It was explained that during the budget process vacancies were held across the council to allow as many officers to be re-deployed as possible, saving the council redundancy costs and enabling the retention of skilled and knowledgeable staff.

The Committee asked how the Council planned to address absence from sickness. It was reported that in 2009/10 the average days sickness per employee was 11.37 days per full time equivalent. This compared to 8.5 days nationally, 9.5 days in local government and 11.5 days in the NHS. Members were informed that this has been a priority for HR. Since April 2010 a new IT system had enabled a more strategic and targeted approach to managing sickness absence.

Members noted that for long term sickness absence, employees were in contact with the on-site occupational health nurse to plan a phased return to work and receive ongoing support.

The Committee asked about the challenges to HR in the coming year. Members were informed that in addition to retaining staff and ongoing staff reductions the main issue was to be the review of pay and conditions for all staff.

The Chairman thanked the Head of Finance and Human Resources and the Human Resources Manager for attending.

*Action 2: To receive a further update on Human Resources issues in a year's time.*

43. UPDATE FROM MEMBER WORKING GROUPS

Members Task Group for Recycling

Members considered the minutes from meeting of the Group held on 11 April 2011. Members agreed that there should be more consideration of the potential efficiencies for the Council of using the Ideal Waste company MRF in Swanley rather than the facility at Allington. It was noted that transportation costs to Swanley would be lower and Swanley had a lower rate of rejected waste for recycling (3% at Swanley and 18% at Allington).

Resolved that :

- 1 the report be noted; and
- 2 Cabinet be asked to raise the issues and potential benefits of using the MRF site in Swanley with the Kent Waste Partnership.

*Action 3: Officers to investigate the possibility a future visit of the Committee to the MRF site at Swanley.*

IT Working Group

Members received a verbal update from the Chairman of the Group. Members were informed that joint work with Dartford was progressing to ensure compatibility between IT systems. For example, Sevenoaks were procuring the Modern.Government system, used by Dartford, to replace CMIS. Members also noted that savings had been made through the joint procurement of anti-virus software.

In relation to supporting Members post May 2011, it was reported that 10 new laptops had been allocated for Members: 4 were to be available for use in the building and 6 allocated to Members who had little or no access to a computer.

The access of Members to the Council IT system was discussed. The Committee welcomed the new councillor portal for access to Sevenoaks system via the internet and proposed training for Members after the elections.

The Chairman commented that, as part of the budget savings exercise, staffing within the IT Service had been reduced and despite this the IT Team continues to have a positive outlook. The Director of Corporate Resources made Members aware that further savings in IT were planned as part of the 4 year savings programme.

44. ANY OTHER BUSINESS

The Chairman thanked Members and staff for their work on the Committee during the last four years.

Agenda Item 1

**Services Select Committee – 13 April 2011**

THE MEETING WAS CONCLUDED AT 7.50 P.M.

Chairman

## **PART 5 - OVERVIEW AND SCRUTINY FUNCTION**

### **1. Introduction**

- 1.1 There are Select Committees which support the work of the Cabinet and the Council as a whole. They allow local people to have a greater say in Council matters by enquiring into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery. The Select Committees and to a degree the Performance and Governance Committee also monitor the decisions of the Cabinet. They can “call-in” a key decision which has been made by the Cabinet but has not yet been implemented. This enables them to consider whether the decision is appropriate.
- 1.2 They may recommend that the Cabinet should reconsider the decision and may also submit a report direct to the Council. They may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

### **2. Terms of Reference - General**

- 2.1 The Council will appoint the overview and scrutiny committees (known as Select Committees) set out below to discharge the functions conferred by section 21 of the Local Government Act 2000 or regulations under section 32 of the Local Government Act 2000 in relation to the matters also set out below. The number and Terms of Reference of the Select Committees will be reviewed from time to time by the Modern Local Government Group which may report to the Council.
- 2.2 The Select Committees may form advisory groups from time to time to assist with their work, especially with the review of, or additions to, a policy within the Policy Framework. These advisory groups will be constituted on the basis of political proportionality and may include a member or members of the Cabinet to which they may also report direct. Advisory groups should be set a specific task and/or function and should as a result be time limited on completion of the set task/function.
- 2.3 The terms of reference of the Select Committees set out below will be in addition to the following general powers in respect of the overview function (which will include policy development) and scrutiny (which will include reviewing policy implementation):
  - (a) to monitor and review all Council Services in respect of Best Value and Internal Service Inspections (ISIs) and make any recommendations to Council and/or the Cabinet that may be considered appropriate especially in respect of ISIs, reviewing the progress of Action Plan and the implementation of recommendations; bearing in mind the Council’s budgetary constraints; and
  - (b) to consider and report on any matter referred by the Council or the Cabinet.

