



POLICY AND RESOURCES SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 11TH NOVEMBER 2014 AT 5.30 P.M.

PRESENT:

Councillor H.W. David - Chair
Councillor S. Morgan - Vice Chair

Councillors:

L. Binding, C.J. Cuss, Miss E. Forehead, J.E. Fussell, C. Hawker, Ms J.G. Jones, G. Kirby,
A. Lewis, C.P. Mann, D. Rees, R. Saralis, J. Taylor

Cabinet Members:

Mrs C. Forehead (Cabinet Member for HR and Governance/Business Manager),
D.T. Hardacre (Performance and Asset Management), Mrs B. Jones (Corporate Services),
G. Jones (Housing)

Together with:

N. Scammell (Acting Director of Corporate Services and Section 151 Officer), P. Davy (Head
of Programmes), G. Hardacre (Head of Workforce and Organisational Development),
K. Williams (Private Sector Housing Manager), C. Forbes-Thompson (Scrutiny Research
Officer) and R. Barrett (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs J. Summers, who was currently unwell, and Members conveyed their best wishes for her speedy recovery. Apologies for absence were also received from Councillor D.M. Gray.

2. DECLARATIONS OF INTEREST

Councillor Miss E. Forehead declared an interest in Agenda Item 17 – National Home Improvement Loan Scheme. Details are minuted with the respective item.

3. MINUTES – 24TH SEPTEMBER 2014

RESOLVED that the minutes of the Special Policy and Resources Scrutiny Committee held on 24th September 2014 (minute nos. 1 – 8) be approved as a correct record and signed by the Chair.

4. MINUTES – 30TH SEPTEMBER 2014

RESOLVED that the minutes of the Policy and Resources Scrutiny Committee held on 30th September 2014 (minute nos. 1 – 14) be approved as a correct record and signed by the Chair.

5. CONSIDERATION OF ANY MATTER REFERRED TO THIS COMMITTEE IN ACCORDANCE WITH THE CALL-IN PROCEDURE

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

6. REPORT OF THE CABINET MEMBERS

Councillor Mrs B. Jones, Cabinet Member for Corporate Services, informed the Committee of the recent successful launch of the new-look CCBC Website. It was explained that this website was designed with a user-friendly approach and was easier to navigate, and that the content of the website had also been improved and updated.

Members were advised of a number of recent events held across the county borough, including the successful One Beat event held in partnership with GAVO. The Council's annual Operation Santa event was also well underway, with over 700 pledges received to date.

In regards to the ongoing budget consultation process, Members were advised that a series of drop-in sessions had been arranged around the county borough between 18th November and 13th December 2014 for residents to access information regarding the savings proposals of £12.8m for 2015/16. A Cabinet Member and Head of Service would be present at each session, with the specifics of who would attend each location to be determined shortly.

Councillor Mrs C. Forehead, Cabinet Member for HR and Governance/Business Manager, updated the Committee on the ongoing National Pay Negotiations, which has resulted in a revised package being tabled. It was explained that the package involves a combination of a revised pay increase of 2.2% for all Spinal Column Points (SCPs) above SCP 11 (with SCPs 5-10 having higher % awards) with effect from 1st January 2015, alongside a range of non-consolidated one-off payments (dependant upon the SCP that the individuals are paid upon). The new pay award would cover the period of 15 months through until 31st March 2016.

Consultation between the Trades Unions and the Employers Side is currently ongoing, with both sides committed to conclude this process by 14th November, and with it anticipated that the outcome would be made available on 14th November or shortly afterwards. Subject to the package being agreed, the first consolidated one-off payment would be made to Council employees in December's payroll. Members queried the feasibility of this payment making the December payroll deadlines, with it confirmed that the deadline was tight but that staff were prepared for this eventuality.

