

Cabinet

Monday, 9 September 2019

Present: N Redfearn (Elected Mayor) (in the Chair)
Councillors G Bell, S Cox, S Day, P Earley, R Glindon,
M Hall and C Johnson

In Attendance: A Ferris (Young Mayor)
D McNally (Age UK)
M Almond (Voluntary and Community Sector)
T Bridges (Business Representative)

Apologies: Councillors B Pickard and C Burdis

CAB36/19 To Receive any Declarations of Interest and Notification of any Dispensations Granted

No declarations of interest or dispensations were reported.

CAB37/19 Minutes

Resolved that the Minutes of the previous meeting held on 29 July 2019 be confirmed and signed by the Chair.

CAB38/19 Report of the Young Mayor

The Young Mayor reported on the following activities in which she and Young Cabinet Members and/or Youth Councillors had been involved:

- UK Youth Parliament Member Oscar had spoken in support of the Air Quality motion during the Big Debate at the British Youth Council Conference in Leeds.
- Oscar had also been involved in sending out the Make Your Mark consultation, the largest young people's consultation in Europe which at the end of the process, would be debated by Members of UK Youth Parliament at the House of Commons in November.
- Youth Councillors had raised £335.06 from the bag pack at Morrison's in Whitley Bay and over £100 from the sale of sweets which would go towards their fundraising total for St John's Ambulance. So far, they had raised £553.89. A further bag pack was planned for December.
- The Youth Transport Forum group had met with other young people from the North East region at the Open Lab in Newcastle to develop a website being created with the Digital Civics Department at Newcastle University, to pull together transport information into one place to make it easier for users to find out the information that they wanted.
- The Anti-bullying group had met with the web designer and had suggested some changes for the Your Present Your Future Anti Bullying website. The group's creative writing and poetry competition was open for entries from young people who lived or study in the borough. Entry form flyers had been sent out to schools, colleges and libraries with more being given to Youth Councillors for them to take to their schools.

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Entries closed on 30 September.

- Schools had been informed about the opportunity to participate in a range of activities over Local Democracy Week in October. Children's Councillors had worked on the school council event which would take place during that Week.
- The Planning Group were working on the arrangements for the Equality and Diversity Conference to be held in January 2020 and places would be offered to Young People.
- The Young Cabinet Member for Environment Abi Tang and Environment Group had met with the Cabinet Member for Environment and Transport, Councillor Johnson and officers from Environmental Sustainability to support them in putting together an action plan in respect of the carbon footprint of North Tyneside Council. She had also asked what schools could do.

The Elected Mayor thanked the Young Mayor for the report and commended her on the excellent work and projects she, Young Cabinet Members and Youth Councillors had been involved with.

CAB39/19 2019/20 Financial Management Report to 31 July 2019 (All Wards)

Cabinet considered the second monitoring report outlining the Authority's 2019/20 financial position which provided an update on the expected revenue and capital financial position of the Authority as at 31 March 2020.

The report covered the forecast outturn of the Authority's General Fund and Housing Revenue Account (HRA) revenue budget including management mitigations where issues had been identified; the delivery of 2019/20 approved budget savings plans; and an update on the Capital Investment Plan, including details of variations and reprogramming, that were recommended for approval.

The budget for 2019/20 had been approved by full Council at its meeting on 21 February 2019. The net General Fund Revenue budget had been set at £155.730m. This included £10.533m of savings to be achieved (£6.875m relating to 2019/20).

The forecast overall pressure on the General Fund was estimated at £5.243m against the approved net budget. This was driven mainly by Health, Education, Care and Safeguarding reflecting the continued pressures in Children's Services of £3.775m and Adult Services of £2.596m, partly mitigated by the contingency balances that had been created by Cabinet as part of the 2018/19 budget setting process and continued to be held centrally to reflect the on-going pressures in social care being felt locally and nationally.

Included in this projection was £2.898m of pressures in Corporate Parenting and Placements, £2.048m in Wellbeing and Assessment and £0.560m in Disability and Mental Health. The drivers for these pressures continued from 2018/19, as outlined in the report.

The other main areas of pressure existed within the Resources section, primarily due to additional costs within ICT Retained Services. It was anticipated that the overall outturn forecast would improve over the course of the financial year as planned remedial actions began to impact on both expenditure and income.