## **3. General Role**

3.1 Within their terms of reference, the Select Committees may:

- (a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (b) make reports and/or recommendations to the full Council and/or the Cabinet and/or any joint Committee in connection with the discharge of any functions;
- (c) consider any matter affecting the area or its inhabitants; and
- (d) exercise the right either to call for Cabinet papers in advance of decisions being made in order to provide timely advice to the Cabinet **or**, if this has not been done, to call-in for reconsideration decisions made but not yet implemented by the Cabinet.

## **4. Specific Functions**

### Policy Development and Review

4.1 The Select Committees may:

- (a) assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
- (b) conduct research, community and other consultation in the analysis of policy issues and possible options;
- (c) consider and recommend to Council mechanisms to encourage and enhance community participation in the development of policy options;
- (d) question relevant members of the Cabinet and/or Committees and Directors on relevant issues and proposals affecting the area relevant to the review in question; and
- (e) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

### Scrutiny

4.2 The Select Committees may:

- (a) review and scrutinise the decisions made by, and performance of, the Cabinet and/or Committees and Council Officers both in relation to individual decisions and over time;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;



- (c) question members of the Cabinet and/or Committees and Chief Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (d) make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process bearing in mind the Council's budgetary constraints;
- (e) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Select Committees and local people about their activities and performance; and
- (f) question and gather evidence from any person, with their consent.

#### Report to Council on Overview and Scrutiny Matters

- 4.3 The Chairmen of the Select Committees to submit a report on the work of the Select Committees since the last meeting of the Council, to each ordinary meeting of the Council. Members may ask questions on any matter contained in the report, of the Chairmen (or in their absence, the Vice-Chairman) of the Select Committees without notice.

#### Proceedings of the Select Committees

- 4.4 The Select Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in paragraph 5 below.

### **5. Overview and Scrutiny Procedure Rules**

#### Number and Arrangements for Overview and Scrutiny Committees

- 5.1 The Council will have the Select Committees set out in this part of the Constitution and will appoint to them as it considers appropriate from time to time. The Select Committees may appoint Sub-Committees (advisory groups) which may be appointed for a fixed period, on the expiry of which they shall cease to exist.
- 5.2 The Select Committees will:
- (a) approve an annual work plan for itself ensuring that there is efficient use of the Committee's time, and that the potential for duplication of effort is minimised;
  - (b) ensure that matters considered are managed efficiently and within any limits set out in this Constitution; and
  - (c) have the powers of an "Overview and Scrutiny Committee" in relation to Cabinet decisions made but not implemented as set out in section 21(3) of the Local Government Act 2000.

## Membership of the Select Committees

- 5.3 All Members except members of the Cabinet may be members of a Select Committee. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

## Co-optees

- 5.4 The Select Committees shall be entitled to recommend to Council the appointment of a number of co-opted non-voting members not exceeding two for each Committee.

## Meetings of the Select Committees

- 5.5 There shall be at least six ordinary meetings of each Select Committee in each year. In addition, other meetings may be called from time to time as and when appropriate. A meeting of a Select Committee may be called by the Chairman of the relevant Select Committee, by a quarter of the members of the relevant Committee or by the Chief Executive (in consultation with the relevant Chairman or Vice-Chairman, if available) if he considers it necessary or appropriate.

## Quorum

- 5.6 The quorum for a Select Committee shall be as set out for Committees in the Council Procedure Rules in Part 2 of this Constitution.

## Work Plan

- 5.7 The Select Committees will be responsible for setting their own Work Plan and in doing so they shall take into account the wishes of all members on that Committee.

## Agenda Items

- 5.8 Any member of a Select Committee shall be entitled to give notice to the Chief Executive that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Chief Executive will ensure that it is included on the next available agenda and the appropriate Chairman will be informed.
- 5.9 The Select Committees shall also respond, as soon as work plans permit, to requests from the Council and if it considers it appropriate, the Cabinet to review particular areas of Council activity. The Council and/or the Cabinet shall consider the report of the Select Committee within two months of receiving it.

## *Councillor Call for Action*

- 5.10 Under the Councillor Call for Action process, the public may raise issues of local concern with their ward Councillors. Members will try to resolve the

issue themselves first by contacting the relevant Head of Service or Partner organisation. However, if the matter cannot be resolved, then the Member can ask the relevant Select Committee to consider the issue.

- 5.11 Any member may give written notice to the Chief Executive that they wish a local government matter affecting their ward, or a person who lives or works in their ward, to be included on the agenda of the relevant Select Committee. This notice will set out the Member's reasons for making the request. If the Chief Executive receives such a notification, then he/she will include the item on the first available agenda of the Select Committee for consideration by the Committee and the appropriate Chairman will be informed.
- 5.12 The Chief Executive will exclude any request that does not meet the requirements of the legislation, regulations or the most recent guidance. If the request is not accepted, the Chief Executive shall inform the member who made the request of the rejection and the reasons for it.

