



POLICY AND RESOURCES SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 1ST OCTOBER 2013 AT 5.00 P.M.

PRESENT:

Councillor H.W. David - Chairman
Councillor Mrs J. Summers - Vice Chairman

Councillors:

L. Binding, D.G. Carter, C.J. Cuss, J.E. Fussell, C. Hawker, Ms J.G. Jones, G. Kirby, A. Lewis, C.P Mann, S. Morgan, D. Rees, R. Saralis.

Also present to observe: Mrs A. Blackman, G. Johnston.

Cabinet Members:

G. Jones (Cabinet Member for Housing), K.V. Reynolds (Cabinet Member for Corporate Services).

Also present to observe: D.V. Poole (Cabinet Member for Community and Leisure Services), T.J Williams (Cabinet Member for Highways, Transportation and Engineering).

Together with:

N. Scammell (Acting Director of Corporate Services and Section 151 Officer), S. Couzens (Head of Housing Services), G. Hardacre (Head of Human Resources and Organisation Development), L. Jones (Acting Head of ICT and Customer Services), L. Lucas (Head of Procurement), D. Perkins (Head of Legal and Democratic Services), K. Williams (Private Sector Housing Manager), S. Isaacs (Senior Rents Officer), J. Jones (Corporate Information Governance Manager), A. Main (Deputy Manager – Benefits), D.A. Thomas (Senior Policy Officer, Equalities and Welsh Language), J. Jones (Democratic Services Manager), R. Barrett (Committee Services Officer).

Also Present:

Mr R. Davies - Caerphilly and District Against The Bedroom Tax.

APOLOGIES

Apologies for absence were received from Cabinet Members Mrs C. Forehead (HR and Governance/Business Manager) and D.T. Hardacre (Performance and Asset Management), together with Councillors Mrs D. Ellis and J. Taylor.

1. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

2. MINUTES – 4TH JULY 2013 AND 24TH JULY 2013

RESOLVED that the minutes of the meeting held on 4th July 2013 (minute nos. 1 - 4, page nos. 1 - 3) and 24th July 2013 (minute nos. 1 - 14, page nos. 1 - 7) be approved as a correct record and signed by the Chairman.

3. CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

4. CABINET REPORTS

There had been no requests for either of the Cabinet reports to be brought forward for discussion at the meeting.

5. VERBAL REPORT OF THE CABINET MEMBER

The Scrutiny Committee received a verbal report from Councillor K.V. Reynolds, Cabinet Member for Highways, Transportation and Engineering. The Cabinet Member confirmed that the budget settlement would be announced on 16th October 2013, which will outline the financial position of the Authority for the next few years. The Scrutiny Committee were advised that a Members' seminar will take place on 23rd October 2013 to provide further information on the Medium Term Financial Plan.

Members were informed of developments in Procurement and reminded that the Authority have signed up to the National Procurement Service, which will launch in November 2013 and will set up and manage contracts for common and repetitive spend across the public sector in Wales. The WLGA have also agreed in principle to the development of an "All Wales Local Government Procurement Service" which will be subject to a detailed business case, consultation with all stakeholders, and a further report outlining the practical service delivery proposals.

The Scrutiny Committee were updated of recent developments in the Authority's Information, Communication, Technology and Customer Services departments. ICT have recently undergone an audit by the British Standards Institution and have successfully retained their security accreditation. The Communications team have been involved in several recent successful events, including the Big Cheese, the Tour of Britain and the Royal Welsh Parade in Bargoed. Final works to the new library and Customer First offices in Caerphilly are progressing well, work has been completed to provide the ICT facilities for the opening of Ysgol Gyfun Cwm Rhymni (Gwindy site) and migration of the Licensing process from the Directorate of the Environment to Customer First has been successfully completed.

The Chairman thanked the Cabinet Member for his statement and full discussion ensued, with Members extending congratulations to the ICT department for retaining their BSI 27001 ICT security accreditation.

REPORTS OF OFFICERS

Consideration was given to the following reports.

6. NOTICE OF MOTION – BEDROOM TAX

The Policy and Resources Scrutiny Committee had previously considered this Notice of Motion on 24th July 2013. During their discussions, it was agreed to refer the two issues of non-eviction and reclassification to the Caerphilly Homes Task Group for further consideration. The Caerphilly Homes Task Group met on 28th August 2013 in order to fully discuss the legal, financial and equality implications associated with no-eviction and reclassification. The Caerphilly Homes Task Group subsequently made a number of recommendations to the Policy and Resources Scrutiny Committee.

