

Public Document Pack



Date: 08 July 2016
Our ref: Corporate Performance Review WP/Agenda
Ask For: Charles Hungwe
Direct Dial: (01843) 577186
Email: charles.hungwe@thanet.gov.uk

CORPORATE PERFORMANCE REVIEW WORKING PARTY

18 JULY 2016

A meeting of the Corporate Performance Review Working Party will be held at **7.00 pm on Monday, 18 July 2016** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: Campbell, Connor, Curran, Dennis, Dexter and Jaye-Jones

A G E N D A

Item
No

Subject

1. **ELECTION OF CHAIRMAN**

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest form attached at the back of this agenda. If a Member declares an interest, they should complete that form and hand it to the officer clerking the meeting and then take the prescribed course of action.

4. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 4)

To approve the Minutes of the Corporate Performance Review Working Party meeting held on 08 February 2016, copy attached.

5. **AGREE THE WORK PROGRAMME FOR THE CORPORATE PERFORMANCE REVIEW WORKING PARTY FOR 2016/17** (Pages 5 - 12)

Agree terms of reference for the working party;
Agree the work programme for the working party;
Agree tentative future meeting dates.

Declaration of Interest form - back of agenda

This page is intentionally left blank

CORPORATE PERFORMANCE REVIEW WORKING PARTY

Minutes of the meeting held on 8 February 2016 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Glenn Coleman-Cooke (Chairman); Councillors Bambridge, Campbell, Connor, Curran, Dennis and Jaye-Jones

In Attendance: Councillor Taylor-Smith

172. APOLOGIES FOR ABSENCE

There were no apologies received at the meeting.

173. DECLARATIONS OF INTEREST

There were no declarations of interest.

174. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor Curran seconded and Members agreed the minutes as a correct record of the meeting held on 30 September 2015.

175. QUARTER 3 PERFORMANCE MONITORING REPORT

Tim Willis, Director of Corporate Resources & S151 Officer introduced the item for discussion. In his presentation, Tim Willis said that the report format for his meeting still presented performance information in the old format which would be replaced by a new one. Madeline Homer, CEx said that the Destination Management Plan (DMP) has a number of activities still to be implemented. Officer would be reviewing these in the light of the current budget provisions.

The revised DMP will be presented to a future meeting of the Overview & Scrutiny Panel. Officers also agreed that future reports to the working party should include the option for Members to make substantive recommendations to the Overview and Scrutiny Panel for onward submission to Cabinet where appropriate. Some Members expressed satisfaction at the decrease in sickness levels for staff.

They suggested that one way of decreasing the Freedom of Information requests (FOIs), would be for officers to ensure that information held by Council and published on the website should be easily accessible to the public. A communications exercise should be carried out to inform the public where this information can be found.

Members noted the report.

176. EAST KENT SERVICES AND EK HUMAN RESOURCES Q3 PERFORMANCE REPORT 2015/16

In his presentation, Dominic Whelan, Director of EK services reported that the performance for the quarter under review was stable. Collection of business rates was slightly above the 2014/15 levels for the same period. Staff had worked under significant pressure due to the implementation of the single system project that saw one platform set up for revenue and benefits for TDC, Dover District Council (DDC) and Canterbury City Council (CCC). Universal Credit system was also set up for Thanet in October 2015 and most recently for DDC and CCC.

Dominic Whelan said that EK Services were not expecting a high impact of the new benefits system in the coming financial year. He also reported that the service had been affected by the cyberattacks that had been targeted at the government. Members noted the error on page 35 of the agenda pack that the % should instead be actual £ values as there are full financial figures given out in that part of the report. They also noted the error on the advice of regarding the council tax rates which should read as follows:

Business Tax - £29 million;
Council Tax - £53 million.

One Member observed that use of tablets and smart phones had increased exponentially and EK Services could consider creating website linkages on common areas across the partner authorities. In response to a Member query, Mr Whelan said that he would be discussing with Tim Willis the various web applications options that were available. He also said that in order to mitigate the staff shortages in IT, EK Services would be considering outsourcing some components of their work.

Officers were working on coming up with single solutions to issues affecting the partner authorities. With regards to innovation projects, a contract had been offered to a company that was still to sign the contract. EK Human Resources was working on identifying the areas that needed improvement and EK Services was working would be holding a workshop for S151 officers to review and consider any financial innovation projects.

The report was noted.

