



Policy and Performance - Transformation and Resources Committee

Date:	Wednesday, 15 July 2015
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST / PARTY WHIP

Members are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

Members are reminded that they should also declare whether they are subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

2. MINUTES (Pages 1 - 8)

To approve the accuracy of the minutes of the meeting held on 30 March, 2015.

3. LOCAL WELFARE ASSISTANCE SCHEME SCRUTINY REVIEW (Pages 9 - 34)

4. INTERIM REPORT ON RECONFIGURATION OF LIBRARY SERVICE (Pages 35 - 42)

5. ASSET MANAGEMENT UPDATE (Pages 43 - 48)

6. PERFORMANCE APPRAISAL (Pages 49 - 52)

- 7. HUMAN RESOURCES POLICY UPDATE (Pages 53 - 74)**
- 8. POLICY BRIEFING PAPER (Pages 75 - 92)**
- 9. DIRECTORATE PLAN PERFORMANCE MANAGEMENT REPORT
(Pages 93 - 108)**
- 10. WORK PROGRAMME UPDATE (Pages 109 - 112)**
- 11. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

POLICY AND PERFORMANCE - TRANSFORMATION AND RESOURCES COMMITTEE

Monday, 30 March 2015

Present: Councillor J Williamson (Chair)

Councillors P Doughty J Walsh
M Daniel I Williams
R Gregson A Sykes
M Patrick T Anderson
C Muspratt T Pilgrim
L Reecejones P Gilchrist

Deputies: Councillors G Ellis (In place of B Berry)
S Williams (In place of K Hodson)

In attendance: Councillor A Jones

26 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST / PARTY WHIP**

Members were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

Members were reminded that they should also declare whether they were subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

No such declarations were made.

27 **MINUTES**

Members were requested to receive the minutes of the meeting of the Transformation and Resources Policy and Performance Committee meeting held on 4 February, 2015.

Resolved – That the minutes of the meeting of 4 February, 2015 be approved.

28 **DIRECTORATE PLAN 2015/16**

The Head of Financial Services presented the report of the Strategic Director of Transformation and Resources with the 2015-16 Directorate's Plan for the

Committee's consideration. The plan identified the activity that would be delivered in order to meet the Corporate Plan priorities, and included appropriate measures of success that could be monitored and reported upon throughout the period of the plan.

The plan would be subject to regular monitoring and review by the Directorate's management team with regular reports presented to the portfolio holders. A quarterly report would be presented to the Policy & Performance Committee to consider and identify areas to review and scrutinise in more detail. The Plan gave details of ten key projects which the directorate delivered or contributed to.

Responding to comments from Members the Head of Financial Services stated that the reference to reconfiguration of the library service was in relation to the presently agreed saving. The Head of Business Processes also responded to Members' questions and made a number of comments, including:

- Discussions were under way with library user groups, or due to be arranged in respect of libraries opening for activities or groups outside of the new opening hours. He would, in consultation with the Library services Manager, expedite arrangements for a meeting with the Hoylake Library user groups.
- A number of library staff had applied for EVR or voluntary severance and a small number of staff had already had agreement to leave, though more decisions were due to be taken in the coming weeks over how many more staff could be released.
- He acknowledged that there had been teething problems with the new rotas for staff as no member of staff had had their hours changed but he was confident of making the Community Library savings agreed by the Council.
- It was a target to make sure no library should have to close due to staff sickness, although this had happened in recent weeks but he was confident these issues would be settled over the coming weeks. There was a balance to be struck between the issuing of enough keys to staff to make sure this happened and not having too many sets of keys leading to an increase in risk.
- There had been a fairly complicated plan in place for the reconfiguration of the library service to try and cover most eventualities, any immediate shortfalls were identified and responded to. A six month review would be undertaken and he would be happy to bring back an interim report to the next Committee meeting.

A Member also suggested that the Library Review may be a piece of work a Task and Finish group could look at in the new municipal year.

With regard to the Council's Customer Access Strategy, the Head of Business Processes elaborated upon those services which were easier to make available online and those which were problematic. Housing benefit applications for example had to be completed on a 32 page form, which was not easy to reproduce online.

He also gave details on the five strands which would be incorporated into the new Transaction Centre, payroll and payments, business support, customer transactions, revenues and benefits. The customer transaction centre would enable savings in staffing costs to be made with more automated telephone responses. There was a need, however, to balance this with the need for some customers also to be able to talk directly to a human being. The idea of a webchat or webhelp facility was also being looked into.

He further reported that as from 2 April, no cashier facility would be available and the Council would not be taking any more cash payments, people would be directed to either a post office or a paypoint facility in a local shop where they would be able to pay cash.

With regard to the savings identified for 2015/16 in the financial planning section of the Plan, the Head of Financial Services stated that the reference to 'Reduce the Cost of Democracy - £130,000' should in fact read, 'Reduce the Cost of Democracy and External Audit Fees' and £100,000 of this saving would be through the reduction in the audit fees element of this.

Resolved – That the Committee agrees to use the information contained within the directorate plan to inform its future work programme and that an interim report on the reconfiguration of library services be brought to the next meeting of the Committee.

29 **DIRECTORATE PLAN PERFORMANCE MANAGEMENT REPORT**

The Head of Financial Services introduced a report which outlined the current performance of the Department (as at 31 January, 2015) against its Directorate Plan for 2014/15.

The report also included appendices with exception reports on those seven items which had been 'red' rated for non-compliance against the specified target. The seven measures rated red were:

- Percentage of implementation of Windows 7 and Office 2010 (TRCP01)
- Percentage of Performance Appraisals completed (TRCP03)
- Percentage of suppliers paid (or payment terms) within 30 days (TRDP06)
- Percentage of local SME suppliers paid within 10 days (TRDP07)
- Reduction in the total number of published supplementary agendas for Council, Cabinet and Committee meetings (TRDP10)

- Percentage of Leadership Development Programmes completed (TRDP11)
- Percentage of Management Development Programme modules completed (TRDP12)

The Head of Financial Services elaborated upon the reasons for these poorer performing measures and the actions being taken to improve them.

Members expressed particular concern at the poor performance of the Performance Appraisals (TRCP03) measure, the margin of non-compliance and the detail and effectiveness of the corrective actions as Members had expressed concerns throughout the year over performance.

In response to Members' comments, the Head of Financial Services stated that the Directorate was aware of the issues regarding the poor performance on Performance Appraisals completed. This was a Council-wide requirement that was reported by Human Resources and the Strategic Leadership Team had acknowledged the poor corporate performance for 2014/15. The Appraisals process had been reviewed for 2015/16 and this included plans for these to be completed by the end of August, 2015.

There were questions on employees leaving the Council and the level of consultation over the changes within the Council. In response Members were advised that employees and Trade Unions were engaged throughout the consultation process over changes through re-modelling and restructuring and those leaving would have had an exit interview.

Concern was also expressed at the measure on the Management Development Programme (TRDP12) and the need to know what modules managers were expected to undertake and what modules had been completed. It was also suggested that to see progress made from previous years comparative data should be provided.

The Head of Financial Services stated that performance for 2014/15 did not reflect those who had completed the modules in previous years. The module requirements had been reviewed. To increase compliance and reporting in 2015/16 the requirements were being incorporated within the revised performance appraisal process.

It was requested that information be provided to Committee on the modules that were included in the Development Programme and the numbers of managers who had completed the modules.

The Head of Financial Services suggested that it might help Members if the Head of Human Resources reported to Committee in July on the Performance Appraisal process for 2015/16. It was agreed that this should include the Appraisal format and the performance to date in 2015/16.

With regard to the indicator TRDP10, and a reduction in the number of published supplementary agendas, the Head of Legal and Member Services stated that one of the actions being taken to improve this performance was the implementation during the next municipal year of 'reports management' through the Mod.Gov system so that all reports would be generated through this system thereby imposing greater discipline on report authors to meet deadlines.

Resolved –

(1) That a note be provided to all Committee Members on the modules in the Management Development Programme and the number of managers who had completed the modules.

(2) That with regard to Performance Appraisals a comprehensive report be provided for the next meeting of the Committee and presented by an officer from Human Resources.

30 **FINANCIAL MONITORING 2014/15**

The Head of Financial Services introduced a report which set out the financial monitoring information for month 10 (January 2015) in respect of the budget performance for the Transformation and Resources Directorate. The report gave details of performance against revenue and capital budgets and in year efficiency savings for 2014/15.

He gave details of the three savings which were red rated:

- Libraries and One Stop Shops - savings were initially predicated on revising opening hours, introducing lone working with support from volunteers and / or agile workers. These measures had yet to be introduced, but compensatory savings, primarily from vacant posts had been found. Cabinet and Council had, in December, 2014, agreed further proposals for future service provision and the undelivered savings would be implemented alongside these.
- Discretionary Relief – Cabinet, on 6 November 2014 had agreed to fund a Discretionary Relief scheme from the Business Rates Equalisation Reserve releasing budget.
- Credit Card Charges – Implementation of this charge on credit card transactions had been delayed.

He updated the Committee on the latest forecast underspend of the revenue budget as at the end of January, 2015 which was £759,000 and elaborated on the measures in place to address those savings which were red rated.

Resolved – That the report be noted.

31 WORK PROGRAMME UPDATE

The Committee considered a report from the Chair which updated Members on the current position regarding the Committee's work programme.

At the previous Committee of 4 February, it was agreed that the Task and Finish Review on the Local Welfare Assistance Scheme should recommence. Furthermore, Cabinet had agreed, at its meeting on 10 February, 2015 the following budget resolution:

"This fund provides financial assistance to people in dire need. The government transferred responsibility for administering this from DWP to the Council together with a grant of £1.1m. The government announced that this grant was being cut with effect from March 2015. The Council has £600,000 in a reserve for this fund. Cabinet intends to make this available together with the anticipated underspend in 2014/15 of £300,000 to create a fund totalling £900,000 available in 2015/16. This will provide a local scheme to fill the gap left by the government's unwillingness to assist the most vulnerable in our communities. It is proposed that the 2014/15 policy be continued until the end of July 2015. In the interim, Cabinet asks the Scrutiny Review Group which has been set up to look at this fund to meet in order to make recommendations as to how this resource should be allocated."

The Panel had convened on 25 February, for the scoping meeting for the review, with one of the outcomes being that the review would be carried out in a single evidence session over the course of a full day. It was also agreed that representatives from a small number of organisations would be requested to attend the evidence session to enable the Review Panel, at its meeting on 9 April, to arrive at its findings and recommendations. The Panel's final report would be referred to Cabinet in June for consideration of the recommendations made. To avoid an additional committee meeting being scheduled for the purpose of approving the final report, the Chair, Party Spokespersons and Members of the Review Panel had agreed that this Committee should be requested to delegate authority to the Review Panel to refer the final agreed report to Cabinet.

With regard to the Freedom of Information Scrutiny Review, which was completed in April 2014, the Committee received an update on the recommendations of the Review in an appendix to the report.

Responding to Members' comments the Head of Legal and Member Services acknowledged that he would report back to the Committee on progress with the recommendations, and although nominations for departmental champions had been made they were not all in post yet, this would be completed after Future Council remodelling was complete. The FOI team was providing support and assistance to potential champions. There were some technical

difficulties in managing and tracking FOI requests made via the “Whatdotheyknow” site and the Council’s CRM system. Alternative IT solutions were being explored.

Performance in responding to FOI requests within the required timescale was, over at least the last eighteen months, consistently above the 85% target, apart from one month in December 2014, when it dipped to 84% which was principally due to the unpaid leave closedown. The number of requests being made was on average 140 – 150 a month, costing the Council approximately £7,000 a week to deal with (which was the sum reported when the FOI Review was undertaken). Work was continuing on making the Council’s Website more user friendly and transparent so that as much information requested through FOI’s was readily available and accessible.

Resolved –

- (1) That the work programme for 2014/15 as shown in the appendix to the report be approved.**
- (2) That the Terms of Reference of the Local Welfare Assistance Task and Finish Review Panel be varied and that the Panel be given delegated authority to refer the final report directly to Cabinet.**

32 **VOTE OF THANKS**

The Chair thanked all the Members of the Committee for their work over the past municipal year and the officers who had supported the Committee in its work. Members thanked the Chair for her work in chairing the Committee over the past municipal year.

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WIRRAL COUNCIL

TRANSFORMATION AND RESOURCES POLICY & PERFORMANCE COMMITTEE

15 JULY 2015

SUBJECT:	LOCAL WELFARE ASSISTANCE SCHEME SCRUTINY REVIEW
REPORT OF:	THE CHAIR OF THE SCRUTINY REVIEW PANEL

1.0 EXECUTIVE SUMMARY

- 1.1 This report provides background information regarding the report of the Local Welfare Assistance Scheme Scrutiny Review which was referred to Cabinet for consideration of the recommendations made.
- 1.2 The final report of the Scrutiny Review is attached as **Appendix 1**.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Direct funding has now been withdrawn by central government effective from 1st April 2015 for local welfare assistance with the recommendation that Local Authorities should consider funding schemes from their general fund.
- 2.2 On 10th February 2015, Cabinet agreed as part of its budget resolutions that £900,000 would be held in a reserve for this fund following the Government's decision to withdraw direct funding effective from April 1st 2015. The following minute was recorded.

“This fund provides financial assistance to people in dire need. The government transferred responsibility for administering this from DWP to the Council together with a grant of £1.1m. The government announced that this grant was being cut with effect from March 2015. The Council has £600,000 in a reserve for this fund. Cabinet intends to make this available together with the anticipated underspend in 2014/15 of £300,000 to create a fund totalling £900,000 available for 2015/16. This will provide a local scheme to fill the gap left by the government's unwillingness to assist the most vulnerable in our communities. It is proposed that the 2014/15 policy be continued until the end of July 2015. In the interim, Cabinet asks the Scrutiny Review Group which has been set up to look at this fund to meet in order to make recommendations as to how this resource should be allocated.”

- 2.3 A Task & Finish Review Panel consisting of six Members was established, including Councillors Janette Williams, Tom Anderson, Phil Gilchrist, Paul Doughty, Mathew Patrick and Joe Walsh. At the scoping meeting for the review, it was agreed by the Review Panel that Councillor Janette Williams would be the Chair of the Review Panel.

2.4 To avoid an additional Transformation and Resources Policy & Performance Committee meeting being scheduled for the purpose of approving the final report, this Committee agreed a recommendation at the meeting held on 30th March 2015 to give delegated authority to the Scrutiny Review Panel to refer the final agreed report to Cabinet.

3.0 EVIDENCE GATHERING AND REPORT

3.1 An evidence day was conducted on 9th April 2015 as the approach to carry out the Scrutiny Review and the Review Panel met with a range of witnesses, including Council officers and representatives from a number of third sector organisations. Appropriate information was also requested by the Review Panel to help develop the recommendations made in the final report.

4.0 REFERRAL TO CABINET

4.1 The final report was referred to the Cabinet meeting held on 29th June 2015 and the Cabinet resolutions will be shared with Members at this Committee meeting.

5.0 RECOMMENDATIONS

5.1 Members are requested to note the contents of this report and the Local Welfare Assistance Scheme Scrutiny Review Report.

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**LOCAL WELFARE ASSISTANCE SCHEME
SCRUTINY REVIEW**

A report produced by
**THE TRANSFORMATION AND RESOURCES
POLICY & PERFORMANCE COMMITTEE**

*June 2015
FINAL REPORT*

WIRRAL COUNCIL
LOCAL WELFARE ASSISTANCE SCHEME
SCRUTINY REVIEW
FINAL REPORT

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1. INTRODUCTION

As part of the Transformation and Resources Policy & Performance Committee's work programme, Members agreed to undertake a Task & Finish Scrutiny Review of the Council's Local Welfare Assistance Scheme following news that there would be no further funding from central government from 1st April 2015. As the Local Welfare Assistance Scheme provides awards to people who are in severe need, this contributes to meeting the corporate priority of protecting the vulnerable in Wirral.

On 10th February 2015, Cabinet agreed as part of its budget resolutions that £900,000 would be held in a reserve to determine how this should be allocated after the current scheme expires at the end of July 2015. A scoping meeting for the review was convened on 25th February with an evidence day held on 9th April to inform recommendations to Cabinet.

An Executive Summary of the findings follows, together with the recommendations arising from this Review. The Report then sets out the background to the original brief, as well as the methodology adopted for gathering the evidence. This is followed by the main body of the Report which details the key findings and recommendations of the Task & Finish Panel Members.

2. EXECUTIVE SUMMARY AND RECOMMENDATIONS

Local authorities no longer receive direct central government funding for local welfare assistance, effective from 1st April 2015. In February 2015, Cabinet agreed that the £600K underspend from 2013/14 and the anticipated £300K underspend from 2014/15 would be held in a reserve for this Task and Finish Review Panel to make recommendations on how the resource should be allocated for 2015/16.

This review is a good example of pre-decision scrutiny which was undertaken through an evidence day. The Review Panel not only engaged with relevant Council officers but with representatives from WIRED, Energy Projects Plus, Citizens Advice Bureau and Wirral Foodbank to help inform the recommendations made in this report. The Review Panel took the opportunity to learn how Wirral Council administered the scheme, including the determination and provision of awards made, and analysed a number of information sources presented during the evidence day.

As Members considered all the evidence and findings, it became evident that the most appropriate option would be for Wirral Council to continue to administer the scheme. The Review Panel was complimentary of how Wirral Council has been delivering the scheme since 2013, and in particular, the thoroughness of the application assessment process with access to Benefit and Council Tax records which only the Council has access to. It was generally felt that if the scheme was to be made more stringent, the Council would be best placed to administer it and to ensure that there was no significant service disruption to the scheme, impacting the immediate provision of awards to people who are in crisis.

A proposal by officers to continue to administer the scheme - potentially up to April 2017 - was endorsed by the Review Panel. This proposal allows food and fuel, considered as the priority areas, to be provided for whilst decreasing what is spent on white goods. The British Gas Energy Trust has funding for people in crisis and access to this fund is through Energy Projects Plus as an organisation who delivers the Trust's scheme. The Trust can help clear fuel debts as well as provide financial assistance for white goods. To reduce the Council's expenditure on white goods, it was proposed that referrals for washing machines could be made to Energy Projects Plus to access funding from the British Gas Energy Trust. The rationale for this is that awards for washing machines account for the biggest expenditure in terms of item and overall cost.

The Review Panel was also keen to refer applicants who have been identified as having a fuel debt along with any other application for white goods that did not meet the Council's Local Welfare Assistance Scheme criteria. Additionally, the Review Panel learned that emergency utility credit awards are also available to British Gas customers. Referrals are made by Energy Projects Plus and other organisations to customers of British Gas who have a financial crisis and specific health needs.

Recommendation 1

The Review Panel recommends that Wirral Council continues to administer and maintain the Local Welfare Assistance Scheme with the remaining budget available in line with the officer proposal but with consideration to:

- i) Reviewing and redefining what items constitute an essential need with a view to excluding them from the scheme or reducing the circumstances in which they are provided;*
- ii) Excluding washing machines as an award provided from the scheme directly, except in exceptional circumstances, and referring these applications to Energy Projects Plus; and*
- iii) Referring applications for white goods which have been assessed as not meeting the Council's criteria and where a potential fuel debt issue has been identified to Energy Projects Plus.*

Recommendation 2

The Emergency Utility Credit which is available to British Gas customers who have fallen into debt and are on prepayment meters should be effectively promoted by the Council. Applicants identified through the Local Welfare Assistance Scheme as being eligible should be signposted to Energy Projects Plus for an assessment and application to be made.

The evidence day included discussions with Trustees from Wirral Foodbank, a charity providing emergency food for people in crisis. It was proposed that Wirral Council could reduce the maximum number of days' award for essential food from seven to four and refer applicants to Wirral Foodbank for the remaining three days. As the Council would be increasing the number of referrals for essential food, the Review Panel considered that a small donation to Wirral Foodbank could be made from the scheme's budget to help cover its operational expenses.

Recommendation 3

Officers should explore the feasibility of referring successful applications for essential food to Wirral Foodbank, or any identified food bank that can service all of Wirral, with an appropriate donation being made from the remaining budget to help cover some operational costs. The Review Panel suggest that how this is achieved should be determined by officers to ensure that actual benefits can be identified and delivered and to ensure that the Council's Contract Procedure Rules are complied with.

The Review Panel did not have any significant concerns regarding take up of the scheme but did acknowledge comments made by the Operations Manager for the Citizens Advice Bureau that some of their clients' awareness of the Local Welfare Assistance Scheme was by 'word of mouth'. Additionally, the Review Panel acknowledged comments made that there may be some confusion conveyed by the DWP in relation to the number of awards that can be made from the scheme. As such, the Review Panel recognised that it would now be beneficial to review how the scheme can be effectively publicised from August 1st 2015 should the scheme be extended and amendments made.

Recommendation 4

Publicity and communication plans should be reviewed to ensure there is take up and understanding of the scheme from all those who need it. This should include a broadcast to partner agencies to provide an update on the key aspects of the scheme from 1st August 2015.

If the existing scheme is maintained and is consistent with the office proposal, the Council is faced with the prospect of not having any direct funding for local welfare assistance from 1st

April 2017. The Review Panel considered that it would be beneficial to undertake a further Task & Finish Scrutiny Review of the scheme in 2016. This review could consider making recommendations to amend the scheme to enhance the lifetime of the budget, consider potential options to continue the provision of local welfare assistance in the longer-term and identify any additional funding or grants that are accessible.

Recommendation 5

Cabinet is requested to support a further review of the Local Welfare Assistance Scheme as part of the Transformation and Resources Policy & Performance Committee's work programme for the 2016/17 municipal year. The objective of the review would be to identify any strategies for providing local welfare assistance once the budget set aside for local welfare assistance has been depleted.

The Review Panel considers that funding for local welfare schemes is vital in providing crucial support to communities, specifically to those people who are most vulnerable and are suffering through crisis. The Review Panel is opposed to the Government's decision to withdraw direct funding to provide support for those who need it.

Recommendation 6

That Cabinet lobbies Central Government against the withdrawal of Local Welfare Assistance Funding from April 2015 and the impact that this has on local communities.