The Chairman reminded Members of the importance of the scrutiny process and, in view of the potential of this Government policy, that it was important to establish the way forward.

Shaun Couzens, Head of Housing Services, summarised the report including the recommendations made by Caerphilly Homes Task Group. It was clarified that the Caerphilly Homes Task Group could not support the introduction of a no-eviction policy due to substantial financial, equalities and legal implications. He confirmed that councils who have implemented this policy are considering its reversal and that the Authority would only seek eviction for non-payment as a last resort. It was also confirmed that there are no specific size requirements or exemptions in relation to the classification of a bedroom. Members' attention was drawn to the proposed list of initiatives in the report that were supported by the Caerphilly Homes Task Group, which incorporated several levels of support to council housing tenants.

Councillor Gerald Jones, Cabinet Member for Housing, was invited to speak to the Committee. He confirmed that he had spoken to officers in Cardiff Council regarding speculation that they were considering a no-eviction policy. Cardiff Council have confirmed that they are not considering this policy and that they have adopted a similar policy to Caerphilly Council, whereby they offer support to tenants affected by the bedroom tax. The Cabinet Member also confirmed that he had undertaken a lengthy discussion with officers in Cardiff Council regarding the Notice of Motion and associated issues.

The Cabinet Member clarified that whilst the bedroom tax is viewed as an unpopular piece of legislation, nevertheless the bedroom tax is now law and Caerphilly Council have a duty to implement this legislation. He also reiterated the recommendation of the Caerphilly Homes Task Group, whereby under a specific criteria, there might be a limited number of properties where classification would be suitable, and if appropriate this option should be actively pursued.

Mr Roy Davies of Caerphilly and District Against the Bedroom was invited to speak to the Scrutiny Committee. He refuted the confirmation that Cardiff Council did not consider the no-eviction policy, and listed a number of authorities that had implemented a no-eviction policy. Mr Davies summarised hardship cases experienced by people who were affected by the bedroom tax and cited a perceived lack of clarity in relation to the bedroom tax appeals procedure. Mr Davies stated that tenants feel strongly against the recommendation that tenants who are in arrears be required to attend compulsory money management workshops or one to one sessions.

The Chairman thanked Mr Davies for his presentation to the Committee and full discussion ensued. Members placed on record their appreciation of the work of the Caerphilly Home Task Group and stated a need to work together and identify a suitable way forward.

Members clarified several issues raised in Mr Davies' presentation with Officers, and queried the number of tenants affected by the bedroom tax, the number of tenants in arrears and the eviction process. Members raised concerns that tenants evicted as a result of rent arrears could be considered as intentionally homeless, which would impact on the Council's homelessness duties. It was confirmed that none of the evictions made by the Council this year had been a result of the bedroom tax being introduced. Officers also confirmed that a large percentage of those tenants in arrears with their rent were already in arrears prior to the introduction of the bedroom tax.

Following detailed discussions, Members moved to introduce two amendments to the list of initiatives recommended by the Caerphilly Homes Task Group in Section 1.4.3 of the report. The following amendments were moved and seconded and, by a show of hands, unanimously agreed by the Policy and Resources Scrutiny Committee:

1. Paragraph 1.7 (3) 7th bullet point – "Introduce the requirement for tenants who are in arrears to attend compulsory money management workshops/one to one sessions" be amended as follows "Introduce support for tenants who are in arrears to attend money management workshops/one to one sessions";
2. Paragraph 1.7 (3) 8th bullet point – The sentence be extended to read "Consider reclassifying some properties where appropriate and review rooms, which are classified as bedrooms but are unable to accommodate the size of a standard single bed or used to store large pieces of medical equipment (such as lifting hoists etc)".

The Policy and Resources Scrutiny Committee unanimously endorsed the recommendations of the Caerphilly Homes Task Group of 28th August 2013, subject to the above amendments, and by a show of hands, unanimously recommended to Council that:

1. The Notice of Motion be determined;
2. Members agree to receive a further report to be presented at the next meeting of full Council advising on the financial and legal implications of the Caerphilly Homes Task Group recommendations as amended by the Policy and Resources Scrutiny Committee.

The Chairman placed on record his appreciation of the work of all Officers in relation to this Notice of Motion.

