

Cabinet Member - Corporate Services – Update Report

LEGAL DEPARTMENT

Children and Social Care Team

The Overview and Scrutiny Committee (Performance and Corporate Services) meeting on 6 September 2011 resolved that the Cabinet Member for Corporate Services be requested to provide more information in relation to the Corporate Legal Services Department and the current activity of the Children and Social Care Team.

The Children and Social Care Team provide a comprehensive legal service primarily to the People Directorate on a wide range of matters relating to the most vulnerable people in the Borough. The team are extremely busy and are accustomed to taking urgent action to protect those people.

Outlined below is an explanation of the main areas of work in the Team together with a note of a few of the more noteworthy matters they are dealing with at the moment.

- The majority of the Teams work concerns child protection and the care and conduct of care proceedings cases before the courts in order for children who have suffered or are at risk of suffering significant harm, to be removed from their immediate family and placed either in the care of the local authority or with extended family. Given the nature of this report it is not appropriate to provide details of any of the cases but they cover issues such as physical abuse, sexual abuse, psychological abuse, exposure to domestic violence and drug and alcohol abuse; with most cases involving a combination of such factors. The Team generally have approximately 60 current cases at any one time and cover 30+ court hearings per month.

In addition the Team are increasingly involved with preventative work and are involved with cases before they reach the court stage to assist and support our client department in attempts to resolve matters without the need for court proceedings.

- Advice to the multi-agency Local Safeguarding Children's Board and its sub-groups including the Merseyside-wide Child Death Overview Panel. Officers also represent the Council on the Merseyside Family Justice Council and its sub-groups including the Family Court User Group.
- The Team also provides legal services to the Council as the Local Education Authority in relation to such matters as the prosecution of parents for failing to ensure their children attend school and advice in relation to its responsibilities for children with special educational needs together with advice to individual schools.

- Advice and representation in relation to the Council's responsibilities under the Mental Health Act 1983 and the Mental Capacity Act 2005 including the relatively new area of law concerning the deprivation of liberty safeguards.
- Advice in relation to adult safeguarding issues and advice to the multi-agency Local Safeguarding Adults Board and its sub-groups. This is an increasing area of work with advice being given on approximately 10 cases per month and work in this area is likely to increase further as the government intends to introduce specific adult safeguarding legislation.
- Care and conduct of cases before the Court of Protection in relation to adult safeguarding and general welfare matters.
- Advice on the Council's duties and responsibilities in relation to community care assessments and the provision of services to meet those assessed needs, including the personalisation agenda.
- Advice in relation to the Council's duties and responsibilities in relation to homeless people including the defence of appeals to the County Court.
- The co-ordination of responses to enquires from the Local Government Ombudsman
- The co-ordination of responses from the Crown Prosecution Service and Defence lawyers for the disclosure of Council records within criminal proceedings.

Some of the more noteworthy cases currently within the Team are:

- An application to the High Court under its inherent jurisdiction powers to protect the interest of a vulnerable elderly lady who has been the subject of very serious domestic violence and although she has capacity to determine where she lives and with whom, we consider her to be susceptible to undue influence to make decisions which are not in her best interests.
- The Council is currently being challenged by way of a Judicial Review application to the High Court instigated by the Sefton Carers Association and other providers of residential care in relation to the Council's decision not to pay an inflationary increase to the providers in this municipal year. The case has been heard and we await the courts judgment, which is scheduled to be handed down on 9 November 2011.
- The Council has also instigated proceedings in the High Court against One Vision Housing in relation to money it is owed

under a VAT sharing agreement in the transfer agreement when the Council transferred its hosing stock to OVH in 2007. Whilst OVH do not dispute they owe the Council the money they claim that they are entitled to off-set the money against money which they claim the Council owes them as compensation for the costs of repairs to certain towers blocks which were part of the transfer and which they claim we should have given them notice of before the transfer. Both issues are to be the subject of formal mediation in November 2011.

- The Council has also been joined as a party to Judicial Review proceedings brought by a patient in Ashworth Hospital concerning the legality of their policy for storing patient belongings and their intention to destroy belongings of the patient in accordance with the policy. The Council has been joined as party as there is a possibility that it has responsibility for looking after the belongings should the hospital policy be deemed to be lawful. The matter is to be listed for hearing in December or early in the New Year.