3. MEMBERS OF THE TASK & FINISH GROUP

Councillor Janette Williamson (*Chair*)



CHAIR'S PERSONAL STATEMENT

I would like to thank the members of the Review Panel who participated in this Task and Finish Scrutiny Review. I felt this was a really important piece of work to undertake, especially as the funding for the Local Welfare Assistance Scheme has now ceased. I feel that the Review Panel has identified a number of ways of maximizing what funding is left in order to help as many vulnerable residents as possible.

I would like to thank the representatives from Citizens Advice Bureau, Wirral Foodbank, WIRED and Energy Projects Plus for their attendance and expert knowledge. I would also like to thank Council officers involved in the Scrutiny Review including Malcolm Flanagan, Head of Business Processes, Trish Hughes, Operational Manager and Wendy Neil, Team Leader, for all their hard work in making this an informative and valuable piece of scrutiny work.

Other Panel Members were:

Councillor Tom Anderson



Councillor Phil Gilchrist



Councillor Matthew Patrick



Councillor Paul Doughty



Councillor Joe Walsh



4. BACKGROUND AND ORIGINAL BRIEF

The Local Welfare Assistance Scheme has been in place for two years since 1st April 2013 following the abolition of the Social Fund. The Department for Work and Pensions had previous responsibility for administering the Social Fund. From April 2013, the discretionary Crisis Loans for Living Expenses and Community Care Grant elements of the Social Fund administered by the Department for Work and Pensions were abolished. All local authorities were subsequently given funding to develop and administer their own schemes for Local Welfare Assistance.

Direct funding has now been withdrawn by central government effective from 1st April 2015 with the recommendation that local authorities should consider funding schemes from their general fund. Additionally, the government has informed Wirral Council that its indicative sum for the provision of local welfare support expenditure is £1.1M.

On 10th February 2015, Cabinet agreed as part of its budget resolutions that £900,000 would be held in a reserve.

“This fund provides financial assistance to people in dire need. The government transferred responsibility for administering this from DWP to the Council together with a grant of £1.1m. The government announced that this grant was being cut with effect from March 2015. The Council has £600,000 in a reserve for this fund. Cabinet intends to make this available together with the anticipated underspend in 2014/15 of £300,000 to create a fund totalling £900,000 available for 2015/16. This will provide a local scheme to fill the gap left by the government’s unwillingness to assist the most vulnerable in our communities. It is proposed that the 2014/15 policy be continued until the end of July 2015. In the interim, Cabinet asks the Scrutiny Review Group which has been set up to look at this fund to meet in order to make recommendations as to how this resource should be allocated.”

The Scope Document for the Scrutiny Review is attached as **Appendix 1** to this Report.

5. METHODOLOGY FOR THE REVIEW

An evidence day was conducted on 9th April 2015 as the approach to carry out the scrutiny review and a number of methods were used to gather evidence. This included a question and answers session with key officers from the Council, including the Head of Business Processes, The Housing Benefit Operational Manager and the Processing Group Team Leader. The emphasis was on understanding the context of the Local Welfare Assistance Scheme and to discuss potential options on how the £900k fund could be used to deliver local welfare assistance from August 1st 2015 when the current scheme expires.

To facilitate this, a number of information sources were provided to the Review Panel which included a breakdown of applications to the scheme, a breakdown of awards made against specific categories, details of award expenditure and the costs to administer the scheme.

A number of representatives from key third sector organisations were also invited to the session to help inform the Review Panel to make recommendations moving forward. These organisations work directly with people who are vulnerable or suffer through crisis and were considered by the Review Panel to be able to contribute to this review.

These organisations were:

- Citizens Advice Bureau (Operation's Manager)
- WIRED (Executive Officer)
- Energy Projects Plus (Chief Executive)
- Wirral Foodbank (Project Manager and Trustee)

6. FINDINGS AND RECOMMENDATIONS

6.1 Scheme Overview

Wirral Council's Local Welfare Assistance Scheme was introduced in April 2013 and its aim is to provide emergency support to people in short term need resulting from an emergency or a crisis. It also supports people to become established or remain in the community after leaving care.

The Department for Work and Pensions (DWP) made available a grant of £1,345,925 per annum for both 2013/14 and 2014/15. This is significantly less than the previous DWP full year expenditure against Crisis Loans and Community Care Grants.

The Local Welfare Assistance Scheme Policy, revised and approved by Cabinet for 2014/15, stipulates all the criteria to be met in order to be eligible to access the scheme.

The criteria are:

- Aged 16 or over
- Be a Wirral resident or, in the case of those who are homeless or leaving an institutional establishment, have established links with Wirral.
- Support is required to address essential needs of the individual and/or their dependents
- It is demonstrated that there are no other resources or other ways of meeting this need which are considered reasonable.

The table below gives a summary of applications made for 2013/14 and 2014/15

	2013/14	2014/15
Total Applications made*	8222	8349
Successful Awards	8345	12718
Unsuccessful Awards	3328	23267

**Each application can contain several different types of claim*

Access to the scheme increased in year 2 (2014/15) as more people became aware of it compared to year 1 (2013/14) in which there was an approximate underspend of 40% of the budget. Officers believe that if the scheme was to continue, it is projected that access to the scheme would increase further if the scheme provides the same level and range of support.

6.2 Scheme Administration

Application and Assessment

The scheme is administered by the Housing Benefits Team and all applications are completed online through Wirral's website. Most One Stop Shops provide self-access kiosks for anyone without computer or internet access and some assistance can be provided by front-line staff to complete the application correctly.

The Review Panel was informed that applications are normally dealt with on the day they are received and prioritised by a team leader before being assessed by a team of 6-7 assessment officers. These assessment officers also process housing benefit and council tax support applications.

Generally, awards are made for essential food, fuel payments where applicants have a pre-paid utility meter, clothing, furniture, white goods and some household items such as bedding. There are different levels of access to the scheme and each applicant is assessed against the criteria, with household composition and income being considered holistically (e.g. checking why benefit payments have not been made). Verification of all details supplied within the applications is made using Housing Benefit / Council Tax records, DWP records and through speaking with the applicant if necessary before making a final assessment. As the team deal with Housing Benefit and Council Tax, they would also have access to all other benefits that could be claimed by the applicant to maximise benefits, such as free school meals and Council Tax benefits. This was welcomed by the Review Panel for the thoroughness taken through the assessment process.

As part of the scrutiny review, Members requested a breakdown of awards given against assistance type for the 2014/15 financial year. These are detailed below.

Assistance type	Awards	% of total awards	Total sum
Clothing/Bedding	990	7.8%	£48,748.47
Expenses	10	0.1%	£359.20
Food	2723	21.4%	£131,144.46
Furniture	2259	17.8%	£193,003.88
Other Assistance	67	0.5%	£1,486.58
Utilities	3599	28.3%	£59,173.97
White Goods	3070	24.1%	£427,074.38
Grand Total	12718		£860,990.94

The analysis shows that nearly 50% of all awards are for assistance with food and utilities but this makes up only 22% of the total expenditure. Officers stated that food and fuel are considered the priority areas to ensure those who do not have the financial means do not needlessly go without and these applications are prioritised ahead of other requests. This view was shared by the Review Panel which considered that these should remain as the key priority areas moving forward with any proposals.

The Review Panel learned that for both essential food and fuel awards, the maximum award provided is for up to seven days. Essential food awards are made with a range of £6 per day for a single person to £17 per day for a family with three or more children. Fuel payments are based on a rate of £5 per day but these are to be subject to a fresh review by officers who will look at all national organisations that monitor fuel costs to determine the rates. In relation to white goods, officers explained that single people will generally only get microwaves and not cookers because they are considered more transient and families will normally receive a cooker to ensure that children can be provided for. Additionally, washing machines are also not provided to single people unless there were mobility issues identified in using a laundrette.

The breakdown of awards made in 2014/15 against white goods is provided below.

Item	Awards made	Total value	Average cost per item
Washing machines	656	£146,125.06	£222
Fridge Freezers	947	£128,489.47	£135
Cookers	570	£114,714.08	£201

Members noted that washing machines are the highest item of expenditure out of white goods provided and this also constitutes the highest cost per item.

Officers stated that awards would not be simply awarded for general wear and tear. The team receive many applications with no underlying crisis being stated or items that are not essential and these are refused. However, Council officers have now built up considerable experience in determining the appropriateness of making awarding against the stated needs.

In respect of applications made for food awards, referrals to food banks would be made if an applicant doesn't meet the Council's criteria or has had a maximum amount of award. These referrals are dealt with at One Stop Shops who issue the appropriate vouchers for food items to be provided.

The Review Panel raised an issue regarding the administrative resource dealing with serial applicants making repeated false or unsubstantiated applications. However, Members agreed with the approach taken by officers that the Council shouldn't stop these applications coming in, but to use the knowledge and experience gained to determine if there is a crisis or an essential need that should be assessed against.

Although the policy states that only one claim can be made in a two year period, it is understood that some flexibility has been applied operationally as the policy was written without an understanding of what the demand would be and the impact of welfare reform changes since April 2013.

Provision of awards / items

Wirral Council uses two contracted suppliers who provide, deliver and install items at low cost. Awards for household white goods, such as refrigerators are procured through Furniture Resource Centre and they normally deliver within seven days. David Philips Furniture is used for all other furniture items such as beds and mattresses. Members learned that the Council has been able to develop strong relationships with the contractors and this has allowed any discrepancies or issues to be resolved promptly. However, if there is an intention for the Council to continue to deliver the scheme, it is understood that new tenders will have to be issued for 1st August 2015.

The Council works with a payment service company to allow awards for food, fuel and small household goods to be made on pre-loaded cards with a PIN to make payments. Text messages are sent to successful applicants to say they are successful and to pick up their card from a specific One Stop Shop at a certain time. The Review Panel had concerns that these cards could be used inappropriately, such as in gambling premises or Off Licenses. However, it was explained by officers that these cards can only be used at pre-approved merchants and at PayPoints for utilities.

It was explained that opportunities for cards to be used on inappropriate items are identified on an ongoing basis, including through meetings with the card provider. The team is able to review card redemption records through the merchant codes provided by the card provider. Applicants are required to sign a document to declare that the award is only to be used for what was claimed for and that non-compliance may affect future awards. Members were positive about these processes but acknowledged that in some establishments where you can buy food, you can also buy alcohol so there is a limit on policing. Members also welcomed the approach to not limit access to certain supermarkets, which some other local authorities have implemented, as this limits the availability of local options.

The Review Panel clarified that the team does signpost people to the Department for Work and Pensions Budgeting Loans as a potential avenue for financial support if they meet the necessary criteria. These interest free loans have to be paid back but can help people to buy

furniture or household equipment, pay for travel costs or even to pay for items to look for or start work.

The Review Panel was interested in how successful the scheme was in helping people in the longer term with a concern that they are simply back in crisis a month later. The Review Panel heard that there are difficulties with this as there is no additional monitoring within available resources. It was explained that many people will always be subject to DWP sanctions due to behaviour and will always return to the scheme. However, Members were pleased to hear from officers that the scheme has had a positive impact on the lives of young people who have been or are homeless and are trying to get started again. Positive feedback has also been received from some people who were in desperate need and couldn't have managed without the scheme. Officers also stated that the scheme has been critical for vulnerable people who move in and out of hostels due to family conditions.

Appeals against refused applications

Claimants can appeal against an unsuccessful application and these are looked at by the Team Leader. These include appeals against a refusal to give an award due to an award already being made in the same two year period. Since April 2013, 2508 appeals have been made and the success rate is 45%. If applicants are unsuccessful, the Council will signpost these to other third sector organisations such as charities or those that provide specialist support.

Scheme administration costs

The costs to administer the scheme for 2014/15 were made available to the Review Panel and are shown below:

Total award expenditure	£862,857
Text local	£1,715
Allpay admin (card transactions)	£5,308
Staffing costs	£125,387
Total	£995,267

The staffing costs amounting to £125,387 have been apportioned to the costs of the salaries of the six assessment officers, one administration officer, a senior clerk, a Team Leader and elements of the Operations Manager and the Head of Business Processes. However, it was acknowledged by the Review Panel that these costs do not include the recharge for the time spent at One Stop Shops to provide payment cards, explain elements of the award and to ascertain what further welfare advice can be given. Officers stated that this is reducing as we move towards a more appointments based system.

Communication of the scheme

The Review Panel was informed that the Local Welfare Assistance Scheme was low key during year one but relevant partner organisations were notified of the scheme in order to signpost applicants in the right direction. As well as being advertised on the Council's website, the scheme was promoted on Housing Benefit notification letters and through Discretionary Housing Payments applications. These have ceased from April 1st 2015 until a decision is made on the scheme's future.

The table below details the percentage of applications for awards across age bands ranging from 16 to over 65 for 2014/15.

Age Band	16-25	26-35	36-50	51-65	65+
% of Applicants	27%	31%	29%	12%	1%

The analysis shows that fewer applications are

made from older people (51-65 and 65+). Older people may be unaware of the scheme but could be struggling financially and could be entitled to a grant through the scheme. However, the Review Panel was informed that that the age demographic figures for Wirral mirror closely those figures for the DWP when it administered the previous scheme.

6.3 Third Sector Organisations

As part of the scrutiny review, representatives from a number of third sector organisations were invited to attend the evidence day to further understand the needs in the community, the potential to signpost or refer applicants to other schemes / grants and to also identify the potential for alternate delivery models moving forward.

Citizens Advice Bureau (CAB)

The Citizens Advice Bureau provides free, independent, confidential and impartial advice to everyone on their rights and responsibilities. It also receives many applications for clients to get assistance for items such as white goods or for advice around debt. The key observations from the Operations Manager for CAB are detailed below.

- The number of people coming to the Citizens Advice Bureau in relation to the Local Welfare Assistance Scheme has decreased as the perception from clients is that there isn't any help. Some clients are being informed by the DWP that if they have had already received one award they are then not entitled to another. Clients are also being told that they can't claim if they have received DWP sanctions. Officers did clarify that in both cases this may be due to other local authorities adopting these policies and the DWP not differentiating between them.
- Clients who come in relation to the Local Welfare Assistance Scheme state they are only aware of its existence through word of mouth as it's not very well advertised. Clients are unsure when is the right time to make an application with the belief that only one award would be given regardless of reasons for any future claims.
- Wirral's scheme would not always be the first point of contact for referrals so Wirral Council may only be dealing with a small proportion of people who are in need. The Citizens Advice Bureau sources other available avenues such as grants for energy payments for those that use British Gas as part of their scheme. These grants have not been well publicised, even with British Gas.
- The Citizens Advice Bureau is very responsive to the fact that there is some funding still available to carry on due to the clear demand in the community and that there will likely be an increase in essential need with more DWP sanctions being applied and changes in welfare reforms. The Operations Manager stated it is imperative that essential support is provided only to those who really need it and that essential items should be limited to food, heating and lighting. The Citizens Advice Bureau believes the DWP sanctions to be unfair which is affecting more and more clients who consequently have nowhere else to turn.
- As the Citizens Advice Bureau is impartial and independent it would not be appropriate for them, and other similar advisory organisations, to administer Local Welfare Assistance and make decisions on awards. However, it was put to the Review Panel that the Council may wish to consider allocating some funding moving forward to any organisation that

could provide preventative advice to help clients in the future and reduce the numbers accessing the scheme.

Wirral Foodbank

Wirral Foodbank was established in November 2011 and is part of The Trussell Trust, a Christian charity that provides “emergency food for local people in crisis” as well as debt, benefit and employment advice. The key observations from discussion with the Trustees are detailed below.

- There are fourteen food bank distribution centres across Wirral with over two hundred volunteers who give time regularly and many more who volunteer at one-off events. Food is generally donated by local people churches, schools, supermarket collection days and local businesses across Wirral. There are also collection boxes in Tesco, Asda, Coop and Sainsbury’s. Tesco also makes a monetary donation of up to 30% of the value of the food collections.
- Wirral Foodbank does not make any assessment to determine who is in need of food as these are carried out by one of the eighty four voucher-holding agencies such as the Citizens Advice Bureau and Ones Stop Shops.
- A voucher is exchanged for three days’ supply of food at one of the fourteen distribution centres across Wirral. Due to food hygiene regulations, only non-perishable food items such as tinned products, rice and fruit juices are given. The amount of food allocated is dependent on whether the client is single or is supporting a family and guidance to referring agencies is that a maximum of three vouchers should be issued but this can be flexible subject to the agreement of the Foodbank.
- In 2014, 12,503 people received emergency food, of which 4498 were children. Low income, benefit delays and benefit changes were the main reason why people were referred to food banks during that year.
- Wirral Foodbank’s biggest expense is the operation of their two vans and the associated insurance and fuel costs to ensure food can be delivered to one of the fourteen distribution centres and collected from the various supermarket locations across Wirral. One of these vans is leased from the Council and the other is rented.
- If Wirral Council was to increase the number of referrals to Wirral Foodbank as part of any future strategy for delivering the Local Welfare Assistance Scheme, there should not be any significant issues in sourcing additional food items to meet this demand. This would be subject to review based on the number of actual referrals received.

WIRED

WIRED is a registered local charity that works within the voluntary and community sector in Wirral providing information, advice and support. Historically, WIRED has provided a lot of advocacy work but now a key objective is to support carers through the provision of carers’ support services. WIRED has extensive experience of administering grants, including carers’ grants. WIRED delivers the Carers’ Grant Service and this is jointly commissioned by the CCG and Wirral’s Department of Adult Social Services. The key observations from the Executive Officer for WIRED are detailed below.

- If anyone came to WIRED for essential items (eg. Food, fuel or household items), they would go to grant-making trusts that can provide people with emergency support to look at the best way forward for them. It is not always about the provision of cash as a solution to meeting a need.
- There may be other national schemes that the Council may not be aware of that people could access. However, the issue could be that the individual may not have

the capacity to apply for them themselves and organisations don't have the resources to deal with individual applications.

- Wirral Council could try to reduce the number of applications coming in and signpost to other schemes or funding elsewhere to try and enhance the lifetime of the budget. However, the Council should still ensure that the scheme is adequately promoted to ensure that anyone who is eligible can access it.
- To further enhance the lifetime of the LWAS, a proportion of the budget could be retained and used to enable awards to continue to be made beyond the lifetime of the available budget. This would require a lot more exploration outside of this Scrutiny Review to identify investment opportunities and is an exercise that third sector organisations could be involved in.

Energy Projects Plus

Energy Projects Plus is an independent charity and social enterprise which aims to reduce fuel poverty and carbon emissions across Merseyside and Cheshire. The key observations from discussion with the Chief Executive of Energy Projects Plus are detailed below.

- Energy Projects Plus provides a number of services including 'Save Energy Advice Line' which is a free and impartial service to provide energy efficiency advice to clients.
- Energy Projects Plus is one of a number of organisations that delivers the British Gas Energy Trust Fuel Debt Advice Service through the provision of a grant. Free and impartial money and debt prevention advice is provided through the service, emphasising on the relief and prevention of fuel poverty.
- The Fuel Debt Advice Service can help clients access funding from the Trust to clear fuel debts as well as 'Further Assistance Payments' for white goods, boiler repairs and replacement or funeral arrears. To be eligible, applicants must be in need, hardship or other distress. Referrals are normally received from third party organisations or from the Save Energy Advice Line.
- Clients that apply for awards are subject to an income/expenditure analysis before the applications are sent online to the Energy Trust and it can be 8-12 weeks before the financial assistance is received. Cases are prioritised but needs cannot be met where there is an emergency but attempts to expedite the process are made.
- Energy Projects Plus received 111 applications in the first three financial quarters of 2014/15 but received 101 in the last financial quarter so there has been a spike in demand. Approximately 60-70% of all applications are made for white goods.
- Wirral Council has started to make some referrals to Energy Projects Plus for white goods and there is capacity for Wirral Council to make more referrals moving forward. However, it is not clear how much funding has been made available for organisations to access from the Trust to deliver the scheme and how long this will last.
- Emergency utility credit awards are available to British Gas customers referred by Energy Projects Plus and other organisations to customers of British Gas who have a financial crisis and specific health needs. The awards available are dependent on the availability of funds from the British Gas Energy Trust and could be withdrawn at any time. The awards available are:
 - £28 for an individual; and
 - £45 for a family (two or more people living within the property)

6.4 Summary of Conclusions and Recommendations

The Review Panel considered a number of potential options for providing local welfare assistance from 1st August 2015 based on information presented during the evidence session. These included extending the existing scheme with consideration to enhancing the lifetime of the available funding, whether loans could be provided instead of or in addition to grants and considering the role of the voluntary sector for either signposting or administering the scheme.

The clear outcome from the evidence session was the strong rationale for the Council to continue to administer and extend the existing scheme that is in place and signpost to other organisations where necessary. This rationale included:

- The importance of retaining the existing knowledge base and experience of staff who understand welfare benefit and the effects of welfare reform;
- The importance of having access to both Council records and DWP data through data share arrangements which may not be available to third party providers to check the financial legitimacy of applications or to identify fraud;
- Control to review and amend the scheme and make it more stringent if required to further enhance or maintain the lifetime of the available budget;
- Existing partnership arrangements with Energy Projects Plus which can now be expanded in line with BGET funding made available to them;
- Existing partnership working with other third parties, such as Tenancy Support Officers, other advocacy services and local hostel managers;
- The likelihood of identifying a third sector organisation who could administer the scheme effectively without infringing their remit of providing impartial advocacy;
- The significant time and resource that could be required to determine if third party administration would actually be viable and cost effective for the finite money available;
- The risk of service destabilisation during any transfer of administrative control to a third party, impacting the ability to deal with applications effectively and efficiently; and
- The requirement for robust monitoring procedures to be developed for third party organisations which may negate any savings on administrative costs.

In addition to the above, the Review Panel welcomed a proposal by officers which would potentially allow the scheme to be extended from August 2015 to the end of March 2017 with the available £900k budget. Members also learned from the evidence session that this was also consistent with all other Merseyside local authorities who have also extended their scheme for 2015 onwards. However, it is not known whether these schemes are funded through unspent balances or from allocated budgets.