The HRA was forecast to have year-end balances at 31 March 2020 of £6.533m, which was

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£2.662m higher than budget which was set at £3.871m. The higher than forecast balances were mainly as a result of higher opening balances due to the impact of the previous year's financial performance (£1.101m) but there was also an in-year estimated overall underspend of £1.561m, against an in-year budget of £2.331m, due to additional income of £0.061m combined with reduction to expenditure of £1.500m, which was linked to savings identified following the end of the Kier JV from April 2019.

As of July 2019, 2,608 North Tyneside Homes tenants had moved on to Universal Credit and a team was working proactively with tenants to minimise arrears. This position would be closely monitored as the year progressed to identify any adverse impacts on the budget position.

Schools were required to submit their rolling three year budget plan by 31 May each year. The total planned deficit for 2019/2020 was £5.045m. As well as school balances reducing overall, some individual schools continued to face significant financial challenges. There were nine schools with approved deficits in 2018/19, five of which continued to be in deficit for 2019/20. Six schools were also new to deficit in 2019/20.

The High Needs Block had ended 2018/19 with a pressure of £0.920m. Initial forecasting of the budget position for 2019/20 indicated a similar level of pressure within the year of £0.952m. In line with the national picture, there had been a rise in demand for special school places within North Tyneside and the Authority was planning for places at the end of 2019/20 to total approximately 762. This compared to a total of 664 places at the beginning of 2018/19.

The 2019-2023 Investment Plan, adjusted for proposed programming, totalling £200.427m (£74.626m 2019/20) was detailed in the Annex to the report. The Annex also set out delivery progress to date, planned delivery for 2019/20, reprogramming and other variations identified through the Investment Programme governance process.

No new revenue grants had been received during June and July 2019.

The Authority had plans in place to deliver all elements of the Council Plan and performance against those plans was carefully monitored. The area under most financial pressure was Health, Education, Care and Safeguarding.

In common with most local authorities, and in line with the national picture, the Authority had seen costs within adult social care continue to rise. In Children's Services good progress continued to be made on engaging with children in the early years of life to ensure that they were ready for school. Safeguarding vulnerable children and maximising their educational attainment remained key priorities.

The levels of Looked After Children (LAC) and children who required supervision after leaving care continued to generate a significant financial pressure. In year data suggested that the Authority's LAC levels, whilst fluctuating were, on average, remaining constant, but were around 20 placements higher than the same period last year. There was a wide range of levels of care provided, with more complex cases now being faced.

Increasing complexity continued to drive financial pressure in 2019/20. The Authority was forecasting a pressure of £2.898m in Corporate Parenting and Placements, however,

ongoing management of this pressure by the Service including the implementation of the New Model to Support Children had seen a positive movement from the outturn pressure for 2018/19 of £3.580m.

An officer led review of the Investment Plan had resulted in proposals for variations of £1.300m of which more details were set out in Section 7 of the Annex to the report. The revised Investment Plan stood at £74.626m for 2019/20 and to the end of July 2019 spend of £9.255m had been incurred which represented 12.40% of the revised plan.

The Elected Mayor thanked officers and the Cabinet Member for Finance and Resources for their work in dealing with ongoing budget pressures.

Cabinet considered the following decision options: either to approve the recommendations as set out in paragraph 1.2 of the report, or alternatively, to not approve the recommendations.

Resolved that (1) the forecast budget monitoring position for the General Fund, Schools' Finance and Housing Revenue Account as at 31 July 2019, as set out in the Annex to the report, be noted;

(2) the Authority's Investment Plan spend of £9.255m to 31 July 2019 and the financing of the Plan to the end of the year be noted; and

(3) the variations of £1.300m within the 2019-2023 Investment Plan be approved.

(Reason for decision - it is important that Cabinet continues to monitor performance against the budget, especially given the current level of financial pressures faced by the public sector.)

CAB40/19 2020-2024 Financial Planning and Budget Process incorporating the Associated Engagement Strategy (All Wards)

Cabinet considered a report seeking approval to the proposed 2020-2024 Financial Planning and Budget process including information on the key decision milestones; and as part of the process, the proposed approach to Budget Engagement.

The report outlined the national context within which local authorities were required to manage their finances. The financial outlook for local government and public services remained challenging and uncertain. Local government had faced significant funding reductions, and these were likely to continue.