#### Policy Review and Development

- 5.13 Select Committees will consider petitions as required, in accordance with the Council's Petitions Scheme – Appendix Y of the Constitution.
- 5.14 The role of the Select Committees in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules. (Appendix B - Budget and Policy Framework Procedure Rules)
- 5.15 In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, the Select Committees may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference.
- 5.16 The Select Committees may, subject to budgetary constraints, enquire into and investigate the available options for future direction in policy development. They may recommend to the Council the commissioning of research, undertaking of surveys etc.

#### Reports from the Select Committees

- 5.17 Once it has formed recommendations on proposals which may be developed further, a Select Committee will prepare a formal report and submit it to the Chief Executive for consideration by the Cabinet (if the proposals are consistent with the existing budgetary and policy framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).
- 5.18 If the Select Committee cannot agree on one single final report to the Council or Cabinet as appropriate, then no more than one minority report may be prepared by the Members concerned and submitted for consideration by the Council or Cabinet with the majority report.
- 5.19 The Council or Cabinet shall whenever possible consider the report of the

Select Committee within one month of it being submitted to the Chief Executive.

### Ensuring that Overview and Scrutiny reports are considered by the Cabinet

- 5.20 Once a Select Committee has completed its deliberations on any matter the Chief Executive will allocate it to either or both the Cabinet and the Council for consideration, according to whether the contents of the report would have implications for the Council's budget and policy framework. If the Chief Executive refers the matter to Council, he/she will advise the Leader that the matter is to be referred to Council and supply a copy of the report to the Leader. The Cabinet will have four weeks in which to respond to the report, and the Council shall not consider it within that period. When the Council does meet to consider any referral from a Select Committee on a matter which would impact on the budget and policy framework, it shall also consider the response of the Cabinet to the Overview and Scrutiny proposals.
- 5.21 The Select Committees will in any event have access to the Cabinet's Forward Plan and timetable for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from the Select Committee following consideration of possible policy/service developments, the Committee will at least be able to respond in the course of the Cabinet's consultation process in relation to any key decision.

### Rights of the Select Committee Members to documents

- 5.22 In addition to their rights as Members of the Council, members of the Select Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules (Appendix A - Access to Information Procedure Rules).
- 5.23 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Select Committees as appropriate depending on the particular matter under consideration.

### Members and Officers Giving Account

- 5.24 The Select Committees may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Cabinet, the Chief Executive, any Director and/or any Head of Service to attend before it to explain in relation to matters within their remit:
- (a) any particular decision or series of decisions;
  - (b) the extent to which the actions taken implement Council policy; and/or
  - (c) their performance.

and it is the duty of those persons to attend if so required.

- 5.25 Where any Member or Officer is required to attend a Select Committee under this provision, the Chairman of that Committee will inform the Chief Executive. The Chief Executive shall inform the Member or Officer in writing giving at least five clear working days notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation.
- 5.26 Where the Member or Officer is unable to attend on the required date, then the Select Committee shall in consultation with the Member or Officer arrange an alternative date for attendance to take place usually within 21 days from the date of the original request.

Attendance by Others

- 5.27 The Select Committee may invite people other than those people referred to in paragraphs 5.26, 5.27 and 5.28 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from local people, stakeholders and Member and Officers in other parts of the public sector and shall invite such people to attend.

Call-in

- 5.28 When a key decision is made by Cabinet the decision shall be published and shall be available at the main offices of the Council normally within two clear working days of being made.
- 5.29 All Members will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- 5.30 That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five clear working days after the publication of the decision, unless the Committee objects to it and calls it in. This notification is included on each set of Cabinet minutes.
- 5.31 During that period, the Chief Executive shall call-in a key decision for scrutiny by a Committee if so requested by the Chairman or any three members of the a Select Committee, and shall then notify the decision-taker of the call-in. The Chief Executive shall call a meeting of the Committee on such date as he/she may determine, where possible after consultation with the Chairman of the appropriate Committee, and in any case within five clear working days of the decision to call-in or may, in consultation with the decision-taker, refer the matter direct to the next meeting of the Council for consideration. Please refer to “Shadow Call-In” dates included on the Council’s Calendar of meetings.
- 5.32 If, having considered the decision using the Call-In Protocol (Appendix C -

Protocol for Call In of Key Decisions), the Committee is still concerned about it, then it may refer it back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision maker they shall then reconsider within a further ten clear working days, amending the decision or not, before adopting a final decision.

