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| | MID SUFFOLK OVERVIEW AND SCRUTINY COMMITTEE |
| DATE | Thursday, 16 November 2017 at 9.30 am |
| PLACE | Rose Room, Endeavour House, 8 Russell Road, Ipswich |

Members

Chair: Rachel Eburne
Vice Chair: Derek Osborne

James Caston
John Field
Elizabeth Gibson-Harries

Lavinia Hadingham
Lesley Mayes
Kevin Welsby

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A G E N D A

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| 1 | Apologies for absence/substitutions | |
| 2 | To receive any declarations of pecuniary or non-pecuniary interest by Members | |
| 3 | MOS/17/23 To confirm the minutes of the meeting held on 19 October 2017 | 1 - 6 |
| 4 | To receive notification of petitions in accordance with the Council's Petition Scheme | |
| 5 | MOS/17/24 Implementation of the Homeless Reduction Act (HRA) | 7 - 16 |

To review the actions taken in preparations for the anticipated impact of the introduction of the Homelessness Reduction Act April 2018.

Cabinet Member for Housing - Councillor Jill Wilshaw

- 6 MOS/17/25 Scoping a Review of the Legal Services Partnership** 17 - 20
- To use the attached scoping document to identify the objectives and outcome of the Committee's scrutiny of the Legal Services Partnership.
- Document to be tabled at the meeting.
- 7 MOS/17/26 Information Bulletin** 21 - 22
- The Information Bulletin is a document that is made available to the public with the published agenda papers. It can include update information requested by the Committee as well as information that a service considers should be made known to the Committee.
- The Information Bulletin contains updates on the following subjects:
1. Mid Suffolk Business Rate Relief Summary 2017/18
- 8 MOS/17/27 Forthcoming Decisions List** 23 - 26
- To review the Council's Forthcoming Decisions List and identify any items to be brought before the Overview and Scrutiny Committee
- 9 MOS/17/28 MSDC Overview and Scrutiny Forward Plan** 27 - 30
- To agree the Forward Plan
- 10 MOS/17/29 BDC Overview and Scrutiny Forward Plan** 31 - 34
- For information
- 11 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**
- To consider whether, that under section 100(4) of the Local Government Act 1972 the public be excluded from the meeting for item MOS/17/30 on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act in the paragraph registered against the/each item:
- Note:** *Information is exempt only if:
It falls within one of the 7 categories of exempt information in the Act and; In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information*

MOS/17/30 Supporting Business Growth - Draft Economic Development 'Open for Business' Strategy

The Assistant Director – Corporate Resources and the Corporate Manager – Open for Business will be updating Members on how the Council support small and micro businesses Cabinet.

Member for Economy – Councillor Gerard Brewster.

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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Agenda Item 3

MOS/17/23

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK OVERVIEW AND SCRUTINY COMMITTEE** held in the Giles room - Endeavour House on Thursday, 19 October 2017

PRESENT:

Councillors: Rachel Eburne – Chair
Derek Osborne – Vice Chair
John Field
Lesley Mayes
Kevin Welsby
Lavinia Hadingham

In attendance: Strategic Director
Assistant Director – Corporate Resources
Assistant Director – Law and Governance
Corporate Manager – Law and Governance
Corporate Manager – Open for Business
Business Support Officer
Project and Research Officer
Governance Support Officer

45 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

There were no apologies received.

46 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS**

There were no declarations of interests received.

47 **MOS/17/16 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2017**

The minutes of the meeting 14 September 2017 were confirmed as a correct record.

48 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

None received.

49 **MOS/17/17 UPDATE ON JOINT SCRUTINY RECOMMENDATIONS - NEIGHBOURHOOD PLANNING**

Paul Munson, Planning Consultant – Strategic Planning, introduced the report and said that the Neighbour Planning process was constructed across both Babergh and Mid Suffolk Districts. For both Councils there were three completed Neighbourhood Plans including the most recent from Mendlesham.

A further nineteen Neighbourhood Plans were in different stages of completions and ten of these plans were from parishes in Mid Suffolk District. Two new applications had been received, one from Mid Suffolk District and a further seventeen parishes had expressed an interest in creating a Neighbourhood Plan.

The Officer updated Members on the action points outlined in Appendix A. It was confirmed that external consultants would continue to provide support on current Neighbourhood Plans but that new plans would be allocated to an officer in the Planning Policy. The Senior Leadership Team had approved an additional Senior Planning Policy officer to join the Babergh and Mid Suffolk Team. However, until this post had been filled, one full-time and one part-time officer continued to provide the support for Neighbourhood Plan applications, and with additional help from consultants.

Members questioned the use of consultants and Officers responded that in the early stages of the Neighbourhood Planning process not many applications had been received, but a rise in applications had increased the workload for both officers and consultants and they were busy providing support to the parishes. This support included supervising Neighbourhood Plan groups and it was confirmed that a 'Memorandum of Understanding', which clarified the roles of parishes and district council in the Neighbourhood Planning process, was being rolled out to all new Neighbourhood Planning groups and, as appropriate, retrospectively to existing groups. Officers are also having one to one meetings with Neighbourhood Planning groups as part of a wider consultation exercise on the draft Joint Local Plan. The role of the officers included responding to questions, explaining the processes and time scales and as a result, many of the larger parishes had begun to allocate sites for housing developments.

The Neighbourhood Plan Website was kept up to date, outlining how the Council supported the Neighbourhood Plan process and the role of the parish council. There were also examples of the existing Neighbourhood Plans. The biggest challenge was to inform parishes of regulations, the substantial work in relations to referendums, the length of the process and timescales, which many parishes were unaware of. Officers said that the latest Neighbourhood Plan regulations had attempted to streamline and clarify the timescale for an application.

Members then discussed the requirements to proceed a Neighbourhood Plan to local referendum within five weeks of the receipt of the examiner's report. This had to be approved by Cabinet and officers felt it was not always possible to meet the various committee deadlines, and they asked members to consider whether more delegation arrangements needed to be put in place at key stages of the Neighbourhood Planning process to meet the deadlines.

The Assistant Director of Law and Governance informed the Committee that the Chief Executive had the 'Power of Emergency Delegation' and could approve Neighbourhood Plan applications if necessary. An extraordinary Cabinet meeting could also be called if necessary to approve a Neighbourhood Plan, in between the regular monthly Cabinet meetings.

The Officers continued with an update on the website, and said that the Council's Neighbourhood Planning webpages signposted readers to the My Community website. The latter contained the most up-to-date information on all aspects of Neighbourhood Planning and was the route through which Neighbourhood Planning groups accessed grant funding. The site also contained the Neighbourhood Plans Roadmap Guide and Roadmap Worksheets.

Discussions continued and Members were concerned the smaller villages were less likely to participate in the neighbourhood planning process. The officers said that smaller villages were encouraged to take an interest locally and cross parish Neighbourhood Plans were possible for these villages. Alternatively, smaller villages could rely on the Local Plan.

Members were reminded that there was a Members' briefing on Neighbourhood Planning on the 29 November 2017.

Councillor Eburne was to check the regulations for the delegation of timing and email all Members to remind them of the importance of Neighbourhood Plans for villages.

Councillor Eburne was to remind Cabinet of the five weeks turn around for a neighbourhood plan application.

RESOLVED

The Committee noted that progress had been made on delivering against the actions arising for the Task and Finish Group

50

MOS/17/18 SCOPING - SUPPORTING BUSINESS GROWTH

Katherine Steel, Assistant Director – Corporate Resources, began by informing Members that the timetable for moving from the current 50% retention scheme to 100% retention of business rates had changed following the election this year because the legislation required to introduce it was not on the current statute list for Parliament. It was therefore currently unknown when this would be introduced, but the Government said that it remained committed to allowing greater local control of resources.

The Government had asked for bids from local authorities to pilot 100% retention of business rates growth in 2018 – 2019, to test further elements of the system. They were particularly interested in two tier rural areas because the pilots to date had been Combined or Unitary Authorities. Suffolk was going to bid to become part of the pilot scheme. If successful it would mean that all of the growth would be retained in Suffolk resulting in a potential additional £10 million being available to invest in Suffolk if the bid was accepted.

Lee Carvell, Corporate Manager – Open for Business, informed Members that the Babergh and Mid Suffolk draft Economic Development 'Open for Business' Strategy document was to be published soon. Members requested that all Members received a copy before the press relief.

Members discussed the possibility of inviting owners of small and micro businesses to the Committee but it was generally agreed that time restraint was an issue. It was also suggested that other organisations, who were involved with small and micro businesses should be invited to the committee.

Members were reminded of the Open for Business survey conducted in 2016 and that the analysis of the 400 responses was to be published on the website.

Members felt it was difficult to scope an area in which they felt they needed more information and that when the Local Economic Strategy was published it would be beneficial to the Committee to invite responses from small and micro businesses.

The Corporate Manager, Open for Business, said that his team helped small and micro businesses, with all areas of business related issues amongst these regulations, premises, grants and business rate. They answered queries, looked at the growth of the business, help with apprenticeships and support network. They could also assist with expansion of businesses.

Councillor Eburne said that it was difficult to define needs for small and micro businesses and asked how it was possible to measure the impact of the Local Economic Strategy.

The Officers responded that they collected business survival rates date and from this data it could be concluded that for instance, Mid Suffolk District had less business failure than the national average. The data collected was to be divided into sector, locality, type of business and scale of the business. This would be published with the Open for Business survey.

Emily Yule, Assistant Director - Law and Governance, advised Members that since the Committee felt that the Local Economic Strategy would provide a better understanding of the need of small and micro businesses they could carry out a pre-scrutiny on the strategy at the Committee Meeting in November. If members then felt a further review was necessary, a Task and Finish Group could be set up to enable Members to spend time with small and micro businesses and report back to the Committee.

Councillor Eburne recommended pre-scrutiny of draft Economic Development 'Open for Business' Strategy at the Overview and Scrutiny Committee 16 November 2017.

The recommendation was seconded by Councillor Field.

By a unanimous vote

RESOLVED

That the Overview and Scrutiny Committee agreed to a pre-scrutiny of the draft Economic Development 'Open for Business' Strategy at the Overview and Scrutiny Committee 16 November 2017.

51 **MOS/17/19 INFORMATION BULLETIN**

The Information Bulletin was noted.

52 **MOS/17/20 FORTHCOMING DECISIONS LIST**

Members were advised that the Public Realm Transformation Project item was no longer on the Forthcoming Decisions list.

The Forthcoming Decisions List was noted.

53 **MOS/17/21 MSDC OVERVIEW AND SCRUTINY FORWARD PLAN**

Members were reminded that a joint Babergh and Mid Suffolk Overview and Scrutiny Committee Meeting was scheduled for the 18 December 2017.

The report on Supporting Business Growth was replaced by the Local Economic Strategy Review in November.

The report on CIL was moved to December and the purpose was changed to:

A Review of the impact and delivery of CIL regime for infrastructure, including a framework for spending CIL.

The Forward Plan was noted.