It was explained that whilst this has no projected net impact on the Authority for this financial year, it has been estimated that there could be increased costs in 2015/16 of between £100,000 and £200,000 as a result of the anticipated pay increase. Due to the complexities of the calculations proposed and the payment of the Living Wage, it has been difficult to arrive at an exact costing, which would need to be factored into the Council's Medium Term Financial Plan.

Members were also updated on a recent awards ceremony for participants of the Council's Passport Programme. A number of awards were made to Passport graduates who had been nominated by their employers, colleagues or Passport Officers. The event was a huge

success, and was attended by the Minister for Education, along with other local MPs, AMs and dignitaries, and colleagues and families of the trainees. Attendees heard a number of positive and inspiring stories from the Passport graduates, and the event was a credit to the Council's staff involved in the running of the Passport Programme, and to managers providing placement opportunities to Passport trainees. Members were advised that the Council is continuing to seek fresh funding for the programme, having secured sufficient additional funding to March 2015.

Councillor G. Jones, Cabinet Member for Housing, then updated Members on progress against the Council's WHQS Programme. It was explained that there had been significant slippage with the Programme due to a number of reasons, which were detailed within a report to be presented at that evening's meeting. It was advised that the Cabinet Member would receive questions from Members on this matter following presentation of the report.

The Cabinet Member made reference to the forthcoming refurbishment of Rowan Place and responded to general questions regarding the process. He also informed Members of the success of the recent Transforming Lives and Communities Awards event, which is aimed at recognising those people who are helping to transform the lives of tenants and local communities.

Members were advised of the implementation of the new Housing (Wales) Act, with the key elements of the Act outlined to Members and with it explained that a number of duties and standards were expected of local authorities as a result of the introduction of the Act.

The Cabinet Member also referred to a recent complaint in respect of information provided on the 'Bedroom Tax', both on the Councils' website and advice provided by staff. Members were advised that as a result, the appeals booklet on the Council's website has been updated and staff reminded of the appropriate advice. The complainant has since been advised of the action taken and Members sought reassurance that the information will be kept up to date in future. Members asked if the response letter to the complainant could be shared with the Scrutiny Committee members, and were advised that authorisation would be required from the complainant beforehand.

7. CABINET REPORTS

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

REPORTS OF OFFICERS

Consideration was given to the following reports.

8. DRAFT FLEXIBLE WORKING POLICY AND PROCEDURE

Gareth Hardacre, Head of Workforce and Organisational Development, presented the report, which outlined an amendment to the Flexible Working Policy and Procedure, and sought Members' endorsement prior to its presentation to Cabinet for determination.

The report explained that current arrangements have allowed employees to make a series of temporary changes to their working patterns over consecutive years, resulting in employees working these revised patterns of work for many years. This has caused managers problems in planning the resources for their Departments as they may have a number of staff who are on temporary working arrangements. A need to amend the Flexible Working Policy and Procedure was therefore identified.

The amended policy, attached at Appendix 1, still permits employees to work flexibly either on a permanent or temporary basis, with the only change being that the temporary arrangement can only last for a maximum of 12 months, after which the employee will revert to their previous working pattern. However, an employee can then make a request to make a permanent change to their working pattern.

The revised Policy would apply to all employees except those covered by the JNC for Soulbury Officers and those employees where the school Governing Body sets the terms and conditions of employment for the school's employees. It was anticipated that the revised Policy would be introduced in November 2014.

Discussion of the report ensued and Members made reference to Appendix A of the Policy, which detailed procedure for dealing with requests to work flexibly. Officers clarified the process for making applications to work flexibly. Members also queried the impact that this Policy could have on Council staff employed as Carers, and Officers confirmed that this would be the subject of a separate report and policy which would be presented to the Policy and Resources Committee on 20th January 2015.

It was moved and seconded that the recommendations in the report be forwarded to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that the revised Flexible Working Policy and Procedure be adopted.