- 5.33 If following an objection to a key decision, the Committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision-making person or body, the decision shall take effect on the date of the Committee meeting, or the expiry of that further five clear day period, whichever is the earlier.
- 5.34 If the matter was referred to full Council and the Council does not object to a key decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision-making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole, or a Committee of it, a meeting will be convened to reconsider within ten clear working days of the Council request. Where the decision was made by an individual, the individual will reconsider within ten clear working days of the Council request.
- 5.35 If the Council does not meet, or if it does but does not refer the key decision back to the decision-making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- 5.36 The relevant Committee shall consider the parts of the Forward Plan within that Committee's terms of reference after it is published and may give notice to the Chief Executive that it wishes to be consulted on any matter included within it. In such an event, the Chief Executive shall advise the Leader of the Council and shall arrange for the report to the Cabinet to be sent to every Member of the relevant Committee as soon as it is ready for publication.
- 5.37 The Chairman or any five members of the relevant Committee may call a meeting of the Committee within five clear working days of the despatch of the report to consider the matter. The Cabinet shall not then make a decision on the matter until the Committee has had an opportunity to consider the report and make recommendations to the Cabinet.
- 5.38 If a meeting of the relevant Select Committee is not summoned within five clear working days of the despatch of the report or on the nearest most appropriate "Shadow Call-In" date, the Cabinet shall be free to make a decision on the matter.
- 5.39 If the procedure in paragraphs 5.37 and 5.38 have been invoked by a Select Committee, the call-in provisions set out in paragraphs 5.32 to 5.35 shall not

apply and any decision of the Cabinet shall not be subject to call-in.

#### Exceptions to Call-In

5.40 In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limits are to be placed on its use. These are:

(a) only key decisions (the definition of which is set out below) may be called in; and

*(A "key decision" means an executive decision which is likely:*

*(i) to result in the District Council incurring expenditure which is, or the making of savings which are, significant having regard to the District Council's budget for the service or function to which the decision relates i.e. decisions which exceed £50,000 in value (but procurement decisions within the budget e.g. refuse vehicles can be undertaken within delegated powers); or*

*(ii) to be significant in terms of its effects on communities living or working in an area comprising 2 or more wards in the area of the District Council.)*

(b) Three members of a Select Committee or the Performance and Governance Committee from at least two political parties are needed for a decision to be called in.

#### Call-in and Urgency

5.41 The call-in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision-making person or body, the decision is an urgent one, and therefore not subject to call-in.

5.42 The Chairman of the Council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the Vice-Chairman's consent shall be required.

5.43 In the absence of both the Chairman and the Vice-Chairman of the Council, the consent of the Chairman or Vice-Chairman of appropriate Select Committee shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

5.44 The operation of the provisions relating to call-in and urgency shall be monitored annually and a report submitted to Council with proposals for review if necessary.

#### Procedure at Meetings of the Select Committees

- 5.45 The Select Committee shall consider the following business:
- (a) minutes of the last meeting;
  - (b) declarations of interest;
  - (c) consideration of any matter referred to the Committee for a decision in relation to call-in of a decision;
  - (d) responses of the Cabinet to reports of the Select Committee; and
  - (e) the business otherwise set out on the agenda for the meeting.
- 5.46 Where the Select Committee conducts investigations (e.g. with a view to policy development), the Committee may also ask people to attend to give evidence at Committee meetings which are to be conducted in accordance with the Kent Protocol on Overview and Scrutiny Inter-Authority Co-operation (Appendix P - Protocol of Overview and Scrutiny Inter-Authority Co-Operation) (if they apply) and the following principles:
- (a) that the investigation be conducted fairly and all members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
  - (b) that those assisting the Committee by giving evidence be treated with respect and courtesy; and
  - (c) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.
- 5.47 When discussing any matter under investigation, the members of the Select Committee shall not normally resort to formal debate unless and until it becomes clear that a recommendation can only be reached on the basis of a majority vote. It shall be the duty of each Chairman of a meeting of the Select Committee to ensure, so far as is possible, that a consensus is reached on any matter, provided that this would not have the effect of minimising the effectiveness of the recommendation.
- 5.48 Following any investigation or review, the Select Committee shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall make its report and findings public.

### Matters within the remit of more than one Select Committee

- 5.49 Where a matter for consideration by the Committee also falls within the remit of one or more other Committees, the decision as to which Committee will consider it will be resolved by the appropriate Chairmen of the Committee(s) and the relevant Director.

## **6. Membership of the Select Committees**

- 6.1 Each Select Committee will each be made up of 19 Members that follow the



political proportionality of the Council. The membership of the Select Committees can be found at Appendix H - Membership of Cabinet, Committees etc.

## **7. Terms of Reference of the Environment Select Committee**

- 7.1 When referring to these terms of reference please take into account the general terms of reference as set out in Part 5 – paragraphs 1, 2, 3 and 4 of this Constitution.
- 7.2 The Environment Select Committee's terms of reference are to perform the policy development, review and scrutiny role in relation to the following matters:
- (a) The development of the Council's planning policies, including the Development Plan and other plans for use and development of land;
  - (b) the built environment of the District, including both development control and building control, contaminated land, air quality, land drainage, sewerage and sewage disposal;
  - (c) highways and traffic, including public rights of way;
  - (d) transport, including vehicle parking;
  - (e) economic development and tourism;
  - (f) to scrutinise decisions of the Cabinet and to exercise the use of the Council's "Call-in" (of key decisions) procedure when appropriate;
  - (g) to ensure that the Council's business is subject to effective scrutiny;
  - (h) at the Cabinet's and the Chairman of the Select Committee's request to carry out specific research and development projects and to submit recommendations to Cabinet; and
  - (i) to advise the Council and Cabinet, at their request, on any other matter affecting the Council.