54 **MOS/17/22 BDC OVERVIEW AND SCRUTINY FORWARD PLAN**

A report on the use by the Council of interims, temporary staff and consultants was be included for the Babergh Council's November agenda and Members requested a copy of this report.

The Babergh Forward Plan was noted.

The business of the meeting was concluded at 10:57am.

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Chairman

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Agenda Item 5

MID SUFFOLK DISTRICT COUNCIL

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| From: Corporate Manager – Homeless Prevention and Financial Inclusion | Report Number: MOS/17/24 |
| To: Overview and Scrutiny Committee | Date of meeting: 16 Nov 2017 |

IMPLEMENTATION OF THE HOMELESS REDUCTION ACT (HRA)

1. Purpose of Report

- 1.1 To outline the changes, which will impact on the Council as a result of the enactment of the Homeless Reduction Act (HRA) 2017.
- 1.2 To outline the work being carried out to ensure we are legally compliant and able to fulfil the new duties.
- 1.3 To outline the current and predicted work levels within the homelessness service.

2. Recommendations

- 2.1 To note the information contained within this report.

The Committee is able to resolve this matter

3. Financial Implications

- 3.1 At present, the Homeless Prevention Grant is received as part of the Revenue Support Grant (RSG) which is held within the general fund, but is no longer ring fenced. The S151 officer for the Councils has agreed that although the homelessness prevention grant is no longer ringfenced it will continue to be used to support the homelessness function for the year 2017/18. Any surplus or deficit identified within this financial year is transferred to or from a dedicated earmarked reserve. The RSG will disappear altogether from 2019/20.
- 3.2 A new funding arrangement commenced in April 2017. The Flexible Homeless Support Grant (FHSG) replaced the Temporary Accommodation Management Fee (TAMF). Previously we did not get any funding through the TAMF so this is 'new' funding. The FHSG is calculated based on how many homeless preventions we successfully achieve compared to the number of cases we accept a homeless duty to. The funding levels have been confirmed for 2017/18 and 2018/19. We have been advised that future funding will be based on the number of preventions of homelessness into the Private Rented Sector, although the full formula is still to be clarified. For 2017/18 we have received £57K and for 2018/19 we will receive £65K.
- 3.3 As a result of the Homeless Reduction Act 2017, new burdens funding of £61M over three years has been made available. We have recently received confirmation of the funding levels we will receive. We have been allocated £28,712 in 2017/18, £26,301 in 2018/19 and £30,226 in 2019/20. We were initially advised to expect around £50-£70K per year over two years, but they have now changed it to over three years and the total is £85,239, which is lower than first hoped but still a reasonable level of funding to help fund additional posts and preventative options.
- 3.4 None of the funds in the Flexible Homeless Support Grant (FHSG) or New Burdens Funding have been spent yet. However, the FHSG has been ring-fenced to homelessness services

for the first two years by DCLG (2017/18 and 2018/19). We have now committed some of the FHSG for additional staffing resources.

- 3.5 Funding in 2019/20 onwards will be based on the level of prevention work that has been carried out in the previous year(s). The higher the number of preventions into the private rented sector, the higher the FHSG will be.
- 3.6 We need to ensure we have adequate funds to resource the service effectively but also to invest in prevention initiatives to ensure we meet our legal obligations.
- 3.7 The new staff costs can be met through the FHSG and the Financial Inclusion Budget, which is Housing Revenue Account (HRA). The new staffing structure is detailed at point 7.8.
- 3.10 There is a financial risk to the Council if resources for the homelessness service are reduced and if there are insufficient resources to manage homeless demand. There is a need to protect the current levels of funding for homelessness both now in 2017/18 and going forward into 2018/19 and beyond due to the far greater financial risk posed to the authority through higher numbers of homelessness approaches.

4. Legal Implications

- 4.1 If we fail to accurately assess applications and carry out our duties, then we are at risk of legal challenge. A court case would lead to significant costs.

5. Risk Management

- 5.1 This report is most closely linked with the Council's Corporate / Significant Business Risk No. 1a. Key risks are set out below:

| Risk Description | Likelihood | Impact | Mitigation Measures |
|---|-----------------|-----------|--|
| Failure to identify detailed housing requirements for the local area | Probable | Noticable | Invest in homeless prevention options / initiatives and effectively resource this area of work to ensure options are fully explored in all cases as required by the new legislation |
| Failure to fund preventative options, will increase temporary accommodation and Bed & Breakfast costs. If B&B Costs increase, this will put additional pressure on the General Fund Budget. | Highly Probable | Bad | Sufficient staff levels to manage the demands and the funding of a Rent Deposit Scheme and Lodgings Scheme to offer preventative options and reduce the reliance on costly Bed & Breakfast accommodation |
| Failure to offer preventative options has a detrimental impact on vulnerable residents, impacting on the full Suffolk System including Health and Social Care | Probable | Bad | Invest in homeless prevention options / initiatives, build on relationships with partners to ensure joined up working and effective pathways for all households |

| | | | |
|--|-----------------|-----|--|
| Failure to comply with our legal duties, risks judicial reviews or appeals in the County Court. This will have an effect on our reputation and could attract attention in the press. | Probable | Bad | Ensure adequate staff resource and sufficient training is sourced. |
| Risk of delay in the recruitment process could impact on our ability to find the most appropriate, experienced staff. There will be high demand for competent, knowledgeable, experienced homeless officers. | Highly Probable | Bad | All Councils will be recruiting additional resources. Two local Councils have already recruited and we need to ensure we are prompt to recruit and attract the most suitable, experienced, competent staff to enable us to deliver the new duties within the prescribed timeframe. We propose to advertise in late November. |
| Failure to successfully prevent homelessness into the PRS will affect our future funding from DCLG. | Probable | Bad | We need to ensure adequate investment is made in resourcing the team and the Private Rented Sector offer to ensure preventions take place |
| Government changes funding arrangements and we no longer receive funding we are expecting | Unlikely | Bad | This is beyond our control. However, DCLG has made a commitment to fund and the amounts involved have been confirmed. It is unlikely these will be changed or withdrawn in the next two years. |

6. Shared Service / Partnership Implications

- 6.1 We are part of the Suffolk Homeless Officers Group (SHOG), which is made up of the other Suffolk Authorities. The HRA and its implications are regularly discussed and will continue to be.
- 6.2 At the beginning of the year, we successfully bid for £96k with St Edmundsbury and Forest Heath District Councils for funding from DCLG for tackling the increasing issue of rough sleeping across the Districts. We appointed a Rough Sleepers Prevention and Support Worker in May and he has already successfully secured housing for a number of clients and prevented them living on the streets.
- 6.3 We have recently successfully secured £500k through a Suffolk wide bid for funding to look at improving support and options for victims of domestic abuse. We are currently working with support providers and domestic abuse services to provide suitable specialist accommodation.
- 6.4 Shared Revenues Partnership (SRP) currently administer the Discretionary Housing Payment (DHP) Budget. New guidance was issued in 2016, which means DHP funding can now be used to access the Private Rented Sector (PRS), including helping with funds for Deposits and Rent in Advance (RIA).

7. Key Information

Background Information on the Homeless Reduction Act (HRA) 2017

- 7.1 The HRA, is due to be enacted in April 2018. This will place many additional statutory duties on an already stretched service and if we fail to resource this effectively, then it could have a significant impact on the general fund budgets as it is likely we will have to accommodate more homeless households in emergency temporary accommodation such as Bed and Breakfast. It could also mean we fail to meet our statutory obligations, which could result in legal challenge.
- 7.2 There are significant amounts of work to do in preparation for the new Act.
- 7.3 The HRA amends Part 7 of the Housing Act 1996. There are 13 new clauses that amend many of the existing duties and bring in a substantial number of new duties. The Council will need to understand and implement the new duties in a relatively short time frame.
- 7.4 There are many implications arising out of the new legislation. The most important change is the new prevention and relief duties, which will put significant pressures on the Councils. We need to ensure the Councils maximise all homeless prevention funding available to the Councils and ring fence it to ensure we are able to meet the duties.
- 7.5 Homelessness applications are expected to increase significantly. This will put tremendous pressure on the team. More information on the expected demand can be found under Metrics, section 7.7.
- 7.6 The Act introduces new requirements for local housing authorities: -
 - 7.6.1 To carry out homelessness prevention work with all those who are eligible for help and threatened with homelessness. Previously this was a discretionary power and those who were likely to be in 'priority need' and owed an accommodation duty would receive a more 'in depth' advice service than those who no duty would be owed to.
 - 7.6.2 It changes the point at which a person is classed as being threatened with homelessness from 28 days before a person is likely to be homeless, to 56 days. This means cases will need to be open for longer and more work will be required, increasing the workload of the officers.
 - 7.6.3 It requires local housing authorities to carry out an assessment of the applicant's needs, and that the steps agreed between the local housing authority and the applicant are set out in writing – in the form of a personalised plan. This is a new duty and a substantial administrative task. The steps written in the action plan need to show meaningful activities, which will mean significant levels of case work will be required to ensure we meet our obligations. The plans will also need to be reviewed and updated regularly.
 - 7.6.4 It places a new duty on local housing authorities to take steps for 56 days to 'relieve' homelessness by helping any eligible homeless applicant to secure accommodation. This could be Council accommodation or private rented but must be secure for at least 6 months.
 - 7.6.5 It places a new duty owed to certain applicants who deliberately and unreasonably refuse to co-operate with local housing authorities. The duty will be to ensure the applicant complies with the personal housing plan and if they fail to do so, that they are given warnings and offered further support before a potential discharge of the Councils' duties. There are also

new rights to appeal, which means applicants can challenge our decision if we discharge our duty for this reason. The additional level of support is substantial.

7.6.6 It specifies that local agencies (likely to include police, probation, GP's and mental health teams amongst others) must refer those who are either homeless or at risk of being homeless to local housing authority housing teams creating a significant increase in case load. The legal statutes they follow will be amended to incorporate this responsibility. A lot of the people these agencies will refer to us would not previously have contacted us so this will be a further increase in workloads.

7.6.7 It makes provision for certain care leavers, to make it easier for them to show they have a local connection with both the area of the local authority responsible for them and the area in which they lived while in care if that was different. As a result we are likely to see an increase in the number of care leavers contacting us for advice, assistance and potentially accommodation.

7.7 Metrics

7.7.1 It is difficult to gauge the full impact of the HRA but the Housing (Wales) Act (HWA), which the HRA is based upon has been able to give us some indications of demand. In July, we employed a Homeless Consultant to offer some in depth training and who provided a briefing to Housing Staff, some members of SLT and a number of Councillors. He worked with the Welsh Authorities when they implemented the HWA and has a good knowledge and understanding of the expected demand. He has also worked with DCLG and is currently assisting a number of LA's across the Country to implement the new Act.

7.7.2 The table below shows the current levels of homeless applications being taken, the number being accepted and the amount of prevention work being carried out.