9. DRAFT DOMESTIC ABUSE, GENDER-BASED VIOLENCE AND SEXUAL VIOLENCE POLICY AND GUIDANCE FOR MANAGERS

The report outlined the revised Domestic Abuse, Gender-based Violence and Sexual Violence Policy and Guidance Notes for Managers and sought the views of Members prior to its presentation to Cabinet for determination.

The report explained that according to the Corporate Alliance Against Domestic Violence, 75% of those experiencing domestic abuse are targeted at work. Under current legislation, the Council has legal responsibilities in promoting the welfare and safety of all employees. The Council's current Policy and Guidance Notes were introduced in July 2005 and require review and updating.

In June 2014 the Welsh Government introduced the Gender-based Violence, Domestic Abuse and Sexual Violence Bill which proposed a duty on Local Authorities to publish strategies aimed at ending gender-based violence, domestic abuse and sexual violence. However, the duty to have a workplace policy, as proposed in the Welsh Government White Paper Consultation, was removed. The Bill is subject to scrutiny over the coming months and may be subject to change. During consultation of the Policy, the Council's Trade Unions advised that it should be gender-neutral, and following discussions with Welsh Government the term 'violence against women' was replaced with 'gender-based violence',

The revised Policy and Guidance Notes outline how the Council will respond where it becomes aware that an employee is a victim of domestic abuse/violence, including appropriate measures to safeguard the employee at work and support mechanisms available. The Policy and Guidance Notes also provide advice on: recognising the signs of domestic abuse and violence; asking questions of employees; ensuring employees' safety and referring to the appropriate support agencies; as well as dealing with employees who are perpetrators or alleged perpetrators of domestic abuse/violence.

It was explained that the revised Policy and Guidance Notes would be published on the HR Support Portal and the Wellbeing at Work intranet pages, with a training programme for managers developed and delivered. Members were informed that the review of the policy

would assist the Council in working towards the actions contained in the White Ribbon Campaign Award Action Plan.

Members discussed the report and concerns were raised regarding references within the Policy to conduct outside of work and possible disciplinary action against employees. Officers explained that each individual case encountered would be considered on its own merits. Concerns were raised regarding safeguarding procedures, and Members were referred to Section 22 which outlined confidentiality protocol and the Council's position on the sharing of information.

Links between this policy and other Council policies were outlined to Members, including that of the Council's Code of Conduct. Queries were also raised in regards to the numbers of affected employees, with it confirmed that this information was held by relevant agencies (although not the CCBC HR department) but was a matter that could be addressed in the future.

It was moved and seconded that the recommendations in the report be forwarded to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that the revised Domestic Abuse, Gender-based Violence and Sexual Violence Policy and Guidance notes be adopted.

10. DRAFT WHISTLEBLOWING POLICY

The report informed Members of the proposed revision of the Council's Whistleblowing Policy and sought their comments, prior to presentation of the report to Cabinet and thereafter Council.

The report also advised Members of a proposed change to the administrative form used to record declarations of interests. In that the form is an appendix to the Code of Conduct which is contained within the Constitution, such a change requires approval from Council.

It was explained that a Whistleblowing Commission was set up in February 2013 by the leading whistleblowing charity, Public Concern at Work, to review the effectiveness of whistleblowing in UK workplaces, and to make recommendations for change. In late November 2013 it published its findings, which included the recommendation that a Code of Practice be established that could be taken into account in whistleblowing cases before courts and tribunals. The Commission has published a draft Code which sets out clear standards for organisations across all sectors to enable them to have clear whistleblowing arrangements, and which was attached at Appendix 2 of the report.

Members were reminded that Council agreed in June 2013 to undertake a full review of the Council's Constitution, to be based on the new All Wales Framework document, with it envisaged that this would also include a draft whistleblowing policy that the Council would subsequently seek to adopt. For reasons previously reported, it has not been possible to adopt the All Wales Framework Constitution, and consequently the existing version of the Constitution has been thoroughly reviewed and updated. In order to strengthen governance arrangements in line with the response to the Wales Audit Office Corporate Governance Inspection, the Improving Governance Programme Board agreed that the revision and updating of the Whistleblowing Policy should be taken forward as a stand-alone issue.