It was explained that this proposal ensures would require slight amendments to the criteria for awards to accommodate for an expected increase in demand for direct assistance with food and fuel.

However, this would see amounts allocated for white goods and other essential awards decrease through more stringent assessment of applications and amendments to the criteria of awards. The indicative figures below show the full allocation of the anticipated budget of £900k.

August 2015 - March 2016 (8 months)

Assistance Type		% Change to 2014/15 scheme
Food and fuel	£97,500	35 % increase
White goods and furniture	£240,000	8.5 % decrease
Other essential awards	£22,500	10 % decrease
Total	£360,000	

2016/17

Assistance Type	
Food and fuel	£146,250
White goods and furniture	£360,000
Other essential awards	£33,750
Total	£540,000

These figures will also include the expected costs for running the scheme, such as elements of salary costs and provision of payment cards. The Review Panel acknowledged that as the demand for the scheme is only estimated, the scheme could end earlier than March 2017 or even extend further.

The Review Panel agreed that to reduce spending on white goods, furniture and other essential items, there would be a need to clearly redefine what is classed as an essential need. Members considered that there could be potential to exclude awards being provided for floorings and furniture (such as wardrobes and chest of drawers) but agreed with officers that some exceptions should be made for those who are most vulnerable, such as people leaving care.

The Review Panel identified the opportunity for the Council to utilise the British Gas Energy Trust funding available to Energy Projects Plus to help with fuel debts or to provide white goods. To reduce expenditure on white goods, it was considered that any application for a washing machine could be referred to Energy Projects Plus to provide from funding available to them. The rationale for this is that it the biggest expenditure in terms of cost and is not considered as essential as cookers or fridge freezers. Additionally, Energy Projects Plus has the same eligibility criteria as Wirral. However, there was an acknowledgement that some funding should remain to allow the Council to provide washing machines in exceptional circumstances. It was also suggested that any applications for white goods that do not meet Wirral's criteria could also be referred to Energy Projects Plus to access funding from the British Gas Energy Trust.

The Review Panel did not consider that providing loans instead of / inclusive of grants would be appropriate to increase available funds for 2015 and onwards. It was the opinion that awards made reflect the vulnerability of applicants so any repayment of the loan would be difficult as their income would have been assessed as already being at a low level. Additionally, officers and Members of the Review Panel acknowledged that it would not be cost effective to administer the loans considering the relatively small value. The DWP was able to recover payments from ongoing entitlement to benefits but this is not possible for local authorities and would result in an invoice having to be raised on each occasion with little prospect of recovery.

Recommendation 1

The Review Panel recommends that Wirral Council continues to administer and maintain the Local Welfare Assistance Scheme with the remaining budget available in line with the officer proposal but with consideration to:

- i) Reviewing and redefining what items constitute an essential need with a view to excluding them from the scheme or reducing the circumstances in which they are provided;*
- ii) Excluding washing machines as an award provided from the scheme directly, except in exceptional circumstances, and referring these applications to Energy Projects Plus; and*
- iii) Referring applications for white goods which have been assessed as not meeting the Council's criteria and where a potential fuel debt issue has been identified to Energy Projects Plus.*

Recommendation 2

The Emergency Utility Credit which is available to British Gas customers who have fallen into debt and are on prepayment meters should be effectively promoted by the Council. Applicants identified through the Local Welfare Assistance Scheme as being eligible should be signposted to Energy Projects Plus for an assessment and application to be made.

A key outcome from the evidence session was the potential for the Council to work with Wirral Foodbank in providing essential food items to applicants. As Wirral Foodbank confirmed it would be possible to source additional food items if required, the Review Panel considered the viability of making a small donation to the charity from the budget for operational expenses, such as a one year lease on a van. In return, it was suggested that Wirral Council could reduce its maximum award from seven days to four days. Wirral Foodbank would then provide the remaining three days where an applicant has been assessed as requiring the full seven days of essential food. In all cases, an applicant would still receive up to one week of essential food items.

The Review Panel considered that this could create the opportunity to extend the lifetime of the fund as well as providing a benefit to Wirral Foodbank to enhance its operations in Wirral. Although Wirral Foodbank was invited to attend the evidence session as a result of covering the whole of Wirral, the Review Panel is mindful of the Council's Contract Procedure Rules should any donation be made.

Recommendation 3

Officers should explore the feasibility of referring successful applications for essential food to Wirral Foodbank, or any identified food bank that can service all of Wirral, with an appropriate donation being made from the remaining budget to help cover some operational costs. The Review Panel suggest that how this is achieved should be determined by officers to ensure that actual benefits can be identified and delivered and to ensure that the Council's Contract Procedure Rules are complied with.

The Review Panel did not have any significant concerns regarding take up of the scheme but did acknowledge comments made by the Operations Manager for the Citizens Advice Bureau that some of their clients' awareness of the Local Welfare Assistance Scheme was by 'word of mouth'. Additionally, the Review Panel acknowledged comments made that there may be some confusion conveyed by the DWP in relation to the number of awards that can be made from the scheme. As such, the Review Panel recognised that it would now be beneficial to review how the scheme can be effectively publicised from August 1st 2015 should the scheme be extended and amendments made.

Recommendation 4

Publicity and communication plans should be reviewed to ensure there is take up and understanding of the scheme from all those who need it. This should include a broadcast to partner agencies to provide an update on the key aspects of the scheme from 1st August 2015.

The Review Panel acknowledge that the remaining £900k funding made available to provide local welfare assistance is finite and that there is no certainty that the removal of government funding for local welfare schemes from 1st April 2015 would be reversed in the future. It was agreed that it would be critical to identify any opportunities to continue the provision of local welfare assistance nearer to April 2017 when it is anticipated that the budget will have been depleted. This would provide an opportunity to further amend the scheme's policy in light of what budget remains as well as identifying the availability of any central or local government grants, identifying other schemes which could provide a source of funding or retaining some funding to help build the capacity of the voluntary sector to operate schemes directly.

Recommendation 5

Cabinet is requested to support a further review of the Local Welfare Assistance Scheme as part of the Transformation and Resources Policy & Performance Committee's work programme for the 2016/17 municipal year. The objective of the review would be to identify any strategies for providing local welfare assistance once the budget set aside for local welfare assistance has been depleted.

The Review Panel considers that funding for local welfare schemes is vital in providing crucial support to communities, specifically to those people who are most vulnerable and are suffering through crisis. The Review Panel is opposed to the Government's decision to withdraw direct funding to provide support for those who need it.

Recommendation 6

That Cabinet lobbies Central Government against the withdrawal of Local Welfare Assistance Funding from April 2015 and the impact that this has on local communities.

Appendix 1 Scope Document

Review Title: Local Welfare Assistance Scheme

Date: 9th April 2015

1. Contact Information:	
Scrutiny Panel Chair: Cllr. J. Williamson	Panel Members: Cllrs Tom Anderson, Phil Gilchrist, Paul Doughty, Matthew Patrick, Joe Walsh
Scrutiny Officer(s): Michael Lester, 691 8628 michaellester@wirral.gov.uk	Departmental Link Officers: Malcolm Flanagan, Head of Business Processes 666 3260 malcolmflanagan@wirral.gov.uk
Other Key Contacts: Trish Hughes, Operational Manager 666 3222 triciahughes@wirral.gov.uk	
2. Review Aims:	
What are the main issues? The Government has announced that local welfare funding for schemes effective from April 2015 is to be withdrawn. The Council has a budget totalling £900k which is a result from a shortfall in spend from 2013/14 and the likely underspend from 2014/15. This is to be made available in 2015/16 to provide a local scheme. It is not anticipated that any other direct funding will be made available. Members were interested in: <ul style="list-style-type: none">• Understanding how effective the Council has been in administering the scheme to ensure that awards are made to those who are eligible.• The potential to work with third sector organisations to help administer a local scheme.• Identifying opportunities to signpost people to other schemes / funding.• Considering any strategies for delivering a local scheme once the £900K budget has been depleted. As the Local Welfare Assistance Scheme provides awards to people who are in severe need, this contributes to meeting the corporate priority of protecting the vulnerable in Wirral.	
The Panel's objectives in doing this work: To determine how the ring-fenced funding of £900k agreed by Cabinet in February 2015 could be allocated after the discontinuation of the 2014/15 policy at the end of July 2015.	
The desired outputs/outcomes: That the budget is maximised to meet the immediate needs of vulnerable people in the community.	

3. Review Approach

How will the Panel engage with the Executive?

The final report will be presented to Cabinet to consider the recommendations made.

Who will the Panel be trying to influence as part of its work?

Cabinet Members
Third sector organisations

Duration of review?

The review is to be conducted through an evidence day with a final report presented directly to Cabinet in June 2015.

What category does the review fall into?

Policy Development

Extra resources needed? Would the investigation benefit from the co-operation of an expert witness?

Not applicable

4. Sources of Evidence:

Secondary information (background information, existing reports, legislation, central government documents, etc).

- Wirral's Local Welfare Assistance Scheme Policy
- Relevant media release articles

Primary/new evidence/information

- Reflect on the views of officers on suggested options
- Costs of administering the scheme
- Number of applicants who have applied across the two years
- Anecdotal breakdown of the income of applicants
- Anecdotal breakdown of applicants average age across the scheme
- Breakdown of awards made against specific categories (i.e. against food, fuel, furniture etc) and the average award made against each category
- Breakdown of awards against electoral wards
- Statistics on claimants who received awards on multiple occasions
- Statistics of applicants who have had benefit sanctions or were waiting for a DWP payment
- A summary of the potential options for how the scheme could be delivered after July 2015 with details of benefits / implications
- What other Local Authorities implemented/decide

Who can provide us with further relevant evidence? (Cabinet portfolio holder, officer, service user, general public, expert witness, etc).

1) Representatives from:

- Citizen's Advice Bureau
- WIRED
- Wirral Foodbank
- Energy Projects Plus

2) Council officers, including:

- Head of Business Processes
- Operational Manager, Revenues, Benefits & Customer Services, Housing Benefit
- Team Leader, Revenues, Benefits & Customer Services.

What specific areas do we want them to cover when they give evidence?

Officers:

- Background information on local welfare funding
- How the scheme is administered including information on applications and awards.
- Officer advice on any feasible suggestions for allocating the ring-fenced funding

Third sector representatives:

- Respective organisation overview
- Information/data on who uses their service, including numbers, trends etc.
- Advice on other schemes or grants that may be accessible to applicants

What processes can we use to feed into the review? (site visits/observations, face-to-face questioning, telephone survey, written questionnaire, etc).

Face-to-face questioning

Desk top analysis/research

In what ways can we involve the public and at what stages? (consider whole range of consultative mechanisms, local committees and local ward mechanisms).

Not applicable

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WIRRAL COUNCIL

TRANSFORMATION & RESOURCES POLICY AND PERFORMANCE COMMITTEE

15 JULY 2015

SUBJECT:	INTERIM REPORT ON RECONFIGURATION OF LIBRARY SERVICE
WARD/S AFFECTED:	ALL
REPORT OF:	HEAD OF BUSINESS PROCESSES
RESPONSIBLE PORTFOLIO HOLDER:	CHRIS MEADEN
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

This report provides an update on the library service available from the 15 community library sites following Cabinet budget proposal of December 15th 2014 (reducing opening hours to 18 per week at these sites) has been implemented.

2.0 BACKGROUND

2.1 Consultation

2.1.1. Following the cabinet budget proposal, officers conducted a period of consultation with friends groups and library users alongside statutory consultation with Council staff, to begin the process of implementing this decision.

2.1.2. The sites are Beechwood; Bromborough; Greasby; Higher Bebington; Hoylake; Irby; Leasowe; Pensby; Prenton; Ridgeway; Seacombe; St James; Upton; Wallasey Village and Woodchurch libraries

2.1.3. An initial proposal was put forward how the 18-hour per week operating model could be delivered. This model was discussed at a series of meetings with friends groups, emailed to over 30,000 registered library users and formed the main part of the consultation pack which was used in discussion with Council staff and Trade Union colleagues.

2.2 Revised operating model

2.2.1. Based on the feedback received from this consultation process a revised 18-hour per week operating model was implemented, accepting the main concerns from library staff, friends groups and Trade Unions. These were the introduction of longer weekday working with shorter Saturday opening and restricting Wednesday opening, whilst still achieving the saving which was required for the agreed budget in 2015-16.

- 2.2.2 The revised opening patterns also looked to accommodate existing activities within library sites and offer site opening on days requested by friends groups.
- 2.2.3. The revised hours and opening patterns across community libraries were implemented from 16 March 2015.

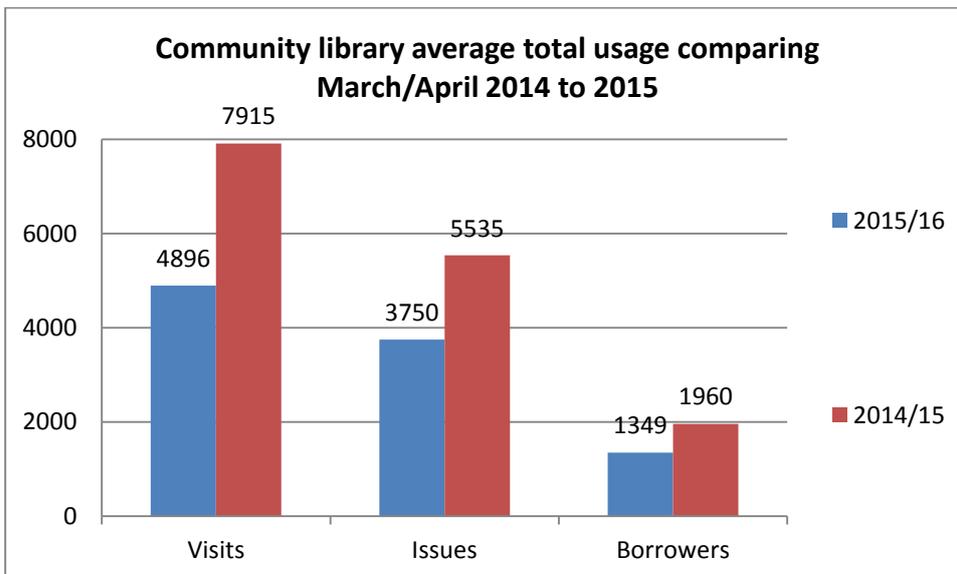
2.3 Post implementation

- 2.3.1. During the feedback process, a number of proposals were received offering support for the service in general but also specific libraries. An assurance was given that developing the service through the use of such charities and volunteers would be a priority following on from the implementation of the new opening hours.
- 2.3.2. An on-going commitment was similarly given to work with service providers and other groups to minimise the disruption experienced by people accessing additional services and activities available across these sites.
- 2.3.3. Officers also committed to continuing to work with library staff, on a one-to-one and group basis, in order to minimise disruption for them as they are assigned duties within the new opening pattern.

3.0 IMPACT OF CHANGES

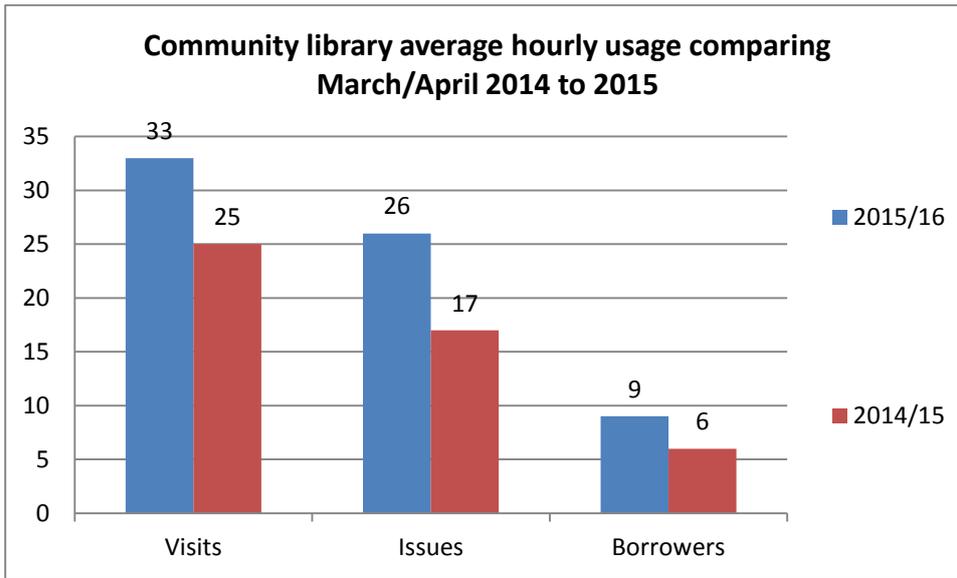
3.1 Customer usage at community libraries

3.1.1. Measured in total average usage using the number of visits (footfall counter); issues (number of item issues and renewals) and borrowers (individual borrowers using the service) the following impact can be noted when comparing historic usage in April/May 2014 to usage for the same period in 2015:



3.1.2. This represents an approximate 33% drop in average total usage across all metrics when comparing the two periods though it should be seen in the context of a generally declining library site usage measured over the wider service, including central and merged library sites unaffected by the changes.

3.1.2. However when taking into account the reduced opening hours at these sites and calculating an average hourly usage based on the new hours it reveals a significant increase in average hourly usage between the two periods:



This represents an approximate 45% increase in average hourly usage across all metrics.

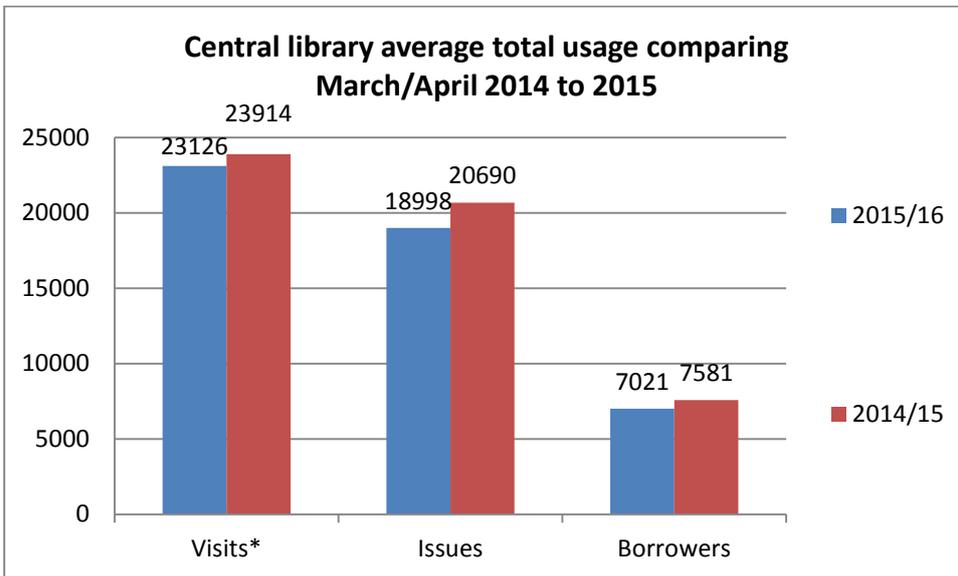
3.1.3. Previous analysis undertaken at these particular sites revealed a significant disparity of usage and costs per customer across the previous opening hours. The revised opening pattern has in effect improved the efficiency of the service with staff serving a higher average number of customers per hour than previously recorded.

3.2 Customer usage at central and merged libraries

3.2.1. Similar comparative analysis was undertaken at central and merged libraries to ascertain what if any impact was being felt at these sites as a result of the changes to community libraries hours.

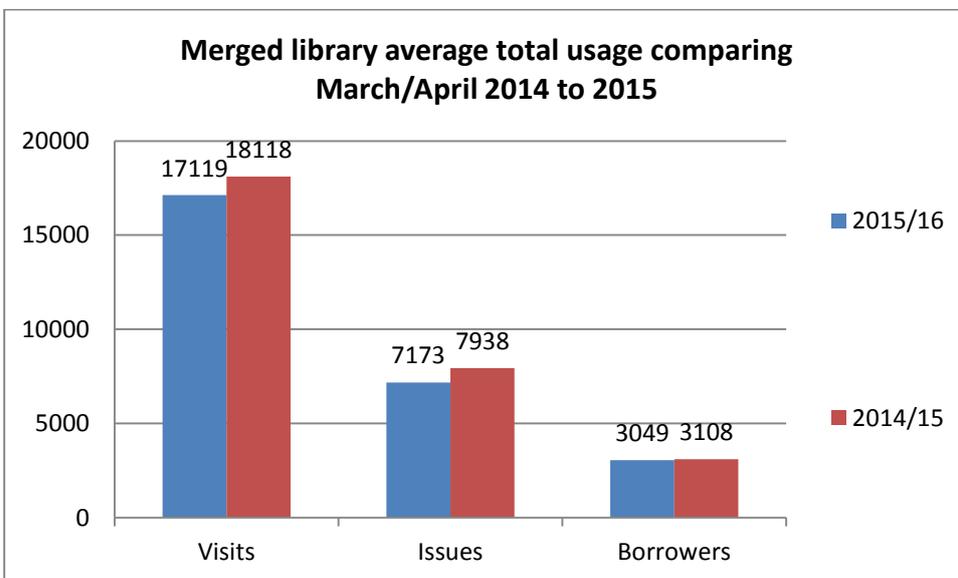
3.2.2. Central libraries are Bebington merged central library; Birkenhead central library; Wallasey central library and West Kirby merged central library. Merged libraries (with One Stop Shops) are Eastham; Heswall; Moreton and Rock Ferry

3.2.3. Again measured in total average usage using the number of visits (footfall counter); issues (number of item issues and renewals) and borrowers (individual borrowers using the service) the following changes in demand can be noted when comparing historic usage in April/May 2014 to usage for the same period in 2015:



*Visits includes one stop shop customers at Bebington/West Kirby merged libraries

This represents an approximate 6% decrease in average total usage across all metrics (opening hours remain unchanged).



*Visits includes one stop shop customers at all sites

This represents an approximate 6% decrease in average total usage across all metrics (opening hours remain unchanged).