As you can see from the table below, significantly more prevention work is carried out than homeless applications taken, which is extremely positive.

| Performance 2016/17 | 2016/17 | Q1/Q2 2017/18 |
|--|----------------|--------------------------|
| Number of Homeless Applications Taken | 80 | 35 |
| Number of Homeless Applications, 'Accepted' and owed a rehousing duty | 52 | 25 |
| Number of applicants where homelessness was successfully prevented or relieved | 99 | 156 |

7.7.3 Mid Suffolk is below the England average for the number of acceptances, which is really positive and shows that it has a high performing homelessness service. This shows that Mid Suffolk accepts a homeless duty to less households than the average across England.

| | 2014/15 | 2015/16 | 2016/17 |
|--|---------|---------|---------|
| Average Number of Households Accepted as Homeless at Mid Suffolk | 1.3 | 1.16 | 1.42 |
| English Average Number of Households Accepted as Homeless | 2.4 | 2.52 | 2.54 |

7.7.4 In previous years, Mid Suffolk has been below the England average for the number of households where homelessness has been prevented or relieved. We have made changes to the way we deliver the service at Mid Suffolk to ensure there is an equal level of service delivered by both Councils. As you will be able to see from the table under 7.7.2, there has

been a significant increase in the positive preventions work carried out this year. There has been over a 150% increase in performance in Quarters 1 and 2, compared to the whole of the last financial year.

The table below shows that performance is lower than it should be when compared with other Councils across England. However, after a very successful first half of this financial year, it is predicted that Mid Suffolk will be far nearer to the average numbers by the end of the year, if not exceeding target.

| | 2014/15 | 2015/16 | 2016/17 |
|---|-------------|-------------|-------------|
| Average Number of Households where Homelessness has been Prevented to Relieved per 1000 households at Mid Suffolk | 5.72 | 3.84 | 2.31 |
| Average Number of Households, where Homelessness has been Prevented or Relived per 1000 households across England | 9.71 | 9.3 | 9.23 |

- 7.7.5 The table below shows the number of homeless households, who have been accepted as homeless and subsequently rehoused through the Choice Based Lettings system, and the average number of days someone had to wait in temporary accommodation for their permanent offer.

| Date range | Number of bedrooms | Number housed through Choice Based Lettings | Average wait in days |
|-------------------|--------------------|---|----------------------|
| 2016/17 | 1 | 10 | 251 |
| | 2 | 36 | 140 |
| | 3 | 11 | 217 |
| Q1 and Q2 2017/18 | 1 | 3 | 116 |
| | 2 | 15 | 102 |

The time taken to rehouse someone has an impact on the availability of temporary accommodation.

- 7.7.6 The table below details the predicted number of applications, BMDSC are likely to deal with under the HRA in 2018/19. As you will see, it is expected our workload could double. This table shows both Councils as it was necessary to use this calculation, when assessing the need for additional staffing resources.

| Reason for Increase | Numbers/ Calculation |
|---|---|
| The number of Homeless Applications taken in 2016/17 | 227 (147 at BDC and 80 at MSDC) |
| The estimated increase in homelessness applications for 2018/19 when the HRA2017 new duties come into effect: - <i>(These figures are predicted based on the evidence from Welsh local authorities when the Housing (Wales) Act was enacted)</i> | 26% = 59 extra homelessness applications |
| One of the new duties means that specified public bodies will be under a legal duty to refer cases to us, which previously we would not have dealt with. The estimated increase in homelessness applications due to this new duty: - | 65% = 148 extra homelessness applications |

| | |
|---|---|
| The estimated increase due to the standard, yearly expected rise in homelessness applications across England: - | 9% = 20 extra homelessness applications |
| Total projected homelessness applications in 2018/19 following the enactment of the HRA2017 changes | 454 Cases (Double) |

7.8 New Staffing Structure

Following the appointment of a new Assistant Director for Housing, some areas of responsibility have changed between Corporate Managers. The Corporate Manager with responsibility for Homelessness, has now also taken on responsibility for Financial Inclusion and is leading the project on the Implementation of Universal Credit. A business case was recently submitted to SLT, which put forward a case for additional staffing to manage the implementation of the Homeless Reduction Act, Universal Credit and expand the service offered by the Financial Inclusion Team.

Universal Credit (UC) is a new benefit system that takes six existing separate elements and provides an individual on a low wage or out of work with a monthly payment to meet all their costs.

Intelligence from landlords where UC has been in place for some time identifies that 'rent arrear' levels are likely to increase four to six fold. Should these levels of rent arrears increase within our districts our income could reduce by £1.5 to £2 million pounds. This would adversely impact on our HRA Business Plan.

UC is also expected to lead to an increase in homeless cases due to rent arrears, particularly with private landlords.

Therefore, this has been considered and factored into the new structure of the team.

The table below details the 'existing' and 'proposed' job roles and details the changes.

| Existing | Proposed | Changes |
|---|---------------------------------------|---|
| 0.8 FTE – Corporate Manager | 0.8 FTE – Corporate Manager | Unchanged |
| 2.0 FTE – Lead Prevention and Homeless Officers | 1.0 FTE – Professional Lead | Reduction in Number of Posts but change in level of responsibility |
| 2.0 FTE – Prevention and Homeless Officers | 4.0 FTE – Housing Solutions Officers | At present, the Leads and Officers all do the same level of case work, so we need to ensure this continues to be resourced effectively. |
| None | 1.0 FTE – Housing Solutions Assistant | New Assistant Role to manage contact and make better use of Officer time. |
| 0.5 FTE – Landlord Liaison Officer | 1.0 FTE – Lettings Negotiator | Increase in FTE from 0.5 to 1.0, currently under resourced. |
| 1.68 FTE – Tenancy Support Officers | 2.68 FTE – Tenancy Support Officers | Increase from 1.68 to 2.68 FTE to help with the implementation of UC. |

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| 0.6 FTE – Homeless Scheme Manager (MSDC Only) | 1.0 FTE – Temporary Accommodation Officer | Increase in FTE from 0.6 to 1.0 but the role will now work across BMSDC whereas at present it only covers MSDC. |
| £30k Paid to CAB to Cover 14 Hours of Money Advice (BMSDC £15K each) | 1.0 FTE – Money Advisor (Fixed Term 18 Months) | Secondment being investigated with CAB |
| 1.0 FTE – Admin & Technical Support | 1.0 FTE – Admin & Technical Support | Unchanged (0.5 is currently vacant) |
| 8.58 FTE's + £30K to CAB | 13.48 FTE's (1 x Fixed Term) | 4.8 FTE increase |

All the increase in staff costs can be met through the new funding, which was been allocated by DCLG and the current Financial Inclusion Budget.

The new structure involves placing current staff 'At Risk' and carrying out a formal consultation process. This commenced on 25th October and runs for four weeks. It is proposed the majority of staff will be able to 'slot in' to suitable roles. The only two roles actually 'at risk' are posts only relevant to Mid Suffolk District Council. Providing the consultation process is successful, we propose to start internal and external recruitment at the end of November to have successful applicants in post in the New Year ready for the implementation of the Act in April.

7.9 Preparation for the Act

Solo Lodgings

In preparation for the HRA, we have just launched a new Lodgings scheme, with a local charity, called Solo Housing who have been established for many years and successfully prevented homelessness for single people in a high number of cases.

The scheme is a very simple and successful model, Solo provides practical help and advice to anyone who has a spare room in their house that they would like to rent out. At the same time Solo use an assessment criteria to match suitable people to available rooms, providing advice and support to single people who may like to take up a lodgings offer.

The service aims to provide a simple solution for those who would like to rent out a room, perhaps to help them pay their bills or for companionship and at the same time provides a housing solution for a single person who may not be able to access other suitable affordable accommodation on their own.

This scheme is particularly aimed at those who would not be owed a duty under the current homeless legislation as they do not meet the 'priority need' threshold. However, under the HRA2017, we will need to carry out meaningful activities to prevent these individuals from becoming homeless.

Private Rented Offer

BMSDC currently offer a Rent Deposit Guarantee Scheme. We have significant issues trying to engage with landlords and encouraging them to take on residents through the scheme. There is no dedicated resource in this post at the moment and previously the post was only part-time. This post needs dedicated time to work with landlords and 'sell' them the benefits of the scheme.

As part of our preparation for the HRA, we will be reviewing and relaunching our Private Rented Sector (PRS) Offer. It is imperative we do this because our future funding will be dependent on successful preventions into the PRS.

This work will commence once we have a Professional Lead and Lettings Negotiator in post.

Homeless Reduction Event – Home is where the start is

All Suffolk Councils jointly arranged a stakeholder event at The Apex in Bury St Edmunds to raise awareness and build relationships with partner organisations on 12th October. The event had a number of guest speakers including leading homeless charity Crisis, a homelessness expert, a Barrister from Arden Chambers in London and representatives from the Clinical Commissioning Group.

This is the first time an event like this has been arranged and hosted by Suffolk Councils and shows the commitment the Councils have to working closely with Partners across the Suffolk System.

Homeless Strategy

Babergh and Mid Suffolk currently have a joint homeless strategy, which expires in 2018. A new strategy will shortly start to be developed and consulted on, ready for implementation next year.

The new Strategy will consider the progress made, look at the current major challenges affecting Babergh and Mid Suffolk and take into account the new duties of the HRA.

There are a number of requirements set out in the proposed Code of Guidance, which will need to be taken into consideration before a new Strategy can be produced.

Increasing Temporary Accommodation

We are currently investigating the possibility of leasing some additional temporary accommodation units from a Registered Provider. These are in a purpose-built block in Stowmarket. We would place homeless households into this accommodation rather than Bed and Breakfast accommodation. We are currently negotiating on costs, but it will be much more cost effective and better value for money than using Bed and Breakfast as we do currently.

Although this accommodation is based in Stowmarket, a significant proportion of the units are likely to be occupied by Babergh applicants so there would need to be a commitment to funding from both Babergh and Mid Suffolk to secure this accommodation.

Training

We have already accessed training for the team from NPSS (the National Practitioner Support Service) and Andy Gale, a Homeless Consultant who spent two days with us in July. In order to share costs we have jointly funded the training with West Suffolk Councils and have Andy Gale booked for a further three days in February.

We are also taking advantage of a number of free events being run by various organisations including the LGiU, LGA and DCLG to ensure we are fully aware of the Act and the changes ahead.

New Code of Guidance

In order to fully understand our responsibilities, we require access to the new Code of Guidance (CoG), which we were hoping DCLG would publish in the Summer. The CoG was

published in late October and is currently in a consultation phase, which ends in mid December.

The proposed CoG is currently being reviewed. It is a lengthy document, of over 170 pages. A verbal update on some of the key points can be provided at the meeting.

Project Planning

There is an HRA Implementation Project, which will monitor our work and risks to ensure we are effectively managing the preparation work. This work is monitored on a weekly basis and the risk matrix updated accordingly.