Officers have worked with Public Concern at Work to access best practice guidance and support to develop a new Whistleblowing Policy reflective of current guidance and regulations. There is an ongoing facility provided for employees to access the confidential support helpline provided by Public Concern at Work, with the draft revised Policy written in plain English to encourage a wide understanding by employees.

The draft revised Whistleblowing Policy was attached at Appendix 1 of the report for Members' consideration and comments, with the existing Policy attached at Appendix 3 and the current Declaration of Interests Form attached at Appendix 4. It was advised that subject to approval of the changes by Cabinet and Council, the Monitoring Officer would then make the necessary amendments to the Council's Constitution.

During the ensuing discussion, Members made reference to the existing Policy regarding the listed contacts against Section 5 "Raising a Concern". Officers explained that this had been now updated within the revised Policy to refer to the post name rather than the post-holder name. A query was also raised in relation to External Regulators and occasions where staff might also have a duty to report concerns to these bodies. Members were advised that this process was covered in the Employee Code of Conduct and that details of External Regulators under the Public Interest Disclosure (Prescribed Persons) Order 2014 were contained within Appendix 1 of the revised Policy.

It was moved and seconded that the recommendations in the report be forwarded to Cabinet for consideration and thereafter Council for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) The contents of the report and the draft Whistleblowing Policy be noted and referred to Council for adoption, and that the Council's Monitoring Officer be authorised to make the necessary amendments to the Council's Constitution;
- (ii) The changes to the administrative form for the declaration of interests recorded by employees be noted and referred to Council for adoption, and that the Council's Monitoring Officer be authorised to make the necessary amendments to the Council's Constitution.

11. NATIONAL HOME IMPROVEMENT LOAN SCHEME

Councillor Miss E. Forehead declared a personal and prejudicial interest in that she intends to participate in the use of this Scheme, and left the room during consideration of the item.

Kenyon Williams, Private Sector Housing Manager, presented the report, which outlined a Welsh Government initiative that will afford local authorities the opportunity to take advantage of a new long-term loan scheme to fund interest-free Home Improvement Loans to private sector housing owners. The report also outlined changes to the funding mechanism for the current "Houses Into Homes scheme" and sought the endorsement of Members prior to its presentation to Cabinet.

It was explained that the new initiative would come into effect in January 2015 and offer interest-free long term loans to Local Authorities to provide a source of capital funding for those Authorities who wished to offer Home Improvement Loans to qualifying house owners. The loan to Local Authorities will be for a maximum 15-year period with Authorities making staged repayments in years 13-15.

Research undertaken on similar loan products suggests that the potential repayment default is around 5%, with it agreed by WG that this risk can be shared between themselves and participating Authorities, with WG committed to funding 50% of any shortfall up to a maximum of 2.5% of the overall loan made to the Authority.

Members were reminded of the Private Sector Housing Renewal Policy presented to the Committee on 15th April 2014, which referenced the National Home Improvement Loans Scheme and outlined the opportunities for additional capital funding, and had been endorsed by the Committee.

The report also outlined funding changes to the Houses Into Homes scheme, with it explained that a further £10m has been made available by WG to support the initiative. However, this additional capital is only available by way of a loan from WG, as opposed to WGs previous investment in the scheme that came regionally by way of a capital grant. Unlike the previous capital grant allocated to the region, future loan monies will be allocated to participating Authorities on an individual basis.

Discussion of the report ensued and Officers clarified to Members the grant-funded and loan-funded elements of the initiative and further details of the loan repayment terms.