3.2.4. In summary, though this analysis at central and merged library sites should be viewed in the context of an overall trend of declining site usage there does not seem to be any significant shift in demand coming from customers previously using community libraries.

3.3 Activities and auxiliary services available at community libraries

3.3.1. A commitment was given on this change to minimise the disruption to 'in house' activities and services delivered by partner agencies at community library sites.

- 3.3.2. To date 89% (55 in total) of existing activities and other services offered at these sites have either been able to continue unchanged or have been re-scheduled to alternative dates/start times after liaison with providers/customers. A number of activities have been allowed to continue as service users have stepped forward to offer their support or friends-run activities have been given access to sites outside of the new opening hours. This is a model that is envisaged for the future library service, as a collaboration between the local library and the community it serves.
- 3.3.3. The remaining activities 11% (7 in total) have ceased due to the changes in opening hours with an additional activity ceasing due to lack of on-going demand. For the majority of these specific activities alternative provision is available at other locality sites.

4.0 CUSTOMER/STAFF FEEDBACK ON CHANGES

4.1 Customer feedback

- 4.1.1. As of the end of May 2015, approximately 350 separate pieces of feedback had been received from customers though the majority of these (70%+) came from a cluster of six community libraries affected by the changes – Bromborough; Greasby; Pensby; St James; Wallasey Village and Woodchurch libraries. This feedback group represents approximately 3% of all borrowers using the service in the April/May period analysed.
- 4.1.2. The feedback revealed that the majority of these customers were regular library users, visiting their local library at least once a week (83%) and predominately using the service to borrow books (75%).
- 4.1.3. Over half of these respondents (57%) indicated that they were using their library less frequently as a result of the changes though the remaining proportion (43%) reported either no impact; use of an alternative library sites or that their usage had increased.

4.2 Feedback from staff

- 4.2.1. There have been 25 separate pieces of feedback from staff on the impact of the changes, with the majority (56%) coming from Upton and Wallasey Village libraries and a number of libraries (8) not providing any feedback.
- 4.2.2. The two main concerns highlighted are insufficient time now being available to undertake necessary library duties and a lack of continuity of service as staff become more agile, providing cover across a number of sites opening less frequently.
- 4.2.3. In response to this staff have been given additional time (outside of the new opening pattern) to catch up with administrative tasks though this is at the discretion of the relevant manager. As regards the second issue raised (continuity of staff) it has been emphasised to staff that there is a need for the library service to become more consistent, relying on a flexible and agile workforce to respond to the changing demands imposed on the service. However some consideration will be given to allowing staff to remain within their current 'patch' (roughly based around constituency areas) to minimise disruption for both staff and customers.

5.0 SUMMARY

- 5.1. Although there has been an impact of implementing the revised opening hours at community libraries this has largely been mitigated by actions taken by the service, flexibility of the staffing resource or acceptance by the majority of customers of the new opening pattern.
- 5.2. The approximate 33% reduction in overall average usage at these sites should be taken in the context of a wider declining site usage (experienced to a lesser extent at other libraries not affected by these changes) as other channels are becoming popular such as online self-service; e-books and the phone service. From a service efficiency perspective the average costs per customer have reduced significantly (approximately 45%) at these sites as the new hours focus demand across a shorter opening period. This has partly addressed the previously highlighted high cost of service at periods of lowest demand across the longer opening hours.
- 5.3. The commitment given to continuing current activities/auxillary services provided by partner agencies has been largely met with 89% of these regular events continuing in the same or updated format. These changes have also acted as a catalyst for securing community/volunteer support at certain sites, ensuring the on-going provision of services and proving this is a model that can be adopted more widely in the future.
- 5.4. The feedback from a minority of active library users showed that whilst these regular borrowers felt the new hours had reduced the number of times they used their local library there was a significant proportion (43%) who confirmed no impact or indeed a positive outcome of the changes.
- 5.5. A response has been given to staff feedback received, addressing some of their concerns directly (additional time for administrative tasks) or attempting to accommodate some requests (consistency of staffing) within the changing demands of a responsive and flexible service provision.

6.0 RELEVANT RISKS

- 6.1 There are none arising from this interim report.

7.0 OTHER OPTIONS CONSIDERED

- 7.1 There are none arising from this interim report.

8.0 CONSULTATION

- 8.1 Extensive consultation was undertaken as part of the wider future council process, including consultation on this particular budget option. As detailed in the report subsequent consultation on the specifics of the proposed changes to service has been initiated and used to inform the revised opening pattern.

9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 9.1 There are none arising from this interim report.

10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

10.1 There are none arising from this interim report.

11.0 LEGAL IMPLICATIONS

11.1 There are none arising from this interim report.

12.0 EQUALITIES IMPLICATIONS

12.1 The potential impact of the proposal has been reviewed with regard to equality and the impact review is attached

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/budget-options-eias>

13.0 CARBON REDUCTION IMPLICATIONS

13.1 There are none arising from this interim report.

14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

14.1 There are none arising from this interim report.

15.0 RECOMMENDATION/S

15.1 That this interim report is noted pending a full review of the impact of the revised community library opening hours.

16.0 REASON FOR RECOMMENDATION

16.1. So that Members are aware of the up to date position with regard the changes of opening hours at Community Libraries

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APPENDICES

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	15 December 2014

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WIRRAL COUNCIL

TRANSFORMATION & RESOURCES POLICY AND PERFORMANCE COMMITTEE

15 JULY 2015

UNIVERSAL & INFRASTRUCTURE SERVICES

ASSET MANAGEMENT UPDATE

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to update the Committee on the current position of Asset Management in Wirral with particular focus on the strategic asset management policy and office accommodation.

2.0 BACKGROUND

2.1 Following work undertaken by Local Government Association (LGA) in partnership with the Council a report was taken to Cabinet in November 2013 outlining the intended strategy for Asset Management, the three key strands being:

- Asset Disposal
- Office Rationalisation
- Area Reviews

2.2 The need for a coherent Asset Strategy had also been highlighted in an Audit report in January 2013 and in response to this a new Council Asset Management Strategy was written in 2014 which is attached to this report and is available on the intranet.

2.3 It has been recognised that the Asset Strategy for Wirral Council must be mindful of similar strategies being produced by partner organisations such as health, police, fire authority etc. By way of example Vision 2018 is the plan to re-shape health services and social care in Wirral. Vision 2018 is directed by Cheshire and Wirral Partnership NHS Foundation Trust (CWP), NHS Wirral Clinical Commissioning Group (WCCG), Wirral Borough Council (WBC), Wirral Community NHS Trust (WCT) and Wirral University Teaching Hospital NHS Foundation Trust (WUTH). Likewise officers from Wirral Council have been and remain appraised in proposals by the fire authority to rationalise stations and with the police asset strategy.

3.0 PROGRESS SO FAR

3.1 Strategic Asset Management Plan 2014 - 2017

There are three distinct parts of the plan (i) context and arrangements (ii) strategies and (iii) key priorities and implementation plan. The third section is probably the most important as this identifies work strands which deliver Wirral's vision for managing its Assets; these include: efficiency savings, partnership working, capital receipts, performance and monitoring. Key to delivering the Strategic Asset Management Plan is the new Asset Management System which will bring all asset information together for the first time, directly linking to the project management system. The system will be integral to the repair and maintenance ordering and helpdesk facility, compliance records and schedules, has capacity to link into

energy management systems and other utilities charges connected to a given asset. The system is web-based so will be available 24/7, assets information contained within the system include all Council owned buildings and land including schools. In order for the system to be a success it is imperative that all departments embrace the system, this will be monitored via the Capital and Asset Working Party. The “go live” date for this system is the end of June for core data, other modules will be phased over the coming months.

3.2 Asset Disposals

The table below indicates the historically generated capital receipts as well as the anticipated capital receipts for future years.

Capital Receipts	
2012/13	£1.1m
2013/14	£2.3m
2014/15	£2.8m
Anticipated Receipts	
2015/16	£6.5m
2016/17	£9.55m
2017/18	£9.55m
2018/19	£2.0m

Capital receipts negate the need for borrowing to support capital programmes thus reducing the Councils revenue expenditure. Capital receipts therefore, play a key role in the Council’s financial stability.

Major disposal sites

Four major sites for disposal were highlighted in the November 2013 Cabinet report; these sites will provide a large percentage of the anticipated capital receipts. The progress of these disposals is as follows:

- Acre Lane - demolition is underway at Acre Lane after all services were relocated elsewhere in the Borough. A successful marketing process has been undertaken by property consultants Lambert Smith Hampton. A report will be presented to Cabinet for approval of the acceptance of the best offer.
- Land at Manor Drive/Upton Pony Club - the pony club has been relocated to Pasture Road, Leasowe. Approval to appropriate land has been given and Planning Permission for the permanent stables and grazing land was approved on 3 June. Marketing of the Manor Drive site for residential development has commenced.
- Rock Ferry High - a series of consultations with residents has been undertaken in addition to the on-line consultation, these responses will be included in the application for disposal as required by the Secretary of State. A report to Cabinet will be written to seek approval to make the application submission to the Secretary of State with recommendations on the sites future use and designation based on consultation.
- Bebington Complex - the Town Hall remains empty with the intention for a wider development opportunity to be explored by the strategic director for Regeneration and Environment. The annexe has been partially vacated with some services planned move to Pennant House.
- Other Recent Capital Receipts – (i) the lease of land and buildings at Solar Campus, Leasowe has resulted in a receipt of £500,000 (ii) New Hall Farm will

result in a receipt of £234,000 net. Other Capital receipts are received as and when sales, lease transfers etc are made.

3.3 Office Rationalisation

The table below indicates the current position of occupancy in the larger Council buildings. Service delivery including staffing levels going forward will be critical to the office rationalisation strategy; other factors to be considered include building efficiency, location, condition and suitability. Information is correct at the time of this report.

Wallasey Town Hall (capacity 200 + significant civic reception space)	Next phase of modernisation; works underway on 2 nd floor. Occupancy significantly increased
Birkenhead Town Hall (capacity 100 + training)	Fully functioning as training venue and Acre Lane decant. Occupancy significantly increased.
Cheshire Lines Building (capacity 550)	10 years lease remaining. All phases of office modernisation to maximise occupancy completed; finance municipal staff and transaction centre currently being relocated to the building.
South Annex (capacity 225)	New scheme to modernise and renovate (asbestos removal etc). One small team remaining in this building. Works to remove asbestos will commence this year.
North Annex (capacity 225)	Likely to be surplus to Council requirement – demolition to be considered.
Liscard Municipal (capacity 150)	Building at capacity, predominantly CYPD following Acre Lane decant. Preferred site for new IT hub.
Treasury Building	This building could be vacated completely; dependant on location of new data centre and as a result of other building considerations.
Conway Building	Now partial occupancy; awaiting IOM decision; surplus to Council requirements (OSS relocation required) intention to vacate.
Finance Municipal	Awaiting IOM decision; surplus to Council requirements. Only a small number of staff remaining in this building intention to vacate.
Hamilton Building (capacity 270)	This building is at maximum capacity, all CYPD staff with the exception of IT staff (40) in basement.
Solar Campus	EMAP Academy conversion (1 March); lease for rear building & fields to TRFC; front building to remain in use by YOS, building currently undergoing refurbishment.
Bebington Annex	Staff relocating to other premises including Pennant House; whole of Bebington Complex under consideration by Regeneration & Environment directorate.
Moreton MASH	Increasing demand for space by police; high level talks to be had regarding future requirements and costs.
41-43 Bebington Road (former Connexions Building)	Approx. 40 DASS staff located here, couple of years lease remaining, relocation to be considered ahead of lease expiry.
The Grange (Warren Golf Course)	DASS have located staff to top 2 floors. Some Community interest in this building.
Old Market House, Birkenhead (capacity 700)	Currently 200 staff located here (DASS, Public Health, CCG) lease to expire October 2015. (see notes below)

Old Market House has recently become an emerging issue after the Community Trust have announced a relocation to St Catherine's at short notice from this building and a notice to terminate the lease has been served. Old Market House is a 6/7

storey T shaped office block in Birkenhead, on the edge of the commercial centre, and is around 30 years old. It is a government building, owned by the Land Registry who vacated the building some years ago, the whole building was subsequently leased to the NHS. The building has a capacity of approaching 700, plus meeting rooms and ancillary spaces. The current council staff of 100 (Public Health and Adults) and CCG, 100 + CSU, 25 = 225. The only organisation in this group who could offer more staff occupancy would be the council. Around 4 years ago as part of the response to the difficulties in Adults, co-location was arranged with Adult Council staff and NHS, no formal lease was put in place with NHS. The building has had a new roof and windows and is in decent condition. However, the interior and services would benefit from refreshment/refurbishment and parking is very limited. The remaining partners and council staff are making a strong case to stay together and stay in Old Market House, for pragmatic and understandable reasons, with joint working, minimum disruptions and best placement for future developments being at the core of the arguments put forward. It is proposed that we seek a further lease period in the short term to allow a business case to be drawn up looking at the service requirements going forward and the availability of premises. The business case will have to consider efficiencies of buildings, capacity, life cycle costs, potential capital receipts etc.

3.4 Area Reviews

It was approved by Cabinet in November 2013 that a pilot study would be undertaken in Moreton. The study was to include consultations with members of the public, traders, partners etc to gather views on the rationalisation of buildings around the library/youth club area and the future requirements of the area to deliver services in the area. The LGA and Glasshouse (a community-led design company) were engaged in this exercise and the findings were generally positive in that Moreton was seen as an important hub of community services but its green spaces were often underutilised, need for more affordable housing, good youth work taking place, local people willing to travel to access good services but transport costs are often a barrier, a need for a centralised point to communicate local services and community offers (a lot is happening but hard to find out about it). Further work is required to pick up on this study but limited staffing resource is slowing this down currently. A number of former council buildings have been demolished from the area around the library, Oakenholt has been refurbished and now houses the adult centre for people with learning disabilities. The municipal building is the location for the Multi Agency Safeguarding Hub (MASH) and is at capacity, additional accommodation is being added. Development of the site will be dependent on a number of factors including capital resources, planning possibilities, retail interest, outcome of service plans i.e. youth service, cultural, learning etc. Outcomes of these discussions will be presented to members.

3.5 Sharing Accommodation with Partners

Whilst there has been limited experience previously with sharing accommodation with partner organisations, there is an increasing need for this to happen more, not only realising the benefits of reduced costs associated with office accommodation but the wider benefits of joint working, collaboration etc. The police strategy for example indicates a significant reduction in the number of police stations and creating community police stations, with a focus on co-location. Commissioned partners will be encouraged to share accommodation with Council staff in an attempt to share running costs and improve collaboration with a transparent recharge rate for facilities used.

3.6 The Council's asset team are in on-going discussions on a regular basis with the Police, Fire and Health partners. More formal meeting arrangements have recently been put in place for Health providers and the Council to explore opportunities of asset maximisation and joint locations. The team are also supporting the continuing transfer of assets to Voluntary and Community Groups, where schemes are viable and appropriate.

4.0 RELEVANT RISKS

4.1 Risks are recorded against individual schemes.

5.0 OTHER OPTIONS CONSIDERED

5.1 Each proposal is subject to an optional appraisal.

6.0 CONSULTATION

6.1 Relevant consultations, statutory and non-statutory are carried out as required on a scheme by scheme basis.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 The Council is committed to working with Voluntary, Community and Faith Groups to achieve outcomes to the benefit of Wirral residents. As appropriate, this commitment extends to the sharing and where possible transferring of assets.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 Financial

8.1.1 Disposal of assets brings capital receipts into the Council for reinvestment in remaining assets. This avoids the Council having to borrow Capital.

8.2 IT

8.2.1 None

8.3 Staffing

8.3.1 None specific to this report.

8.4 Assets

8.4.1 This report is about individual asset schemes and their combined contribution to the Authority.

9.0 LEGAL IMPLICATIONS

9.1 None

10.0 EQUALITIES IMPLICATIONS

10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) Yes an impact review is attached – <https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-april-2014/eias-chief-executives-d>

11.0 CARBON REDUCTION IMPLICATIONS

11.1 As the Council reduces the number of its buildings, this reduces the Carbon emissions by the Council.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 Planning requirements and implications are dealt with on a scheme by scheme basis.

13.0 RECOMMENDATIONS

13.1 That the Committee notes the contents of this report and advises any additional views for consideration by Cabinet.

Jeannette Royle
Senior Manager, Asset Management

WIRRAL COUNCIL POLICY AND PERFORMANCE COMMITTEE

15 JULY 2015

SUBJECT:	Performance Appraisal
REPORT OF:	Joe Blott, Strategic Director, Transformation and Resources
RESPONSIBLE PORTFOLIO HOLDER:	Councillor A Jones
KEY DECISION?	No

1.0 EXECUTIVE SUMMARY

1.1 The outturn figure for 2013-14 for completion of Performance Appraisal for all staff was 49%, with a target of 80%.

1.2 The HR/OD function has supported the organisation to improve Performance Appraisal target through:

- Additional support to Managers to assist them to undertake the Performance Appraisal more effectively such as DMT briefings and e-learning training;
- A targeted communication strategy to ensure staff and managers are fully aware of their responsibility to undertake Performance Appraisal;
- Monthly monitoring and report of progress towards targets at DMTs;
- On Line Management Development Training Needs Analysis for Managers to self-assess their knowledge and skills against the management expectations framework.

1.3 The target for 2015 -16 for completion of Performance Appraisals is 80%.

2.0 BACKGROUND AND KEY ISSUES

2.1 BACKGROUND

The Council is committed to delivering Performance Appraisals with our employees as good practice and to ensure that the Council's vision, priorities and values are communicated effectively throughout the organisation, staff know what is expected of them and are supported to deliver it.

2.2 KEY ISSUES

2.2.1 Performance Appraisal Figure for 2014 -15

The 2014/15 target for completion of Performance Appraisals was 80% of all employees, which reflected a significant stretch from the 2013/14 baseline of 65% of

Senior Managers completing Performance Appraisals and 27% of other employees completing KIEs.

The final outturn figure for 2014/15 performance was 49%, which fell below the targeted stretch for the first year of delivery of Performance Appraisal across the Council.

2.2.2 Improvements to Performance Appraisal Process 2015-16

The HR/OD function has supported the organisation to improve performance appraisal target through:

a) Improving Performance Appraisal and Development Briefings on Performance Appraisal

Senior Leadership Team and Departmental Management teams have had briefings on the importance and benefits of Performance Appraisal discussions.

HR Performance Management Information

Directorate Management Teams are receiving monthly updates on progress towards the agreed Performance Appraisal targets, and Directors and Heads of Service can be subject to challenge by Strategic Directors and HR Business Partners, if not on track for completion.

b) Communication

One Brief

Providing an update in One Brief to remind Managers of completion dates for Performance Appraisal, and employees to request a Performance Appraisal meeting with their manager.

Use of Council's Intranet

The communication of Performance Appraisal reminders has been reviewed on the Council's Intranet home page to encourage Managers and staff of the benefits and need to undertake Performance Appraisals.

c) Performance Appraisal documentation

The documentation has been revised providing a clear framework for performance management and development discussions, which included ensuring that corporate governance requirements are discussed

d) Group Appraisal

An exercise has been undertaken to identify groups of staff where conducting one to one appraisal is more difficult. These are large groups of staff doing similar roles, working irregular hours on a dispersed basis. A framework for group appraisal has been developed with an opportunity for individual discussion where requested.

e) Management Development Training Needs Analysis

An one-line training needs analysis had been put in place to enable Managers to self-assess themselves against the Council's management expectations framework. The results form part of the Performance Appraisal discussion with

their manager and inform the commissioning of management development for 2015-16.

2.2.3 Performance Appraisal Target 2015-16

The Performance Appraisal Target for 2015-16 is 80%, delivered to the following timetable. An update on performance will be shared at the meeting of the Policy and Performance Committee.

Job Role	Completion date
Strategic Directors/ Directors / HOS and Senior Managers	31 May 2015
Managers/Team Leaders	30 June 2015
Employees	31 July 2015
	31 August 2015
	30 September 2015

3.0 RELEVANT RISKS

3.1 If the Performance Appraisal is not embedded within the organisation i.e. 80% of Performance Appraisal and Development discussions are completed in 2015-16, this could have a direct effect on the Council delivering its corporate priorities.

4.0 OTHER OPTIONS CONSIDERED

4.1 None

5.0 CONSULTATION

5.1 Consultation with the Senior Leadership Team, Departmental Management Teams and Unions has taken place on the revised Performance Appraisal framework.

6.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

6.1 None

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 None

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 None

9.0 LEGAL IMPLICATIONS

9.1 None

10.0 EQUALITIES IMPLICATIONS

10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No, an Equality Impact Assessment was completed when Performance Appraisal was introduced to the Council in 2013-14

11.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

11.1 None

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 None

13.0 RECOMMENDATION/S

13.1 To note the content of the report

14.0 REASON/S FOR RECOMMENDATION/S

14.1 None

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APPENDICES

None

WIRRAL COUNCIL

TRANSFORMATION & RESOURCES POLICY & PERFORMANCE COMMITTEE

15 JULY 2015

SUBJECT:	HUMAN RESOURCES POLICY UPDATE
WARD/S AFFECTED	ALL
REPORT OF:	HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT
RESPONSIBLE PORFOLIO HOLDER	CLLR A JONES
KEY DECISION	NO

1.0 EXECUTIVE SUMMARY

This report sets out proposed changes to the Council's Disciplinary Policy and Procedure following a review and also outlines details of new legislation in relation to shared parental leave which have been incorporated into Council policies.

2.0 BACKGROUND AND KEY ISSUES

The Council's Human Resources policies are subject to an ongoing review to ensure they remain fit for purpose, legally compliant and provide a valuable and workable resource for employees and managers on employment related issues in the workplace.

DISCIPLINARY POLICY

2.1 All organisations are required to have a Disciplinary policy. The Council's Disciplinary Policy and Procedure has been reviewed to ensure it meets requirements, reflects current and best practice, and is a clear and helpful resource to managers and employees who may have course to refer to it.

2.2 The Council must operate a fair and legally compliant Disciplinary Process. The policy and procedure have been reviewed to ensure our processes continue to comply with ACAS codes of practice and are consistent with policies in place in other Local Authorities and large organisations (best practice).