Authorship:

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Corporate Manager – Homeless Prevention and
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Email:
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Agenda Item 6

MOS/17/25



Mid Suffolk Overview and Scrutiny Committees –Review Scoping Document

| | | |
|---|---|--|
| Review Topic (name of review) | A review of the Legal Services Partnership | |
| Lead members | | |
| Officer Support | Emily Yule – Assistant Director – Law and Governance | |
| Rationale Key issues and reason for the review. Include how it relates to the Joint Strategic Plan. | Financially sustainable Councils Strengthened and clear governance to enable delivery | |
| Purpose of the review/Objective (quantify the outcomes the review will seek to achieve) | To Identify what the Committee would want to look at in this review and also what the aims, objectives and desired outcomes of the review would be | |
| Success measures | What are the expected outcomes? | |
| | What are the likely benefits to the council and its community? | |

| | | |
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| | What value is O&S adding to the process? | |
| | Are there any barriers/dangers/risks? | |
| | How are you going to know that you have reached the end of the O&S activity? | |
| Background information | | |
| Methodology/ Approach (what types of enquiry will be used to gather evidence and why) | | |
| Resource requirements | | |

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| Project parameters | | | |
| Specify Witnesses/ Experts/ Stakeholders (who to see and when)- subject to review as evidence becomes available. | | | |
| Specify Evidence Sources for documents | | | |
| Specify Site Visits (where and when) | | | |
| Barriers/dangers/risks Identify any weaknesses and potential pitfalls | Constant change within the organisation means reasons are given for not achieving targets that could prevent potential new improvements being identified and/or made. | | |
| Projected start date | 16 November 2017 | Draft report deadline | (28 November 2017) – Pre-Committee Meeting |
| Meeting frequency | | Projected completion date | 19 December 2017 |

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Tabled Paper

Appendix 1 – Objectives for the Shared Legal Service

| Criteria | Action Point | Proposed Outcome |
|--|--|--|
| 'Area for improvement' | What will be done?' | What happened? |
| To add value and improve the legal service for all four councils | <ul style="list-style-type: none"> Combine the existing teams into a single shared service Build greater integration with the client teams Build a service that can work effectively in a fast paced, commercial and ambiguous local government environment | <ul style="list-style-type: none"> Moved quickly to restructure into a combined shared service Developed team, trust and a shared culture Moved decisively to minimise disruption and uncertainty in regard to change management Implemented team of 4 specialist Business partners that work closely with client teams Undertaken team development/coaching to build an effective service fit for the changing business environment |
| Reduce the reliance on External Lawyers and rationalise costs to ensure good value from external lawyers | <ul style="list-style-type: none"> Procure legal advice effectively where appropriate Share the learning, knowledge and advice Consider partnering through a suitable framework | <ul style="list-style-type: none"> 4 Business Partners available with specialisms in Planning, Litigation, Property and Commercial and a focus on problem solving and project support Previous costs being identified and oversight of procurement to be held in legal service to ensure value and learning Low value work identified and outsourced where appropriate to enable high value work to be prioritised External spend has been appropriate and reduced (see diagnostic ??) |
| Exploit economies of scale and make efficiency savings | <ul style="list-style-type: none"> Pro-actively seek opportunities to reduce costs Make savings in supplies and services by combining the service Improve resilience by building a bigger team Procure and develop a Case Management System Modernise working practices | <ul style="list-style-type: none"> Procured and implemented first phases of CRM system Invested in a shared (7 way) CMS Manager to manage CMS system Delivered more capacity at same salary budget/made savings on supplies and services and property costs Improved resilience (4 lawyers now have access to 10) Developing new ways of working, all staff hot desk and |

Tabled Paper

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| | | use mobile technology and are based in new location |
| Improve the Employer Brand | <ul style="list-style-type: none"> • Build in Career Progression • Deepen and extend the range of legal expertise available internally • Work to build an attractive employer brand that attracts and retains staff | <ul style="list-style-type: none"> • Now have in-house Commercial lawyer • Currently supporting 4 trainee solicitors • Have enabled career pathways and progression • Recruitment has been successful; new staff have been retained; Employer brand is positive • Increased use of social media to recruit • Pay bands been maintained without additional supplement or enhancements |
| Working with Pace and Trust | <p>Engaged staff in building trust and shared culture</p> <p>Worked with clients to develop new business model</p> | <p>Team coaching for Business Partners and whole team taken place to identify positive behaviours and build shared team culture</p> <p>Team bonded well, are looking forward and have let go of the past</p> <p>Poor performers have left their employment</p> <p>Workshops have taken place with managers</p> <p>Service manager attended SLT</p> <p>Project Board developing balanced Scorecard and meeting monthly to monitor progress</p> <p>Positive feedback has replaced the negative feedback in the existing service</p> |

Diagnostic report for West Suffolk and Mid Suffolk and Babergh legal services



My ideal legal team would be engaged and involved. I want them to be truly partnered with the business” – Charlie Adan

“I want our lawyers to participate in management discussions at a strategic level. They are there principally as senior officers – their technical knowledge often is of secondary importance” Ian Gallin

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- Client and staff feedback
- Academic research on shared services
- Demand for legal work
- Observations on staff engagement
- Potential new structure
- External spend
- Charging and trading

Recommendations for team structure and planned path forward

Project overview

Why did you ask for this report?

Suffolk has been exploring the potential to create a shared legal service across the 7 district and borough councils. You feel that the shared service would have the following key attributes:

- Staff would remain employed by their current council for the time being
- Services would be provided/operated via Section 113 Agreements
- Councils would retain their Monitoring Officer role and function in-house, with the flexibility to move the function into the new shared service in the future
- You have a longer term ambition to explore trading options

Following an initial report last December, which outlined options for the service, the Chief Executives met to agree the way forward.

Following that meeting, West Suffolk (WS) and Mid Suffolk and Babergh (BMS) Councils agreed to establish a “prototype” using a s.113 model, “to test the validity of the fundamental proposition of a shared legal service”.

This report has been prepared at your request to establish a baseline diagnostic from which to move forward.

What are your objectives for the shared service?

You want to add value and improve the legal service of all four councils.

Both Chief Executives believe that the delivery of their legal services can be improved if they are combined, both in terms of the range of legal advice provided, and more generally in terms of their becoming integrated with the client teams they serve. Tightening finances, changes to legislation and devolution means that management teams are operating in an increasingly fast paced, commercial and ambiguous environment. Legal services departments and individual lawyers must be able to respond to these changes.

You want to reduce your reliance on external lawyers (or at least rationalise their costs). While you recognise that obtaining external advice is sometimes necessary, you recognise that jointly procuring external help, sharing advice, pooling knowledge and partnering more effectively with outside lawyers will be beneficial.

You want to exploit economies of scale and make efficiency savings.

You want to be more pro-active in reducing costs and making savings by combining your legal services, and also build in some resilience, as the legal teams are individually quite small. You recognise that the lack of a functioning practice management system and certain outdated working practices are inhibiting productivity.

You want to improve your brand as an employer. You recognise that small legal departments provide limited opportunities for career progression that inhibits your ability to recruit and retain staff. It is essential that you exploit all opportunities to be an attractive option for legal talent, which includes updating your working practices, deepening and extending your range of legal specialisms and expertise, and building a legal “brand” to sell to potential recruits, including “centres of excellence” for legal specialisms

Interviews

I conducted face-to-face interviews with the Chief Executives of WS and BMS. I also talked to key members of the senior management team for the four authorities and other senior officers. I talked to the lawyers and administrative staff. I have also engaged with the case management project team at Ipswich Borough Council.

Analysis

In addition to interviews, I looked at the analysis and data gathered by the previous project manager. Some quantitative data was available on staffing costs for example and some work was carried in to assess client demand, but it was not possible to carry out detailed analysis on current or historic demand and staff performance partly because of gaps in the data but also because of the lack of a functioning practice management system that would provide objective evidence of caseloads, “billable” hours, resourcing bottlenecks, demand/trend analysis and the like.

I have also referred to the findings of the Local Government Association and other consultancy bodies that identify best practice in terms of optimising shared services in government.

I referred to the Local Government Lawyer’s February 2016 Report “The Legal Department of the Future” for market and trend analysis, and I also reviewed the InLoGov publication “The 21st Century Public Lawyer” and the feedback from the combined team away day at which this was discussed.

Executive Summary

As you know, entering into a shared legal service has the potential to drive undoubted benefits such as improved resilience, reduced procurement costs, creation of centres of excellence, career progression potential, enhanced recruitment potential and potentially trading opportunities.

West has been working well as a shared service across St Edmundsbury and Forest Heath for the past 18 months, and while not as “embedded” within client teams as West, BMS have also succeeded in building a combined team.

At West, clients have noticed a cultural change within the team towards more “business” focused advice, and the trajectory is said by management to be upwards.

By merging West and BMS, acting decisively to restructure the staff cohort into specialist teams, investing in team building work to build a culture of sharing, trust and customer service, and developing a vibrant “brand” and mission to which staff can relate, you stand an excellent chance of creating a single unit that is much, much stronger and more effective than the sum of its parts.

It is also essential to implement an electronic case management system if you wish to drive productivity gains and maximize efficiency.

In order to build an effective shared service, I recommend you take the following action:

- **Move quickly to restructure your combined staff cohort.** While a staged approach is sometimes preferable when merging a service in order to build trust and a shared culture over time, I recommend you move quickly and decisively in order to minimise disruption and uncertainty for staff and clients.
- **Continue to push for a speedy resolution of outstanding issues on the procurement of a case management system.** It is essential that senior stakeholders assist in this project, and be prepared to invest in the resources needed to install and embed the CMS, including investing in a CMS manager (shared across all 7 councils) who can support staff to change their embedded and inefficient working practices, and ensure that the specification builds in time for the supplier to train staff and help design workflows. IT issues in particular are key to a successful implementation (in particular stable internet access) and we must ensure that any IT issues are resolved quickly and satisfactorily.
- **Invest in formal customer engagement and customer service training for legal staff.** I would advise that we invest in some specialist training in customer service techniques in a legal

environment.

- **Help lawyers become business problem solvers rather than legal problem solvers.** Some of the lawyers need to move out of their comfortable role as technical specialists and become genuine business problem solvers. To do this, they need to gain altitude and perspective on the wider business issues facing the sector and their clients, and should be supported in understanding how they can be pro-active in achieving this.
- **The need for pace and a shared culture of trust.** In order to overcome some of the drift encountered when the previous 7 way collaboration failed, and to engage staff in building trust and a shared culture, we need to invest in workshops and away days, both formal and informal. These will help staff bond around their mutual problems and issues, and show them how they can model leadership behaviours that inspire others. They need to let go of the past, build confidence in their skills and develop the positive mindset that is essential for the project to succeed; West have evidenced how this can work successfully in a shared services context.
- **Build a brand.** In my experience, investing time and creative thinking to build a brand (a name for the shared service, a logo, a presence on social media as well as more traditional PR (all of which can be done in-house)) will be invaluable in building a sense of excitement and boosting morale.