Medium-term financial planning remained difficult and reflected the continuing funding cuts for local government, coupled with welfare reform and increased demand for social care and other unfunded pressures arising from pay and price inflation. There had been indications that many authorities were overspending against budgets for both Adults and Children's Services in order to meet increasing cost due to the increased complexity of service users' needs. These pressures were evident in the Authority, and as a consequence the Authority would need to explore new financial and organisational initiatives to meet this significant challenge.

At a local level, there were changes in North Tyneside's demography with an increasing

population and a growing number of the Authority's most vulnerable residents requiring complex health and social care support. The Authority, wherever possible, aimed to manage demand as effectively as possible, targeting services at those residents with greatest need. This could only contain, or at best slightly reduce, the overall size of the population in receipt of these services. However, the average cost of these services had risen due to the increased average complexity of the needs of those clients.

The last few years had been uncertain but financial planning for 2020/21 was particularly difficult. The Social Care Green Paper was two years late, the promised Comprehensive Spending Review had yet to emerge, the Fair Funding and Business Rates Retention review was in doubt and the future of Government grants such as the Better Care Fund and Troubled Families was also uncertain.

As a result of the delay to Brexit until 31 October 2019, political uncertainty remained high and this was causing a delay to many decisions throughout Whitehall. Details of the Spending Round had yet to be released but it was expected that this would be completed in September 2019. A one-year settlement was likely to be on the basis of a roll-forward with current resources remaining the same as those in 2019/20. In real terms, this would mean that the settlement would be "cash flat" with the potential for additional funding for social care.

A one-year settlement would have implications for the Fair Funding Review (FFR) and reform of the Business Rate Retention Scheme (BRRS). The FFR had been scheduled for implementation from April 2020 alongside a move to 75% BRR. Uncertainty would remain as to future local government allocations post 2020/21. Significant risks remained to the Authority's funding around the principles yet to be agreed for fair funding distribution and how the move to 75% BRR was implemented.

The current Medium-Term Financial Plan (MTFP) covered the period to the end of 2022/23. Whilst there was a great deal of financial uncertainty, recommended practice suggested that due consideration was given not only to the short-term but to how the Authority would continue to finance its activities in the medium-term. It was therefore recommended at this stage that the MTFP covered the four-year period 2020/21 to 2023/24. The MTFP was a key part of the Authority's Budget and Policy Framework which aimed to ensure that the Authority had the financial capacity and capability to achieve its strategic aims with due consideration to the long-term financial sustainability of the organisation. As part of the 2020-2024 Financial Planning Process, a review of the MTFP would be carried out. It was proposed this would set out the following:

- Analysis of the current financial situation, which included the main sources of income, the main financial commitments and the levels of reserves currently held;
- Provision of a longer term financial "vision" for the Authority which was consistent with the overall strategic aims; and
- set of actions that set out how the financial vision was to be achieved with appropriate timescales that could be integrated into the medium- and short-term financial plans.

The Authority had previously agreed a set of principles as part of the process to develop the MTFP Plan and Budget. These were set out in detail in the report and would also be

refreshed as part of the update to the Financial Strategy.

The current “Our North Tyneside Plan” had been approved by Council on 15 February 2018. The Plan set out the overall vision and policy context within which the Financial Plan and Budget proposals were set. These key policy priorities informed the direction of resource allocation when developing the Budget and MTFP.

With regard to the Housing Revenue Account, the 2019/20 financial year marked the end of the four-year 1% per annum rent reduction for all housing stock introduced by Government in the Welfare Reform and Work Act 2016. From April 2020 the Government had announced that rent policy would return to being based on increases of Consumer Prices Index (CPI) + 1% per annum for at least the next 5 years in order to give housing authorities greater planning certainty. The Authority was also facing the impact of the continued roll-out of Universal Credit and other welfare reforms.

The 2020-2024 Financial Planning and Budget process would include a review of the current plan and the Capital Investment Strategy with a view to the development of a five year Investment Plan for the period 2020/21 to 2024/25. The Treasury Management Strategy would be reviewed in light of the refreshed Investment Plan and the overall MTFP for both the General Fund and the HRA.

In terms of the 2020-2024 General Fund Financial Plan and Budget, although there was a great deal of uncertainty, overall it was estimated currently that the Authority would need to close a funding gap of £31.730m by 2023/2024. This funding gap was summarised in Table 1 of the report. The figures included in the table did not include any assumptions on Council Tax increases in the period of the MTFP.