It was moved and seconded that the following recommendations be referred to Cabinet for consideration. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) The Home Improvement Loan Scheme to form part of the Authority's Private Sector Housing Renewal Policy (as outlined in Option 2 of the report) be adopted;
- (ii) The Houses Into Homes Scheme continue to be operated, utilising both the capital grant funding element and also the loan funded element offered by Welsh Government (as outlined in Option B of the report).

12. 6-MONTH PROGRESS UPDATE OF IMPROVEMENT OBJECTIVES – CAERPHILLY PASSPORT PROGRAMME UPDATE

At the commencement of the meeting, in that it was anticipated that several of the agenda items would result in extended discussion, Members agreed the deferral of this report to the Special meeting of the Policy and Resources Scrutiny Committee on 8th December 2014, in order to allow proper consideration of the item.

13. PERFORMANCE MANAGEMENT IO5 – INVESTMENT IN COUNCIL HOMES TO TRANSFORM LIVES AND COMMUNITIES – 6-MONTH UPDATE

Phil Davy, Head of Programmes, presented the report, which provided Members with a 6-month update against Improvement Objective IO5 (Investment in Council homes to transform lives and communities).

Performance against the Improvement Objective to date was summarised, with an overview of key actions during the first six months of the financial year 2014/15 provided within the dashboard at Appendix 1 of the report. Although momentum has been maintained by Council staff, the overall Welsh Housing Quality Standard (WHQS) Programme scheduled for 2014/15 is now facing major slippage.

It was advised that this slippage is due to a number of factors, which were explained in detail to the Members present. These include; delays in the commencement of the internal works contracts, the decision to re-tender the external works contracts in the Upper Rhymney Valley, the curtailment of the small lots programme in the Eastern Valleys to a more manageable number of contracts, and surveying issues that have slowed the external works in the Lower Rhymney Valley. The impact of these factors has resulted in only 7.5% of the planned WHQS Programme 2014/15 being delivered in the first six months.

A revised programme has now been set for the remainder of the 2014/15 financial year to complete 1683 properties which reflects the number of works packages that will have been issued. The original target for completion was 3713 properties, which was presented to the

Caerphilly Homes Task Group in October 2014. Realistically the outturn position is more likely to be between 1200-1300 properties completed within the remainder of the 2014/15 financial year.

A review of the investment strategy is underway to address how the slippage can be absorbed over the remaining 5 years of the programme to ensure that the target completion date of March 2020 is still achievable. An acceleration of the programme is now required to incorporate the slippage from the current year, and there will be resource implications if the target date is to be achieved. A report on the WHQS Investment Strategy is due to be presented to the Caerphilly Homes Task Group in December 2014 and the Policy and Resources Scrutiny Committee in January 2015. Due to the programme slippage, it was projected that there will be an underspend of £11.35m for the Capital Programme for 2014-15.

The Head of Programmes acknowledged that there could be some disappointment and concerns regarding the current progress of the WHQS Programme as outlined in the report. Members were assured that the WHQS Team were working hard to address the situation, and the Council's commitment to delivering the WHQS Programme within the target completion date of March 2020 was reiterated.

Detailed discussion of the report ensued and queries were raised regarding the procurement process surrounding the re-tendering of the external works contracts in the Upper Rhymney Valley. It was advised that there had been a number of considerations regarding the original tender process, with conflicting pre-tender estimates and inconsistent pricing structures amongst the issues encountered, and subsequently the decision had been taken to start afresh and re-tender the external works contracts against a framework of contractors and a tender of actual works.

Discussion took place in regards to the original Savills stock condition survey undertaken in 2008, with the reliability of the survey queried by Members. Officers confirmed that because the stock condition was a 15% sample survey of council housing properties, this had led to significant variations across the county borough in the amount of improvement works required (such as Rowan Place, Rhymney, which required extensive improvement works).