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- **External spend**
- **Charging and trading**

Recommendations for team structure and planned path forward

Summary assessment of current situation, diagnostic and recommendations

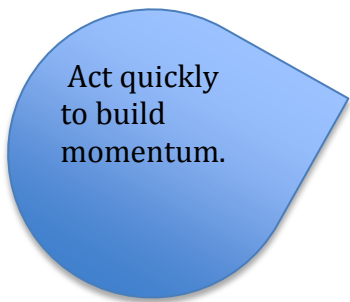
Client and staff feedback


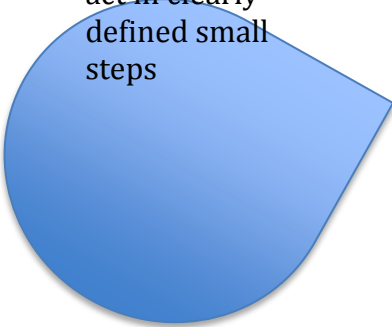
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| Lawyer feedback | <p>Positive</p> <p>Feels that legal staff work well as a team, although aware that this is maybe not the perception of management.</p> <p>Team is like a “big family”.</p> <p>Neutral</p> <p>Staff would like to do higher profile work, but maybe there’s a lack of confidence in their own abilities.</p> <p>Difficult to get instructions out of clients.</p> <p>Existing case management system was not a success because it was web based and kept crashing because of internet issues so work was lost</p> <p>Negative</p> <p>Very little integration of the two teams.</p> <p>“I need mentoring but I just muddle through. Seniors are “too busy” to help. “</p> |
| Client feedback | <p>Positive</p> <p>“Legal people used to give “yes/no binary answers”, now I find them invaluable”. Been a gradual cultural</p> |

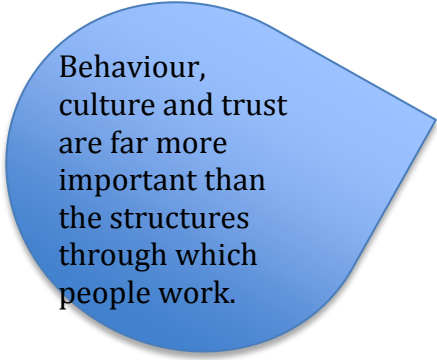
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| | <p>shift. What's great about the lawyers here is the speed of response. "Our lawyers turn things around in 24 hours. "</p> <p>Legal team is fantastic. They have embraced the journey. [named] could stand in for any senior officer in a negotiation session. They understand risk issues.</p> <p>"Never walked away from the legal department unhappy. Always been brilliant. "</p> <p>(named) can get a programme of work rolling and engage with it. Not worked perfectly but quality of communication is good and he values the relationship.</p> <p>Neutral</p> <p>Some lawyers are excellent (named), but team is too small. Concerned about their capacity to handle workload which is increasing.</p> <p>Wants support services like legal embedded within client teams, and not limited by their technical backgrounds but adding value.</p> <p>Feels that legal have struggled a bit but broadly feels supported by them.</p> <p>Key issues: being more commercial and getting additional resource.</p> <p>(named) is knowledgeable and approachable. Turnaround times can be issue with some of the work, as is a lack of knowledge and expertise.</p> <p>Time is of the essence with some projects – will legal be able to cope?</p> <p>Need to strengthen business partnership model.</p> |
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| | <p>All services are thinking more commercially and increasingly our interactions with the legal team will need to reflect that. The commercial way of thinking will permeate throughout the organisation. Even technical officers will need to grapple with the commercial agenda, and need help from legal to do that.</p> <p>Negative</p> <p>Some “get it”, but need to improve.</p> <p>No management or oversight of external legal spend – need to commission this advice centrally so it isn’t considered in a silo. We often get the same advice on different projects.</p> <p>Legal support has been difficult lately. Not adequately resourced in his view. Need for a speedy response. We can lose opportunities otherwise in a commercial setting. Inefficient to be starting from scratch all the time with a new fee earner.</p> <p>Sometimes legal need “chivvying”.</p> <p>Team needs someone with experience of commercial work, start-ups and partnerships. And need it quickly.</p> |
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Academic research on shared services

| Paper | Relevant conclusions |
|--|--|
| Local  | <ul style="list-style-type: none"> • Rapid implementation helps build momentum for change |

| | |
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| <p>Government Association: Services shared: costs shared? An analysis of the financial and non-financial benefits of local authority shared services</p> | |
| <p>AT Kearney: Shared services in Government. Turning private-sector lessons into public-sector best practice</p>  <p>Take things one step at time...</p> | <ul style="list-style-type: none"> • The higher standards set by private-sector companies have raised both citizen expectations and political stakes • Important not to move too far too fast • Setting realistic goals, managing expectations and closely involving internal customers in the design, implementation and ongoing management of a shared service are also key to achieving and even surpassing planned results |
| <p>AT Kierney: Shared services in government 2: building a platform for better public services at lower cost</p>  <p>Think big and act in clearly defined small steps</p> | <ul style="list-style-type: none"> • Think big and act in small, clearly defined and quick steps • Resources to manage the required levels of stakeholder management are significantly underestimated • Creating a shared service always means there will be stakeholders who are potentially losing power, influence and control. Specific tactics will be needed for these individuals • Communications planning needs to emphasize the building of trust and the management of expectations |

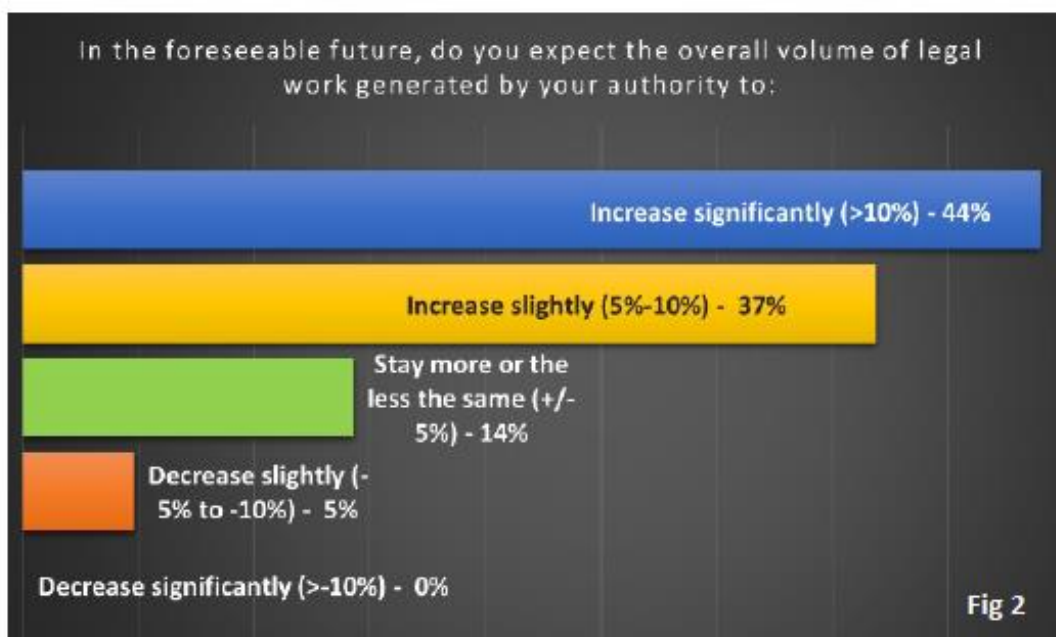
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| <p>University of Birmingham InLoGov: Building better collaboration. Improving collaborative behaviours in local government</p>  | <ul style="list-style-type: none"> • Best practice involves districts taking a role where they may put in more resource or effort than they might gain from a project • Behaviour, culture and trust are far more important to success than the structures through which people work • Collaboration is voluntary thus prone to procrastination. • Collaboration is driven by people with very particular skills |
|---|--|

Demand for legal work

Overwhelmingly, staff and clients say that their demand for legal work will increase in the future, in some cases substantially.

There is a mismatch emerging between the expertise of your current cohort of legal staff, and the expertise urgently required by the business, notably in the area of property, commercial contracts, governance/corporate issues (eg understanding the impact of devolution, how to start a spin-out company)), procurement and corporate structures.

These findings are confirmed by recent research by the publication Local Government Lawyer who polled a significant pool of local government heads of legal on the level of demand for legal work:



Increases in productivity brought about by improved working practices and the case management system together with retraining should help to address increases in demand.

The legal teams, particularly at BMS, are operating along fairly “traditional” lines, with lawyers carrying out legal work according to demands made on them by clients from time to time.

There’s scope to deconstruct the process of allocation of legal work in terms of time and priority, so that you ensure that relatively low value legal work (like FOI and routine enforcement matters) are not prioritised at the expense of more pressing client problems which are of more value to the authorities overall; for example, at West, some administrative legal work has been passed to the admin team.

Observations on level of staff engagement

Being “business ready”

Some of the lawyers need to step out of the boundaries of their legal roles and gain perspective on the issues facing their clients. This requires them to step towards problems and take a proactive approach, rather than waiting for formal “instructions”. It also requires a degree of curiosity.

Today’s local government clients demand that lawyers work alongside them to help resolve ambiguous issues, be creative and innovative in solving legal problems, say “yes” rather than “no”, and pro-actively help them find new ways to solve their problems. One way to achieve this is by using the “business partner” model that West have already embraced.

The legal sector in general has become much more aware of the need to deliver not just excellent legal advice, but excellent levels of responsiveness and customer service, and this runs parallel to a general heightened awareness of the importance of the “customer experience”.

It's important that we reflect these broader changes in our shared legal service, and I suggest that we provide the team with some coaching in this respect so that that understand what this means in terms of their day to day working practices.

Levels of Engagement.

It is essential that senior members of staff are enthusiastic and committed not least so that they can coach and mentor junior members of staff and the trainees. They also need to act as leaders so that they can actively help to implement the improvements needed to drive productivity and support their clients better.

In short, it will be important to incorporate strong leadership posts into the new structure so that staff can be mentored to develop better working practices, client engagement, and encouraged to learn new skills. These changes are essential to obtain real and lasting transformation.