Reserves were reviewed during the financial year and Table 2 in the report showed the estimated use, following review of all General Fund reserves over the period to March 2024.

In assessing the adequacy of reserves, consideration was given to the level of un-earmarked reserves available for the management of financial risk to the Authority. There was anticipated use of the Redundancy and Remuneration Reserve and the Support Change Fund Programme Reserve over the period of the MTFP leaving the Strategic Reserve as the only material un-earmarked reserve. Table 3 set out the level of un-earmarked general fund reserves held at the end of the 2018/19 financial year and the forecast position at 31 March 2024 as a proportion of Gross Expenditure budget and General Fund net revenue budget over the period of the MTFP.

Un-earmarked reserves were lower than most in the region; however, the Chief Finance Officer considered that those reserve levels were adequate, particularly when considered against the degree of uncertainty surrounding local government finance. She also considered that the Strategic Reserve should be sustained at least at this level over the period of the four-year medium-term financial plan.

The report referred to the Authority’s responsibilities under the Equality Act 2010 and Public Sector Equality Duty, part of which was to ensure that the potential effects of decisions on those protected by the Equalities legislation were considered prior to any decision being made. The effect of the Authority’s budget setting process and decision-making would

continually be monitored by using Equality Impact Assessments.

Key aspects of the 2020/2022 Financial Planning and Budget process timetable were set out at Appendix A to the report. This highlighted key decision milestones in the process.

The Elected Mayor and Cabinet were responsible for formulating the Council Plan and the Authority's Budget. The Cabinet Member for Finance and Resources, in close consultation with the Elected Mayor, had been nominated as the lead Cabinet Member for the overarching 2020-2024 Financial Planning and Budget Process. The Head of Resources would be the project sponsor.

Details of the Budget Engagement Strategy for 2020/2021 were set out at Appendix B to the report. The aim of the Strategy was to reach different sectors of the population through an approach that encompassed engagement with residents as a whole and customers/users of services as well as particular groups of people, including those with protected characteristics. The approach also ensured reach with particular interest groups and also ensured that targeted activity with specific external and internal stakeholder groups.

Cabinet considered the following decision option: to agree the recommendations as set out in paragraph 1.2 of the report. The Authority's Constitution and Budget and Policy Framework Procedure Rules set out the stages to be completed in relation to agreeing the Budget of the Authority. There were no other options available in relation to this. The Budget Engagement Strategy formed part of the 2020-2024 Financial Planning and Budget Process.

Resolved that (1) the proposed outline 2020-2024 Financial Planning and Budget process, which incorporates the key decision milestones and dates, as set out at Appendix A to the report, be approved;

(2) the Budget Engagement Strategy as part of the 2020-2024 Financial Planning and Budget Process, set out at Appendix B to the report, be approved; and

(3) The Chief Executive, in consultation with the Elected Mayor, Deputy Mayor, Cabinet Member for Finance and Resources, Cabinet Member for Community Safety and Engagement, the Head of Law and Governance and the Head of Resources, be authorised to make any changes necessary to the 2020-2024 Financial Planning and Budget process following the outcome of the Constitution review as described in paragraph 1.4.2 of the report.

(Reason for decision: The recommendations are mainly legal in nature, as stated in paragraphs 2.1 and 2.2 of the report.)

CAB41/19 Risk Based Verification (All Wards)

Cabinet considered a report seeking approval to proposed changes to the verification of evidence to support Housing Benefit and Council Tax Support claims.

On 9 March 2015 Cabinet had approved the implementation of a Risk Based Verification (RBV) process to administer new Housing Benefit (HB) claims and Council Tax Benefit Support (CTS) as the number of new claims to HB and CTS had been steadily rising. RBV provided an opportunity to improve administration and reduce the burden on claimants to provide as much evidence to support their claims. There was also the potential to drive out

fraud and error by targeting higher risk claimants to provide more evidence in support of their claims.

A new system to implement the RBV process had subsequently been procured and on 1 April 2015 RBV had been implemented.

In 2015/16 the number of new claims received had peaked to over 11,000 per annum and RBV allowed the Authority to process these claims without the need to request large amounts of evidence from claimants. This had improved administration and the speed of processing claims had improved from an average of 32 days for HB in 2014/15 to 24 days in 2015/16.