Planning, Environmental and Property Team

The Team is currently engaged in a wide variety of legal work including the following:-

- Advising on the Statutory Orders for the Thornton-Switch Island Link Road;
- Acting in the purchase of properties in the Housing Market Renewal Area;
- Applying for an ASBO in respect of an 11 year old youth;
- Preparing a case for an Employment Tribunal Hearing;
- Advising on 2 Licensing Reviews;
- Acting in connection with conversion of Schools to Academies (4 completed and 2 more in progress);
- Acting in the sale of the freehold of the HSBC Building;
- Preparing contract documents including numerous Transport Contracts;
- Dealing with 3 Public Footpath Orders;
- Advising on the Kings Gardens, Southport refurbishment;
- Advising in connection with Energy Contracts.

PERSONNEL DEPARTMENT

A. Operational Issues

1. The team generally have been providing an input in relation to the various reviews and potential changes that may take place. Continued consultation in respect of Trade Unions continues on a weekly basis and a programme of consultation in respect of future changes will be formulated.
2. The team continues to give advice on a variety of operational issues, including grievances, potential dignity at work issues, disciplinary issues, sickness absence and also managerial support issues. There is also personnel input on other matters, including service changes and potential efficiencies.
3. The Schools Team continues to provide advice to schools and a presentation has been made to the Primary sector on next year's service provision. Unfortunately, with the exception of Chesterfield, the current Academy converters have chosen to gain their personnel, health & safety and occupational health advice away from the Local Authority. The reason given by the Academies for this has been that the Local Authority can no longer give the employer of last resort indemnity. The Academies will now have to set up their own trade union facility time agreements and collective bargaining structure which is now away from the Council.
4. In terms of operational issues, the Schools Team continues to advise on a wide range of issues and where appropriate continue to have input on such matters as safeguarding.
5. The Policy Team is in the process of developing new policies and will also engage with all departments on the impact of policies before they are brought to Corporate Services. Work continues on the potential redeployment of staff and also identifying bump redundancies.
6. The Schools Supply Team continues to provide assistance to staff and schools in providing supply staff and we are also to provide supply for other areas of the workforce in respect of schools.

B. Pay & Grading Review/Equal Pay

7. Work continues progressing the 723 Pay and Grading appeals lodged following the implementation of the job evaluation scheme in October 2010. All but 2 of the Council's Priority 1 appeals (those who would suffer a loss at the end of the pay protection period) have been completed. This leaves 14 Priority 1s to be completed in respect of Voluntary Aided Schools and another 10 that relate to Community Schools that have become Academies and the Council is no longer the

employer. The remaining 340 appeals fall into categories where the pay of employees has stayed the same, or there has been a loss of headroom or they have had an improvement in pay.

8. Work has continued with the various solicitor groups to reach final settlements relative to Equal Pay claims as part of the original 300+ Employment Tribunal claims. Only nine now remain outstanding. The aim is to reach settlement of all these claims to avoid the requirement for formal Employment Tribunal hearings and associated legal costs.
9. Work has commenced relative to 52 claims that were “stayed” by the Tribunal. The stay was deemed necessary by the ET chairman as the case management of the claims listed was becoming too difficult given the size of the task. As above it is hoped that a potential settlement can be achieved to mitigate the costs that would be involved in formal hearings. A further 31 claims have recently been received.
10. In addition to the Employment Tribunal claims there are 231 grievance submissions being processed which are at various stages e.g. grievance to be scheduled, grievance heard, appeal pending, appeal scheduled. Detailed work is being undertaken relative to the grievance submissions to assess validity and to identify any jurisdictional issues arising.

C. Establishment Control, Pensions, Payroll & HR Transactional Services

11. Regular Client meetings are continuing with the objective of improving processes and data quality.
12. The Pensions Officer has continued to work closely with the Transformation team and Personnel Officers to provide the necessary redundancy/pension information.
13. Access to the ‘My View’ Self Service module in the Council’s Personnel and Payroll system called ResourceLink is being rolled out across all departments. Over 1,000 employees have now logged to the system. This facility enables employees to view their basic details and payslips online. In the future access may be improved to include the possibility of submitting expenses and car mileage claims online.
14. The Establishment Control Panel is now embedded and occurs every 2 weeks, to consider requests to release vacancies.