2.3 A range of changes have been proposed to the policy and procedures on this basis. The key changes are:

- Definitions of Gross Misconduct and Misconduct updated and levels clarified (removal of 'serious' misconduct);
- Policy updated to ensure Senior Managers in service areas with different reporting lines and structures can act as Nominated Officer and deal with cases of potential Gross Misconduct.

- Changes to potential sanctions and timeframes in line with ACAS standards;
 - Verbal warning, 6 months
 - First written warning 6 months
 - Final written warning 12 months
 - Dismissal
 - Update to the role of the Investigating Officer and purpose of investigation report;
 - Clarification in relation to the right to representation in formal process;
 - Additional information in relation to Safeguarding, Criminal Conduct, Police investigations and Duty to refer to professional or regulating bodies for cases of safeguarding;
- 2.4 We have also developed checklists, guidance and Frequently Asked Questions (FAQs) to support the operation of the policy.
- 2.5 A copy of the proposed revised Disciplinary Policy and Procedure is attached at Appendix 1 and Appendix 2. (Please note that there is wide range of supporting guidance and other documents which are appendices to the main policy/procedure but which have not been appended to the report. These supporting documents are updated as required.)

Shared Parental Leave

- 2.6 The Council has policies in place in relation to maternity, adoption, paternity and parental leave. These are governed by legislation and also in some cases national conditions of service.
- 2.7 In April 2015, new legislation came into place which introduced Shared Parental Leave. This enables eligible mothers, fathers, partners and adopters to choose how to share time off work after their child is born or placed for adoption.
- 2.8 The Act, and Regulations made under it enable mothers or adopters to commit to ending their maternity leave and pay at a future date, and share the untaken balance of leave and pay as shared parental leave with their partner.
- 2.9 It is designed to give parents more flexibility in how to share the care of their child in the first year following birth or adoption. Parents will be able to share a 'pot' of leave, and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child.
- 2.10 The Council has implemented shared parental leave as part of the existing policy framework. Guidance and FAQs have been developed and will be available on the Council's intranet.

3.0 FURTHER ACTION

- 3.1 Line Managers will receive training on managing Disciplinary issues as part of the Wirral Manager's Development Programme.
- 3.2 A new e-learning module will be developed and updated guidance will be available on the Council's Intranet.
- 3.3 The changes to Shared Parental Leave do not require employee or manager training but all relevant information and procedures will be on the Council's intranet.

4.0 RELEVANT RISKS

- 4.1 There are no specific risks arising out of this report.

5.0 OTHER OPTIONS CONSIDERED

- 5.1 There are no other specific options to consider arising out of this report.

6.0 CONSULTATION

- 6.1 In developing the Disciplinary Policy, a workshop was held with a group of experienced managers drawn from services across the Council to listen to issues they had experienced in operating the current policy and to identify how policy and practice may be improved.
- 6.2 Trade Unions were formally consulted on the revised Disciplinary Policy and Procedure. The Trade Unions retain their objection to the decision taken by Council in January 2013 to delegate employment appeals (including Disciplinary Appeals) to the Chief Executive.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 7.1 There are no specific implications arising out of this report.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 8.1 There are no specific financial implications arising out of this report. All expenditure involved has been contained within existing budgets or funded from other specific budgets or has been funded by external organisations. There are no specific staffing implications arising out of this report.

9.0 LEGAL IMPLICATIONS

- 9.1 There are no specific legal implications arising out of this report.

10.0 EQUALITIES IMPLICATIONS

- 10.1. Equality Impact Assessment (EIA)
 - (a) Is an EIA required? Yes

11.0 CARBON REDUCTION IMPLICATIONS

11.1 There are no specific implications arising out of this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are no specific implications arising out of this report.

13.0 RECOMMENDATION/S

That Policy and Performance Committee recommends to Council;

a) Approval of the revised Disciplinary Policy and Procedure and;

b) Approval that the legislative changes outlined in the report in relation to Shared Parental Leave are incorporated into Council existing policies.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 To ensure that Council's HR policies are up to date, legally compliant and relevant to the organisations requirements.

REPORT AUTHOR:

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APPENDICES

Appendix 1 Disciplinary Policy
Appendix 2 Disciplinary Procedure

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date



Disciplinary Policy

1. Policy Statement

The Council's Disciplinary Policy and supporting procedure has been developed to ensure that, where there is an alleged breach of the Council's rules, regulations or standards, the employee is treated in a fair and consistent manner in accordance with the principles of natural justice and in line with the ACAS Code of Practice.

The Council will endeavour, wherever possible, to ensure that all employees are aware of and fully understand the rules, regulations and standards operating within the organisation.

2. Background

It is necessary for the proper operation of the Council's business and the health and safety of employees that the organisation operates a disciplinary procedure.

The policy and procedure allows for issues to be dealt with both informally and formally as appropriate. Informal action may take form of a management instruction where appropriate.

There are a number of levels of potential misconduct:

2.2 Misconduct

A breach of rules, regulations or standards, which may warrant the issuing of a formal warning.

Examples of allegations of misconduct

- Persistent poor timekeeping
- Unauthorised absence and/or poor attendance
- Disruptive or unacceptable behaviour
- Contraventions of health and safety or hygiene regulations
- Failure to comply with organisation rules and/or procedures
- Maladministration
- Unreasonable refusal to follow an instructions issued by a Manager or Team leader
- Smoking in non-designated areas

This list is neither exclusive nor exhaustive and in addition there may be other offences of similar gravity which would constitute misconduct.

2.3 Gross Misconduct

Gross misconduct is an act of misconduct that is considered to be so serious for the Council to justify the employee's immediate dismissal as it may represent a breakdown in trust between employer and employee.

Examples of allegations of gross misconduct

- Unauthorised removal of the Council's property
- Stealing from the Council, its members, members of staff, or the public and other offences of dishonesty
- Misappropriation of Council property/money
- Sexual offences/misconduct
- Conduct at work likely to offend common decency
- Fighting / Physical / Verbal assault
- Falsification of time sheets, bonus sheets, subsistence or expense claims, etc
- Falsification of qualifications which are a stated requirement of employment
- Malicious damage to the Council's property
- Serious breaches of safety regulations endangering other people, including deliberate damage to, neglect of, or misappropriation of safety equipment
- Criminal conduct
- Being on duty under the influence of drink or drugs, other than those which have been medically prescribed
- Serious Breach of Confidentiality (excluding disclosure governed by the Public Interest Disclosure Act 1998)
- Improper disclosure of information and misconduct in relation to official documents including breaches of new technology systems' security
- Serious Breaches or abuse of the Council's sickness procedure/scheme
- Breaches of the Council's Internet (ICT) Security Policy in relation to unauthorised or unacceptable use of facilities.
- Neglect of duty
- Bullying/Harassment/Victimisation
- Breaches of the Council's Equality and Diversity Policy
- Failure to disclose a Conflict of Interest or declare Gift or Hospitality in accordance with Council policies
- Failure to disclose previous convictions as required
- Breach of the Council's Employee Code of Conduct
- Breach of the Council's Domestic Violence/Abuse Policy
- Bribery offences under the Bribery Act 2010
- Inappropriate use of social networking sites
- Failure to adhere to the Safer Working Practices for adults who work with children and young people document
- Failure to uphold public trust and maintain high standards of ethics and behaviour within and outside of work.
- Failure to maintain proper and professional regard for the ethos, policies and practices of the Council

This list is neither exclusive nor exhaustive and in addition there may be other offences of similar gravity which would constitute gross misconduct.

Any action against a branch official, departmental representative or trade union steward of a recognised trade union should first be the subject of consultation with the paid official of the relevant trade union and Human Resources.

The Council reserves the right to suspend employees for allegations of misconduct where appropriate. Suspension is not an automatic response to a gross misconduct allegation, but may be appropriate in circumstances where a preliminary examination suggests there is some credible evidence to support the allegation. Under these circumstances the employee should be immediately suspended and sent away from the workplace on **full pay** by a Chief Officer (whilst the investigation proceeds)

Similarly, if during the course of an investigation it is considered that gross misconduct may have occurred, the employee may be suspended and sent off the site, again on **full pay**.

There may be situations where an employee is instructed to leave or not attend the workplace in advance of any formal suspension being confirmed if that is considered to be appropriate. This would be in response to situations of risk or concerns where immediate action is required to ensure that the employee does not remain on Council premises. A decision about suspension should be made at earliest opportunity.

In limited circumstances, the Council may suspend an employee on medical grounds to ensure that the Council as the employer exercises its duty of care to the employee under the Health & Safety at Work Act 1974 and its Regulations and Approved Codes of Practice. Some suspensions on medical grounds will be required in accordance with statutory legislation.

2.4 Dismissal

Gross Misconduct

In the case of gross misconduct the employee may be summarily dismissed i.e. dismissed without notice or pay in lieu of notice. To justify summary dismissal, the misconduct must be so grave as to go to the root of the contract and be such that no reasonable employer could tolerate the continued employment of the employee.

'Totting up' Dismissal

A totting up dismissal may occur, in the absence of gross misconduct, where misconduct or serious misconduct occurs after a current 'live' final written warning has been issued, and such dismissal will be subject to notice pay

2.5 Criminal Charges or convictions outside of work

All employees are required to declare their criminal convictions. Employees are required to inform their Line Manager if they are charged subject to a police investigation for criminal offence(s) at any time during their employment.

Line Managers should seek advice from Human Resources.

Any employees who work with children and / or vulnerable adults must inform their Head of Service of any police investigations they are subject to.

A charge or conviction may result in an investigation / action and could result in disciplinary proceedings being taken against the employee where, in the opinion of the Council, the charge or conviction is such as to affect, or be likely to affect, the suitability of the employee for the position in which he/she is employed, or the business or reputation of the Council, or where the existence of the charge or conviction could, in the opinion of the Council, otherwise seriously undermine the trust and confidence that the Council has in the employee.

2.6 Definition of Roles

<i>Nominated Officer</i>	<p>Disciplinary hearings for gross misconduct hearings where the outcome may be dismissal will only be conducted by a Nominated Officer, i.e. Strategic Director, Director, Head of Service or most senior manager in service area</p> <p>Disciplinary hearings for Misconduct hearings where the outcome will not result in dismissal will be conducted by an appropriate manager/team leader</p>
<i>Investigating Officer</i>	<p>In cases of Gross Misconduct and, where appropriate, in cases of Misconduct, an Investigating Officer will normally be appointed by the Nominated Officer.</p> <p>The role of the investigating officer is to gather information and/or take statements to establish the facts surrounding any allegations, produce a fair, balanced and objective report with recommendations as to suitable actions. They will present or support the presentation of any disciplinary case to a nominated officer. They should ensure that the employee is updated on progress of the investigation.</p> <p>NB The investigating officer should undertake the investigation without any unreasonable delays.</p>
<i>Trade Union</i>	<p>The Trade Union is responsible for supporting employees through the disciplinary process, including representing</p>

	employees at relevant meetings, including investigatory meetings
<i>Employee</i>	The employee should co-operate fully in the disciplinary process, including investigatory meetings and disciplinary hearings. The employee is responsible for contacting and liaising with trade union representatives, or work colleague.
<i>Human Resources</i>	An appropriate Human Resources Officer will advise the Chief Officer/Manager and provide support and advice to the appointed Investigating Officer in relation to procedure and ensure the application of fairness and consistency. In addition, Human Resources will be consulted throughout the procedure in order to ensure fair and consistent application of the policy. A Human Resources Officer will be present at any hearing where there is a potential for dismissal.

2.7 Disciplinary sanctions

A number of sanctions are available where the Manager concludes that the alleged misconduct is more likely than not to have occurred (i.e. on the balance of probabilities).

The table below outlines the Local Authority recommended delegation of responsibilities for disciplinary matters.

	Person responsible for investigating and /or presenting the allegation(s)	Person responsible for Hearing the Disciplinary case
Informal/Pre-Disciplinary Management Instruction	Line manager/team leader	n/a
Misconduct	Investigating Officer	Chief officer/ Senior Manager/Manager
Misconduct Appeals	Chief officer/ Senior Manager /Manager, who made the decision on the sanction to be issued	Chief officer/ Senior Manager
Gross Misconduct or Totting up Dismissal	Senior Manager/Manager	Head of Service or most senior manager in service area and above
Disciplinary Dismissal Appeals	Head of Service or most senior manager in service area and above	Director/Strategic director appeal panel

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- *Senior Manager is normally manager reporting to Head of Service. If no Head of Service in structure, most senior manager may undertake role for gross misconduct or totting up dismissal hearings*

The table below outlines the time limits of the disciplinary sanctions:

Sanction	Time limit
Recorded Verbal Warning	6 months
First Written Warning	12 months
Final Written Warning	12 months

2.8 The Right to be Accompanied

In any formal hearings under this procedure an employee has the statutory right to request to be accompanied by a work colleague or Trade Union representative. The Council does not permit family members or legal representatives to be present at any stage of the process.

3. Commitment to Equality

Please identify which, if any, of the following Equality Duties this policy addresses:

Eliminate unlawful discrimination, harassment and victimisation

To advance equality of opportunity

To foster good relations between different groups of people

4. Procedures

There are different levels of misconduct set out within the policy and there are procedures for each. There is also an appeals procedure.

This policy applies to all Council employees; however the terms and conditions of service agreed by the Joint Negotiating Committee for Chief Officers of Local Authorities and the Joint Negotiating Committee for Chief Executives contain model disciplinary procedures.

5. Supporting Documentation

- Disciplinary Procedure
- Format of Disciplinary hearing
- Misconduct Checklist
- Misconduct Flowchart
- Gross Misconduct Checklist
- Gross Misconduct Flowchart
- Nominated Officers Role
- Nominated Officers Guidance
- Investigating Officers Role
- Investigating Officer's Guidance
- Investigating Officer – Template Report
- Template Letters
- Support Officer guidance
- Frequently asked Questions (FAQs)

6. Related Policies

- Grievance Policy
- Capability Performance Policy
- Dignity at Work (Bullying and Harassment)
- Officer Appeals Procedure

7. Consultation

Trade Unions were consulted on when policy was originally implemented by the Council.

8. Communication and Awareness

This policy is considered:

Internal
[For Members, Officers and
Contractors]

External
[For our Residents, Customers
and Service Users]

All managers must be aware this Policy. It is an integral part of a manager's job to address any issues of misconduct in the workplace and follow the correct procedures in doing so.

All employees must be aware of what may constitute misconduct in the workplace.

All employees and managers are expected to comply with the terms of this Policy.

9. Monitoring and Review

The table below sets out the ownership and review schedule for this policy. However it may be necessary to review as and when required, for example, due to legislative changes or if an issue arises around its effectiveness.

Document Ownership	
Policy owned by:	Head of Human Resources & Organisational Development
Policy written by:	Tony Williams Senior Human Manager, Human Resources & Organisational Development, Transformation & Resources
Date policy written:	June 2015
Policy due for 1st review:	June 2018

Version Control Table			
All changes to this document are recorded in this table.			
Date	Notes/Amendments	Officer	Next Scheduled Review Date
December 2014	<ul style="list-style-type: none"> Revised Policy Format 	Tony Williams	Jan 2014
February 2015	<ul style="list-style-type: none"> Revised Policy wording and refreshed policy to incorporate best practice 	Tony Williams	February 2017



Disciplinary procedure

1. Introduction

- 1.1 This procedure aims to ensure a fair process is followed in the management of employee conduct and any disciplinary issues that arise.

2 Informal Procedure

- 2.1 Minor breaches of misconduct should be dealt with by the line manager through a discussion. Early intervention and action are essential to avoid matters escalating and may well prevent the need for future disciplinary action.
- 2.2 The purpose of the discussion is for the line manager to discuss the reason the employee's conduct is unacceptable and ways in which their conduct can be improved.
- 2.3 There may be a requirement at the informal/pre-disciplinary stage to issue a management instruction. The purpose of a management instruction is to advise and assist the employee to improve. Providing guidance or training at an early stage may well prevent the need for future disciplinary action.
- 2.4 In all cases a written record of the advice given, or objectives agreed, should be kept and a copy given to the employee concerned. The advice should include a statement that failure to remedy the conduct could lead to formal disciplinary action being taken.

3. Formal Procedure

- 3.1 The formal procedure will be applied where informal action has failed to achieve the required improvement in conduct or behaviour or the manager considers that the alleged breach of conduct is too serious to be dealt with informally.
- 3.2 Misconduct is classified as follows:
- a. **Misconduct**
A breach of rules, regulations or standards, which may warrant the issuing of a formal warning up to and including a final written warning.
 - b. **Gross Misconduct**
Gross misconduct is an act of misconduct that, if substantiated, is considered serious enough on its own to justify the employee's immediate dismissal

3.3 In certain cases it can be difficult to determine the level of alleged misconduct when the matter is first raised as all the facts of the case may not be known. Managers in conjunction with Human Resources should make a judgement based on the available facts at the time. If at any stage as part of the investigation the misconduct is more or less serious than first thought, the level can be reassessed accordingly. This will be confirmed to the employee in writing.

4.0 The Right to be Accompanied

4.1 In any formal hearings under this procedure an employee has the statutory right to request to be accompanied by a work colleague or Trade Union representative. The Council does not permit family members or legal representatives to be present at any stage of the process.

4.2 Whilst there is no statutory right for employees to be accompanied at a formal investigatory interview, the Council's normal practice is to agree to employees request to be accompanied by a work colleague or Trade Union representative. All parties have a responsibility to be available to move through the process without delays.

4.3 Throughout the formal disciplinary process a representative may address the hearing or meeting to put the employee's case, sum up their case or respond on the employee's behalf to any views expressed at the hearing. They may confer with the employee during the hearing, but do not have the right to answer questions on the employee's behalf.

5.0 Formal Disciplinary process

5.1 Allegation

5.11 Where an issue of alleged misconduct is brought to a manager's attention, the manager should refer to the policy which sets out the management levels authorised to implement the formal procedure and issue disciplinary sanctions up to and including dismissal (as outlined in the Disciplinary policy).

5.12 The Manager nominated to deal with the alleged misconduct will determine the level, in consultation with Human Resources.

5.13 The Manager nominated to deal with the alleged misconduct is responsible for informing the employee (in writing) of the allegation of misconduct.

5.14 In situations where the allegations are made anonymously the manager will deal with the facts as far as they can based on the evidence available at that time.

5.2 Suspension

- 5.21 Where there is an allegation of gross misconduct the Manager should consider whether it is necessary to suspend an employee (on full pay). The Manager should seek advice from Human Resources.
- 5.22 There may be instances where suspension with pay is necessary while investigations are carried out. The Council has the right to suspend with pay where there are reasonable grounds for concern that evidence may be tampered with, destroyed or witnesses pressurised before the disciplinary hearing, or if there is a potential risk to the Council or other employees. It may also be appropriate for the Council to request that the employee return any Council equipment / property at this time.
- 5.23 The Manager should consider in the first instance whether a transfer to another location and/or if they could conduct an alternative role will be considered, if appropriate, as an alternative to suspension. Managers reserve the right to move employees into alternative roles as an alternative to suspension.
- 5.24 The decision to suspend an employee will normally be taken by the Head of Service/Director. There may be situations where an employee is sent away from the workplace in advance of being formally suspended. This would be in response to situations of risk or concerns where immediate action is required to ensure that the employee does not remain on Council premises. A decision about suspension will be made at earliest opportunity.
- 5.25 The suspension with pay should only be imposed after careful consideration and should be reviewed to ensure it is not unnecessarily protracted. It should be made clear that suspension is not an assumption of guilt and is not considered a disciplinary sanction.
- 5.26 Where an employee becomes unfit for work during a period of suspension, normal rules of the occupational sick pay scheme apply and that suspension may be lifted during the period of sickness.
- 5.27 The employee will usually be informed of the decision to suspend in a meeting and will receive confirmation of this (in writing) within 2 working days. It is also appropriate at this stage to confirm any conditions which will apply during the period of suspension, for example, communication channels, requirement to refrain from contacting work colleagues etc.
- 5.28 Annual leave which has already been arranged during a period of suspension will be taken and permission to take additional leave may be sought.

5.29 Medical Suspension

- 5.30 In limited circumstances, the Council may suspend an employee on medical grounds to ensure that the Council as the employer exercises its duty of care to the employee under the Health & Safety at Work Act 1974 and its Regulations and Approved Codes of Practice. Some suspensions on medical grounds will be required in accordance with statutory legislation.
- 5.31 Prior to any suspension, a risk assessment would need to be undertaken to identify the hazards and risks to the employee or their colleagues arising from their continued presence in their workplace. It is anticipated that managers will identify any adjustments to the role or any alternative employment that the employee could undertake prior to determining that the individual should be suspended on medical grounds.
- 5.32 If it is determined that an employee should be suspended on medical grounds they will be advised in writing.
- 5.33 During any period of suspension on medical grounds, the employee will receive full salary. The suspension must be kept under review and managers should seek regular advice from the Occupational Health service.

5.4 Allocation of Support Officer

- 5.4.1 Where an employee is suspended from the workplace the Council will appoint a Support Officer. The role of the Support Officer is to provide a link between the employee and the Council during a period of suspension to ensure any practical issues are dealt with during this time. Please see guidance outlining the responsibilities of the Support Officer.

5.5 Investigation

- 5.51 The nature and extent of the investigation will depend on the seriousness of the matter.
- 5.52 It is not always necessary to appoint an Investigating Officer to undertake an investigation. There may be cases of misconduct where a Manager could gather all the relevant facts in relation to the allegation and could invite an employee and their representative to a disciplinary hearing to allow the employee to respond to the allegation before a decision is made. In such circumstances all information/evidence to be considered at the hearing should be provided to the employee in advance (See 5.7).
- 5.5.3 Where the Manager is a witness to an alleged misconduct they cannot conduct the disciplinary hearing.
- 5.5.4 The decision to appoint an Investigating Officer will be made by the manager who is responsible for conducting any subsequent disciplinary hearing and must be made in consultation with Human Resources.

