

Shadow Dorset Council

SHADOW OVERVIEW AND SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 8 JANUARY 2019

Present: Cllrs T Jones (Chairman), R Bryan, M Byatt, S Christopher, B Goringe, N Lacey-Clarke, J Sewell, J Somper and J Tanner

Apologies: Cllrs C Brooks, S Bartlett, K Brookes, S Gibson, R Nowak and M Wiggins

Also present: Cllr P Wharf

Officers present (for all or part of the meeting):

Matt Prosser (Chief Executive Designate), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer, Designate), Keith Cheesman (LGR Programme Director), Kate Critchel (Senior Democratic Services Officer), Mike Harries (Chief Executive - Dorset County Council), Nick Jarman (Interim Director for Children's Services), Lee Ellis (Scrutiny Officer), Mark Taylor (Group Manager - Governance and Assurance), Helen Coombes (Interim Transformation Programme Lead), Bridget Downton (General Manager, Planning & Community Services PDC) and Stuart C Dawson (Head of Revenues and Benefit DCP)

70. Declarations of Interest

There were no declarations to report.

71. Minutes

The minutes of the meeting held on 3 December 2018 were confirmed as a correct record and signed by the Chairman.

72. Public participation

There was no public participation to report.

73. Programme Highlight Report

The committee considered the latest Programme Highlight Report which set out progress since the last meeting of the Shadow Executive Committee on 17 December 2018. The Programme Director noted that overall progress remained at Amber. Work on the implementation plans continued, with theme boards making significant progress on developing the detailed service continuity plans.

The Programme Director reported the following key achievements since the last meeting of the committee.

- Draft constitution nearing completion following Member review, pending final minor outstanding items
- Finance Order now 'made' in law from 2/1/2019
- Transitional Structures plan ready to be launched into consultation in January
- A balanced budget proposal reviewed by Budget Working Group
- Council Tax Harmonisation approach agreed by the Ministry of Housing, Communities and Local Government
- Branding ready to launch
- Service delivery approach for eastern Dorset agreed
- 'Master list' of Dorset Council policies complete

And the senior leadership recruitment process was nearing completion.

The Programme Director also reported that there were challenges around the Data Disaggregation work which sought to identify, prepare and pass the case data and associated files from Dorset Council (DC) to Bournemouth, Christchurch and Poole Council (BCP). Work in this area was increasing in intensity to agree plans and approaches with the BCP Programme, but there was an issue with the availability of the detailed plans required by Dorset Council. This was being escalated within the programme structure in order that it was resolved urgently.

The committee noted that service delivery approach, accommodation arrangements and recruitment processes were all on track. In response to questions regarding data disaggregation, the Interim Transformation Programme Lead confirmed that if cases were not able to be transferred to BCP there would be an agreement between with two authorities that the DC would continue to hold that information until such time that it could be transferred. However there were many options and methodology available in order that disaggregation takes place in a timely manner. The Interim Transformation Programme Lead confirmed that on Day 1 information would be available in order that statutory responsibilities could continue to be fulfilled.

In response to a question about the use of Capita to deliver a fully connected set of financial systems, the Chief Executive confirmed that he was comfortable and content with the current proposals.

Members thanked the Programme Director for his comprehensive report and update.

74. Readiness of critical/key services

The Chairman welcomed officers who attended to respond to members key lines of enquiry regarding readiness of critical and key services. The Chairman highlighted the following key lines of enquiry:-

- (1) Clearly there was a risk during a period of significant stress that all will not go according to best hopes and plans.

- (2) Some services will be more affected than others by staff issues
 - a. Which are affected, and maybe have been for some time?
 - b. Which are affected by national issues e.g. shortages of staff with the required skills?
 - c. Which services are regarded as “at risk” because of the above?
 - d. Are there concerns about competition for staff between the two new Unitaries?
 - e. Are there any emerging signs of increased problems with recruitment and retention?
 - f. Are there any key time periods when they might emerge?
- (3) Apart from personnel are there any other areas which pose a risk to seamless service delivery?

In response to a question, the Chairman confirmed that these points of enquiry were circulated to members over the Christmas period. However they were not set in stone, but a prompt to enable and start a conversation.