177. EAST KENT HOUSING Q3 PERFORMANCE UPDATE REPORT 2015/16

Brendan Ryan, Chief Executive of EK Housing led discussion on the item and said that the rent arrears performance was good and he was confident that the arrears would be reduced for the fifth successive year. Evictions remained higher in Thanet in comparison to other partner Councils but probably reflected the larger number of flats let to young single people. Performance on re-lets was similarly good with a 36% improvement in performance over the last four years resulting in an additional £300,000 rental income per year for the four councils.

In his presentation, Mr Ryan reported that this year, there was an anticipated underspend of 12% in the Capital Programme which included £180,000 savings as a result of the Invicta lifts refurbishment. Members asked whether any analysis and conclusions drawn regarding the likely impact (particularly with regards to life time tenancies), of the changes to the 'Right To Buy' in the Social Housing Sector. Mr Ryan said his team had not done any work on that issue; however the Council's Housing Strategy Team may have done some of that work. He advised Members that he will provide the information after the meeting.

Some Members sought clarification on the priorities/promises that were highlighted in the performance report without accompanying action points and assigned individuals to accomplish the actions. In response Mr Ryan explained that the priorities were derived through consultation with tenants and the Councils and that the new priorities would replace the original promises made to tenants when EKH was set up. There were identified tasks that were assigned to given lead officers. Quarterly performance reports would be used to monitor performance.

Mr Ryan said that EK Housing were trying to make changes to how complaints were processed. Officers were also working with partners on ways to improve the delivery of the capital programme and reduce backlogs.

Members noted the report.

PLEASE NOTE that the following notes are a post-meeting officer response to a query that was raised by a Member at the meeting:

“The proposal to end life time tenancies for all new council and housing association tenants is included in the Housing Bill which is now at Committee stage in Parliament.

New tenants will get either a 2 or 5 year tenancy. (not dissimilar to the existing “Flexible” Tenancy regime which TDC applies).

It is proposed that tenants who transfer to a new home will lose their security of tenure and will start again with a 2 or 5 year tenancy. This is subject to some proposed amendments in the Bill; with the Housing Minister saying that in certain circumstances, e.g. where the council require the tenant to move, a new secure tenancy can be offered. This maybe a disincentive for people downsizing to avoid the Spare Room Subsidy (also known as the Bedroom Tax).

Although in the original policy discussions surrounding this proposal there was talk about providing secure life time tenancies for “the severely disabled” and the extremely old, there seems to be no provision for this in the Bill in its current form.

In reality I would imagine that most tenancies will simply roll on after five years but it will be an administrative nightmare and there will need to be appeals and review processes established. It will be interesting to see what happens when a tenant is evicted because their five year tenure has expired and they then present to the Council as being homeless?

You can follow developments in housing related matters through the following link or can subscribe through the link to a daily update via e mail:

http://www.housingnet.co.uk/60_Second_Housing_News/60_1302.html

178. MONITORING PERFORMANCE AGAINST THE NEW CORPORATE PRIORITIES

The new corporate priorities had values assigned to them, which indicated what was meant to be achieved for each priority and how that would be achieved. Performance indicators were also attached to each priority. Tim Willis said that the reporting on shared services would be in connection with reporting on delivery of TDC priorities. Members’ initial observations were that the new approach would take some time to get used to, and that more substantive observations could only be made once the reporting template had statistical information included and had gone live.

Madeline Homer, CEx offered Members a report using the new format and reiterated that this was a totally different approach to performance reporting. However it might take officers a few weeks to get that new report in place. Another Member suggested that training be offered t Members to go through the new format. Some Members further also suggested that the assets review be carried out in order to support the capital receipts and that Council ought to find ways to maximise the website to communicate clear messages to residents. Tim Willis said that EK Services had been approached regarding the review of the website and agreed to meet with the sub-group to explore further how the new reporting format will work.

Members agreed that the new reporting approach was more modern, much better and professional.

Councillor Campbell proposed, Councillor Bambridge seconded and Members agreed that the item on new corporate performance reporting against the new corporate priorities be included in the agenda for a future Members Briefing.

Members also noted the report.

179. PROJECT MANAGEMENT APPROACH

Tim Willis introduced the new project management approach to the sub-group. In response to a Member question, Madeline Homer said the new approach will be included in the TDC Constitution.

The Corporate Management Team (CMT) acknowledged the need to supplement its role with an officer level resource to make recommendations to CMT and to spread good practice.

The report was noted.