It was queried as to whether it would be more cost-effective to disregard the survey findings and restart the process. Officers confirmed that whilst this idea had been considered, it had been advised that a 100% stock condition survey should be carried out, which would result in considerable additional costs in the region of £1m. Between 2008 and 2012 (the date of the transfer ballot), the Council continued to invest in improvements to the housing stock. The impact of this investment had resulted in 40% of the 13/14 planned programme already WHQS-compliant. This led to a budget saving which has offset other increased costs.

Discussion also took place on the survey of improvement works carried out by WHQS staff across council housing properties in order to bring them up to the Welsh Housing Quality Standard. Members were informed that as the current area-based project team approach has resulted in inconsistencies in service standards, the teams are undergoing reconfiguration to ensure a consistent approach to improvement works across the county borough and to make the accountabilities of managers clearer.

Members queried the target completion date of March 2020, and the Cabinet Member for Housing emphasised the Council's commitment towards delivering the completed WHQS programme by this date. It was recognised that there was significant work required in order to achieve this deadline, together with an increase in momentum, but that there was confidence that the target date of March 2020 was still achievable. Members queried the implications for the Authority if the WHQS programme was not completed by this date, with it explained that sanctions were unclear at this point in time, and that CCBC were confident that improvements would be completed by this target date, with a business plan outlining the WHQS programme to be submitted and scrutinised by the Welsh Government.

Officers outlined the current process relating to improvement works within properties, detailing the target timescale (20 working days per property) and the improvement works required. Members were advised of circumstances which could lead to these deadlines being extended, such as the level of improvement required (for example structural work). It was confirmed that there was only a small number of properties which did not meet this target of 20 working days.

Concerns were raised regarding the accelerated timetable of improvement works over the next financial year, with Members querying the achievability of the target of 90 properties per week, and seeking assurances that the target completion date would be met. Concerns were also raised in regards to the impact of the increased workload on the WHQS Team. Officers outlined how this target would be achieved, and provided a breakdown of improvement works, spread across internal and external works contracts and the small lots programme. It was explained that senior management within the WHQS Team had been strengthened to help drive performance.

The Head of Programmes also confirmed that progress on the programme of improvement works would be examined in Spring 2015, with the possibility of additional contractors and administrative support being recruited if progress levels did not significantly improve.

A query was raised in relation to the impact of the WHQS programme on leaseholders, with it explained that this only applied to a small number of council housing properties within the county borough. The consultation processes and the reimbursement arrangements in place between the Council and leaseholders surrounding improvement works was clarified by the Head of Programmes.

Members' attention was directed to a completed Performance Indicator action at Appendix 2 of the report relating to the carrying out of adaptations to meet specific needs of individual households. Members were pleased to note the positive comments and feedback received from tenants as a result of these adaptation works

Members noted the progress made in respect of Improvement Objective IO5 and the actions taken by Officers to address the situation. It was also noted that a further update report on the progress of the WHQS programme would be presented to the Policy and Resources Scrutiny Committee in the near future.

The Chair thanked the Cabinet Member and the Head of Programmes for their detailed responses received during the course of the discussion.

14. REQUESTS FOR REPORTS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

There were no requests for reports received.

Members noted that the Investment Strategy report on the Forward Work Programme (which was a follow-up to the report presented at the Special Policy and Resources Scrutiny Committee meeting on 24th September 2014 and was originally scheduled for presentation to the Committee on 20th January 2015) would now be presented at the Special Policy and Resources Scrutiny Committee meeting on 8th December 2014.

15. INFORMATION ITEMS

The Committee noted the following items for information, full details of which were included within the Officers reports. There were no items brought forward for review.

- (1) Capital Outturn 2013-14;
- (2) Treasury Management and Capital Financing Prudential Indicators Monitoring Report (1st April 2014 to 30th September 2014);

- (3) Discretionary Rate Relief Applications;
- (4) Caerphilly Homes Task Group Minutes – 18th September 2014;
- (5) Policy and Resources Scrutiny Committee Forward Work Programme.

The meeting closed at 7.33 pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 20th January 2015, they were signed by the Chair.

CHAIR