The Chairman invited Cllr P Wharf to address the committee as the Lead of the HR Work stream. Cllr Wharf asked members to be content that the work stream and highlighted that officers had taken these matters seriously. He reported on progress of the process, but could not necessarily share staff structural or functional details at this time.

In discussions with key officers the following information was shared or comments were made:-

- That many staff were doing the day job as well as preparation work for Day 1
- The HR work stream was working closely and constructively with Unions
- Although this was a challenging time, it was also exciting and opportune for individuals.
- In respect of Place; there were difficulties in recruiting Environmental Health officers, however nationally there were shortages in this area and this included Building Control, Planning plus some housing posts. This was not an exclusive Day 1 issue, but a common challenge for many local authorities.
- There was also a local training programme and a healthy apprenticeship scheme in place.
- In respect of People; for Children and Adults, it was expected that Adult Social Care for Day 1 Dorset would be in a stronger position than many of the surrounding areas. Vacancies would be at a manageable number.
- There was a clear transition plan in place for the TUPE arrangements for staff to transfer to the BCP Council.
- Dorset and neighbouring councils working were together to ensure that no employment destabilising took place.
- In respect of Children services; Dorset was in a better position compared to other local authorities, in relation to vacancies.

- Children services would have a stable workforce in place as the job was attractive, not just financial but offered manageable caseloads compared to the national average.
- Members recognised that this was an uncertain time and that officers were busy in preparation for Day 1 to be safe and legal.
- It was agreed that the committee needed not to put unnecessary pressure on officers at this time.
- In response to a comment, Graduate training schemes were being considered for the new Council
- Cllr P Wharf advised that he was meeting with the LGA to learn more about accelerated graduate schemes.
- It was noted that arrangements were not perfect but on track for Day 1
- In respect of IT, there were some issues, but these were not concerns for being Day 1 ready.
- Multiple IT systems would continue for Day 1 to ensure the systems and processes did not fall down
- Payroll – would be ready, but any risk had been anticipated and prepared for.

In summing up the debate, members noted the following:-

- It was important to consider how the new authority would retain staff in the future to ensure that it was an employer of choice for the 21st Century
- Ensure that staff continued to grow and develop within the organisation
- Current shortages of staff primarily reflected the national position
- Ensure that staff were not poached by neighbouring councils
- Must ensure that critical services did not fall down
- That a short benchmark report be presented to the Shadow Executive Committee to ensure the committee's comments and concerns were highlighted.

Members took the opportunity to thank officers for their attendance at the meeting.

Decision

- (a) That Cllr P Wharf prepare a short report setting out the committee concerns and comments regarding readiness of critical/key services to be presented to the March meeting of the Shadow Executive Committee.

75. **Local Council Tax Support Scheme**

The Head of Revenue & Benefits (DCP) presented a report setting proposals for Local Council Tax Support scheme (LCTS) for Dorset Council.

As part of the LGR discussions with the Ministry of Housing, Communities and Local Government (MHCLG) it was agreed that the Council would be allowed up to two years to agree an aligned LCTS scheme. This was in recognition

that significant resources would be utilised to successfully implement the new Unitary Council and that there may not, initially, be the capacity to support the creation of an aligned scheme.

However, members were advised that officers were of the view that there was the capacity within existing resources to create an aligned LCTS scheme from 1 April 2019. The report considered the benefits of having an aligned scheme for 2019/20 and the opportunities that this would bring to help reduce customer confusion and local authority administration. A consultation exercise had taken place with customers and stakeholders.

In presenting his report and in response to comments from Councillors outside of the meeting, the Head of Revenue & Benefits reported the following amendments to his report.

1. Appendix 2- Existing LCTS schemes (pages 25 and 26 of the agenda) needed to be amended for EDDC and NDDC so that the section headed "*Who is protected under the scheme?*" Reads:-

Pensioners

Those receiving:

Disability Premium, Enhanced Disability Premium, Severe Disability Premium, Carer Premium, Disabled Child Premium, The Support Component within their Employment Support Allowance

Those in receipt of War Disablement Pension, War Widows Pension or War Widows Disablement Pension

Universal Credit recipients, who are not pensioners, but the applicant or their partner is in receipt of an income or premium listed above.