From November 2015 the Authority had been part of the national roll out of the Universal Credit Live Service, and in May 2018 Universal Credit Full Service had been implemented. Both changes had had an impact on the number of new claims to HB that the Authority dealt with as working age claimants now claimed housing costs through Universal Credit. Alongside this, the number of new claims for CTS was also reducing. In 2018/19 the overall number of new claims the Authority dealt with annually had reduced to less than 8,000 and was expected to drop further up to and following full migration of working age claimants to Universal Credit.

The profile of new claims for HB the Authority dealt with was changing and the majority were now from pensionable age claimants, with the remaining working age claims from those in supported or temporary accommodation or claimants entitled to a Severe Disability Premium.

Since the implementation of RBV in 2015 the Authority had also seen significant improvements in the access to data provided by the Department for Work and Pensions (DWP). This allowed the Authority to verify the state benefits of claimants and receive direct notification from DWP systems when incomes changed. For CTS claimants receiving Universal Credit, DWP also provided a notification to the Authority of the income they had used in awarding Universal Credit including details of earnings. A further recent development now meant the Authority also had access to earned income and private pension data held on Her Majesty's Revenue and Customs (HMRC) systems.

These improvements in access to data, the reducing number of new claims, and the change in profile of new claims, had led the Service to consider whether there was still a need for RBV and whether the Service could still process claims effectively without risk to the Authority, without using it. The number of new claims processed had been tracked since RBV was implemented in April 2015 as shown in Table 1 – Claims Data in the report. This showed that the number of claims had started to reduce from 2016 but that in 2018 the reduction was considerably higher and additionally the first three months of 2019/20 also continued to show a significant reduction.

The systems that provided the Authority with data direct from DWP and HMRC had also been examined, and it was considered that because of developments in these systems, they now provided sufficient accurate information that was reliable for assessing entitlement to HB and CTS and there was often no need to request evidence from the customer in most cases.

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Fraud and error in claims had also been examined and it was found since 2015/16 the creation of overpayments had reduced over the years but there was no conclusive evidence to suggest it was down to RBV. This was because there had been a number of DWP initiatives over the years that had improved accuracy of data and notifications of changes so there was less scope for error to occur.

Whilst it was considered that there was no real value to continue to use RBV in benefit processing, the Authority still needed a framework in which to ensure that evidence in support of claims was verified to a standardised process to ensure accuracy and accountability.

Prior to moving to an RBV the Service had used a standard approach to verify income, which was similar to that applied to the high-risk group under RBV for HB claims. This involved requesting original evidence. This would be now appropriate to use in HB cases as the reduced number of claims and change in profile of new claims made this now a more manageable option (CTS cases would still follow medium risk under RBV which allowed photocopies as well as originals). The improved access to data on DWP and HMRC systems provided quicker, more accurate information and removed the need to verify income with the customer in the majority of cases; only in a very limited number of cases would there be a need to request the customer to provide supporting evidence. Many Authorities used this approach so North Tyneside would not be out of line with what others were using to verify incomes.

Cabinet considered the following decision options: to adopt a different approach to Risk Based Verification to verify claims for Housing Benefit and Council Tax Support claims as set out in the recommendations at paragraph 1.2 of the report, or, alternatively, to not approve the recommendation and request that the Service consider an alternative approach.

Resolved that the Authority replaces its current Risk Based Verification approach to verifying incomes of those claiming Housing Benefit and Council Tax Support in line with Option 1 as set out in paragraph 1.2 of the report.

(Reasons for decision: performance will not be affected; the reducing number of claims and the changing profile means there is no longer a need for an RBV approach to verifying income; the access to data from DWP and HMRC has improved the availability of accurate and reliable data to confirm claimants' incomes so an RBV approach is no longer required; and there may be savings to Engie as there will no longer be a need to pay for RBV software.)

CAB42/19 Review of the North Tyneside Contaminated Land Strategy (All Wards)

Cabinet considered a report which sought approval to commence consultation on an updated draft of the Authority's Contaminated Land Strategy.

The Authority had a duty under Part 2A of the Environmental Protection Act 1990 to produce a Strategy setting out how it would identify and deal with contaminated land within its area.

The review of the Strategy had been shaped by engagement with the Contaminated Land North East Regional Group and internal consultation had also been undertaken to ensure

the Strategy remained up to date with current nationally published guidance.