7. NOTICE OF MOTION – FINANCIAL TRANSACTION TAX

The report detailed a Notice of Motion, received by the Interim Monitoring Officer from Councillor Gary Johnston.

Councillor Johnston introduced the Notice of Motion, which requested that the Council calls on the Westminster Government to introduce a Financial Transaction Tax (also known as the Robin Hood Tax). Councillor Johnston reiterated his belief that the Financial Transaction Tax would combat austerity in the country and named a number of local authorities in the UK that have already passed a notice of motion to introduce the tax.

The Scrutiny Committee considered and supported the Notice of Motion and, by a show of hands, unanimously recommended to Council, for the reasons contained therein, that it resolve to call on the Westminster Government to introduce a Financial Transaction Tax (F.T.T), also known as the Robin Hood Tax.

8. REDEPLOYMENT SCHEME

Gareth Hardacre, Head of Human Resources and Organisation Development, summarised the report, which detailed the main reasons for the amended Redeployment Scheme, and sought recommendations and comments from Members prior to referral to Cabinet for final approval. Members were informed that redeployment has historically been viewed as a negative subject, and subsequently the amended Scheme utilises positive terminology and measures in order to encourage full participation from all relevant parties.

Mr Hardacre drew Members' attention to a proposed amendment regarding the calculation of redundancy liability. It is proposed that redundancy payments are paid in proportion to the service that the employee has completed in each Service Area from the point at which they are redeployed. Historically, the releasing Service Area has borne the redundancy costs for the entire length of the employee's continuous service, even if the employee has secured a fixed term contract in another Service Area, which has extended their employment. This proposed arrangement will limit the liability of each Service Area to the time that the employee spends within their Service Area rather than any one Service Area picking up the total costs of the redundancy payment.

Members discussed the Scheme and stated that the proposed amendments would benefit an already successful scheme. Employees in the Redeployment Pool are currently allowed a trial period of 4 weeks in a redeployment post. Members queried whether this is a sufficient time period in terms of understanding the new role and training needs. Officers clarified that the trial period is to assess employee capability and, that the period can be extended if the employee is redeployed to a completely new area where a new set of skills is required.

Members considered the contents of the Report and Draft Redeployment Scheme and, by a show of hands, unanimously recommended to Cabinet that the Scheme be adopted.

9. PRIVATE SECTOR HOUSING RENEWAL STRATEGY – HOME IMPROVEMENT GRANTS

Kenyon Williams, Private Sector Housing Manager, presented the report, which outlined the current operation of the Authority's Private Housing Sector Housing Renewal Strategy and, in light of a changing economic climate, asked Members to endorse the implementation of a formal review.

Members were informed that in July 2002, significant changes were introduced in relation to private sector housing legislation when it became a statutory obligation for Local Authorities to produce and implement a Private Sector Housing Renewal Strategy. The Authority formally implemented its Strategy on 30th June 2003, which has been in operation ever since and has been subject to three formal reviews during that period.

Mr Williams explained to Members that due to increased pressure on capital budgets, consideration must now be given to a complete review of the Strategy. This will ensure that the Authority's future ambitions remain affordable. The report therefore requested that Members endorse a 6-month moratorium of new home improvement grants whilst undertaking a formal review of the Strategy.

Members discussed the impact of a Home Improvement Grant moratorium and it was clarified that works will continue on designated Renewal Areas and in cases where there is a substantial risk to Health and Safety. The Committee requested that they be kept informed in future reports of any budgetary considerations.

Following detailed consideration and discussion, and by a show of hands, the Policy and Resources Scrutiny Committee recommended to Cabinet that a formal review of the Authority's Private Sector Housing Renewal Strategy be undertaken and, a moratorium in respect of new Home Improvement Grants be implemented until such time as a revised Private Sector Housing Renewal Strategy is formally adopted.

10. AMENDMENTS TO COUNCILS STANDING ORDERS FOR CONTRACTS, ADOPTION OF CCBC PROCUREMENT POLICY AND STRATEGY, AND WELSH GOVERNMENT PROCUREMENT POLICY

Liz Lucas, Head of Procurement, and Dan Perkins, Head of Legal and Democratic Services, presented the report, which advised Members of proposed amendments to the Authority's Standing Orders for Contracts, the development of the Authority's Procurement Policy and Strategy, and the Welsh Government Procurement Policy.