2. Appendix 3 – LCTS Options (pages 27 and 28 of the agenda) needed to be amended for Option B so that part was amended to:-

Option B - aligned scheme with a maximum support for those of working age (not protected) limited to 90%

Under this option, the Dorset Council CTS would be aligned as follows:

- The scheme would be means tested and similar to the old Council Tax Benefit scheme (where appropriate)
- Protection would be provided to the following types of claimant:
 - Pensioners
 - Those where the applicant (or partner) are receiving:
 - Disability Premium, Enhanced Disability Premium, Severe Disability Premium, Carer Premium, Disabled Child Premium or the Support Component within their Employment Support Allowance

- Disability Living Allowance or Personal Independence Payment but are not in receipt of one of the premiums mentioned above
 - Those in receipt of War Disablement Pension, War Widows Pension or War Widows Disablement Pension
 - Universal Credit recipients, who are not pensioners, but the applicant or their partner is in receipt of an income or premium listed above.
- The maximum entitlement for protected claimants would be 100%
- The maximum entitlement for those claimants who are not protected would be 90% (based on Council Tax liability)
- The scheme would provide support for those that have a second adult living with them who is on low income (Second Adult Rebate)
- The scheme would not include a limit on the lowest amount given
- The maximum period of backdating that can be awarded is 1 month. (This links with the rules relating to Housing Benefit and should help reduce customer confusion)
- A Family Premium will not be applied in the award calculation if it relates to a new claim or a new family from 1 April 2017. (Also links to the rules relating to Housing Benefit and should help reduce customer confusion)
- If the claimant is temporary absent from the UK up to 4 weeks would be awarded (subject to conditions). However, up to 52 weeks would be awarded if the absence relates to a bereavement, or the claimant receiving medical care, etc. (Again, this links with the rules relating to Housing Benefit and should help reduce customer confusion).
- If the claimant is receiving Universal Credit (UC), CTS would be awarded for a period of 6 months and calculated on an estimated UC average income for that period. The period would come to an end if UC was no longer in payment. Additionally, the claimant would be entitled to ask for a review of their entitlement, during that period, if their circumstances had significantly changed.

The committee was asked to consider 3 options set out within the report Option A, the status quo, Option C, aligned scheme with a maximum support for those of working age (not protected) limited to 85% and Option B, aligned scheme with a maximum support for those of working age (not protected) limited to 90%.

Members were advised that Option B was an aligned scheme where everyone would be treated consistently regardless of where they lived in the Council area and help those on UC to budget more easily. Although these amendments addressed some of the committees concerns, members sought further assurance regarding the following:-

Foster Carers allowance
Impact on Kinship Carers
Effect on Seasonal workers, for example tenant farmers
Separated couples

It was suggested that any councillor that had detailed concerns should report them to the Scrutiny Officer by 16 January 2019 in order that these issues could be considered by the Chairman of the Finance Work Stream and Section 151 Officers prior to the report and recommendation being considered by the Shadow Executive Committee on 11 February 2019. The final decision would be made by the Shadow Dorset Council at its meeting on 20 February 2019.

Overall, subject to those detailed concerns set out above being addressed most members of the committee supported Option B as the fairest scheme proposed, however it was recognised that the council needed to ensure that the most vulnerable members of the community were protected and supported.

Cllr N Lacey-Clarke proposed that Option B be adopted as the LCTS scheme for Dorset Council but **with a maximum support for those of working age (not protected) limited to 91.5%**. This was seconded by Cllr J Somper.

In making the recommendation Cllr Lacey-Clarke felt unable to support a reduction in support whilst council tax was likely to increase in some areas.

Upon being put to the vote the motion was carried.

Recommendation to Shadow Executive Committee

That the Shadow Overview & Scrutiny Committee supports Option B be adopted as the LCTS scheme for Dorset Council but **with a maximum support for those of working age (not protected) limited to 91.5%**.

76. Shadow Overview and Scrutiny Committee Work Programme

The Scrutiny Officer advised members that a special meeting of the committee would be held on 21 January 2019 to consider the Budget for 2019/20. The next scheduled meeting of the committee was due to be held on 4 February 2019; the recommendation regarding the committee's "Call to Account" would be reported the Shadow Executive Committee in due course.

77. Urgent items

There were no urgent items.

Duration of meeting: 6.30 - 8.20 pm

Chairman

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