- 5.5.5 Where the Manager takes the decision to appoint a trained Investigating Officer the employee and their representative will be informed (in writing) and the Investigating Officer will contact the employee to arrange an investigatory meeting. The employee must be given advance warning and time to prepare.
- 5.5.6 The Investigating Officer should be a manager or officer who is considered to be independent and not directly involved in alleged offence. There may be exceptional situations where it is appropriate to appoint an external investigator; these cases must be agreed by Human Resources.
- 5.5.7 Employee must fully co-operate with the investigation and be prepared to attend an investigatory meeting to provide answers to questions, including any mitigation in respect of the allegation. Employees may be represented by a trade union representative or work colleague at an investigatory meeting

5.6 No investigation required

- 5.6.1 In cases where an investigation is not required into the alleged misconduct the Officer (who is dealing with the misconduct) will invite the employee and their representative to a formal disciplinary hearing. Refer to section 5.8. Prior to the hearing the person must have all the evidence given to them.

5.7 Outcome of Investigation

- 5.7.1 Investigations should be conducted as quickly as possible. Timescales may vary depending on circumstances but will normally be completed within **twenty working days**. Where it is not possible to complete the investigation within this timescale the nominated Manager will inform the employee and their representative in writing when the investigation is expected to be completed and should keep the employee informed of progress.
- 5.7.2 If an employee fails to co-operate with an investigation, a decision on whether to proceed to a disciplinary hearing will be made on the basis of the evidence available. In these circumstances the Manager \ Investigating Officer should seek advice on the appropriate way forward from Human Resources.
- 5.7.3 At the conclusion of an investigation the Investigating Officer should produce a report which includes a summary of the case, background/context, key facts, evidence gathered including witness statement and / or other evidence, the mitigation offered by the employee and a conclusion of whether there is a case to answer or not. In cases of gross misconduct Human Resources should always be consulted prior to finalising the Investigation report.
- 5.7.4 The report should include recommendations as to whether there is a disciplinary case to answer on each of the allegation(s).

5.7.5 The Manager nominated to consider the case will be responsible for informing the employee and their representative of the outcome of the investigation within five working days of its conclusion. If there is a case to answer the Manager will invite the employee and their representative to a disciplinary hearing. A copy of the investigation report and any appendices should be sent to the employee and their representative with the invite letter.

5.7.6 The Manager \ Investigating Officer will inform all parties involved that the matter is being dealt with confidentially and that they should not discuss the matter with other colleagues etc. In some circumstances statements may be disclosed.

5.8 Disciplinary Hearing

5.8.1 Employees will be given a minimum of **five working days' notice** prior to the date of the hearing. However shorter notice periods may be agreed with the employee.

5.8.2 An employee who has been invited to attend a disciplinary hearing must take all reasonable steps to attend, including ensuring that any representative (TU rep of work Colleague) is available to attend on the proposed date. Where an employee fails to attend a disciplinary hearing, with no reasonable explanation, the hearing may be held in his or her absence and a decision will be made based on the available evidence. Advice must be sought from Human Resources before a decision to proceed in the employee's absence is taken. Similarly advice should be sought on the options available in respect of an employee who is unable to attend because they are on sick leave.

5.8.3 The employee and representative will be provided with copies of all evidence and other relevant information in advance of the disciplinary hearing.

5.8.4 Please refer to guidance outlining the format of the disciplinary hearing.

5.8.5 The Manager will confirm the outcome of the disciplinary hearing to the employee and their representative in writing normally within **five working days** of the conclusion of the hearing, normally the outcome of a disciplinary hearing will not be given on the day of the hearing

5.9 Disciplinary Sanctions

5.9.1 A number of sanctions are available where the Manager concludes that the alleged misconduct is more likely than not to have occurred (i.e. on the balance of probabilities). The available sanctions are:-

- Recorded Verbal Warning
- First Written Warning;
- Final Written Warning;

- Dismissal.

5.9.2 The nature of the disciplinary sanction imposed will depend on the seriousness of the employee's behaviour. Before imposing any level of disciplinary sanction the Manager should consider relevant details of the employee's employment record including his/her disciplinary record, general work record, work experience, position and length of service.

The table below outlines the time limits of the disciplinary sanctions:

Sanction	Time limit
Recorded Verbal Warning	6 months
First Written Warning	12 months
Final Written Warning	12 months

5.9.3 Dismissal

5.9.4 At the conclusion of a disciplinary hearing an employee may be dismissed where:

- The required improvement as stated in a final written warning is not achieved; or
- Further misconduct takes place during the currency of a final warning - whether or not involving a repetition of conduct which was the subject of a previous warning; or
- It is reasonably believed that they have committed an act(s) of gross misconduct.

Unless dismissal is for gross misconduct, the employee will be dismissed with notice.

Where the Manager takes the decision to dismiss an employee they will state the reason, the date on which the dismissal takes effect and inform the employee of their right to appeal. This will be confirmed in writing to the employee and TU representative within **five working days** of the conclusion of the hearing. Confirmation of the decision to dismiss must notified to the Council's Payroll Team to ensure that pay is stopped as soon as possible.

A final written warning may also be issued or where this is already in place it may be extended for a further period.

5.9.4 Expired Warnings

5.9.5 Where a further act of misconduct occurs, any expired disciplinary warnings under this procedure will be disregarded. However, there may be occasions where an employees conduct is satisfactory throughout the period the

warning is live, only to lapse very soon after. Where a pattern emerges and / or there is evidence of abuse, the employee's disciplinary record should be considered.

- 5.9.6 Further advice on the consideration of spent warnings must be sought from Human Resources prior to issuing any warnings.

6.0 Appeals

- 6.1 The right of appeal is normally to the next level of Manager.
- 6.2 Appeals against dismissal will be heard by a panel chaired by a Strategic Director. Details of the appeals process should be outlined in the outcome letter. Further information is provided in the officer appeals procedure.

7.0 Record Keeping

- 7.1 It is important to keep written records during the disciplinary procedure. Records should include:
- The complaint against the employee
 - The employee's mitigation
 - Findings made and actions taken, including sanctions given
 - Whether an appeal was lodged
 - The outcome of the appeal
 - Any grievances raised during the disciplinary procedure
 - Notes of formal meetings
- 7.2 Records must be treated as confidential and must be kept in accordance with the Council's Records Management Policy and the Data Protection Act 1998.
- 7.3 Copies of meeting records will be provided on request, including copies of any formal minutes that may have been taken. In certain circumstances (to ensure Data Protection is not breached) the employer might redact some information.

8.0 Grievances during a Disciplinary Process

- 8.1 The ACAS Code provides that where an employee raises a grievance during the disciplinary process, the disciplinary process may be temporarily suspended, to deal with the grievance when:
- The grievance relates to a conflict of interest that the nominated manager is alleged to have.
 - Bias is alleged in the conduct of the disciplinary hearing
 - The line manager/Investigating Officer has been selective in the evidence they have supplied in the disciplinary hearing.

- There is possible discrimination.

8.2 However, where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently. Advice should be sought from Human Resources before determining which approach is most appropriate.

9.0 Criminal Conduct

9.1 All employees are required to declare their criminal convictions. Employees are required to inform their Head of Service if they are charged subject to a police investigation for criminal offence(s) at any time during their employment.

9.2 Any employees who work with children and / or vulnerable adults must inform their Head of Service of any police investigations they are subject to.

9.3 A charge or conviction may result in an investigation / action and could result in disciplinary proceedings being taken against the employee where, in the opinion of the Council, the charge or conviction is such as to affect, or be likely to affect, the suitability of the employee for the position in which he/she is employed, or the business or reputation of the Council, or where the existence of the charge or conviction could, in the opinion of the Council, otherwise seriously undermine the trust and confidence that the Council has in the employee.

10 Police Investigations

10.1 Where a police investigation is underway or court proceedings pending it may not be always be reasonable or practical for the Council to await the outcome of that process before dealing with the matter as a disciplinary process. However, advice should be sought from Human Resources on cases with police involvement.

11 Allegations of Misconduct Involving Children or Adults at Risk

11.1 The Council has a statutory duty under the Working together to Safeguard Children 2015 and Safeguarding Vulnerable Groups Act 2006 to refer any relevant information concerning an individual working with children or adults at risk working in a regulated activity where that person has caused harm or poses a risk of harm to children and/or vulnerable adults to the Disclose and Barring Service (DBS) and where appropriate relevant professional body e.g. HCPC

11.2 The procedure should be used when an allegation is made that an employee has:

- Behaved in a way that has harmed, or may have harmed a child or vulnerable adult
 - Possibly committed a criminal offence against, or related to a child or vulnerable adult; or
 - Behaved towards a child, children or vulnerable adult(s) in a way that indicates they are unsuitable to work with children or vulnerable adults.
- 11.3 Discussion should always take place between the responsible manager and the Council's Local Authority Designated Officer (LADO). In such cases managers are also advised to contact Human Resources for advice. Referrals may also be required to the Council's (CADT) team.

12 Duty to Refer

- 12.1 The Council has a statutory duty to refer to the Disclosure and Barring service (DBS) any relevant information concerning an individual working with children or vulnerable adults in a regulated activity where that person has caused harm or poses a risk of harm to children and/or vulnerable adults.
- 12.2 Where the person who is subject to investigation is registered with the Health Care and Professions Council (HCPC), or other relevant professional body the responsible manager should inform that an investigation is taking place. In such cases, managers should consult Human Resources.
- 12.3 Consideration should also be given to other public bodies that may need to be informed of disciplinary proceedings / outcomes. Examples of this include the Information Commissioner Officer (ICO) for breaches of data protection.

WIRRAL COUNCIL

TRANSFORMATION AND RESOURCES POLICY AND PERFORMANCE COMMITTEE

15th July 2015

SUBJECT:	POLICY BRIEFING PAPER – JULY 2015
WARD/S AFFECTED:	ALL
REPORT OF:	STRATEGIC DIRECTOR – TRANSFORMATION AND RESOURCES
RESPONSIBLE PORTFOLIO HOLDER:	PHIL DAVIES ADRIAN JONES ANN McLACHLAN
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 This report presents Committee Members with the July Policy Briefing papers which include an overview of ongoing and recent national legislation, bills presented to Parliament and emerging policies.

2.0 BACKGROUND AND KEY ISSUES

2.1 The policy briefing papers are intended to provide Members with the latest position on emerging policy and legislative developments to support the committees work programme and future scrutiny work.

2.2 During the course of the 2015-16 municipal year, the Council's Policy and Strategy team will prepare four policy briefing papers which will be reported to the Policy and Performance Committees for consideration. The following table outlines the timetable for the preparation and reporting of policy briefing papers:

Policy Papers	
July 2015	The first policy briefing will focus predominately on the Queen's Speech, which will establish the Government's legislative programme for the parliamentary year ahead.
September 2015	The second policy briefing will be produced in September and will focus predominately on the Chancellor's July 2015 Budget Statement. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

Policy Papers	
January 2016	The third policy briefing will be produced in accordance with the local government finance settlement which informs the annual determination of funding to local government. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
March 2016	The fourth policy briefing will focus upon the Chancellor of Exchequers Budget. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

2.3 The July Policy Briefing papers focus predominantly on the policies and legislation that have emerged from the newly formed Conservative Government. The papers provide a high level summary based on the available information released by Central Government at this time. It is expected that the September Briefing Paper will be more detailed following the release of further information from Government and will also consider the implications for Wirral.

2.4 The Committee may wish to identify specific policy areas to focus upon which are in line with the Committee's work programme. Detailed briefing papers can be prepared for these subject matters at the request of the Committee which would be in addition to the regular policy briefing papers outlined above.

3.0 RELEVANT RISKS

3.1 No specific risks identified.

4.0 OTHER OPTIONS CONSIDERED

4.1 None considered.

5.0 CONSULTATION

5.1 Not applicable.

6.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

6.1 Not applicable.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 There are none arising directly from this report. Any implications identified in ongoing and recent national legislation and policy will require further consideration by the Council to identify the appropriate action that will be taken.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 There are none arising directly from this report. Any implications identified in ongoing and recent national legislation and policy will require further consideration by the Council to identify the appropriate action that will be taken.

9.0 LEGAL IMPLICATIONS

9.1 There are none arising directly from this report. Any implications identified in ongoing and recent national legislation and policy will require further consideration by the Council to identify the appropriate action that will be taken.

10.0 EQUALITIES IMPLICATIONS

10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(c) No because of another reason which is

The policy briefing is intended to provide Committee Members with an overview of ongoing and recent national legislation, bills presented to Parliament, emerging policies and upcoming consultations.

The local implementation of any policy or legislation will require an individual equality impact assessment.

1.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

11.1 There are none arising directly from this report. Any implications identified in ongoing and recent national legislation and policy will require further consideration by the Council to identify the appropriate action that will be taken.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are none arising directly from this report. Any implications identified in ongoing and recent national legislation and policy will require further consideration by the Council to identify the appropriate action that will be taken.

13.0 RECOMMENDATION/S

13.1 Committee Members are requested to note the contents of the Policy Briefing papers and identify any area of focus for further detailed policy briefings to be provided.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 To provide Committee Members with an overview of ongoing and recent national legislation and emerging policy developments.

APPENDICES

1. Policy Papers – July 2015

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Not applicable	N/A

Policy Inform: Transformation and Resources

Directorate Policy: July 2015

The Directorate Policy briefings will provide an overview of ongoing and recent national legislation, bills presented to Parliament, emerging policies and upcoming consultations. The Directorate Policy briefing will be produced specifically to inform Portfolio Holders and Elected Members and will be taken to Policy & Performance Committees for discussion.

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Introduction

The policy briefing paper is intended to provide Members of the Policy and Performance Committee with the latest position on emerging policy and legislative developments to support the committees work programme and future scrutiny work.

During the course of the 2015-16 municipal year, it is proposed that the Council's Policy and Strategy team prepares four policy briefings papers for consideration by the Committee. The following table outlines the timetable for the preparation and reporting of policy briefing papers:

Policy & Performance Committee Briefings	
July 2015	The first policy briefing will focus predominately on the Queen's Speech, which will establish the Government's legislative programme for the parliamentary year ahead.
September 2015	The second policy briefing will be produced in September and will focus predominately on the Chancellor's July 2015 Budget Statement. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
January 2016	The third policy briefing will be produced in accordance with the local government finance settlement which informs the annual determination of funding to local government. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
March 2016	The fourth policy briefing will focus upon the Chancellor of Exchequers Budget. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

The July Policy Briefing paper focuses predominantly on the policies and legislation that have emerged from the newly formed Conservative Government. The paper provides initial information based on the available information released by Central Government at this time. It is expected that the September Briefing Paper will be more detailed following the release of further information from Government and will also consider the implications for Wirral.

The Committee may wish to identify specific policy areas to focus upon which are in line with the Committee's work programme. Detailed briefing papers can be prepared for these subject matters at the request of the Committee which would be in addition to the regular policy briefing papers outlined above.

Conservative Manifesto

Conservative Manifesto- Key Points :

On 14th April 2015, the Conservative Party launched their Manifesto which outlined their party pledges for the parliamentary year ahead if they were elected into Government. The columns below identify the manifesto themes that are of most relevance to local government and more specifically to the Transformation and Resources Policy and Performance Committee. The majority of the pledges identified have recently been referenced in further detail within the Queen's Speech, following the success of the Conservative Party in the 2015 General Election.

Welfare

- Cut £12 billion from Welfare Spending
- Cut household benefit cap to £23,000 (with exemptions for those receiving Disability Living Allowance or the Personal Independence Payment)
- New law so that Personal Allowance automatically rises in line with the national minimum wage
- Freeze working age benefits for two years from April 2016 (exemptions for disability and pensioner benefits).
- Retain the spare room subsidy
- Negotiating new EU rules so people will have to be earning in the UK for four years before they can claim tax credits and child benefits
- Review how best to support those suffering from long-term yet treatable conditions, such as drug or alcohol addiction or obesity, back into work. People who might benefit from treatment should get the medical help they need and if they refuse a recommended treatment, review whether their benefits should be reduced

Devolution/ Constitutional Change

- Strengthen and improve devolution for each part of the United Kingdom in a way that accepts that there is no one-size-fits-all solution. Implement the Smith Commission and St David's Day Agreement or equivalent changes in the rest of the UK, including English votes for English laws
- Devolve far-reaching powers over economic development, transport and social care to large cities which choose to have elected mayors
- Add a new stage to how English legislation is passed; no bill or part of a bill relating only to England would be able to pass to its Third Reading and become law without being approved through a legislative consent motion by a Grand Committee made up of all English MPs, or all English and Welsh MPs
- Extend the principle of English consent to financial matters such as how spending is distributed within England and to taxation including an English rate of Income Tax when the equivalent decisions have been devolved to Scotland

Other areas of Interest

- Review of Business rates to report by 2016 Budget
- Retain Police and Crime Commissioners
- Encourage councils to help manage public land and buildings, and will give authorities at least a 10 per cent stake in public sector land sales in their area
- Strengthen the Community Right to Bid – extend the length of time communities have to purchase these assets, and require owners to set a clear 'reserve' price for the community to aim for when bidding
- Set up a Pub Loan Fund to enable community groups to obtain small loans to pay for feasibility work, lawyers' fees, or materials for refurbishment, where they have bid to run the pub as part of our reforms to the Community Asset Register

Queen's Speech 2015

On Wednesday 27th March 2015, the Queen unveiled the Government's legislative plans for the year ahead. Below is a list of each individual Bill which will have implications for local government that were announced during the speech. The list identifies the Policy and Performance committee with whose remit the legislation most closely aligns:

Legislative Plans	Policy and Performance Committee
National Insurance Contributions Bill/ Finance Bill	Transformation and Resources
Full Employment and Welfare Benefits Bill	All Policy and Performance Committees
Trade Unions Bill	Transformation and Resources
Housing Bill	Regeneration and Environment
Cities and Local Government Devolution Bill	Regeneration and Environment
Buses Bill	Regeneration and Environment
High Speed Rail Bill	Regeneration and Environment
Childcare Bill	Families and Wellbeing
Energy Bill	Regeneration and Environment
Education and Adoption Bill	Families and Wellbeing
Enterprise Bill	Regeneration and Environment
Policing and Criminal Justice Bill	Families and Wellbeing Transformation and Resources
Draft Public Service Ombudsman Bill	Transformation and Resources
Psychoactive Substances Bill	Families and Wellbeing

Additional bills that have been announced are outlined below. These will be monitored in relation to any emerging implications for Local Government and reported to the relevant Policy and Performance Committee as appropriate.

Additional Legislative Plans
EU Referendum Bill
Scotland Bill
Immigration Bill
Extremism Bill
Investigatory Powers Bill
Charities Bill
Armed Forces Bill
Bank of England Bill
Northern Ireland (Stormont House Agreement) Bill
Wales Bill
Votes for Life Bill

The bills relevant to the Transformation and Resource Committee are discussed in further detail below. The information provided has been sourced predominately from the LGiU, as well as SOLACE and the LGC and therefore solely represents a fact-based introduction to the bills.

Draft Public Service Ombudsman Bill

Synopsis:

The aim of this Bill is to reform and modernise the Public Service Ombudsman, to providing a more effective and accessible final tier of complaints redress within the public sector. ⁱⁱ

Key Points:

The main elements of the Bill are to:

- Allow the Public Service Ombudsman to absorb the functions of the Parliamentary Ombudsman, the Health Ombudsman, the Local Government Ombudsman and potentially The Housing Ombudsman.
- Ensure a robust process for accountability and reporting. The new Ombudsman will be independent of Government and directly accountable to Parliament
- Establish the relevant powers for a modern ombudsman organisation. ⁱⁱⁱ

Any Further Details:

The Government published a consultation on the proposal to create a single Public Service Ombudsman (alongside the Gordon Report) on 25th March 2015. This closes on 16th June. Responses to this consultation will inform the policy development process and plans for this future legislation.

National Insurance and Finance Bill

"Reward those who work hard and do the right thing".

Synopsis:

The bill is designed to enact a series of pledges made by the Conservatives during the general election campaign. ^{iv}

Key Points:

The main elements of the Bill are to:

- No rises in income tax rates
- No VAT or national insurance before 2020
- No one working 30 hours on the minimum wage pays any income tax
- Enacts a commitment to raise the threshold before which people pay income tax to £12,500- A move Ministers say will benefit 30 million people. ^v

Policing and Criminal Justice Bill

*"Improve the law"
(The Queen's Speech)*

Synopsis:

This legislation is intended to continue the reform of policing with the aim of enhancing protections for vulnerable people.^{vi}

Key Points:

Aspects of the Bill potentially relevant to local government:

- The Bill would ensure 17 years olds who are detained in police custody are treated as children for all purposes under PACE.
- In particular, the amendments to the provisions of PACE concerning 17 year olds include:
 - Ensuring an appropriate adult is present for drug sample taking;
 - Ensuring appropriate consent is granted by both the 17 year old and parent/ legal guardian for a range of interventions, including intimate searches; and
 - The ability to impose conditional bail to ensure the welfare and interests of the 17 year old.
- Reforming legislation in relation to the detention of people under sections 135 and 136 of the Mental Health Act 1983 to ensure better outcomes for those experiencing a mental health crisis.
 - Prohibiting the use of police cells as places of safety for those under 18 years of age and further reducing their use in the case of adults;
 - Reducing the current 72 hour maximum period of detention; and
 - Extending the power to detain under section 136 to any place other than a private residence^{vii}

Full Employment and Welfare Benefit Bill

*"Achieve full employment and provide more people with the security of a job."
(The Queen's Speech)*

Synopsis:

The aim of this bill is to achieve full employment. The legislation will continue to expand the Troubled Families Programme as well as continue welfare reform, capping benefits and requiring young people to 'earn or learn'.^{viii}

Key Points:

The main elements of the Bill are to:

- A working-age benefit freeze.
- The new legislation would freeze the main rates of the majority of working age benefits, tax credits and Child Benefit for two years from 2016-17. Pensioners would be protected, as would benefits relating to the additional costs of disability. Statutory payments, such as Statutory Maternity, Paternity, and Adoption Pay would also be exempted.
- The new legislation would lower the benefit cap so that the total amount of benefits a non-working family can receive in a year would be £23,000.