Potential new structure

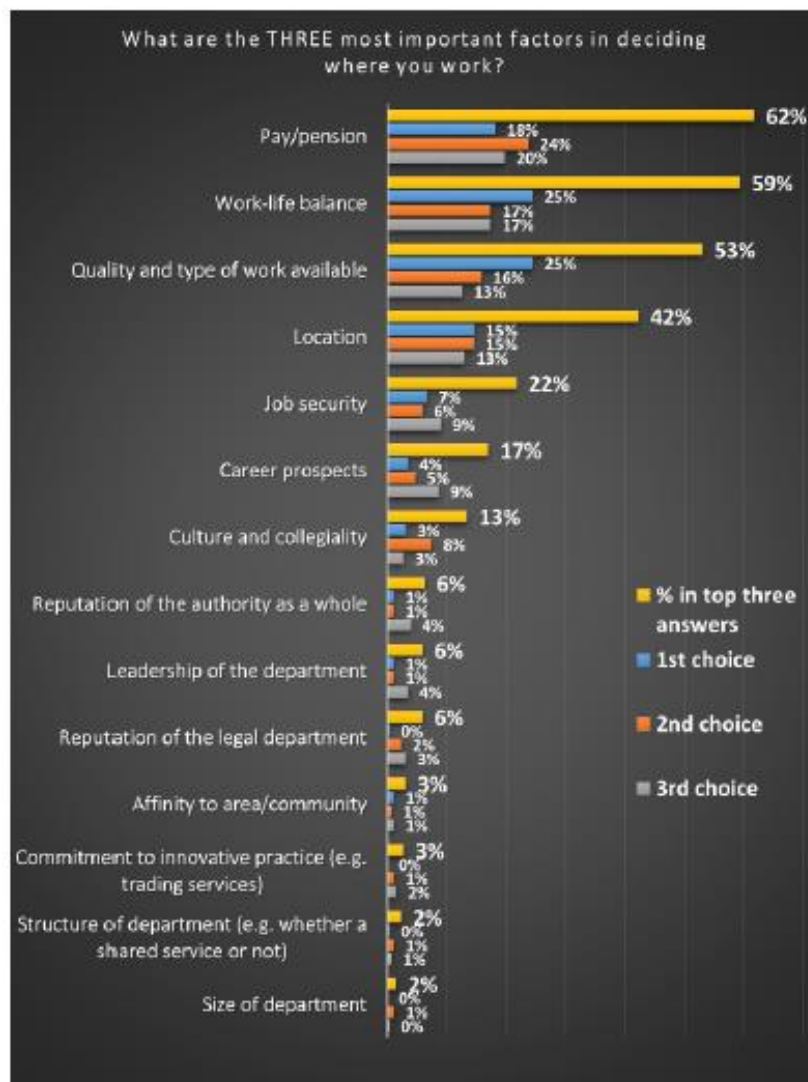
Design. I propose a design for a legal service based around four teams of legal specialisms (and team leaders), a single head of service and a practice manager (who would also manage the admin staff). This structure was agreed by broad consensus at the workshop on 11th May with staff.

The head of service (general counsel) would act as business partner for the CEX and management teams, and the team leaders of the various specialisms would equally be business partners to senior officers in both councils.

I am optimistic that an internal recruitment campaign would yield successful candidates for many if not all roles. It is likely however that we will need to look externally for a senior practice manager with relevant recent experience in installing a new CMS system, at least in the short term. In the longer term, a member of the existing staff cohort could fulfill the practice manager role. A lot will depend on whether you plan to trade services in the future.

Recruitment. In terms of recruitment, it will be important to set pay at a level that is appropriate for the market so that you can attract and retain staff when you restructure. This will also enable you to harmonise pay across the organisations. As important will be building a compelling employer brand and team structure that will enable staff to work on high profile and complex

matters. Candidates say that these two factors, as well as location, are important factors in deciding where and for whom to work.



The Legal Department of the Future

A case management system. You are currently engaged in procurement of a 7 way case management system for the County, a project that was running parallel with the broader shared service project.

It is essential that certain key issues, principally around IT, be resolved so that we can be sure of a successful implementation

I have designed the specification to include pre-designed management information dashboards and workflows, and bake in sufficient capacity for training which will add to the cost of the project overall.

Working practices across the teams tend to be largely paper based, and time recording is not generally carried out. Admin staff are routinely typing letters,

emails and the like. By moving staff to a new CMS, supporting them to create and maintain cases, documents and correspondence electronically, admin staff time can be devoted to more meaningful, productive and rewarding tasks.

While I haven't audited the libraries across all four locations, certainly a lot of the legal resource seems to be book/paper based, and this is wasteful if such resources are available online. Certainly, cost savings can be made by combining resources across the shared services.

Building a brand. One of the determining factors that will help drive excitement and involvement with the new shared service will be building a new brand. This will include "soft" branding like naming the service, logo design etc, but I'd also recommend that we create content to share with clients and more widely, such as newsletters, legal updates and the like.

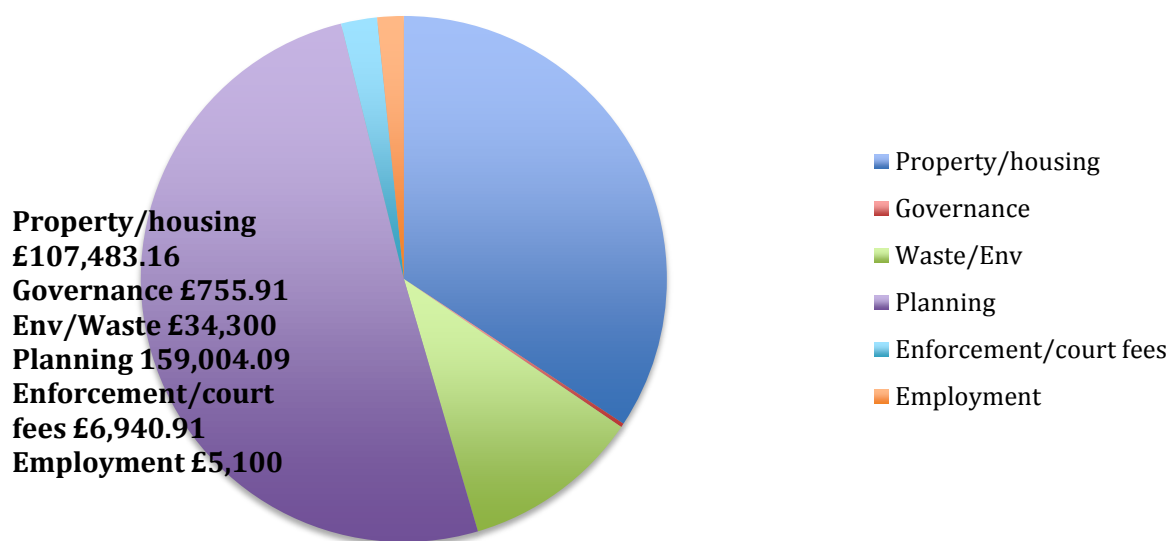
I'd also expect lawyers to be active on social media, and to produce some content for traditional PR (we can write some articles for the local and national press). It will also help build our reputation with clients who we'd like to see us as trusted advisors and knowledgeable experts.

You also should consider using online social platforms such as Facebook to build staff engagement

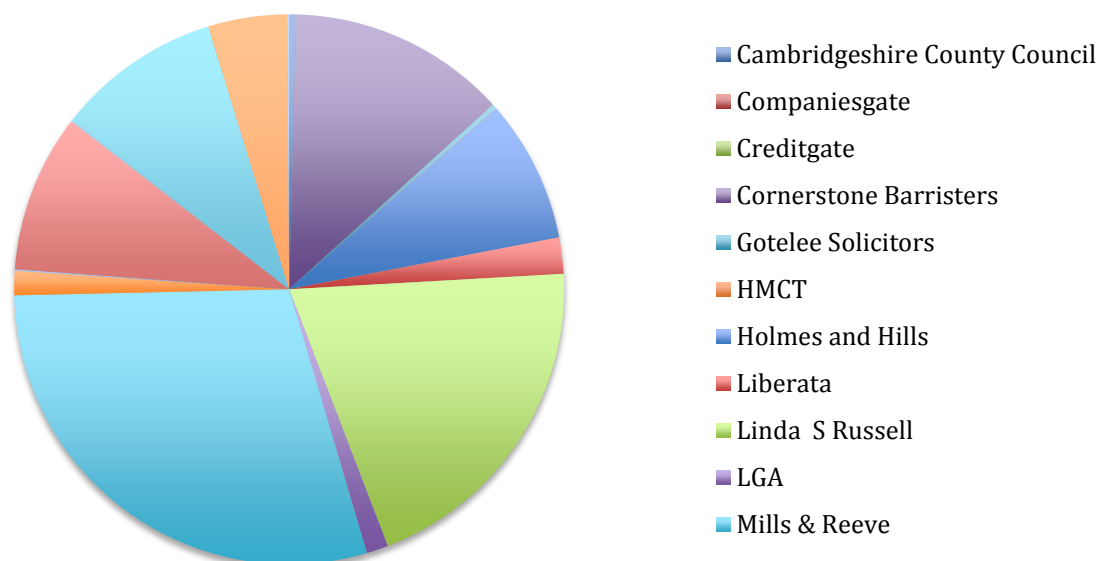
External spend.

Below is an analysis of reported legal spend during 2015/14 for both teams. Obviously there is scope to save money by jointly procuring, and by retaining a small legal panel (of solicitors and barristers) we can control costs better, build relationships and explore further potential for partnering (for example, procure coaching on client care). You will also need to set guidelines for instructing, and encourage staff to remain involved in cases that are externalised, as this provides valuable learning and experience in how to conduct more complex matters (some staff do remain involved, others less so).

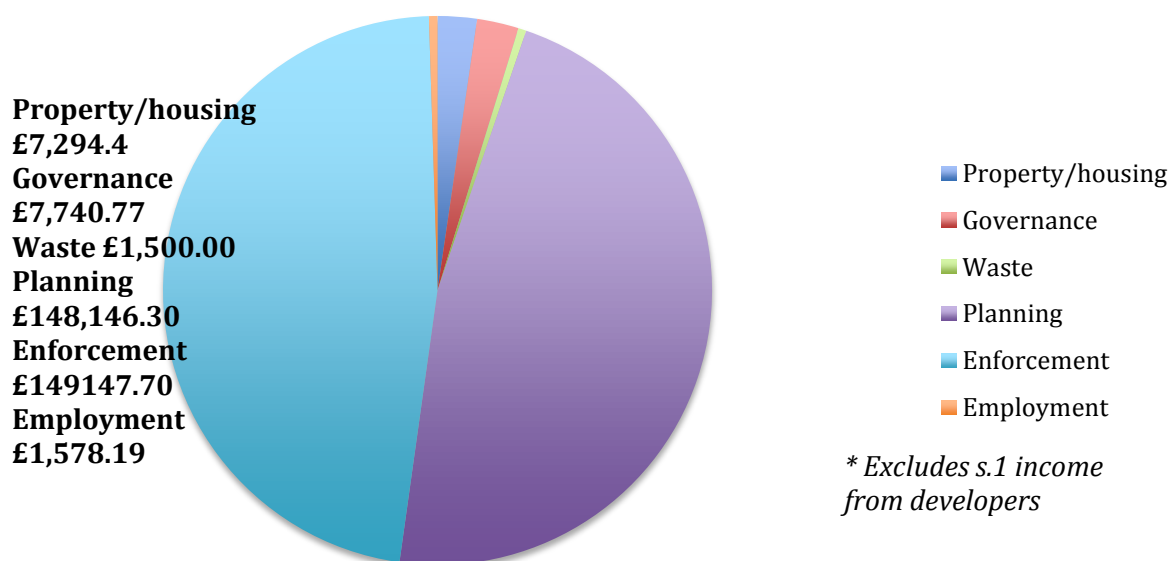
West - external spend per service area 2015 calendar year