## **8. Terms of Reference of the Services Select Committee**

- 8.1 When referring to these terms of reference please take into account the general terms of reference as set out in Part 5 – paragraphs 1, 2, 3 and 4 of this Constitution.
- 8.2 The Services Select Committee's terms of reference are to perform the policy development, review and scrutiny role in relation to the following matters:
- (a) The Council's management of Information Technology and Communications technology;
  - (b) the development and retention of staff;

- (c) public relations;
- (d) the development of the Housing Strategy, including partnerships with social landlords, the improvement of private housing the provision of housing to meet identified needs, assistance to owner/occupiers, landlords, tenants and developers, and homeless people as well as arrangements for dealing with itinerants and gypsies;
- (e) waste and recycling;
- (f) the development of policies in relation to the Council's licensing functions;
- (g) consideration of payments or benefits under section 92 of the Local Government Act 2000 to persons who have been adversely affected by maladministration (whether or not the subject of a formal report by the Commissioner for Local Administration);
- (h) to scrutinise decisions of the Cabinet and to exercise the use of the Council's "Call-in" (of key decisions) procedure when appropriate;
- (i) to ensure that the Council's business is subject to effective scrutiny;
- (j) at the Cabinet's and the Chairman of the Select Committee's request to carry out specific research and development projects and to submit recommendations to Cabinet; and
- (k) to advise the Council and Cabinet, at their request, on any other matter affecting the Council.

### **9. Terms of Reference of the Social Affairs Select Committee**

- 9.1 When referring to these terms of reference please take into account the general terms of reference as set out in Part 5 – paragraphs 1, 2, 3 and 4 of this Constitution.
- 9.2 The Social Affairs Select Committee's terms of reference are to perform the policy development, review and scrutiny role in relation to the following matters:
  - (a) The maintenance and regeneration of communities in the area including:
    - (i) personal health (such as arrangements for medical treatment in and for the District and health education); and
    - (ii) public health (such as pest control, food hygiene, water supply, public nuisances, public conveniences, cemeteries and crematoria, and animal welfare:
  - (b) the means of facilitating greater social inclusion and integration, especially amongst groups such as young people or elderly people;

- (c) the cultural life of the District (including the theatre known as “The Stag”);
- (d) the provision and use of leisure facilities throughout the District;
- (e) the operation of Sencio Community Leisure;
- (f) financial and other assistance to organisations in the District;
- (g) crime and community safety matters, including police initiatives and closed-circuit television;
- (h) to scrutinise decisions of the Cabinet and to exercise the use of the Council’s “Call-in” (of key decisions) procedure when appropriate;
- (i) to ensure that the Council’s business is subject to effective scrutiny;
- (j) at the Cabinet’s and the Chairman of the Select Committee’s request to carry out specific research and development projects and to submit recommendations to Cabinet;
- (k) to undertake the over view and scrutiny role and in particular in relation to the Community Plan;
- (l) to advise the Council and Cabinet at their request, on any other matter affecting the Council.



**ACTION SHEET - Actions from the previous meeting**

<b>ACTIONS FROM 13/04/11</b>			
<b>Action</b>	<b>Description</b>	<b>Status and last updated</b>	<b>Contact Officer</b>
ACTION 1	To include an update on Empty Homes Target for the Housing item in the workplan for September 2011.	This item has been added to the Committee's Work Plan	Pat Smith
ACTION 2	To receive a further update on Human Resources issues in a year's time.	This item has been added to the Committee's Work Plan	Tricia Marshall
ACTION 3	Officers to investigate the possibility a future visit of the Committee to the MRF site at Swanley.	Officers will approach the company to discuss this action	Richard Wilson



**SERVICES SELECT COMMITTEE – WORK PLAN 2010/11**

<b>Topic</b>	<b>21 June 2011</b>	<b>20 September 2011</b>	<b>8 November 2011</b>	<b>31 January 2012</b>	<b>3 April 2012</b>
<b>Housing</b> (Pat Smith)	“Single conversation” with HCA and TMBC, TWBC , Maidstone and SDC (info report)*	SDHR amended Allocation Policy  Annual Housing Report  Sevenoaks District Housing Action Plan  Update on Empty Homes Target		Representative from West Kent Housing – Q&A Session	
<b>Licensing</b> (Richard Wilson)					
<b>Payments &amp; Benefits</b> (Tricia Marshall)	Revenues and Benefits Partnership Update				
<b>Human Resources</b> (Tricia Marshall)					Human Resources Update
<b>Information Technology</b> (Jim Carrington-West)					
<b>Waste and Recycling</b> (Richard Wilson)		Waste and Recycling Report			