- Households are exempt where someone is entitled to Working Tax Credit or is in receipt of benefits relating to additional costs of disability, or War Widow’s and Widower’s Pension.
- The Bill includes a duty to report annually on progress against meeting our target of 3 million new apprenticeships.
- Troubled Families Programme: The Bill includes a duty to report annually on progress of the Troubled Families programme. The Bill also seeks to place a requirement on public bodies to provide information to the Secretary of State in order that he may fulfil that duty.
- Put in place a new Youth Allowance for 18-21 year olds with stronger work related conditionality from Day 1. After 6 months they will be required to go on an apprenticeship, training or community work placement;
- Remove automatic entitlement to housing support for 18-21 year olds;
- Provide Jobcentre Plus adviser support in schools across England to supplement careers advice and provide routes into work experience and apprenticeships.^{ix}

Trade Unions Bill

“Protect essential public services against strikes.”
(The Queen’s Speech)

Synopsis:

The aim of this bill is to bring forward legislation to reform trade unions to ensure hardworking people are not disrupted by little-supported strike action and to pursue the Governments ambition to become the most prosperous major economy in the world by 2030.^x

Key Points:

The main elements of the Bill are to:

- Introduction of a 50% voting threshold for union ballots turnouts (and retain the requirement for there to be a simple majority of votes in favour).
- In addition to the 50% minimum voting turnout threshold, introduction of a requirement that 40% of those entitled to vote must vote in favour of industrial action in certain essential public services (health, education, fire, transport).
- Tackling intimidation of non-striking workers during a strike.
- Introduction of a transparent opt-in process for the political fund element of trade unions subscriptions. This will reflect the existing practice in Northern Ireland.
- Introduction of time limits on a mandate following a ballot for industrial action.
- Making changes to the role of the Certification Officer.^{xi}

Recent and Ongoing National Legislation

Universal Credit

Synopsis:

Universal Credit was one of the key benefit changes introduced by the Welfare Reform Act 2012. The roll out of Universal Credit has seen the introduction of a single benefit to replace six benefits previously paid and includes Housing Benefit currently paid by local authorities. Universal Credit started to be rolled out in October 2013 but will not be fully implemented until 2017. Universal Credit will normally be paid monthly in arrears and be paid to a single person in the household.

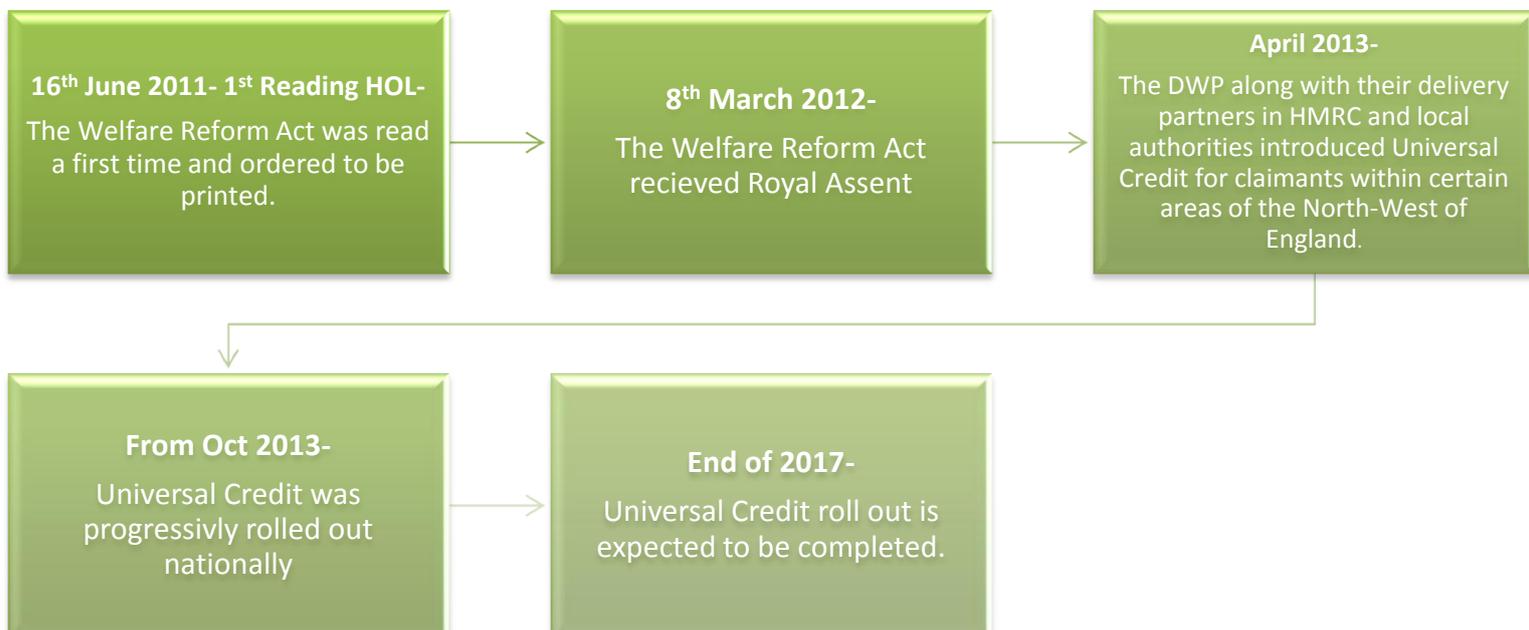
Universal Credit will replace:

- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Income Support
- Child Tax Credits
- Working Tax Credits
- Housing Benefit

Differences between Universal Credit and the Previous System:

- Universal Credit will be available to people who are in work and on a low income, as well as to those who are out of work
- Most people will apply online and manage their claim through an online account
- Universal Credit will be responsive – as people on low incomes move in and out of work, they'll get ongoing support, giving people more incentive to work for any period of time that is available
- Most claimants on low incomes will still be paid Universal Credit when they first start a new job or increase their part-time hours
- Claimants will receive just 1 monthly payment, paid into a bank account in the same way as a monthly salary
- Support with housing costs will go direct to the claimant as part of their monthly payment

Key Dates:



For More Information:

Generic Overview of Universal Credit: <https://www.gov.uk/government/publications/2010-to-2015-government-policy-welfare-reform/2010-to-2015-government-policy-welfare-reform#appendix-1-government-policy-on-universal-credit-an-introduction>

Wirral Council & Universal Credit: <https://www.wirral.gov.uk/downloads/5683>

Local Government Act 2015

Synopsis:

The Local Government (Review of Decisions) Act 2015 and the Local Government (Religious etc. Observances) Act 2015 recently received Royal Assent on 26th March 2015.

Local Government (Review of Decisions) Act:

The Local Government (Review of Decisions) Act requires local authorities to put into place formal review procedures for any decision which stops or restricts a proposed event on the grounds of health or safety. It also enables reviews of such decisions (and others) by the Local Government Ombudsman to be fast-tracked.

Key Points:

The new Act applies to decisions taken by local authorities which have the effect of stopping the holding of an event, or which impose restrictions or conditions upon the event, for reasons relating to health and safety. It makes two changes of law. The first is to require local authorities to put certain measures in place for internally reviewing decisions – specifically:

- To give a written notice (electronically or otherwise) of the decision and the reasons for it to the applicant or event organiser on the day the decision is taken or, if that is not reasonably practicable, the next working day.
- The applicant (or organiser) will then be entitled to request an internal review of the decision. This has to be carried out as soon as reasonably practicable, and in any event within 15 days of the request.
- The review may result in the decision being confirmed, withdrawn or replaced by any other decision.
- The outcomes of the review will then have to be notified in writing to the applicant (or organiser) including reasons for the decision.

The Act does not specify by whom within the local authority the review should be undertaken.

The second change will enable the Local Government Ombudsman to introduce different procedures for different sorts of complaints.

Local Government (Religious etc., Observances) Act:

The Local Government (Religious etc., Observances) Act allows for the inclusion of prayers and other religious observance at local authority meetings, should they wish to do so. It also enables local authorities to support, facilitate or be represented at religious or similar events.

Key Points:

The Act applies to local authorities in England. Specifically these new powers provide:

- That the business at a local authority meeting (or other listed local public bodies) may include time for prayers or other religious observance or observance connected with a religious or philosophical belief.

- This is regardless as to whether the meeting is a committee meeting, a joint committee of two or more authorities or a sub-committee of either of these.
- That a local authority (or other listed local public bodies) may support or facilitate to be represented at a religious event and an event with a religious or philosophical belief or connected to such a belief.

For More Information:

[Mark Upton, New Legislation: Review of decisions and religious observances, LGiU, 20/05/15](#)

Counter Terrorism and Security Act

Synopsis:

Counter Terrorism and Security Act became law on 16th February 2015. The Act places a statutory duty on local authorities to have ‘due regard to the need to prevent people from being drawn into terrorism’. This is known as the Prevent Duty. Local Authorities are also required to establish panels to identify and support those felt to be vulnerable to being drawn into terrorist activity.

Key Points:

The main elements of the Act are:

- Strengthens powers to temporarily restrict travel for terror suspects;
- Enhances existing measures to monitor those believed to pose a threat including extending law enforcement agencies’ ability to retain relevant communications data;
- Strengthens security arrangements at the border, on planes, ships and rail transport;
- Enhances the programmes that combat the underlying ideology which supports terrorism through improved engagement from partner organisations including Councils and schools;
- Clarifies the law in relation to insurance payments made in response to terrorist demands and the power to examine goods under the Terrorism Act 2000; and
- Extends the statutory remit of the Independent Reviewer of Terrorism Legislation and creates a Privacy and Civil Liberties Board to support his/her work.

Any Recent Updates:

Since the implementation of the Counter Terrorism and Security Act the government has published guidance for ‘specified bodies’ on their obligations under the Prevent Duty, and guidance to members of local authority panels.

For More Information:

[Rachel Salmon, Preventing Violent Extremism, LGiU, 19/05/15](#)

Local Authority Guidance: [Prevent Duty, HM Government](#)

Local Authority Guidance: [Protecting vulnerable people from being drawn into terrorism: Statutory guidance for Channel panel members and partners of local panels](#)

Policy Developments

Public Service Mutuals

Synopsis:

The 2011 Open Public Services White Paper saw mutual organisations as a key plank of diversifying the provision of public services, so that service users and commissioners have greater choice, alongside seeing a greater role for private and voluntary sector providers.

The ‘Right to challenge’ enacted in June 2012 – as part of the 2011 Localism Act – enables local authority employees, as well as voluntary and community groups, to express an interest in running a local authority service. It was seen as the means in local government for the government to meet its coalition agreement pledge to give public sector workers a right to form employee-owned mutuals.

What are Public Service Mutuals?

Traditionally mutuals and co-operatives are ‘owned’ by a defined group of members such as their employees, customers or others with an interest in the business. Their governance structures give members a say in how the organisation is run and they are often run for the benefit of members with profits retained within the business or distributed to its members.

Corporate Vehicles which can be used for mutual enterprises:

Legal Form	Overview	Ownership	Liability
Company limited by guarantee	Usually not-for profit or non-profit distributing.	Typically, members can attend general meetings and vote, and in most companies they can appoint and remove the directors, and have ultimate control over the company.	Members have limited personal liability, usually up to £1. This is usually written into the articles of association.
Company limited by shares	Usually profit motivated.	Shareholders with voting rights ultimately control the company. Other shareholders can exist with non-voting rights	Shareholders have no personal liability if the company goes into debt.
Community Interest Company	Surpluses are principally reinvested in the business or in the community. Takes the form of a limited company of one form or another.	Asset lock ensures that they are only used for the benefit of the community. Members retain control	Members have limited personal liability.
Co-operative	Organisation that is often equally owned by members.	Members, often consumers, producers or employees, own and democratically control the organisation.	Can be limited or unlimited where each member takes on the full liability of the organisation if it falls into debt.

Source: Cabinet Office’s online guidance *Start a public service mutual: The process*

Next Steps:

In their Party Manifesto the Conservatives pledged to “deliver better public services and more open government” through public service mutuals. It says: “We want more of them, so we will guarantee a ‘right to mutualise’ within the public sector”

For More Information:

LGIU, Public Service Mutuals: An Essential Guide, 05/05/15- <http://www.lgiu.org.uk/wp-content/uploads/2015/05/Public-service-mutuals-an-LGIU-essential-guide.pdf>

ENDNOTES:

-
- ⁱ Janet Sillett, Briefing: Conservative Manifesto Commitments- The Local Government Perspective, LGiU, 12/05/15
- ⁱⁱ Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ⁱⁱⁱ Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{iv} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^v Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{vi} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{vii} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{viii} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{ix} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^x Press Office- Prime Minister’s Office, The Queen’s Speech 2015, 27/05/15
- ^{xi} Press Office- Prime Minister’s Office, The Queen’s Speech 2015, 27/05/15

SOURCES EMBEDDED WITHIN THE PAPER:

- Generic Overview of Universal Credit: <https://www.gov.uk/government/publications/2010-to-2015-government-policy-welfare-reform/2010-to-2015-government-policy-welfare-reform#appendix-1-government-policy-on-universal-credit-an-introduction>
- Wirral Council & Universal Credit: <https://www.wirral.gov.uk/downloads/5683>
- [Mark Upton, New Legislation: Review of decisions and religious observances, LGiU, 20/05/15](#)
- [Rachel Salmon, Preventing Violent Extremism, LGiU, 19/05/15](#)
- Local Authority Guidance: [Prevent Duty, HM Government](#)
- Local Authority Guidance: [Protecting vulnerable people from being drawn into terrorism: Statutory guidance for Channel panel members and partners of local panels](#)
- LGiU, Public Service Mutuels: An Essential Guide, 05/05/15- <http://www.lgiu.org.uk/wp-content/uploads/2015/05/Public-service-mutuals-an-LGiU-essential-guide.pdf>

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WIRRAL COUNCIL

TRANSFORMATION AND RESOURCES POLICY AND PERFORMANCE COMMITTEE

15TH JULY 2015

SUBJECT:	DIRECTORATE PLAN PERFORMANCE MANAGEMENT REPORT
WARD/S AFFECTED:	ALL
REPORT OF:	JOE BLOTT (STRATEGIC DIRECTOR OF TRANSFORMATION AND RESOURCES)
RESPONSIBLE PORTFOLIO HOLDERS:	CLLR ANN MCLACHLAN, DEPUTY LEADER AND PORTFOLIO HOLDER FOR GOVERNANCE, COMMISSIONING & IMPROVEMENT CLLR ADRIAN JONES, PORTFOLIO HOLDER FOR CENTRAL SERVICES CLLR CHRIS MEADEN, PORTFOLIO HOLDER FOR LEISURE, SPORT & CULTURE
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 This report sets out the current performance of the Council against the delivery of the Transformation and Resources Directorate Plan as at Year End 2014/15. Members are requested to consider the details of the report and highlight any issues.

2.0 BACKGROUND AND KEY ISSUES

2.1 Performance of the Directorate Plan is regularly monitored against the targets set at the start of the year. Red, amber and green (RAG) ratings are assigned depending on the performance level against those targets. For indicators rated red, the responsible officer is required to complete an exception report and highlight what corrective actions will be put in place.

2.2 The Directorate Plan Performance Report (Appendix 1) sets out the final year position against 19 outcome measures from across the Directorate. 9 (47%) of the measures are rated green, 3 (16%) are rated amber and 7 (37%) are rated red. For the 7 measures rated red, action plans are provided and included as follows:

- Local SME Suppliers paid within 10 days – Appendix 2.

- Reduction in the issuing of general exception notices under the Access to Information Rules – Appendix 3.
 - Reduction in the total number of published supplementary agendas for Council Cabinet and Committee meetings – Appendix 4.
 - Performance appraisals completed – Appendix 5.
 - Sickness Absence: The number of working days / shifts lost due to sickness (cumulative) – Appendix 6.
 - Leadership Development Programme completed – Appendix 7.
 - Management Development Programme modules complete – Appendix 8.
- 2.3 The Transformation and Resources Directorate Plan was reported to committee at its last meeting in March. The first quarter performance against this will be reported to the September meeting.
- 2.4 Work is under way to re-shape the Council's business planning framework for the next planning cycle from 2016 onwards. A new Council Plan will be taken to Policy Council in July and the directorate performance reporting that underpins this will be developed later in the year. This will involve a significant change towards performance reporting against a range of agreed priority outcomes.

3.0 RELEVANT RISKS

- 3.1 The performance management framework is aligned to the Council's risk management strategy and has been considered as part of the Directorate planning process.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 N/A

5.0 CONSULTATION

- 5.1 N/A

6.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

- 6.1 There are none relating to this report.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 7.1 There are none arising from this report

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 8.1 There are none arising from this report.

9.0 LEGAL IMPLICATIONS

- 9.1 There are none arising from this report.

10.0 EQUALITIES IMPLICATIONS

- 10.1 The report is for information to Members and there are no direct equalities implications at this stage.

11.0 CARBON REDUCTION IMPLICATIONS

- 11.1 There are none arising from this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are none arising from this report.

13.0 RECOMMENDATION/S

13.1 Members are requested to note the contents of this report and highlight any questions or comments.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 To ensure Members have the opportunity to review the delivery of the Council's Directorate Plan.

REPORT AUTHOR: Carol Sharratt
Performance Management Officer
Telephone: 0151 691 8032
Email: carolsharratt@wirral.gov.uk

APPENDICES

Appendix 1 – Directorate Plan Performance Report (Year End 2014/15)

Appendix 2 - Local SME Suppliers paid within 10 days

Appendix 3 – Reduction in the issuing of general exception notices under the Access to Information Rules

Appendix 4 - Reduction in the total number of published supplementary agendas for Council Cabinet and Committee meetings

Appendix 5 – Performance Appraisals completed

Appendix 6 – Sickness Absence: The number of working days / shifts lost due to sickness (cumulative)

Appendix 7 - Leadership Development Programme completed

Appendix 8 - Management Development Programme modules completed

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Transformation and Resources Policy and Performance Committee	30 July 2013
	23 September 2013
	29 January 2014
	14 April 2014
	15 July 2014
	16 September 2014
	4 February 2015
	30 March 2015

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Transformation & Resources Directorate Performance, Finance and Risk Report as at 31st March 2015



No.	Description	Data Source	Performance 2013/14	North West 2013/14	Target / Plan 2014/15	YTD Target 2014/15	YTD Performance	Forecast Outturn	Overall Status	Monthly Trend	Reporting Period	Accountable Officer (Head of Service)	Comments
PERFORMANCE													
DOMAIN 3: TRANSFORMATION AND RESOURCES													
Resources													
TRCP01	Implementation of Windows 7 & Office 2010 across the Council	Silver Project reports	N/A	N/A	100%	100%	100%	N/A	G	↑	Apr 14 - Mar 15	M Zammit	Phases 1 and 2 are now both complete. Work continues to roll out Windows 7 to Children's Centres and Adult Learning. These were originally out of scope and have included only latterly. The delivery of computers from now on will become part of the business as usual activities of the IT Service.
TRDP02	£(m) Projected Delivery of Council budget savings	General Ledger, revenue monitor and Concerto	£46.900	N/A	£36.259	£36.259	£27.252	£27.252	A		Mar-15	T Sault	Year end accounts are closed. Shortfall against original programme but has been fully mitigated as year end authority budget shows a small underspend position. Variances around commissioning, slippage to remodelling timetable and some families savings.
TRDP05	Delivery of Strategic Internal Audit plan 2014/15	IA Performance Management Spreadsheet / APACE	100%	N/A	100%	100%	100%	N/A	G	↑	Apr 14 - Mar 15	T Sault	The successful delivery of the Audit Plan has enabled the completion of the Annual Chief Internal Auditors report and provide the Council with an opinion on the effectiveness of the overall control environment in compliance with the Accounts and Audit Regulations of the Local Government Act, as well as the provision of the evidence and input to support the production of the Councils Annual Governance Statement for 2014/15.
TRDP06	Suppliers paid (or payment terms) within 30 days	Accounts Payable System	83.02%	N/A	90.00%	90.00%	87.03%	N/A	A	↓	Mar-15	T Sault	March 2015 performance has dropped by 3.82% compared to previous month, missing the year-end target by 2.97%. This has been due, mainly, to the none PO (Free Standing) invoices only delivering a 76.58% performance, a drop of 9.65% on February 2015. This, coupled with year end, has had an adverse effect on performance. The full implementation of No PO, No Pay will enable the delivery of the target performance in 2015/16 and possibly improve overall.
TRDP07	Local SME suppliers paid within 10 days	Accounts Payable System	N/A (new PI for 2014/15)	N/A	60.00%	60.00%	47.49%	N/A	R	↑	Mar-15	T Sault	March 2015 performance has improved by 2.98% compared to previous month, but has missed the year-end target by 12.51%. The full implementation of No PO, No Pay will enable the delivery of the target performance in 2015/16 and possibly improve overall.
Legal & Member Services													
TRDP08	Reduction in the total number of Extraordinary Council and Special Meetings of Cabinet and Committees	Mod.Gov System	18	N/A	15	15	14	N/A	G		Apr 14 - Mar 15	S Tour	One additional meeting for a call-in matter took place in Quarter four (February 2015), and the year-end target has been met.
TRDP09	Reduction in the issuing of general exception notices under the Access to Information Rules	Mod.Gov System	10	N/A	8	8	10	N/A	R		Apr 14 - Mar 15	S Tour	4 additional exception notices were issued in Quarter Four (1 - February, 3 - March 2015), exceeding the year-end target by 2. The introduction of a 'reports management' system through modgov system should lead to an improvement in helping to reduce the numbers of exception notices issued, and the PI will continue to be monitored through the directorate plan during 2015/16 to measure the effectiveness of the implementation of the reports management system.
TRDP10	Reduction in the total number of published supplementary agendas for Council Cabinet and Committee meetings	Mod.Gov System	32	N/A	25	25	30	N/A	R		Apr 14 - Mar 15	S Tour	A further 7 supplementary agendas were published in Quarter Four (1 - January, 1 - February, 5 - March 2015), exceeding the year-end target by 5. The introduction of a 'reports management' system through modgov system should lead to an improvement in helping to reduce the numbers of supplementary agendas, and the PI will continue to be monitored through the directorate plan during 2015/16 to measure the effectiveness of the implementation of the reports management system.