The Local Plan, approved by Council in July 2017, emphasised that new development must be made suitable for its use and enabled contaminated land to be brought back into beneficial use. The updated draft Strategy linked to the Local Plan and highlighted development as a route to bringing contaminated land back into beneficial use and provided an opportunity to improve the environment.

The main amendments to the Strategy were:

- Mining and ground water constraints: Developer guidance had been produced by the Environment Agency and the Coal Authority to ensure protection of water courses, ground water and mine gas;
- National and local planning policy: New policies on Planning placed the onus on developers to demonstrate that development would not cause serious detriment to the environment;
- Changes in land status: There had been a reduction in local designated wildlife sites and sites of local nature conservation interest in the borough. There had been a reduction in publicly owned land;
- Prioritisation of actions relating to contaminated land: Updates to the work programme to reflect the proactive work that had been undertaken; and
- Environmental Damage Regulations: Inclusion of the amendments that had been made to these regulations which removed the need for formal consultation on remediation proposals.

The updated draft Strategy was included in Appendix 1 of the report. A summary of the amendments to the draft Strategy were set out at Appendix 2 to the report.

The report sought approval to commence public engagement on the updated draft Strategy. Consultation would be undertaken with the statutory bodies who were consultees to the Planning process, developers, businesses and the public. The Authority's Engagement Hub would be used as a means of publicising widely with comments being coordinated by the Environmental Health Service.

It was proposed that the engagement process would commence on 30 September 2019 for a period of 6 weeks. At the conclusion of the consultation the updated draft Strategy would be presented to Cabinet for final consideration.

Cabinet considered the following decision options: to accept the recommendations set out in paragraph 1.2 of the report, *or alternatively, to not approve the recommendations.*

Resolved that (1) that the Head of Environment, Housing and Leisure be authorised to commence public engagement on the updated draft Contaminated Land Strategy attached at Appendix 1 to the report; and
(2) a further report be received by Cabinet at the conclusion of the public engagement process to seek approval to the adoption of the updated draft Contaminated Land Strategy.

(Reasons for decision: It is a statutory requirement that the Authority has an up to date Contaminated Land Strategy. The updated draft Strategy will provide developers,

businesses and residents of North Tyneside with guidance on how the Authority will determine whether land is deemed to be contaminated. When land is deemed to be contaminated it sets out what action the Authority will take.

If the preferred option is not approved, the Authority risks not being able to fulfil its statutory requirements and not being in a position to ensure that land within North Tyneside will be fit for its current use. This may result in detrimental impacts to health for the residents of North Tyneside and the wider community.)

CAB43/19 North Tyneside Council's Lettings Policy Review (All Wards)

Cabinet considered a report which sought approval of the reviewed North Tyneside Council's Lettings Policy.

The review of the Lettings Policy had been carried out taking into account the following: -

- Shrinking Housing Revenue Account (HRA) budget: Reduced rents by 1% for 4 years as a consequence of changes made by national government; and the impact on rental income due to the introduction of Universal Credit, rent arrears had increased by £594,000 in 2018/19.
- Reduction in housing stock: The Authority's housing stock had reduced from 32,000 in 1979 to 14,656 at the end of 2018/19. A total of 382 properties had been sold under the Right to Buy scheme since 2016.
- New legislation: The introduction of the Homeless Reduction Act 2017 had put new duties on the Authority as to how to manage homeless applications and prevent homelessness.
- Ensuring people with housing need were allocated available homes: There were 3,868 applicants registered on the Authority's housing register, with an average of 1,400 homes available a year. Due to the low level of available homes it was important that homes were allocated to those applicants most in need.

The review of the Lettings Policy had taken into consideration all relevant legislation, issues identified during the operation of the current Lettings Policy and feedback from consultation with Members, staff, tenants / potential tenants, residents and key stakeholders.

The feedback from the consultation on each of the proposals was provided in the Consultation Report as set out in Appendix 2 to the report. Six changes to the Lettings Policy had originally been proposed but as a result of the feedback only four were now proposed as follows:

- Homeless applicants' choice to bid
- Financial Resources
- Restricting Transfer Applicants
- Restrictions on Bidding

Further details of each of the above amendments were set out in the report.

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Cabinet considered the following decision options: 1) to accept the recommendations set out in paragraph 1.2 of the report; or alternatively, 2) to accept the recommendations, subject to amendments as specified by Cabinet; 3) not to approve the recommendations and refer the content of the report back to officers for further consideration and consultation.