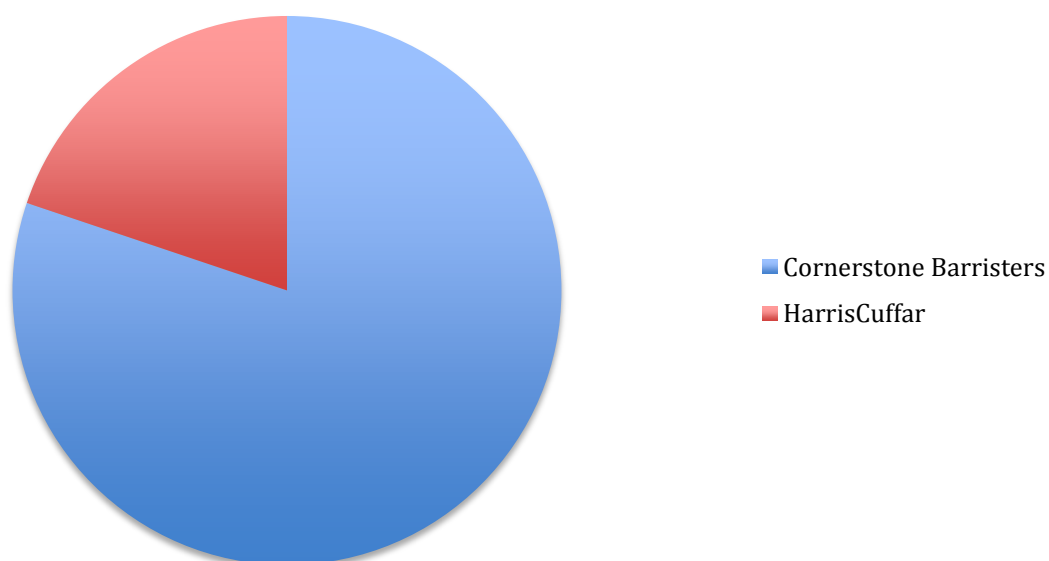
West - external costs 2015 calendar year by supplier



BMS - external spend per service area 2014/5 financial year



BMS - external costs 2015 financial year by two principal suppliers



I believe there is considerable scope to be creative in building the shared service in the future. For example, moving to a small panel of external advisors gives us scope to build partnerships where mutual secondments and sharing of expertise becomes routine.

Charging and trading.

While the potential for trading exists (and some clients have said that they are in the market for such services via spin-out companies), I think trading more widely won't be feasible until the CMS is in place and working well and productivity has improved to a level where you have capacity to service external clients. You shouldn't underestimate the time and resources required to market such services however; rather, I'd suggest you build on existing practice in billing for s106 agreements, leases etc. The Local Government Lawyer report suggests that the following are the services that heads of legal are most likely to procure externally in the future:

But what services do local authority clients actually want to buy? The areas where respondents say they would be most likely to use local authority providers are: employment matters (50%); litigation and enforcement (42%); procurement and contracts (38%); property and asset management (38%); planning (27%); adult social services (27%); and child protection (27%).

This differs from the five areas where

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Project overview and executive summary

Summary assessment of current situation, diagnostic and recommendations

Recommendations for team structure and planned path forward

The role of general counsel

In industry, the role of general counsel is that of a general business and strategic advisor with broad legal training and experience. They usually have knowledge of all key areas pertaining to the business (employment law, intellectual property, commercial matters, company law etc). I believe this role design is more suited to the 21st century public organisation than the traditional County Solicitor.

The general counsel will attend SLT meetings alongside senior business colleagues and the monitoring officer. His or her job is to understand the strategic direction of travel, new and emerging projects and general business developments so that he or she can allocate resources, brief staff and of course advise the business.

The role of team leaders and specialist lawyers

Team leaders will act as business partners to officer teams and also lead and mentor technical legal staff sitting below them. Specialist lawyers in the teams will research legal points, prepare documents and briefings, give advice, and administer transactions.

Timing issues and options

Academic research on sharing suggests that speed is important, but equally that trust and culture are more important than the structures through which people work. Restructuring, and the possibility of redundancy or a change of role for some may be disruptive in the short term.

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Tabled Paper



Babergh/Mid Suffolk Overview and Scrutiny Committees –Review Scoping Document

| | | |
|---|---|--|
| Review Topic (name of review) | A review of the Shared Legal Service | |
| Lead members | Nick Gowrley, Jennie Jenkins | |
| Officer Support | Emily Yule – Assistant Director, Law & Governance | |
| Rationale Key issues and reason for the review. Include how it relates to the Joint Strategic Plan. | <p>The Shared Legal Service is a partnership arrangement between Babergh, Mid Suffolk and Forest Heath District Councils and St Edmundsbury Borough Council providing legal support to the four councils. It has been operating since November 2016. The review is being undertaken as planned service review to assess the performance of the service.</p> <p>This review is most closely linked to the Enabled and Efficient Organisation priorities within the Joint Strategic Plan. However, as a support service the legal team provide cross-cutting support and contribute to the delivery of all of the strategic priorities.</p> | |
| Purpose of the review/Objective (quantify the outcomes the review will seek to achieve) | <p>To assess the performance of the Shared Legal Service against the objectives behind setting up the service (see appendix 1 – attached).</p> <p>To receive assurances that the service is:</p> <ul style="list-style-type: none"> • operating within agreed budgets; • meeting the needs and expectations of the client departments; • adding value to the delivery of the Councils’ joint strategic plan. <p>To identify ‘lessons learnt’ from the project.</p> | |
| Success measures | What are the expected outcomes? | |
| | What are the likely benefits to the council and its community? | |
| | What value is O&S adding to the process? | |

Tabled Paper

| | | | |
|---|--|----------------------------------|--|
| | Are there any barriers/dangers/risks? | | |
| | How are you going to know that you have reached the end of the O&S activity? | | |
| Background information | Appendix 1 – Objectives for Shared Legal Services Appendix 2 – Diagnostic Report | | |
| Methodology/ Approach (what types of enquiry will be used to gather evidence and why) | The review will be conducted through officer reporting and questions from the committee members. Expert witnesses may be called to give evidence. | | |
| Resource requirements | Existing resources to be used | | |
| Project parameters | n/a | | |
| Specify Witnesses/ Experts/ Stakeholders (who to see and when)- subject to review as evidence becomes available. | Teresa Halliday – Shared Legal Service Manager Client departments Councillors | | |
| Specify Evidence Sources for documents | n/a | | |
| Specify Site Visits (where and when) | None required | | |
| Barriers/dangers/risks Identify any weaknesses and potential pitfalls | Scope of review widens and additional time is needed to provide all required information. Additional witnesses are identified and are unable to attend the scheduled meeting. | | |
| Projected start date | 16 November 2017 | Draft report deadline | (28 November 2017) – Pre-committee Meeting |
| Meeting frequency | | Projected completion date | 19 December 2017 |

Agenda Item 7

MOS/17/26

MID SUFFOLK BUSINESS RATE RELIEF SUMMARY 2017/18

The information in the table below is based upon the categories of relief that are maintained in the Northgate system by the Shared Revenues Partnership.

| <u>Category of Relief</u> | <u>No of Properties</u> | <u>Total Rateable Value</u> | <u>Total 2017 Relief (£)</u> |
|--|--------------------------------|------------------------------------|-------------------------------------|
| Small Business Rates Relief | 1,518 | Not given | 3,056,901 |
| Mandatory Relief | 250 | 3,151,040 | 1,179,888 |
| Community Amateur Sports Club Mandatory Relief | 11 | 137,725 | 42,352 |
| Community Amateur Sports Club Top Up Relief | 8 | 111,525 | 8,078 |
| Discretionary Relief | 6 | 80,995 | 34,400 |
| Rural Relief | 3 | 40,500 | 12,791 |
| Top Up Relief | 210 | 1,766,715 | 165,613 |
| Supporting Small Business Relief | 23 | 431,075 | 55,950 |
| Local Discretionary Relief 2017 | 99 | 4,764,250 | 95,056 |
| Pub Relief 2017 | 42 | 1,084,650 | 40,148 |
| Food Shops Relief | 16 | 58,140 | 27,041 |
| General Stores Relief | 4 | 16,425 | 7,868 |
| Public House Relief | 17 | 96,550 | 53,375 |
| Post Office Relief | 9 | 32,250 | 14,974 |
| Petrol Filling Station Relief | 4 | 36,050 | 16,559 |

Notes

- Those that qualify for 100% Small Business Rate Relief (SBRR) are those with rateable values below RV £12,000 and they must satisfy the other criteria. Those that receive relief on a sliding scale of between 1% and 100% are those with RV's between £12,000 and £15,000. For MSDC this is 63 receiving relief out of a possible 163 cases. The cases that do not qualify for SBRR could be because they are responsible for more than 1 property or the property could be empty.
- There are an additional 520 properties that have rateable values of between £15,000 and £51,000 – these fall out of the SBRR category but will still qualify (where applicable) for reduced business rates because their rateable value is multiplied by the lower multiplier.
- There will be some properties that appear in more than 1 category. An example of this would be a property that appears in both the 80% mandatory relief and 20% discretionary relief categories.

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Forthcoming Decisions list (KEY, EXEMPT AND OTHER EXECUTIVE DECISIONS)

October to March 2018

| Status | Subject | Summary | Decision Maker & Decision Date | Contacts: | | Reason for Inclusion |
|---------------------------|---|--|-------------------------------------|---|---|--|
| | | | | Portfolio Holder(s) | Officer(s) | |
| No change since last plan | Half Yearly Risk Update | To provide an update | Cabinet 6/9 November 2017 | Peter Patrick Glen Horn | John Snell 01473 825768 John.snell@baberghmidsuffolk.gov.uk | |
| No change since last plan | Response to "Planning for the Right Homes in the Right Places" – Consultation Proposals | To agree the response | Cabinet 6/9 November 2017 | Lee Parker David Whybrow | Andrea McMillan 01473 825881 Andrea.mcmillan@baberghmidsuffolk.gov.uk | |
| No change since last plan | Cordell Road – Public Toilets – Future Use | For comment and agreement | Cabinet 7 December 2017 | John Ward | Jill Pearmain 01449 724573 Jill.pearmain@baberghmidsuffolk.gov.uk | Key Decision |
| No Change Since Last Plan | Leisure Strategy | For comment and agreement | Cabinet 4/7 December 2017 | Lead Member for Leisure – Diana Kearsley/ Margaret Maybury | Chris Fry 01449 724805 Chris.fry@baberghmidsuffolk.gov.uk | Key Decision |
| No change since last plan | BMSDC Enterprise Zone Sites | Draft discretionary business rates relief policies for Babergh and Mid Suffolk and draft memo of agreement | Cabinet 4/7 December 2017 | Gerard Brewster/ John Ward | Lee Carvell 01473 825719 Lee.carvell@baberghmidsuffolk.gov.uk | Key Decision <ul style="list-style-type: none"> Acquire Member approval to Discretionary Business Rates Policies for both Collection Authorities Acquire Member approval to MoU Passporting Agreement BDC/IBC for Sproughton Enterprise Park |