<b>Topic</b>	<b>21 June 2011</b>	<b>20 September 2011</b>	<b>8 November 2011</b>	<b>31 January 2012</b>	<b>3 April 2012</b>
<b>Communications &amp; Customer Service</b>					
<b>Council's Business</b>					
<b>Budget</b> (Tricia Marshall)				Review of Budget Proposals for 2012/13	
<b>Other</b>					

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

Kent and Medway Forum strategy\*



## SERVICES SELECT COMMITTEE – 21 JUNE 2011

### REVENUES AND BENEFITS PARTNERSHIP UPDATE

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

Status: For Consideration

Key Decision: No

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**Executive Summary:** This report sets out the progress made in implementing a partnership between Dartford Borough Council and Sevenoaks District Council for the delivery of Revenues and Benefits Services.

The joint working arrangements, which required significant staffing, IT and management changes, have been implemented to a very tight timescale and it is expected that the savings projected when Members first approved the partnership will be achieved. Customer satisfaction with the service has also been maintained.

The report also sets out the current and future challenges facing the service, and the action being taken to address these.

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

**Portfolio Holder** Cllr. Ramsay

**Head of Service** Head of Finance and Human Resources – Tricia Marshall

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**Recommendation:** It be RESOLVED that the progress made in implementing joint working arrangements for Revenues and Benefits Services between Dartford Borough Council and Sevenoaks District Council be noted.

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### Background and Introduction

- 1 On 20 July 2010 Members approved the implementation of joint working arrangements with Dartford Borough Council (DBC) for Benefits (Housing and Council Tax Benefits), Revenues (Council Tax and Business Rates collection), Internal Audit and Fraud Services. This report updates Members on the progress made in implementing joint working arrangements since that date, as well as identifying the key challenges facing the teams in the future.

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- 2 The proposal approved by Members in July can be summarised as:
- DBC and SDC to have a joint Internal Audit and Fraud team, based at the DBC offices;
  - DBC and SDC to have a joint Revenues and Benefits team, based at the SDC offices;
  - Existing customer face-to-face access to remain, with the enhancement that DBC customers to be able to access the above services via SDC facilities and vice-versa; and
  - IT systems, working practices and policies to be aligned, to deliver efficiencies in service delivery.
- 3 As a result of these proposals it was estimated that DBC and SDC would achieve savings of £500,000 a year split between the two authorities, with shared implementation costs of £834,000, a payback period of under two years.
- 4 In addition to the above, the joint working arrangements should improve resilience in the teams, maintain customer satisfaction levels and minimise risks to tax collection and benefit subsidy reimbursement.

### Implementation plan

- 5 The overall implementation date for joint working set out in the July report was December 2010, though the report acknowledged that this was an extremely tight timescale when compared with the volume of work still to be completed, and was much more ambitious than similar projects at other authorities. The key tasks to be completed were:
- **Staffing** - Confirm structure, select staff for appointment to posts, attempt to redeploy any displaced staff and build new 'one team' culture and approach;
  - **Customers and Stakeholders** - Capacity plan for the expected workload to minimise the impact on customers during transition and inform stakeholders of changes;
  - **IT and telecommunications** – put in place a joint IT infrastructure across Revenues and Benefits and Audit and Fraud for both councils, implement a common document management system across both teams, route customer phone calls seamlessly to the new joint Revenues and Benefits team and enhance the Revenues and Benefits software to enable more efficient working;
  - **Working practices and approach** - Design and put in place common working procedures and policies for all teams;

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- **Accommodation** - Locate Audit and Fraud staff at Dartford's offices and Revenues and Benefits staff at Sevenoaks' offices, including new office layouts and transfer of documents;
- **Finances** - Review the financial projections set out in the Business Case and draw up a detailed joint budget for 2011/12; and
- **Governance** – Draw up the legal agreement between the two authorities.

### Implementation progress

- 6 The Audit and Fraud combined team was in place at DBC from September, earlier than originally planned. Joint policies have been approved by Members for the Audit and Fraud team and working practices have been aligned. The early move of the Audit and Fraud team freed up accommodation to be used for training Benefits apprentices, employed to increase service resilience during the implementation period.
- 7 Staff were appointed to the joint structure during July and August. Due to vacancies within the teams, only two staff were made redundant. Between September and December a range of activities took place to familiarise DBC staff with the SDC offices, to share working practices and generally to start to build up relationships between the staff at the two authorities.
- 8 The IT changes were implemented in phases, starting in September and finishing in November. An enhanced phone system was implemented in February, providing customers with better information when queuing and providing managers with performance information that enables them to plan staff resources around customer demand.
- 9 The DBC Revenues and Benefits staff moved to the SDC offices on 13 December, one week later than planned solely due to adverse weather. Since December, staff have worked to align procedures and all staff are working on both DBC and SDC workload. Most correspondence sent out from the teams has both DBC and SDC logos and contact information, and some customers from SDC are using the DBC offices as a service access point as it is more convenient for them than the SDC office location.
- 10 The Financial assumptions in the Business Case have been reviewed and a joint budget for 2011/12 constructed, which confirms that the planned savings should be achieved. Implementation costs are expected to be contained within the budget allowed.
- 11 The legal agreement is currently being finalised, and both councils approved appropriate delegations in December.