Resolved that the North Tyneside Council Lettings Policy, as set out in Appendix 1 to the report, be approved.

(Reasons for decision: This will support the continued efficient and effective management of the housing register and allocation of the Authority's homes and thereby continue to play an important role in meeting housing need within the Borough. The proposals contained within Option 1 reflect feedback from consultation and secure compliance with the Authority's statutory duties.

If the preferred option is not approved, the Authority will be in a weaker position to manage some of the risks associated in meeting legislative requirements, welfare reforms and managing housing need.)

CAB44/19 Complaints Service Report 2018-19 (All Wards)

Cabinet considered a report which detailed complaint related activity during 2018-19 and which complied with the requirement to publish a report on complaints under the relevant statutory complaints legislation.

The Authority undertook millions of transactions with its 206,000 residents and over five million visitors to the Borough throughout the year. Against that background, the number of complaints received by the Authority remained consistently low, reflecting the excellent services the Authority's customers received and its ability to resolve swiftly any issues that did arise at the first point of contact.

The number of formal complaints had decreased during 2018-19 compared to the previous year as the Authority continued to take a proactive approach to encouraging residents and service users to provide feedback. The Authority's complaint leaflet entitled 'How to complain about Council services' was widely available in the Authority's buildings and to download from the Authority's website. It was also now easy for customers to contact the Authority on-line, and Social Care Service users were provided with a complaint leaflet at the first point of contact.

Customer satisfaction with the complaints process remained relatively high and the Authority continued to resolve the vast majority of complaints at Stage 1. The Authority welcomed complaints as valuable feedback from its customers and complaint outcomes provided valuable lessons to further improve and enhance the Authority's services and procedures.

The Authority operated statutory complaint procedures for Adult Social Care and Children and Young People's Services and Public Health. It also provided a corporate complaints procedure for all other services.

During 2018-19, the Authority had responded to Local Government and Social Care Ombudsman (LGSCO) enquiries in a timely fashion and was well within the required

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timescale for response of 28 days. The LGSCO's annual review of complaints for 2018-19 was detailed in the report at Appendix 2.

The Authority's complaints service report for 2018-19 at Appendix 1 showed that the overall number of formal complaints had decreased by 10% in comparison to 2017-18 (973 complaints and 1,070 complaints respectively).

The number of social care complaints (relating to both Adult Social Care and Children and Young People's Services) had decreased slightly from 126 in 2017-18 to 97 in 2018-19 (42 cases in Children's Social Services and 55 cases in Adult Social Care).

A breakdown of the numbers and categories of complaints was provided in the report.

A survey of complainants' experiences of, and satisfaction with, the complaints service undertaken in respect of complaints handled during 2018-19 had resulted in 11% of forms being returned. The majority of respondents had found it easy to find information about the service and said that staff were helpful, that they were happy with the length of time taken to respond to their complaint, and that the content of the response letter had been easy to understand. Overall 59% of customers thought the complaints process was good.

A number of changes had been made to procedures and practice in services as a result of complaints resolved during 2018-19, examples of which were detailed in the report.

A continuing area of development was partnership working, where services were provided on behalf of the Authority in conjunction with other public, voluntary and private sector organisations. Such change had potential for complaint processes to become complex, so arrangements were in place to ensure the customer's experience was as straightforward as possible. Securing the efficient handling of complaints was a vital component of ongoing arrangements with the Authority's current and any potential future partners.

Complaints were now widely recognised as integral to the provision of quality services at both individual and strategic levels. The Authority's successful history and current good practice in effective complaint handling would be an integral service improvement driver in the current rapidly changing culture. The demands of maintaining and increasing levels of customer satisfaction, coupled with organisational changes across public and partner sectors, would be well supported by the current robust complaint handling procedures and electronic system in place.

The Mayor referred to the comparatively low level of complaints and referrals to the LGSCO and thanked the staff for their efforts particularly in the light of increasing pressures on local authority services and the number and complexity of services provided by the Authority.

Cabinet considered the following decision options: to agree the recommendations as set out in section 1.2 of the report; or alternatively, to not approve the recommendations and refer back to officers and request that further analysis and information is provided.

Resolved that (1) the complaint related activity during 2018-19, as set out in the annual complaints report, at Appendix 1, be noted;
(2) the annual complaints report be approved for publication by the Head of Law and Governance; and
(3) the Local Government and Social Care Ombudsman's annual review of complaints

concerning North Tyneside Council for 2018-19, as set out in Appendix 2 to the report, be noted.