180. VERBAL UPDATE ON THE PEER REVIEW FOLLOW-UP

The Peer Review was carried out about two years ago and a follow-up peer review challenge is planned to take place on 25-26 February 2016. An interim review in September 2015 had reset performance targets up to March 2016. As part of the preparations for the follow-up review, Council had produced a position statement to be shared with the Peer Review Team. A Members Briefing has been arranged for 16 February to consult on the Position Statement before the review.

Members noted the report.

Meeting concluded: 8.40 pm

ESTABLISHING THE CORPORATE PERFORMANCE REVIEW WORKING PARTY WORK PROGRAMME FOR 2016/17

To: **Corporate Performance Review Working Party – 18 July 2016**

Main Portfolio Area: **Democratic Services**

By: **Senior Democratic Services Officer**

Classification: **Unrestricted**

Ward: **N/A**

Summary: **The purpose of the report is to assist Members to develop and agree the work programme for 2016/17 for the Corporate Performance Review Working Party.**

For Decision

1.0 Introduction and Background

1.1 The Overview and Scrutiny Panel met on 24 May 2016 and set up a number of sub-committees that included the Corporate Performance Review Working Party. Members would need to agree a work programme for 2016/17 and in the process they could agree a different approach for carrying out their work as assigned by the Panel.

1.2 The working party is being asked to consider at their first meeting the terms of reference that are attached as Annex 1 to the report (and if need be suggest amendments). When drafting the work programme, Members may find the template that is attached as Annex 2 to the report useful as it affords them the opportunity to provide more detail about the work programme. Reference to the terms of reference of the working party would help focus the activities of the sub-group to the assigned mandate.

2.0 The Current Situation

2.1 It is hoped that the working party would need to develop a time frame for completing the work activities as detailed in their work programme and where necessary produce final reports for making recommendations to the Overview & Scrutiny Panel.

3.0 Terms of Reference of the Corporate Performance Review Working Party

3.1 The Overview & Scrutiny Panel agreed the terms of reference of the working party attached as Annex 1 to the report. The working party can suggest amendments to these terms and report any such changes to the main Panel for approval.

4.0 Work programme of the Corporate Performance Review Working Party

- 4.1 Members are being asked to consider, provide more detail and agree the draft work programme for 2016/17 using the template that is attached as Annex 2 to this report.
- 4.2 The working party could continue with the traditional approach to its work that it has been using over the years; that is looking at the corporate performance of the Council, East Kent Services (including EKHR) and East Kent Housing through quarterly performance reports.
- 4.3 In scoping out their proposed work activities, Members ought to consider a number of factors that include the following:
 - a. Can the working party influence and add value to the council function or joint arrangements performance under review;
 - b. What is the intended outcome;
 - c. How much time will it require to complete the scrutiny review;
 - d. Does council have adequate resources (including officer time) to conduct such a review.

5.0 Indicative future meeting dates of the Corporate Performance Review Working Party

- 5.1 Members could agree future meeting dates for 2016/17. This will help manage the work programme for the sub group as it gives enough lead time for lead officers to prepare reports and invitations to be sent out to external agencies to be attendance at these meetings when requested. It is worth noting that in instances where the working party would like to consider quarterly performance reports; these could realistically be produced for meetings that are scheduled for the following indicative part of the month:

2nd week of August;
2nd week of November;
2nd week of February;
1st week of May.

- 5.2 The May meeting may prove to be difficult as the date runs into potential conflict with Annual Council meeting date. This will have to be reconsidered near the time.

6.0 Options

- 6.1 Members could suggest amendments to the terms of reference if they so wish. Any such changes would need to be referred to the main Panel for approval.
- 6.2 Members are requested to agree a work programme.
- 6.3 The sub group could agree indicative meeting dates for future meetings for 2016/17.

7.0 Corporate Implications

7.1 Financial and VAT

7.1.1 There are no financial implications arising directly from this report.

7.2 Legal

7.2.1 There are no legal implications arising directly from this report.

7.3 Corporate

7.3.1 An active scrutiny programme is part of good governance and will, ultimately underpin the Council's use of resources assessment.

7.3.2 The Working Parties assist the work of scrutiny as they can carry-out an in-depth study of an issue referred to them.

7.4 Equity and Equalities

7.4.1 There are no equity and equalities implications arising directly from this report, but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.

7.4.2 It is important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration had been given to the equalities impact that may be brought upon communities by the decisions made by Council.