Members were advised that Procurement has been subject to a number of high profile reviews over the last two years, which have subsequently highlighted the requirement for clarification of Procurement policies. Mrs Lucas advised Members that Procurement in Caerphilly has always been conducted in line with key policies and legislative requirements, and that the proposed amendments and adoption of the various policies will address recent changes to legislation.

Members welcomed the proposed amendments and development of the policies and discussed the amendments made to the Standing Orders for Contracts document. Following detailed consideration and discussion, and by a show of hands, the Policy and Resources Scrutiny Committee unanimously recommended to Cabinet and Council that:

1. Standing Orders for Contracts be amended in line with proposals set out within Appendix A;
2. All Heads of Service and Authorised Officers receive a copy of the full amendments via email, that detailed training from the Procurement team be made available upon request, and all revised documentation to be available via the Intranet and Internet;
3. No Officer be allowed to conduct or form part of any procurement without formal training;
4. The WG Procurement Policy set out in Appendix B be adopted;
5. The Caerphilly County Borough Council Procurement Policy and Strategy as set out in Appendix C be adopted;
6. The change to EU Procurement Legislation (within the next two years) be noted, with the necessary report to be provided at the appropriate time;
7. Any further changes to Standing Order for Contracts be subject to Council approval.

The Committee thanked all Officers involved in the preparation of the report.

11. INFORMATION GOVERNANCE POLICIES – RECORDS MANAGEMENT AND INFORMATION RISK MANAGEMENT

Lynton Jones, Acting Head of ICT and Customer Services, and Joanne Jones, Corporate Information Governance Manager, presented the report to Members. The report included two new policies to improve information governance across the Council – a Records Management Policy and an Information Risk Management Policy.

Members were advised that it is a statutory requirement for the Authority to have a Records Management Policy, ensuring a safe and secure way of maintaining records whilst ensuring that all Council staff are aware of how information should be managed and protected. The Information Risk Management Policy guides all staff in ensuring that their information holdings are safe and secure, and informs the ongoing process of compiling a Corporate Information Risk Register. This policy incorporates the role of the Senior Information Risk Owner, the responsibilities which are assumed by the Acting Head of Information, Communication, Technology and Customer Services.

Members discussed and queried a number of items in relation to the proposed new policies, and sought assurances that the guidance contained in the policies would be aligned with other statutory guidelines, in particular Social Services record management arrangements. Officers confirmed that the corporate retention arrangements comply with statutory requirements but would clarify with Social Services colleagues that the Social Services' retention arrangements also comply with relevant requirements. Members would be contacted once clarification has been received. Members also clarified arrangements regarding compliance with corporate governance and regular reviews of the policies.

Following detailed consideration and discussion of the report, and by a show of hands, the Policy and Resources Scrutiny Committee unanimously recommended to Cabinet that, for the reasons therein, the contents of the report be noted and the two policies approved.

12. TIME OFF FOR RESERVISTS POLICY

Gareth Hardacre, Head of Human Resources and Organisation Development, presented the report, which sought the views of the Committee on an amended Time Off For Reservists Policy prior to submission to Cabinet for approval. Since the introduction of the policy, improvements have been implemented regarding the aftercare that is available to Reservists when they return to work after a period of redeployment. The policy has therefore been updated to improve the aftercare section to provide advice and guidance to Managers and colleagues on what reactions a Reservist may experience.

Following discussion and clarification of several amendments within the policy, the Committee considered the proposed amendments to the Time Off For Reservists Policy and, by a show of hands, unanimously recommended the amended policy to Cabinet for consideration.

13. REQUESTS FOR AN ITEM TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

There were no requests received for future agenda items.

14. INFORMATION ITEMS

The following reports were received and noted without discussion:

- (1) Capital Outturn Report 2012/13;
- (2) Corporate Services and Miscellaneous Finance 2013/14 – Budget Monitoring – Period 4;
- (3) Write Off of Debts;
- (4) Workforce Planning Template for CCBC;
- (5) Policy and Resources Scrutiny Committee Forward Work Programme;
- (6) Minutes of the Pensions Compensation Committee – 19th August 2013;
- (7) Minutes of the Caerphilly Homes Task Group – 3rd July 2013;
- (8) Minutes of the Caerphilly Homes Task Group - 28th August 2013.

The meeting closed at 7:20 p.m.

Approved as a correct record, and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 12th November 2013, they were signed by the Chairman.

CHAIRMAN