

OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting: 13th November 2017

Present: Cllr Lythgoe (in the Chair)
Cllrs Bromley, Janet Eaton, Johnson, Kempson, Kenyon, Morris,
Procter and Robertson

In Attendance: Andrew Buckle, Head of Customer Services and ICT
Phil Seddon, Head of Finance
Ian Walker, Service Assurance Team Leader
Jenni Cook, Committee & Member Services Officer

Also Present: Cllrs Essex, Haworth, Lamb and Walmsley
2 public
0 press

1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were submitted by Councillor McMahon (Cllr Proctor substituting) and Councillor Stansfield.

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 16th October 2017 were agreed as a correct record.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4. URGENT ITEMS OF BUSINESS

- 4.1 There were no urgent items of business.

5. PUBLIC QUESTION TIME

- 5.1 The Chair agreed to deviate from the Procedure for Public Speaking and allow members of the public to ask questions as the reports were discussed.

6. CHAIR'S UPDATE

The Chair clarified that Item D4 – Quarter 1 and Quarter 2 Integrated Performance Report had been removed from the agenda. This was a big piece of work and it was important that the report was complete before it was placed before the Committee.

7. PROCUREMENT AND COMMISSIONING STRATEGY 2017-2020

7.1 The Head of Finance introduced the report which had been referred from Full Council for Overview and Scrutiny's comments. The Strategy was an update on the 2009 strategy and covered the period 2017-2020. The Strategy outlined how the council ensures value for money for procuring and commissioning and sat in conjunction with other documents including the Medium Term Financial Strategy and the Contract Procedure Rules in the Constitution. .

7.2 Members and members of the public discussed the report as follows:-

- The council needed to be more commercial and entrepreneurial in how its resources were used.
- The policy had not been reviewed since 2009; however this was one document amongst many which governed procurement. The revised Strategy had been given an expiration date of 2020, to ensure that it received a review when required.
- Benchmarking took place in service areas with respect to contracts, in particular within ICT.
- More references to checks and balances were required within the strategy.
- Discussion took place on ensuring that the council's suppliers paid the living wage and consideration could be given to this.
- The Strategy was user-friendly and easy to understand.
- The checks that took place when putting major contracts in place were outlined.
- Collaborative purchasing was referenced within the strategy.
- Training could take place for members regarding risk and probity.

Resolved:

1. That the Procurement and Commissioning Strategy 2017-20 is recommended for approval by Full Council, with the following noted by Overview and Scrutiny:-
 - Reference to checks and balances should be included within the Strategy.
 - Consideration should be given to whether the council can ensure its suppliers and contractors pay the living wage.
 - Further information regarding Commissioning.
2. That it is recommended to Full Council that all future minor amendments to the policy be delegated to the Head of Finance in consultation with the Portfolio Holder.

8. COUNCIL TAX AND COUNCIL TAX SUPPORT PENALTY AND PROSECUTION POLICY

8.1 The Service Assurance Team Leader introduced the report which had been reviewed following the Extraordinary meeting of the Council held on 18th September 2017. The Policy had been updated to include legislative and wording changes as determined by the Department for Work and Pensions (DWP). The key changes included:-

- The key financial threshold has been increased from £2,000 to £3,000 due to a change in DWP policy.
- The word 'overpayment' has been replaced with 'overpaid' because council tax support is a discount and there cannot be any overpayments.
- A process map has been included within the policy to break down how a case is dealt with.

8.2 Members and members of the public discussed the report as follows:-

- Concerns were expressed regarding the alternatives to prosecution and it was noted that the council was required to act within the processes laid out by the DWP.
- The council had one officer to investigate fraud and the thresholds, resources and civil penalties were discussed.
- The Fraud Officer could let members know how many cases of fraud there were each year.
- Single person discounts fell under the 'civil penalty' part of the Policy, as set out by the DWP.
- Reference was made to the council's obligation to consider an offenders' physical and mental condition when deciding whether to prosecute, along with the underlying intention and the amount and type of fraud.

Resolved:

1. That the Council Tax and Council Tax Support Penalty and Prosecution Policy is recommended for approval by Full Council, however the Overview and Scrutiny Committee would like Full Council to note its frustrations that the council and its officers are limited by the constraints of DWP legislation.
2. That it is recommended to Full Council that all future minor amendments to the policy be delegated to the Head of Customer Services and ICT in consultation with the Portfolio Holder.

9. CAPITA MONITORING AND PERFORMANCE

- 9.1 The Service Assurance Team Leader introduced the report which provided an annual update on the Capita contract and a breakdown of performance indicators. In terms of benefits processing and accuracy, performance was generally within target. Targets with respect to council tax and non-domestic rates collection were not met; however this was a Lancashire-wide issue. It was noted that the non-domestic rates target would not be met this year and this was due to 1.7% of the total debit being subject to High Court action.
- 9.2 It was noted that the revenues and benefits helpline had moved from Coventry to be housed within the Council and a new telephony system had been introduced in 2016. The system was operating well and call waiting times, although not subject to performance indicators, were operating well. The impact of the new homes bonus had resulted in £171k of expected income this year, as new and empty properties were easily identified.

9.3 Members and members of the public discussed the report as follows:-

- Actual figures would be preferred as opposed to average figures and the Service Assurance Team Leader agreed to clarify these figures to O&S members.
- It was clarified that no-one had waited over 50 days for a claim to be processed.
- The contract with Capita had been extended to 2019 and new targets could be considered for next April.
- The average call waiting times were discussed and it was noted that the number residents were required to call was a local number with local charge rates. The Council did not use premium rate numbers. It was noted that call waiting times would be higher in some circumstances such as 400 letters being sent on a Wednesday, would mean that by Friday morning, a high volume of calls was likely.
- The target for processing housing benefit and council tax claims was 21 calendar days, which compared well nationally. Concerns were expressed by members with regards to the potential for financial hardship and the impact of Universal Credit was discussed.
- It was noted that the drop in footfall in the One Stop Shop was attributed to the drop in taxi driver footfall.
- It was noted that this was a good report for a small team within the council.

Resolved:

That the report is noted.

10. THE FORWARD PLAN

10.1 The Committee and Member Services Officer noted that the Forward Plan had been re-published since the agenda and papers had been published and highlighted the changes as follows:-

- Removal of the 'Rossendale Lottery'.
- The Environmental Health Policies had been expended to list each policy that was being created or amended.

Resolved:

The update was noted.

The meeting commenced at 6.30pm and finished at 8pm