No.	Description	Data Source	Performance 2013/14	North West 2013/14	Target / Plan 2014/15	YTD Target 2014/15	YTD Performance	Forecast Outturn	Overall Status	Monthly Trend	Reporting Period	Accountable Officer (Head of Service)	Comments
Human Resources & Organisational Development													
TRCP03	Performance Appraisals completed	Intranet	27% (employee KIEs) 65% (senior manager PAs)	N/A	80%	80%	49%	N/A	R	↑	Apr - Sep 14	C Hyams	This is the first year that Performance Appraisal has been delivered across the Council. Where there have been delays, the remodelling programme has impacted on delivery. The programme timescales are complete for 2014/15. The final outturn figure is 49% • For 2015/16 a new programme of delivery will be developed. This will include a bespoke programme for each strategic Directorate, led by each Strategic Director. • Bespoke arrangements will be put in place for the large groups of staff who work on a part time/ dispersed basis to enable them to participate in performance appraisals.
TRCP04	Sickness Absence: The number of working days / shifts lost due to sickness (cumulative)	Data collected via HR SelfServe	10.47	N/A	9.75	9.75	10.31	10.31	R	↓	Apr 14 - Mar 15	C Hyams	The sickness absence rate of 10.31 days for April 2014 - March 2015 is verified. It is 0.16 below the 10.47 rate for April 2013 - March 2014. During the verification a number of submissions which have been over reported have been identified, where sickness levels in excess of 36 hours per week were submitted. Allowing for this over reporting forecast is now 10.31 at 2014/15 year end, missing the 9.75 day target by 0.56.
TRDP11	Leadership Development Programme completed	Programme Attendance Sheets	50%	N/A	90%	90%	68%	68%	R	↔	Apr 13 - Mar 15	C Hyams	68% of Senior Managers have completed the programme. However, due to the pressures placed on Senior Managers as a result of the Future Council programme, the fourth Cohort commenced in February and will continue to run until May 2015 to allow the remaining 26 Senior Managers to attend. Of the managers who were due to start the programme 20 have completed an element of the programme. Therefore it is forecast that 85% completion of the programme will be achieved in May 2015 (5% below the 2014/15 target).
TRDP12 Page 98	Management Development Programme modules completed	Attendance Sheets & E-Learning Reports	5%	N/A	90%	90%	20%	N/A	R	↑	Apr 13 - Mar 15	C Hyams	The Management Development Programme has now been revised to take into consideration an individual manager's prior learning and an overall reduction in time managers will take to complete the management development elements of the programme. Learning will be more accessible via e-learning modules and managers will no longer be required to attend a high number of face to face delivery sessions therefore taking managers away from the workplace. As part of the ongoing monitoring of this programme, monthly reports will be produced to reflect completions on e-learning and attendance at the direct delivery sessions. Reporting will be based on individual modules completed as opposed to an overall completion figure. This will reflect a robust reflection of completions as we implement the revised Management Development Programme.
Business Processes													
TRDP13	Client finance recovered by end of month following billing	Oracle , Accounts Receivable systems	67.51%	N/A	75.00%	75.00%	74.54%	N/A	G	↑	Mar-15	M Flanagan	The final year end position would appear to be reflective on the activity to effect some positive change in client response to invoiced charges, underpinning the value in taking time to engage directly with the service user. It is prudent to note however, that the loss of one experienced member of the team, as a result of the operational need to return that officer to their substantive role in supporting key annual Grant claim work, and the introduction of the payment / telephony changes may impact on 2015/16 performance. This will be kept under review, as there is an associated risk of impact on collection, particular given the nature of the client group concerned and their ability to navigate the customer access channels now in place.
TRDP14	Recovery of Council Tax	Rev Ben System	95.4%	96.2% 15th of 36 Met Councils (12/13)	95.5%	95.5%	95.5%	N/A	G	↑	Apr 14 - Mar 15	M Flanagan	Performance is on target and above the 95.4% recovery rate for April - March 2014.

No.	Description	Data Source	Performance 2013/14	North West 2013/14	Target / Plan 2014/15	YTD Target 2014/15	YTD Performance	Forecast Outturn	Overall Status	Monthly Trend	Reporting Period	Accountable Officer (Head of Service)	Comments
TRDP15	Recovery of National Non Domestic Rates (NNDR)	Rev Ben System	96.3%	96.7% 31st of 36 Mets (12/13)	96.4%	96.4%	98.2%	N/A	G	↑	Apr 14 - Mar 15	M Flanagan	Volatility of NNDR collection. Increase assumed to be due to Government Retail Relief, up to £1,000 for the majority of properties, plus the introduction of payment over 12 instalments.
TRDP16	Spend maximised of Discretionary Housing Payment	Core Benefits Processing system – Capita, Academy	95.0%	87.1% (Statistical Peers)	95.0%	95.0%	100.0%	N/A	G	↔	Apr 14 - Mar 15	M Flanagan	The total available fund in respect of 2014/2015 (Government grant and local contribution) has been fully utilised. Awards may now be considered in respect of 1 April 2015 onwards (only) - many applications remain in respect of 2014/2015 received at a point where financial capacity to support ended.

FINANCE: Corporate Financial position (based on projections at year end 2014/15)

Directorate Financial position

TRDP17	Directorate Revenue Budget (£m)	General Ledger, revenue monitor and Concerto	£16.579	N/A	£18.857	£18.857	£16.357	£16.357	G		Apr 14 - Mar 15	T Sault	The 2014/15 position is being finalised. The provisional figure shows a £2.5m underspend for T&R. Some savings have arisen in business processes but the majority of the saving is in Treasury Management reflecting savings on financing due to the underspend on the authority wide capital programme.
TRDP18	Directorate Capital Programme (£m)	General Ledger, revenue monitor and Concerto	£1.777	N/A	£2.500	£2.500	£1.100	£1.100	G		Apr 14 - Mar 15	T Sault	Capital spend below programme budget as opportunity was taken to switch financing of some IT to non-capital revenue/reserve resources thereby reducing future borrowing costs. Programme originally £4 million with £1.5 million re-profiled to 2015/16. Relates to corporate wide IT refresh.
TRDP19	Directorate Savings achieved (£m)	General Ledger, revenue monitor and Concerto	£29.000	N/A	£3.908	£ 3.908	£3.122	£3.122	A		Apr 14 - Mar 15	T Sault	Year end accounts are closed. Savings achieved through mitigation was required and agreed in year for 2 savings Libraries £466K and Discretionary Relief £320K. Amber rating reflects use of mitigation in year

RISK: Remaining significant risks to achievement of non-compliant target

Ref	Priority / Objective	Risk Description	Existing Controls	Current Scores			Risk Review Frequency	Reporting Period	Accountable Officer (Head of Service)	Planned Additional Controls (including dates to be implemented / expected to take effect)	Target Scores		
				Lik	Imp	Total					Lik	Imp	Total

- Performance is improving Lower is better
- Performance is improving Higher is better
- Performance is deteriorating Lower is better
- Performance is deteriorating Higher is better
- Performance sustained in line with targets set

G	Performance within tolerance for target set.
A	Performance target slightly missed (outside of tolerance).
R	Performance not on track, action plan required.

Risk

Lik = Likelihood A qualitative description of the probability or frequency of the risk happening.

Imp = Impact The evaluated effect or result of a particular risk happening.

Total = Risk score Assessment of the combined scores, for the likelihood and impact of the risk happening, after taking into account any controls in place to manage the risk (Lik x Imp).

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PERFORMANCE ACTION PLAN TEMPLATE

This template is to be completed and forwarded to the Corporate Performance Team for ALL Corporate and Directorate performance measures showing **RED** status of non-compliance against the specified target. It needs to be updated on a monthly basis for the period that the measure shows a **RED** status.

INDICATOR OVERVIEW			
Indicator Title	TRDP07 - Local SME suppliers paid within 10 days		
Strategic Director Lead	Joe Blott		
Departmental Lead	Tom Sault		
Year End Target	60.00%	Year End Forecast	N/A

CURRENT SITUATION: Detail what the performance is for this measure and reason/s for non-compliance		
Performance this Period	47.49%	+ / - Target : -12.51%
Non-compliance reason	Although March performance has improved by 2.98%, it is still 12.51% below target. Departmental requisitioners who have moved either department or section and have not been responding to Payments Team requests for approvals, plus year end pressures have, contributed.	

ACTIONS: This describes what's necessary or how to achieve a 'green' score. This way everyone is clear on what is required and when; knows the expected outcome and how to achieve it.	
What (is required)	<p>Implementation of No PO, No Pay needs to be accelerated. Progress now that the Transaction Centre implemented should be rapid and should mean No PO, No Pay by September 2015.</p> <p>Departments must take ownership and responsibility for ensuring that all orders are raised and all goods and services are receipted.</p> <p>All invoices must be sent to Corporate Payments Team and not received by departments; this is causing delays and is continuing.</p> <p>All invoices must be date stamped when received, and not recorded by date of invoice.</p> <p>If there is a dispute regarding an invoice with the supplier then it must be marked disputed and not recorded as a late payment.</p>
How (will it be achieved)	There still needs to be a concerted approach by Heads of Service to ensure staff are acting upon receipting, approvals and ensuring invoices are directly sent to Corporate Payments to avoid delays and deliver payment targets. In April 2015 all Heads of Service will again be contacted to ensure continued improvement against this PI which will continue to be monitored as a directorate plan indicator in 2015/16.
Who (will be responsible)	Heads of Service / Head of Procurement
When (will results be realised)	The year-end target has been missed by 12.51%. Improvement in performance is expected in October 2015 and can be achieved with a concerted corporate effort.

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INDICATOR OVERVIEW			
Indicator Title	TRDP09 - Reduction in the issuing of general exception notices under the Access to Information Rules		
Strategic Director Lead	Joe Blott		
Departmental Lead	Surjit Tour		
Year End Target	8	Year End Forecast	10

CURRENT SITUATION: Detail what the performance is for this measure and reason/s for non-compliance		
Performance this Period	10 (YE)	+ / - Target : +2 (YE)
Non-compliance reason	This Target has been exceeded due to key decision items or items relying on exempt information not being included in the forward plan, thereby not allowing the correct notice to be provided prior to the key decision and/or items relying on exempt information being considered /made.	

ACTIONS: This describes what's necessary or how to achieve a 'green' score. This way everyone is clear on what is required and when; knows the expected outcome and how to achieve it.	
What (is required)	The introduction of a 'reports management' system.
How (will it be achieved)	The introduction of a 'reports management' system through modgov system should lead to an improvement in helping to reduce the numbers of supplementary agendas by focusing officers minds on the requirement to meet deadlines.
Who (will be responsible)	Surjit Tour
When (will results be realised)	The 2014/15 year-end target has been exceeded, but the PI will continue to be monitored through the directorate plan during 2015/16 to measure the effectiveness of the implementation of the reports management system.

PERFORMANCE ACTION PLAN TEMPLATE

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INDICATOR OVERVIEW			
Indicator Title	TRDP10 - Reduction in the total number of published supplementary agendas for Council Cabinet and committee meetings		
Strategic Director Lead	Joe Blott		
Departmental Lead	Surjit Tour		
Year End Target	25	Year End Forecast	30

CURRENT SITUATION: Detail what the performance is for this measure and reason/s for non-compliance		
Performance this Period	30 (YE)	+ / - Target : +5 (YE)
Non-compliance reason	Performance was below target for the first quarter of 2014/15, but has been exceeded as 12 supplementary agendas were published during the second quarter of 2014/15, 8 were published during the third quarter and a further 7 have been published in the fourth quarter.	

ACTIONS: This describes what's necessary or how to achieve a 'green' score. This way everyone is clear on what is required and when; knows the expected outcome and how to achieve it.	
What (is required)	The introduction of a 'reports management' system.
How (will it be achieved)	The introduction of a 'reports management' system through modgov system should lead to an improvement in helping to reduce the numbers of supplementary agendas by focusing officers minds on the requirement to meet deadlines.
Who (will be responsible)	Surjit Tour
When (will results be realised)	The 2014/15 year-end target has been exceeded, but the PI will continue to be monitored through the directorate plan during 2015/16 to measure the effectiveness of the implementation of the reports management system.

PERFORMANCE ACTION PLAN TEMPLATE

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INDICATOR OVERVIEW			
Indicator Title	TRCP03 - Performance Appraisals completed		
Strategic Director Lead	Joe Blott		
Departmental Lead	Chris Hyams/ Diane Cottrell		
Year End Target	80%	Year End Forecast	N/A

CURRENT SITUATION: Detail what the performance is for this measure and reason/s for non-compliance		
Performance this Period	49%	+ / - Target - 31%
Non-compliance reason	This is the first year that Performance Appraisal has been delivered across the Council. Where there have been delays, the remodelling programme has impacted on delivery.	

ACTIONS: This describes what's necessary or how to achieve a 'green' score. This way everyone is clear on what is required and when; knows the expected outcome and how to achieve it.	
What (is required)	The programme timescales are complete for 2014/15. The final outturn figure is 49%
How (will it be achieved)	<p>The programme ran from April to September 2014. 49% is the year-end outturn figure for 2014/15. To ensure that targets are met for 2015/16 the following will be put in place:</p> <ul style="list-style-type: none"> • A new programme of delivery. This will include a bespoke programme for each strategic Directorate, led by each Strategic Director. • Bespoke arrangements for the large groups of staff who work on a part time/ dispersed basis to enable them to participate in performance appraisals
Who (will be responsible)	Senior Leadership Team
When (will results be realised)	The programme ran from April to September 2014. The outturn position for 2014/15 is 49%

PERFORMANCE ACTION PLAN TEMPLATE

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INDICATOR OVERVIEW			
Indicator Title	Sickness Absence: The number of working days / shifts lost due to sickness (cumulative)		
Strategic Director Lead	J Blott		
Departmental Lead	C Hyams		
Year End Target	9.75	Year End Forecast	10.31

CURRENT SITUATION: Detail what the performance is for this measure and reason/s for non-compliance		
Performance this Period	10.31	+ / - Target : -0.56
Non-compliance reason	Absence levels per person continue to exceed the target.	

ACTIONS: This describes what's necessary or how to achieve a 'green' score. This way everyone is clear on what is required and when; knows the expected outcome and how to achieve it.	
What (is required)	No of days absence per person needed to reduce Improve application of policy
How (will it be achieved)	<p>A report was taken to Strategic Leadership Team (SLT) on 31 March 2015 highlighting key issues around absence performance, steps that have been taken and options to improve performance.</p> <p>SLT agreed an initial plan of:</p> <ul style="list-style-type: none"> • Automatic referrals to Occupational Health for stress • Departmental Targets are applied • Specific Manager's briefing to clearly set expectations • Increased performance monitoring by Directorate Management Teams <p>It was agreed medium term consideration would given to consult on change to the absence policy to:</p> <ul style="list-style-type: none"> • specify a set number of days alongside occasions of sickness • Apply 'automatic warnings' for breach of triggers with any exceptions to be agreed by Head of Service
Who (will be responsible)	Managers with support of Human Resources
When (will results be realised)	Monthly and quarterly performance monitored with year end outturn figure determining whether performance target has been met.

PERFORMANCE ACTION PLAN TEMPLATE

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INDICATOR OVERVIEW			
Indicator Title	TRDP11 - Leadership Development Programme		
Strategic Director Lead	Joe Blott		
Departmental Lead	Chris Hyams/ Angela Daly		
Year End Target	90%	Year End Forecast	68% (Q4)

CURRENT SITUATION: Detail what the performance is for this measure and reason/s for non-compliance		
Performance this Period	68%	+ / - Target - 22% (Q4)
Non-compliance reason	This programme was intended for all Senior Managers. Due to a number of them being heavily involved in Future Council projects, there has not been the capacity to attend the programme. Therefore the number of managers who have been able to attend is under the target.	

ACTIONS: This describes what's necessary or how to achieve a 'green' score. This way everyone is clear on what is required and when; knows the expected outcome and how to achieve it.	
What (is required)	68% of Senior Managers have completed the programme. However, due to the pressures placed on Senior Managers as a result of the Future Council programme, the fourth Cohort commenced in February and will continue to run until May 2015 to allow the remaining 26 Senior Managers to attend. Of the managers who were due to start the programme 20 have completed an element of the programme. Therefore it is forecast that 85% completion of the programme will be achieved in May 2015 (5% below the 2014/15 target).
How (will it be achieved)	Invitations were sent to those managers still needing to attend the programme in December of 2014 in readiness for the programme starting in February 2015. The programme takes 4 months in total.
Who (will be responsible)	Angela Daly, Organisational Development Officer
When (will results be realised)	May 2015

PERFORMANCE ACTION PLAN TEMPLATE

This template is to be completed and forwarded to the Corporate Performance Team for ALL Corporate and Directorate performance measures showing **RED** status of non-compliance against the specified target. It needs to be updated on a monthly basis for the period that the measure shows a **RED** status.

INDICATOR OVERVIEW			
Indicator Title	TRDP 12 - Management Development Programme		
Strategic Director Lead	Joe Blott		
Departmental Lead	Chris Hyams/ Angela Daly		
Year End Target	90%	Year End Forecast	N/A

CURRENT SITUATION: Detail what the performance is for this measure and reason/s for non-compliance		
Performance this Period	20%	+ / - Target - 70% (Q4)
Non-compliance reason	Non-compliance reasons include <ul style="list-style-type: none"> • Reprioritisation of managers work due to Future Council • Restructure of OD Team and capacity to deliver courses internally to meet the number of applications currently being received. 	

ACTIONS: This describes what's necessary or how to achieve a 'green' score. This way everyone is clear on what is required and when; knows the expected outcome and how to achieve it.	
What (is required)	<p>The Management Development Programme has now been revised to take into consideration an individual manager's prior learning and an overall reduction in time managers will take to complete the management development elements of the programme.</p> <p>Learning will be more accessible via e-learning modules and managers will no longer be required to attend a high number of face to face delivery sessions therefore taking managers away from the workplace.</p>
How (will it be achieved)	Further targeted e-mails and communication via One Brief will be sent to encourage attendance and completion.
Who (will be responsible)	Angela Daly, Organisational Development Officer (Lead Officer for MDP Programme)
When (will results be realised)	24 months from the date of each managers Performance Appraisal

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WIRRAL COUNCIL

TRANSFORMATION AND RESOURCES POLICY & PERFORMANCE COMMITTEE

15 JULY 2015

SUBJECT:	<i>WORK PROGRAMME UPDATE REPORT</i>
REPORT OF:	<i>THE CHAIR OF THE COMMITTEE</i>

1.0 EXECUTIVE SUMMARY

1.1 This report updates Members on the current position regarding the work programme for the Transformation and Resources Policy & Performance Committee.

2.0 BACKGROUND AND KEY ISSUES

2.1 The Transformation and Resources Policy & Performance Committee is responsible for proposing and delivering an annual work programme. This work programme should align with the corporate priorities of the Council and be informed by service priorities and performance, risk management information, public or service user feedback and referrals from Cabinet or Council.

2.2 In determining items for the Scrutiny Work Programme, good practice recommends the following criteria could be applied:

- Public Interest – topics should resonate with the local community
- Impact – there should be clear objectives and outcomes that make the work worthwhile
- Council Performance – the focus should be on improving performance
- Keeping in Context – should ensure best use of time and resources

2.3 The work programme is made up of a combination of scrutiny reviews, standing items and requested officer reports. This provides the committee with an opportunity to plan and regularly review its work across the municipal year. The work programme as at the end of the 2014/15 municipal year is attached as Appendix 1.

3.0 TRANSFORMATION AND RESOURCES POLICY & PERFORMANCE COMMITTEE WORK PROGRAMME

3.1 At the Agenda Setting meeting for this Committee, the arrangements for setting the work programme for the 2015/16 municipal year were discussed. It was proposed that a workshop session is held with the Chair, Vice Chair, Group Spokespersons and any other Member of the Committee who would like to participate. Members will be notified of the arrangements for the workshop session once they have been formalised.

4.0 PREVIOUS / CURRENT SCRUTINY REVIEWS – UPDATE

4.1 Local Welfare Assistance Scheme

The Local Welfare Assistance Scheme Scrutiny Review has now been completed. As agreed at the previous Transformation and Resources Policy & Performance Committee meeting held on 30th March, the final report was referred directly to Cabinet and was included on its agenda for the meeting held on 29th June. The final report has also been included as a separate item elsewhere on this Committee's agenda.

5.0 PROGRESS IMPLEMENTING PREVIOUS RECOMMENDATIONS

- 5.1 An update on the implementation of all recommendations from the Freedom of Information Scrutiny Review that was completed in April 2014 was presented at the last Committee meeting held on 30th March. A further update will be provided later in the municipal year.

6.0 RECOMMENDATIONS

- 6.1 Members are requested to note the contents of this report, including the arrangements for setting the Committee's work programme for the 2015/16 municipal year.

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2014-15 Transformation and Resources Policy & Performance Committee Work Programme

Key Activities	Lead Member / Officer	Reason for Review	May 2014	June 2014	July 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	April 2015	Outcome
Committee Dates					15th		16th		5th	4th		4th	30th		
Scheduled Reviews															
Local Welfare Assistance Scheme	Cllr Ann McLachlan / Malcolm Flanagan	Requested by Members													Completed. Referred to Cabinet 29 June 2015
Budget Options	Joe Blott	Part of Future Council Process													Completed - Referred to Cabinet November 2014
Potential Reviews															
Council's Approach to filming	Cllr Ann McLachlan														
Notice of Motion															
Reports Requested															
ICT Strategy	Mike Zammitt	Requested by Members													
Council Tax / Sundry Debtors	Malcolm Flannagan	Requested by Members													
Evolving process of Future Council	Joe Blott	Requested by Members													
Freedom of Information - Follow up report		Requested by Members													
Office Accommodation (New Municipal Year)		Requested by Members													Agenda item 15 July 2015
Standing Items															
Performance Dashboard															
Financial Monitoring															
Special Budget meeting															

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