D. Health Unit

15. In light of the new structure the Unit is revisiting the roles and responsibilities of departmental H&S Co-ordinators with a view to revising the organisation of the departmental H&S Committees. The Co-ordinators are pivotal to the Committee process and to Corporate Forum.

16. Officers are carrying out a legionella monitoring exercise within schools. At present 35 schools have been visited with a further number due. The results of the exercise will be shared with the Council's Client Team, Capita and the H&S Co-ordinator for Young People and Families.
17. The Health Unit, together with Coast and Countryside, has played a large role in ensuring the Ribble Estuary Shellfish Project has a robust emergency plan and consequently minimizes the risks to cockle pickers. In particular to those who have little experience of some of the potential dangers.
18. The Unit has been working closely with Officers based within the Street Scene Department to explore a more cost effective method of removing asbestos cement from Council owned allotments. Previously such material would have been removed by contractors. However the current exercise is hoping to identify whether Council staff could be used and exactly what that would entail so far as waste licences, training, risk assessments, etc are concerned.
19. The Unit has been assisting with health and safety competence checks for a number of procurement contracts. This looks to continue for the next couple of months.
20. The system for pre-employment health checks has been revised to reduce the amount of administration required. The proposals are in draft format at present and have been forwarded to the relevant personnel for consultation.
21. Arvato has requested that the stress audit originally covering 3 of its offices is extended to cover five. Work is currently in progress for all of these areas albeit at different stages of the process.
22. Work is currently in progress to link the new incident reporting database to the EVOLVE system. This should allow any accidents involving off site activities to be recorded as soon as possible.
23. 80% of archived occupational health records have now been scanned and stored electronically. It is anticipated that the remaining 20% will be complete by the end of October 2011.

E. PEOPLE DEVELOPMENT SERVICE

Learning & Development Service & Workforce Planning

Learning and Development

24. A range of learning and development has been delivered across the Council and to partner organisations and over 3,500 people have

accessed learning and development through the People Development Team. This includes:

25. Safeguarding training was delivered to 207 members of the workforce both in-house and within external partner organisations in line with the Safeguarding Strategies for both Children's and Adults Services. 91 external Care Provider Managers attended training in Safeguarding relating to their managerial responsibilities.
26. 70 social carers received bespoke training in Dementia awareness which was delivered in partnership with the Alzheimer's Society. Bespoke training was also delivered to carers who are supporting family members at home and this was delivered in partnership with the Carers Centre.
27. 126 staff from the Young People and Families Department accessed training in the ICT Integrated Children's System. This was delivered at three training sites consecutively over a period of 4 weeks.
28. The team continues to offer comprehensive Health and Safety training to Council staff and its partner organisations. Since the last report 387 staff across the Council and partner organisations have received training. Included in this is the non-violent crisis intervention training to safely manage aggressive and violent behaviour. 50 people received CPI certificates during this period. The Autism, Dementia and Dignity in Care strategies are informing the growing demand for the certificated Crisis Prevention Institute training.

Workforce Planning and Organisational Development

29. **Response to Redundancies** - 21 staff attended Planning for the Future training. This programme supports people who are taking early retirement or who are potentially at risk. The course covers areas of personal and financial planning.
30. In response to potential redundancies, planning is underway for the third Job Fair has been arranged for Monday 12th December at Bootle Town Hall. Sefton at Work will be completing the Employer Engagement and sourcing vacancies to promote to Staff who are at risk.
31. Hugh Baird College have also ring-fenced training opportunities and delivered a briefing session to 12 employees. The session was to inform employees of the opportunities available. Sessions will also be made available by the Council for Planning for the Future. While finally BUSTER (Sefton's e-learning platform) contains information for all staff at risk of redundancy or who are retiring early from the service.
32. **Apprenticeships** - Group 1 of the Preparation to Work Programme which supports young people Leaving Care and Looked after Children

to gain employability experience, skills and knowledge has been rolled out and 5 young people are coming towards the end of the first stage of the programme. Three of those young people will be moving on to paid employment on 17th October which has been funded by ESF via Regeneration. Recruitment for Group 2 of the Preparation to Work Programme is underway.