8.0 Recommendations

Members are requested to:

8.1 Agree amendments to the terms of reference (if appropriate);

8.2 Draw up and agree the work programme for 2016/17;

8.3 Agree indicative dates for future meetings of the working party for 2016/17.

9.0 Decision Making Process

9.1 The Overview and Scrutiny Panel can set up sub-committees and then ask such groups to submit recommendations for the Panel's consideration. The sub groups do not have delegated authority to amend their terms of reference; any suggested changes need to be reported to the Overview & Scrutiny Panel for approval.

Future Meeting: Overview & Scrutiny Panel	Date: 16 August 2016
---	----------------------

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext 7186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 7208

Annex List

Annex 1	Terms of Reference for 2016/17
Annex 2	Draft Work Programme for 2016/17

Background Papers

Title	Details of where to access copy
None	None

Corporate Consultation Undertaken

Finance	Tim Willis, Director of Corporate Resources & S151 Officer
Legal	Colin Evans, Assistant Litigation Solicitor

Agenda Item 5

Annex 1

CORPORATE PERFORMANCE REVIEW WORKING PARTY TERMS OF REFERENCE FOR 2016/17

General

A Sub-Committee of the Overview & Scrutiny Panel was established to review and scrutinise issues related to Corporate Performance and the Council Budget

Membership, Chairmanship and Quorum

Number of Members	Eight
Political Composition	3 UKIP 2 Conservative 1 Labour 1 Independent Group 1 Democratic Independent Group
Substitute Members Permitted	Yes
Political Balance Rules apply*	No
Appointments/Removals from Office	By the Overview and Scrutiny Panel
Restrictions on Membership	Non-Executive Members only
Restrictions on Chairmanship	None
Quorum	Four
Number of ordinary meetings per Council Year	Meetings will be called as required and as reflected in the work programme below

Terms of Reference

1. To monitor half-yearly, the performance of the shared services or outsourced arrangements against set targets and conduct annual review of agreements for these arrangements to ensure value for money and savings; and propose action points for improvement;
2. To monitor the performance of the Medium Term Financial Plan;
3. To evaluate major projects Council is involved in;
4. To review the 2015-19 Corporate Plan to determine progress;
5. To review the strategies of Council to overcome the impact of lack of income and other revenue shortfalls in forward budget, debt management strategies and provision of services to residents;
6. To review the Council's progress against the Corporate Improvement Plan.

Delegations

Delegate authority by the Overview & Scrutiny Panel (on 13 January 2015) to make recommendations on the corporate performance report directly to Cabinet.

Notes

This working party was established in principle by the decision of the Overview & Scrutiny Panel on 28 May 2008. These terms of reference were agreed by the Overview & Scrutiny Panel on 24 May 2016.

***NB:** The Overview & Scrutiny Panel unanimously agreed to disregard political proportionality in establishing membership to this sub group.

Agenda Item 5

Annex 2

CORPORATE PERFORMANCE REVIEW WORKING PARTY DRAFT WORK PROGRAMME 2016/17

NAMES OF MEMBERS

ELECTED MEMBER	DESIGNATION
Cllr Campbell	Sub group member
Cllr Connor	Sub group member
Cllr Curran	Sub group member
Cllr Dennis	Sub group member
Cllr Dexter	Sub group member
Cllr Jaye-Jones	Sub group member
SUPPORTING OFFICER	
	DESIGNATION
Tim Willis	Director of Corporate Resources & S151 Officer
Joanna Miller	Head of Financial Services

DATE OF MEETING/ACTIVITY	AGENDA ITEMS	OFFICERS/WITNESSES TO BE INVITED
Meeting 1 18 July 2016@ 7.00pm	a. Election of Chairman b. Agree suggested changes to the Terms of Reference (if appropriate) c. Agree work programme of the working party for 2016/17 d. Agree timetable for all future meetings	Tim Willis, Director of Corporate Resources & S151; Joanna Miller, Head of Financial Services
Meeting 2 Date/time	To be advised by Members at the meeting on 18 July 2016	To be advised by Members
Meeting 3 Date/time	To be advised by Members at the meeting on 18 July 2016	To be advised by Members
Meeting 4 Date/time	To be Advised by Members at the meeting on 18 July 2016	To be advised by Members
Meeting 5 Date/time	To be advised by Members at the meeting on 18 July 2016	To be advised by Members
etc		
Final meeting Date/time	a. Completion of final report b. Agreement of recommendations to be presented to the Overview and Scrutiny Panel	

This page is intentionally left blank

THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING

DATE..... **AGENDA ITEM**

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.