(Reason for decision: All local authorities providing social service functions including North Tyneside Council are required to publish an annual report on complaints received. Publication of a report also supports community engagement and promotes transparency and opportunities for organisational improvement.)

CAB45/19 Exclusion Resolution

Resolved that under Section 100A (4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 1 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 1 respectively of Part 1 of Schedule 12A to the Act.

CAB46/19 Procurement Update (All Wards)

Cabinet received a report which outlined progress on returning the Procurement Service, which was currently delivered as part of the business partnership with Engie, to direct management by the Authority; and sought approval to adopt a 'Responsible Procurement Charter' which would comprise a set of ethical standards for suppliers which reflected the Authority's policy position.

It was proposed that the 'Responsible Procurement Charter' as set out at Appendix A to the report be adopted and reflected where appropriate in revised terms and conditions of contract. This would allow the Authority to mandate adherence when awarding contracts and to monitor compliance thereafter.

Cabinet considered the following decision options: to approve all recommendations as set out in paragraph 1.2 of the report, or alternatively, to approve recommendations (1) and (2) only, but not recommendations (3) and (4); or, to not approve to the recommendations.

Resolved that (1) the progress made in implementing Cabinet's decision of 15 October 2018 to returning Procurement services which were currently delivered by the Engie Business Partnership to direct management by the Authority, be noted;

(2) the Head of Commissioning and Asset Management, in consultation with the Head of Law and Governance, the Head of Resources and the Cabinet Member for Finance and Resources, be authorised to carry out the necessary steps in completing the return of Procurement Services;

(3) it be noted that a significant number of 'ethical charters' have been received and researched by the Authority, aimed at securing the adoption of various standards, many of which cover procurement activity and the supply chain; and that these charters have been evaluated for 'fit' with the Authority's policy position and the Our North Tyneside Plan, resulting in a proposed 'Responsible Procurement Charter' for the Authority; and

(4) the proposed 'Responsible Procurement Charter', as set out at Appendix A to the report, be adopted and the Head of Commissioning and Asset Management, in consultation with the Head of Law and Governance, be authorised to amend the Authority's contract terms and conditions, where appropriate, to reflect those areas set out in the

Cabinet

Charter.

(Reasons for decision: This would enable all aspects of the Authority's procurement functions to be delivered, managed and controlled directly by the Authority thus optimising efficiency and effectiveness.

The adoption of the proposed 'Responsible Procurement Charter' further supports the priorities as set out with Our North Tyneside Plan and also the Authority's Social Value priorities within the Procurement Strategy 2017-2020.)

CAB47/19 Future of the Coroner Service for North Tyneside (All Wards)

Cabinet considered a report which outlined the current situation with the Senior Coroner for North Tyneside; and sought approval for the proposed way forward for the Coroner Service in North Tyneside.

Cabinet considered the following decision options: to approve all recommendations as set out in paragraph 1.2 of the report, or alternatively, to not approve the recommendations.

Resolved that (1) the settlement of the historic back-pay issue with the Senior Coroner for North Tyneside, and his retirement with effect from 30 September 2019 be approved; (2) the appointment of the Senior Coroner for Newcastle as an Assistant Coroner and subsequently as Acting Senior Coroner for North Tyneside be approved; and (3) the merger of the Newcastle and North Tyneside Coroners areas be approved in principle, subject to the development of an agreed business case.

(Reasons for decision: Given the current Coroner's desire to retire, together with the opportunity for ongoing savings within the service delivered through that retirement, Option 1 is recommended. In the event that the retirement takes place, the Authority will need to make provision for a Senior Coroner to discharge the necessary duties, and the proposed arrangements with the Newcastle Senior Coroner will allow the Authority to smoothly move towards a merger of the two areas, in line with the stated policy of the Ministry of Justice.)

CAB48/19 Date and Time of Next Meeting

Tuesday 17 September 2019 at 4.00pm (Extraordinary meeting)

Monday 14 October 2019 at 6.00pm (Ordinary meeting)

Minutes published on Thursday 12 September 2019.

The decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview, Scrutiny and Policy Development Committee) immediately following the expiry of the call-in period; i.e. 5.00pm on Thursday 19 September 2019.