33. **Children's Social Care** - A significant amount of work has been undertaken and more remains ongoing to support the Workforce Strategy.
34. **National Minimum Data Sets (NMDS)** - The bulk Local Authority NMDS has now been completed as part of the statutory return to the Department of Health. Partner social care organisations are being supported to complete their returns.

FINANCE AND INFORMATION SERVICES DEPARTMENT

Finance / Budget

Work is ongoing across the Department in support of the achievement of the financial plans for 2011/12 and 2012/13. The Department is supporting the Chief Executive and Directorates throughout this process. The following activities are currently in progress:

- The audit of the Accounts for 2010/11 is currently being undertaken and will be considered by the Audit Committee in September.
- The preparation of 2012/2013 Budget considerations is a key priority over the current period.
- The Finance Integration and the future structure of Corporate Finance project is ongoing. Consultation on a new structure will occur during September for implementation by December.
- The current financial markets are monitored closely to ensure the Council minimises risk and maximises budget advantage.

Client Unit (Management of arvato contract)

- A joint review of the arvato contract is underway and areas for potential savings have been identified. £200k saving per annum has already been achieved and further negotiations are continuing, including identifying further savings for 2012/2013.

ICT :-

- The automatic refresh of PC and telephony equipment undertaken as part of the arvato contract has been suspended for the 2011/12 year. This will result in a one-off refund to the Council of £250k.

- A five contract with arvato has been signed, for the delivery of a managed print service. Arvato have contracted with Xerox to replace Council's existing leased printer/copiers from a variety of companies (Toshiba, Ricoh, Kyocera etc.) with a single fleet of Xerox equipment. This contract will deliver a minimum of £100k per annum saving to the Council.
- **Managed Print Service**
Most of the Multi Functional Devices (MFDs) have now been rolled out. A small number of desktop printers are being issued to offices where staffing numbers are too small to justify the use of an MFD – this is nearing completion. Scanning via MFDs is now available to all council MFD users.
- **Novell to Microsoft migration**
The detailed planning for the Microsoft migration continues, the initial focus will be to provide officers with a direct login to Microsoft by September/October. Discussions have taken place between the ICT Client and arvato regarding the architecture and hierarchy of the new Microsoft file structure, and the design of this is being finalised. All of the data held in 'drives' will be converted from the Novell file structure to the Microsoft structure.
- **Secondary data centre**
Following approval of the capital spend, arvato is progressing with the implementation of the secondary data centre at Prinovis, Speke. Deadline for completion is December 2011, and a series of regular update meetings is due to commence mid-August.

Revenues & Benefits:-

The Benefit Service have cleared backlog of work which was created due to the migration to new core processing system. The Client and Internal Audit have signed off reconciliation work following the system migration for Revenues and Benefits.

The impact of core system migration also had an impact of collection rates for collection tax and recovery of aged debt. The Client are currently working with arvato on the overall performance recovery rate.

The Benefit Service continue to communicate to various stakeholders the changes to benefit legislation from April 2011 and to those claimants who are currently received a transition period for a reduction in Local Housing Allowance payments.

Insurance & Administration

The Authority's Insurance Policies are due for renewal on the 29th September 2011. As such a pre-renewal meeting has taken place with the Authority's

Insurance Brokers -- Aon. The policies in the main are subject to Long Term Agreements and there are no benefits to Sefton to break those agreements. As such the required questionnaires and information has been submitted to Aon to obtain quotations for renewal of the policies. A further meeting with Aon will take place mid September to receive those quotation and authorise renewal.

Aon have also been updated regarding the specific High Schools considering moving to Academy Status. As such Aon are looking into the extension required to the Authority's Professional Indemnity Policies for any services Sefton provide to those schools.

Performance, Review and Development 1to1's have been undertaken for all the team. Some internal IT/Excel training has been requested and approved. The team are reviewing work processes to improve payment methods --- use of BACS and I-procurement.

Procurement :-

Procurement activity continues to increase across the Council as Departments look to find savings and Best Value. Work is well underway on the procurement of Domiciliary Care services which currently has a value of £8M per year. Across the Mersey sub region Heads of Procurement are looking at opportunities for collaborative working and shared services. The team are currently dealing with 31 procurement exercises ongoing as well as 15 operational projects together with day to day purchasing enquiries. Work has been completed on 4 tender exercises together with the adoption of 4 framework agreements. Given the workload the team's ability to continue to deliver requirements is at breaking point and we may lose another member of staff due to her contract coming to an end. If this member of staff is lost then skill sets will be diminished and work will have to be further prioritised which may not meet Client Department needs.