### Lessons learnt

- 12 As part of the implementation, the Project Board asked for lessons learnt to be captured, to inform future partnership working. Views were gathered from a

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range of project participants across both councils. The results of this review are set out the in the Appendix to this report.

- 13 Overall, the project was seen as very successful, with the project management approach and staff communication seen as particular strengths. Key lessons learnt were around identifying the risks associated with actions being delivered by external suppliers and how process mapping could be used early on to build relationships between teams.

### Customer Satisfaction

- 14 In addition to capturing lessons learnt, customer satisfaction was surveyed in March/April. These results are generally very positive, showing high levels of satisfaction with the Revenues and Benefits services. It would appear that the changes made as a result of partnership working are not having an impact on customer satisfaction with these services.

### Revenues Satisfaction Survey Results

Question	Satisfaction Rating (%)
Contacting the right person is easy to do	83.0
I am treated with consideration and respect	87.8
My Council tax bill is easy to understand	91.1
Letter / Phone calls are clear and understandable	89.3
<b>Overall satisfaction with the council tax service</b>	<b>50.8</b>

## Benefits Satisfaction Survey results

Question	Satisfaction Rating (%)
Contacting the right person is easy to do	80.5
I am treated with consideration and respect	87.3
I know what information I need to provide	80.7
Letter / Phone calls are clear and understandable	75.5
I am satisfied with the time taken to assess a benefit claim	71.1
<b>Overall satisfaction with the housing and council tax benefit service</b>	<b>77.3</b>

## Performance

- 15 Implementing the project in such a short timescale meant that managers' time was mainly devoted to implementation tasks rather than managing day-to-day performance. In addition, the project led to significant disruption for all staff, as they were working at a new location, to a new manager, with new working practices and/or in a new role (or a combination of these changes). As a result, whilst some additional capacity was added to provide resilience, performance was expected to dip when compared with previous years as the partnership bedded in.
- 16 The outturn results for 2010/11 are set out below – the partnership was in operation for the last three and a half months of that year, but managers were engaged in implementation throughout the year.
- 17 Overall the results for the year are very favourable. For Revenues, most indicators show an improvement when compared with the previous year. For Benefits, DBC shows a significant improvement whereas SDC shows a reduction in performance when compared with the previous year. The position for Benefits is complicated by the increase in workload during 2010/11, including a 15% year on year increase in workload from January. This is considered in more detail below under 'Current and future challenges'.

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## **Revenues performance results**

Indicator	Dartford BC		Sevenoaks DC	
Percentage of council tax collected in year	08/09	97.5%	08/09	98.6%
	09/10	97.5%	09/10	98.3%
	10/11	97.4%	10/11	98.6%
Percentage of NNDR collected in year	08/09	98.0%	08/09	98.5%
	09/10	97.1%	09/10	97.7%
	10/11	98.1%	10/11	98.4%
Percentage of council tax payers on direct debit	08/09	61.0%	08/09	66.9%
	09/10	61.6%	09/10	67.2%
	10/11	62.9%	10/11	68.8%
Percentage of correspondence dealt with within 7 working days (DBC) / within target time (SDC)	08/09	100%	08/09	74%
	09/10	100%	09/10	80%
	10/11	99.6%	10/11	99%

## **Benefits performance results**

Indicator	Dartford BC		Sevenoaks DC	
Average number of days to process new claims	08/09	38	08/09	26
	09/10	40	09/10	21
	10/11	24	10/11	27
Average number of days to process change events	08/09	21	08/09	10
	09/10	21	09/10	7
	10/11	11	10/11	8
Percentage of new claims processed within 14 days of full information being received	08/09	n/a	08/09	94%
	09/10	66%	09/10	96%
	10/11	84%	10/11	87%

## **Current and future challenges**

### Benefits Workload

- 18 Since January, the work coming into the Benefits Team has increased by 15% when compared with the previous year. This is due to changes in customers' circumstances that require their claims to be re-assessed. Other authorities in Kent are experiencing similar or higher workload increases, as are other authorities across the country. This increase in workload has come at a particularly difficult time for the partnership, as it was always expected that the joint service would be in transition up to April 2011, still building up to full capacity. January to March are, in any event, the busiest months for Revenues

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and Benefits activity, due to annual billing and uprating (all of which was successfully completed on time by the joint team).