| | | | | | | |
|----------------------------------|---|---|-----------------------------------|------------------------------|--|--|
| | | for Sroughton | | | | Acquire Member approval proposed legal document signatory in absence of Deputy CEO |
| No change since last plan | Cedars Park Community Centre - Future Management Arrangements | To comment and agree | Cabinet 4 December 2017 | Julie Flatman | Jill Pearmain 01449 724573 Jill.pearmain@babberghmidsuffolk.gov.uk | Key Decision This report will be heard in private as per Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial or business affairs of any particular person (including the Council) with regards to detailed financial information to enable negotiated acquisitions |
| No change since last plan | 2018/19 Budget Report | For comment and agreement | Cabinet 4/7 December 2017 | Peter Patrick John Whitehead | Katherine Steel 01449 724806 Katherine.steel@babberghmidsuffolk.gov.uk | Key Decision |
| No change since last plan | Quarter Two Budgetary Control | For comment and agreement | Cabinet 4/7 December 2017 | Peter Patrick John Whitehead | Katherine Steel 01449 724806 Katherine.steel@babberghmidsuffolk.gov.uk | Key Decision |
| No change since last plan | Half Yearly Performance Report – April to September '17 | To provide an update on performance | Cabinet 4/7 December 2017 | Peter Patrick Glen Horn | Karen Coll 01449 724566 Karen.coll@babberghmidsuffolk.gov.uk | |
| No change since last plan | 2018/19 Budget and Medium Term Financial Position | For comment and agreement | Cabinet 5/8 February 2018 | Peter Patrick John Whitehead | Katherine Steel 01449 724806 Katherine.steel@babberghmidsuffolk.gov.uk | Key Decision |
| Date Amended | Future Options HQ Sites - MSDC | Council to debate first in February 2018 then to Cabinet for agreement. | Cabinet 5 March 2018 | Nick Gowrley | Ian Winslett Lou Rawsthorne 01449 724772 Louise.rawsthorne@babberghmidsuffolk.gov.uk | Key Decision This report will be heard in private as per Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial or business affairs of any particular person (including the Council) with regards to detailed financial information to enable negotiated acquisitions |

| | | | | | | |
|----------------------------------|---|--|--------------------------------|--|--|--|
| | | | | | | |
| Date Amended | Future Options HQ Sites - BDC | Council to debate first in February then to Cabinet for agreement. | Cabinet 8 March 2018 | Jennie Jenkins | Ian Winslett Lou Rawsthorne 01449 724772 Louise.rawsthorne@babberghmidsuffolk.gov.uk | Key Decision This report will be heard in private as per Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972, as it contains information relating to the financial or business affairs of any particular person (including the Council) with regards to detailed financial information to enable negotiated acquisitions |
| New | Quarter Three Budgetary Control | For comment and agreement | Cabinet 5/8 March 2018 | Peter Patrick/John Whitehead | Katherine Steel 01449 724806 Katherine.steel@babberghmidsuffolk.gov.uk | Key Decision |
| No change since last plan | Neighbourhood Plan Update | To give an update on Neighbourhood plans | Cabinet TBA | David Whybrow/ Lee Parker | Paul Bryant/Paul Munson 01449 724771 Paul.bryant@babberghmidsuffolk.gov.uk | Key Decision |
| No change since last plan | Introduction of Fixed Term Tenancies | For comment and agreement | Cabinet TBA | Jan Osborne/ Jill Wilshaw | Sue Lister 01449 724758 Sue.lister@babberghmidsuffolk.gov.uk | Key Decision |
| To be removed | <i>Public Realm Transformation Project</i> | <i>To go before a Task and Finish Panel in the first instance</i> | | <i>Julie Flatman/ Margaret Maybury</i> | <i>Peter Garrett 01449 724944 Peter.garrett@babberghmidsuffolk.gov.uk</i> | |
| To be removed | <i>Taking Forward the Suffolk Growth Framework – Next Steps</i> | <i>No new date scheduled at present</i> | <i>SCOLT to advise.</i> | <i>John Ward/Gerard Brewster</i> | <i>Tom Barker 01449 724647 Tom.barker@babberghmidsuffolk.gov.uk</i> | |

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Agenda Item 9

MID SUFFOLK DISTRICT COUNCIL

| | |
|--|--|
| From: Ben Staines, Project and Research Officer | Report Number: MOS/174/28 |
| To: Mid Suffolk Overview and Scrutiny Committee | Date of meeting: 16 November 2017 |

FORWARD PLAN FOR 2017/2018

The table below is a draft of the forward plan for the Mid Suffolk Overview and Scrutiny Committee. This table will be reviewed at each meeting and could be amended in the light of new items arising or as a result of items on the Forthcoming Decisions List being selected for scrutiny.

Date of Committee – 18 December 2017 (Joint meeting with Babergh O&S Committee)

| Topic | Purpose | Lead Officer | Joint Strategic plan reference |
|---|--|---|--|
| Review of the Legal Services Partnership. | To carry out the review in accordance with the aims, objectives and desired outcomes identified in the scoping carried out at the November 2017 meeting. | Emily Yule - Assistant Director – Law and Governance. | Financially sustainable Councils; Strengthened and clear governance to enable delivery. |
| Community grants | The Corporate Manager – Strong and Safe Communities was asked to report back following a ‘health check’ of the groups receiving grants. (To be an Information Bulletin). | Sue Clements - Corporate Manager – Strong and Safe Communities | Targeted grants and funding to support Community capacity building; Community led solutions to deliver services and manage assets. |
| Performance management | To consider the performance measures that have been developed since the matter was considered at the July meeting of the Committee. | Karen Coll - Corporate Manager – Business Improvement (Communities) | Intelligence-based community insight and outcome-focused performance management. |
| CIL | Review of the impact and delivery of the CIL regime for Infrastructure, including a framework of supporting CIL | Christine Thurlow – Key Sites and Infrastructure Development Manager Nicola Parrish – Infrastructure Officer | Agree where growth goes |

| | | | |
|----------------------|---|--|--|
| Information Bulletin | To receive an update on the performance from Customer Service performance for the 0300 number | Helen Austin – Customer Experience Manager | |
|----------------------|---|--|--|

Date of Committee – January 2018

| Topic | Purpose | Lead Officer | Joint Strategic plan reference |
|--|---|--|---------------------------------------|
| Draft Joint Medium Term Financial Strategy and 2017/18 Budget. | To scrutinise the papers before final presentation to Full Council and to make any suggestions of changes felt appropriate. | Katherine Steel - Assistant Director – Corporate Resources | Financially Sustainable Councils |
| Investment Strategy | To scrutinise the Business Plan before final presentation to Full Council and to make any suggestions felt appropriate. | Assistant Director – Investment and Commercial Delivery. | Financially Sustainable Councils |

Date of the Committee February 2018

| Topic | Purpose | Lead Officer | Joint Strategic plan reference |
|-----------------|--|----------------------------------|---------------------------------------|
| Waste Strategy. | Review the Waste Strategy prior to it going to Cabinet | Assistant Director – Environment | Financially sustainable Councils. |

Topics identified for review by O&S but not currently timetabled:

Babergh and Mid Suffolk Building Services.

Plan for this to be reviewed 12 months after the implementation of the services, in April 2018. This to include reporting back to the committee on progress in implementing the actions drawn up to reduce the days council properties are void.

Reviewing the impact the office move has had on staff with the aim of learning points for other future major change activities.

To be timetabled for six months after the move out of the Needham Market and Hadleigh offices has been completed. This to be a joint meeting with Babergh's Overview and Scrutiny.

Crime and Disorder Panel meeting

Required to take place at least once a year, provisionally agreed to take place in September of each year.

The Five-Year Land Supply

To be discussed how Overview and Scrutiny can add value to progress on this.

Authorship:

Ben Staines
Project and Research Officer

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Agenda Item 10

MOS/17/29

BABERGH DISTRICT COUNCIL

| | |
|--|--|
| From: Ben Staines, Project and Research Officer | Report Number: XXXX |
| To: Mid Suffolk Overview and Scrutiny Committee | Date of meeting: 20 November 2017 |

FORWARD PLAN FOR 2017/2018

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**Date of Committee – 18 December 2017
(Joint meeting with Babergh O&S Committee)**

| Topic | Purpose | Lead Officer | Joint Strategic plan reference |
|---|--|--|--|
| Review of the Legal Services Partnership. | To carry out the review in accordance with the aims, objectives and desired outcomes identified in the scoping carried out at the November 2017 meeting. | Emily Yule - Assistant Director – Law and Governance. | Financially sustainable Councils; Strengthened and clear governance to enable delivery. |
| Community grants | The Corporate Manager – Strong and Safe Communities was asked to report back following a ‘health check’ of the groups receiving grants. (To be an Information Bulletin). | Sue Clements - Corporate Manager – Strong and Safe Communities | Targeted grants and funding to support Community capacity building; Community led solutions to deliver services and manage assets. |

| | | | |
|--|---|---|--|
| Performance management | To consider the performance measures that have been developed since the matter was considered at the July meeting of the Committee. | Karen Coll - Corporate Manager – Business Improvement (Communities) | Intelligence-based community insight and outcome-focused performance management. |
| CIL | Review of the impact and delivery of the CIL regime for Infrastructure including a framework for supporting CIL | Christine Thurlow – Key Sites and Infrastructure Development Manager Nicola Parrish – Infrastructure Officer | Agree where growth goes |
| Information Bulletin: Use by the Council of interims, temporary staff and consultants | To provide assurance that appropriate budgetary controls are applied when using these and their usage is supported by business cases. | Katherine Steel – Assistant Director Corporate Resources | Financially Sustainable Councils |

Date of Committee – January 2018

| Topic | Purpose | Lead Officer | Joint Strategic plan reference |
|--|---|--|---------------------------------------|
| Draft Joint Medium Term Financial Strategy and 2017/18 Budget. | To scrutinise the papers before final presentation to Full Council and to make any suggestions of changes felt appropriate. | Katherine Steel - Assistant Director – Corporate Resources | Financially Sustainable Councils |
| Investment Strategy | To scrutinise the Business Plan before final presentation to Full Council and to make any suggestions felt appropriate. | Assistant Director – Investment and Commercial Delivery. | Financially Sustainable Councils |

| Topic | Purpose | Lead Officer | Joint Strategic plan reference |
|-----------------|--|----------------------------------|---------------------------------------|
| Waste Strategy. | Review the Waste Strategy prior to it going to Cabinet | Assistant Director – Environment | Financially sustainable Councils. |
| | | | |

Topics identified for review by O&S but not currently timetabled:

Introduction of Fixed Terms Tenancies – Discussed at the last joint briefing session

Babergh and Mid Suffolk Building Services.

Plan for this to be reviewed 12 months after the implementation of the services, in April 2018. This to include reporting back to the committee on progress in implementing the actions drawn up to reduce the days council properties are void.

Reviewing the impact, the office move has had on staff with the aim of learning points for other future major change activities.

To be timetabled for six months after the move out of the Needham Market and Hadleigh offices has been completed. This to be a joint meeting with Babergh's Overview and Scrutiny.

Crime and Disorder Panel meeting

Required to take place at least once a year, provisionally agreed to take place in September of each year.

The Five-Year Land Supply

To be discussed how Overview and Scrutiny can add value to progress on this.

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Agenda Item 12

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