Internal Audit

The Internal Audit Service has produced a risk based audit plan for the remaining 9 months of the year which was drawn up in accord with the CIPFA Code of Practice. The plan has taken into account the changing priorities of the Council and the demands placed on it by the transformation plan and reduction in funding from Government. To this end the work has been split themes including value for money work, anti-fraud work, probity / compliance and a number of days of unallocated days for advice, consultancy and investigations. A review of the Council's Risk Management strategy is to be undertaken in the next few months and to this end a number of days have been included in the Audit plan.

The Accounts and Audit Regulations 2010 require that at least once a year there should be a review conducted of the effectiveness of the system of Internal Audit, this has been undertaken and reported to Audit & Governance in June 2011. In the majority of cases the Section fully complies with the

standards of the Code of Practice, for those areas that require improvement an action plan has been produced, progress against which will be reported quarterly to Audit & Governance.

The Section delivered 1974 direct audit days against 2193 planned (90%) for 2010/110, the shortfall is primarily due to vacancies throughout the year.

The Section has a target of 80% acceptance level for recommendations, in 2010/11 a 100% of recommendations were accepted by Clients.

Internal Audit undertakes Client surveys after each Audit, the surveys show a high level of Client satisfaction with 100% of Clients rating the service Very Good / Good in 2010/11.

DEMOCRATIC SERVICES – CORPORATE COMMISIONING DEPARTMENT

COMMITTEE AND MEMBER SERVICES

In addition to the administrative support provided for various Council/Cabinet/Committee meetings, the section has supported the following:

School Admission Appeals

During the period from 20 August to 14 October 2011, the Section has organised and clerked 9 School Admission appeal hearings, involving 29 appeals in respect of 12 High Schools and 31 appeals in respect of 26 Primary Schools. In addition, arrangements were made for a further 30 appeals to be heard during this period, which were subsequently withdrawn.

The Local Government Ombudsman has recently rejected a complaint submitted by the parent of a child who lost a school admissions appeal and the Ombudsman paid compliment to the correct procedures followed by the Clerk to the Appeal Panel during the appeal process and the detailed and accurate notes which he produced for examination by the Ombudsman.

Following a recent appeal hearing, the Clerk of the Panel submitted a letter to the Office of the Schools Adjudicator with regard to the criterion for the admission arrangements at St Thomas' CE Voluntary Aided Primary School, Lydiate and the Schools Adjudicator has determined that part of the criterion was unclear and ambiguous for parents and should be revised to ensure that the faith criteria is robust. The school has revised the faith criteria in readiness for the next admissions round.

OVERVIEW AND SCRUTINY

The Annual Overview and Scrutiny Report for 2010/11 has been produced in liaison with the Chairs and was submitted to the Council on 1 September 2011.

The first meeting of the Overview and Scrutiny Management Board for 2011/12 was held on 30 August 2011. At the meeting of the Board it was agreed that an overarching Working Group be established to examine the Port Master Plan. Each of the four Overview and Scrutiny Committees have appointed Members to serve on the Working Group and the first Meeting will be held early in November 2011.

The following Working Groups have been established by the Overview and Scrutiny Committees for 2011/12:

Health and Social Care:-

- Phlebotomy and Podiatry
- Carers

Regeneration & Environmental Services:-

- Rimrose Valley

Children's Services

- Mini-Review – CAMHS – Review of Contract/specification with Alder Hey (November 2011)

Performance and Corporate Services:-

- None allocated to date

ELECTORAL SERVICES

The Electoral Services team are now moving into the second stage of the annual canvass for the 2012 Register of Electors. Reminders registration forms have been delivered and a team of canvassers are about to commence door to door enquiries in the low responding areas. The overall response to the canvass is encouraging with the number of households returning their registration details up to the 14 October 2011 standing at 63%, which is 2% up on 2010 and almost 8% up on 2009.