- 19 This increase in workload is having a major impact on turnaround times for customers – currently the time taken to process new claims is around 40 days and to process change events is around 20 days.
- 20 In addition, the Partnership currently has four vacancies for benefits assessors, and recent attempts to recruit to these posts have been largely unsuccessful. This has contributed to the current high turnaround times for customers.
- 21 As a result of the above, the Partnership has put in place a short term plan to address the current work peak and is also working on a longer term plan to recruit apprentices to train as benefits assessors. This is vital to ensure the resilience of the service and to provide a good quality of service to customers.

### Future legislative changes

- 22 The Government has announced in its Welfare Reform Bill that it will be replacing a number of benefits, including housing benefit, with a universal credit. The Department for Work and Pensions (DWP) is in the early stages of drawing up an implementation plan for the changeover, but initial indications are that it will be phased in starting in October 2013 for working age claimants and October 2014 for pensioners, with the new system to be fully in place by 2017. Whilst the DWP does not envisage that local authorities will be involved in the processing of this credit, it has not yet decided how face-to-face contact with customers will be provided.
- 23 Part of the proposal is that council tax benefit will be replaced by a new, localised system, with approximately a 10% reduction in funding. Each local authority would decide the basis on which council tax rebates would be awarded to residents. This change is due to come in from April 2013.
- 24 Finally, it is proposed that Benefits Fraud work be centralised under the DWP from April 2013.
- 25 These changes will have a major impact on residents in receipt of benefits, staff in the relevant teams and housing services provided by the Council and by Registered Social Landlords. Members will be provided with further briefings when more details are available and staff are being updated as and when information is available.

### **Key Implications**

#### Financial

- 26 As set out above, more detailed financial analysis has confirmed that the councils should achieve the projected annual savings of £250,000 a year.

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## Community Impact and Outcomes

- 27 The provision of face-to-face and other customer facing services is a key part of the planned service provision. Achieving significant savings whilst protecting service standards is of clear benefit to residents of Dartford and Sevenoaks.

## Legal, Human Rights etc

- 28 There are no new issues with legal implications included in this report.

## **Conclusions**

- 29 The joint working arrangements have been implemented to a very tight timetable, involving significant staffing, IT and management changes. Customer satisfaction has been maintained during implementation and savings are being achieved. Key annual tasks such as council tax and business rate billing were achieved on time. This has all been achieved whilst working with a significantly increased demand in the Benefits area.

## **Risk Assessment Statement**

New risks are covered above under 'Current and future challenges'.

## **Background Papers:**

Performance data for DBC and SDC Revenues and Benefits Services

Report to Cabinet 8 July 2010 – Item 6 - Revenues and Benefits Joint Working

## **Contact Officer(s):**

Tricia Marshall Ext. No. 7218

**Dr. Pav Ramewal**  
**Corporate Resources Director**



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**Lessons Learnt review– summary of findings**

- 1 The project successes identified were:
  - Overall project management approach - the project used a robust methodology which provided consensus on a single business case by involving staff and stakeholders. There were regular project team meetings to ensure communication and involvement and there was direct involvement of Senior Management. The project approach was designed to accept a high level of risk and tailored to manage high risk areas (for example, time critical IT elements were managed more closely). The project drew on external consultancy input, which provides expertise and challenge.
  - Approach to staff - there was minimal use of redundancy or loss of experienced staff, due to vacancies having been held. Managers were appointed early in the process and they acted swiftly to place staff in the new structure, thus minimising uncertainty for staff. Staff communication was seen as successful, particularly the use of a weekly newsletter and 'change management' meetings between staff and the external consultant, to enable staff to raise concerns confidentially.
  - The project was delivered on time and on budget, despite very challenging timescales. Critical activities, such as annual Council Tax and Business Rates billing and Benefits annual uprating in February and March, were achieved successfully.
- 2 Looking at what went less well, and the lessons to be learnt for future projects, more time could have been devoted to mapping and aligning processes prior to co-location rather than afterwards. If it is not possible to align processes early then working separately after co-location should be considered until they are aligned. The project could have used the process mapping work as an opportunity to allow staff to get to know one another better before co-location.
- 3 The IT work had to be completed within a very short timescale, relied on third parties to deliver key elements and was critical to the project's success. With hindsight it was over-ambitious to include bespoke IT work within the implementation workload; although this work was successfully delivered it took longer than planned, with consequent impacts on the time available for other activities. Some other elements of IT work were delayed (mainly by suppliers), again which again reduced the time available for other implementation tasks.
- 4 Including the right people in discussions was difficult due to pace of project – this leads to issues with the staff or managers that are involved (or not involved) with changes that were required.
- 5 The key learning points for future partnership working were:
  - Manage expectation and utilise positive messages from this and other projects (particularly around how few staff were ultimately displaced);

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- Careful consideration needs to be given to backfilling – is it reasonable to expect staff to contribute to the project and still do day job;
  - Multiple options to ensure even handed communication and involvement are essential; and
- 6 Where there is dependency on third parties to deliver key elements of the project there is less control and flexibility than with in-house teams and therefore plans should take account of this.