We class low responding Wards as Derby, Linacre and Litherland, in addition to this there are also parts of Dukes, Kew, Church, St Oswald and Netherton & Orrell, which have low responses rates, but these areas are easily identifiable due to the way the register is setting up using groups of post codes to create polling districts.

In terms of percentage response at the mid point of the annual canvass, a low responding area is anything below 55%.

The consultation period for the statutory 4 year review of polling districts will end on Friday 21 October 2011 and all responses will be reported to the respective Area-Committee's through November.

The consultation period for the periodic boundary review of Parliamentary constituencies is now taking place and will run up to the 5 December 2011.

The Police Reform and Social Responsibility Act 2011 (Chapter 6, S50 (2) (3)), confirms that Police and Crime Commissioners Elections will be held on 15 November 2012 and will then be held on the ordinary day for elections every four years thereafter.

CIVIC & MAYORAL SERVICES

Civic Attendants

The Civic Attendant Service launched a new Customer Charter on the 1st September, which sees the Attendant Service work within new standardised procedures and protocols.

The service has undertaken an in-house training day, which was lead by the Head of Civic & Mayor Services. The training day was designed to look at aspects of customer service and implement improvement within our service from how we answer the phone to dealing face to facer with members of the public, staff and Councillors.

Bootle Town Hall has introduced a new Evacuation process for fire and emergency evacuation. Volunteer members of staff have received "Task Talk" training in readiness for the system to go live in November.

All emergency evacuation procedures have also been updated in meeting rooms within Bootle Town Hall.

Our cleaning team at Bootle Town Hall have been concentrating on target cleaning public areas and removing rubbish etc.

The new "Floating" Civic Attendant has commenced staff holiday cover across all Civic & Mayoral Services sites and this is already achieving overtime savings.

The management team have now completed the contingency plan for all buildings under Civic & Mayoral Services. The contingency plan is designed around having written plans and copies of keys to allow the opening and closing of Civic buildings in the event of strikes or staff illness, general contingency etc.

Room Bookings

The Room Bookings Service continue to provide

A new e-booking form has been launched on the intranet, which is aimed at internal users requesting a room. The Room Bookings staff then check the

room and if available will book the room and send the confirmation paperwork, which saves departments time.

Online comment cards/feedback has also been launched on line to provide feedback on our meeting room services across the three Town Halls.

Twinning

In October, Sefton was represented by Matthew Greenwood an 18-year-old student from Sefton at a Music Festival in Gdansk's Coal Market area. Matthew sang a 30-minute set of music in front of a free audience made of up residents and tourists of Gdansk. Seven of Gdansk's Sister Cities also took part.

In October, The Mayor and Mayoress and the Southport Swimming Club attended a Swimming Competition in Gdansk. The visit was arranged due to the Gdansk Swimmers attending Sefton in April this year.

At the competition the Southport Swimmers won six of the main trophies, which was excellent news!

The delegation also took part in a tour of the City of Gdansk and various Gdansk City Council hosted events.

At the end of October the Mons Delegation will be visiting Sefton for their annual visit to Sefton.

Mayoral

The Mayoral Car has now come to the end of it's lease and has been returned to Audi.

A sponsorship deal has been set up with a local car firm called Motor Range from a Maghull.

The new Mayoral Car is a black Jaguar and this will be used by the Mayor for the initial period of a year, which will hopefully see the deal being extended for a further period.

The Mayor of Sefton, Councillor Paul Cummins recently obtained the keys to the car at an official handover ceremony at Motor Range in Maghull.

The Mayors Office has recently arranged the annual Volunteer & Multi Faith Reception, which this year saw the event time and location change to Bootle Town Hall and in an afternoon time slot. The event was well attended and the Mayor gave a short speech on how much the Volunteer and Multi Faith Community is valued and certainly in the economic times we face nationally and within Sefton at present.

The Mayors Office have also began to invite representatives of the Active Armed Forces and associated organisations to the Annual Armed Forces Reception which is held at Bootle Town Hall in November.

The annual organising of the Remembrance Sunday Services across the Borough began in September and this year sees major changes again at

Southport. This year has also seen complications in relation to supplies of PA systems and also the provision of music, which have also had to be or are still in the process of being resolved.

The Mayor of Sefton's Charity Fund accounts have also been audited by the Council's Auditors and dispersal of the Charity Fund to local organisations is currently imminent.