



**Performance/Administration  
Cabinet Committee**

Members of the **Performance/Administration Cabinet Committee** of **Gravesham Borough Council** are summoned to attend a meeting to be held at the on **Tuesday, 26 March 2019 at 7.30 pm** when the business specified in the following agenda is proposed to be transacted.

S Walsh  
Service Manager (Communities)

**Agenda**

**Part A**

**Items likely to be considered in Public**

1. Apologies
2. Minutes (Pages 3 - 10)
3. To declare any interest Members may have in the items contained on this agenda. When declaring an interest Members should state what their interest is.
4. To considered whether any items in Part A of the agenda should be considered in private or those (if any) in Part B in public.
5. Citizens Access Demonstration Demonstration
6. Revenues and Benefits Update (Pages 11 - 16)
7. Any other business which by reason of special circumstances the Chair is of the opinion should be considered as a matter of urgency.

8. Exclusion

To move, if required, that pursuant to Section 100A (4) of the Local Government Act 1972 that the public be excluded from any items included in Part B of the agenda because it is likely in view of the nature of business to be transacted that if members of the public are present during those items, there would be disclosure to them of exempt information as defined in Part 1 of Schedule 12A of the Act.

**Part B**  
**Items likely to be considered in Private**

**Members**

Cllr Derek Shelbrooke (Chair)

Cllr John Knight (Vice-Chair)

Councillors:            Brian Francis  
                              Rob Halpin  
                              Gary Harding  
                              Samir Jassal  
                              Peter Scollard  
                              Narinder Singh Thandi

Substitutes:            To be notified

**Performance/Administration Cabinet Committee****Tuesday, 19 February 2019****7.30 pm****Present:**

Cllr Derek Shelbrooke (Chair)  
Cllr John Knight (Vice-Chair)

Councillors:        Brian Francis  
                             Rob Halpin  
                             Gary Harding  
                             Samir Jassal  
                             Peter Scollard  
                             Narinder Singh Thandi

Jackie Baker	Assistant Manager (Revenues & Benefits)
Michelle Batstone	Corporate Change Manager
Ben Turner	Corporate Performance Manager
Gayle Jones	Information Governance Manager & Data Protection Officer
Chris Wakeford	Committee Services Officer (minutes)

**39. Minutes**

The minutes of the meeting held on 15 November 2018 were signed by the Chair.

**40. Declarations of interest**

No declarations of interest were made.

**41. General Data Protection Regulations**

The Information Governance Manager & Data Protection Officer provided Members with an overview to the introduction of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018, its impact on the council and the work undertaken by the authority to ensure appropriate compliance.

Members were asked to review the report and project plan developed with regards to the implementation of the General Data Protection Regulations and provide comments as necessary.

The Information Governance Manager & Data Protection Officer highlighted the Information Commissioners Office (ICO) '12 Step Program' and the actions undertaken by GBC to deliver appropriate compliance, as detailed in Table One to the report:

Step	Description
1	<p><b>Awareness:</b> <i>Make sure that decision makers and key people in your organisation are aware that the law is changing to the GDPR. Implementing the GDPR could have significant resource implications, they need to appreciate the impact this is likely to have.</i></p> <p><b>GBC Status:</b> The council's Management Team was made aware of the GDPR and implementation date with a report presented in January 2017. Information sessions were subsequently held for senior managers at each directorate DMT, accompanied by relevant training provided to staff and Members in January 2017 and early 2018</p>
2	<p><b>Information you hold:</b> <i>Document what personal data you hold, where it came from and who you share it with. You may need to organise an information audit.</i></p> <p><b>GBC Status:</b> Forming a key part of the overall project plan, the council has a three phase plan in place for identifying improvements that are needed to comply with the data processing and accountability element of GDPR:</p> <ul style="list-style-type: none"> <li>• Phase one – record retention schedule</li> <li>• Phase two – information asset register</li> <li>• Phase three – information audit</li> </ul> <p>Sub-groups within each of the Council's Directorates are currently working their way through all stages of the project plan to implement the required changes.</p>
3	<p><b>Communicating Privacy Information:</b> <i>Review your current privacy notices and put a plan in place for making any necessary changes in time for GDPR implementation.</i></p> <p><b>GBC Status:</b> This forms part of the overall project plan that is being progressed through the Directorate sub-groups. Changes that have been made already include updating on the privacy notices on various forms, letters and pieces of correspondence produced by the Council's services and an update to the data processing information and Privacy Notices on the Council's website.</p>
4	<p><b>Individuals' Rights:</b> Check procedures to ensure they cover all the rights individuals have, including how you would delete personal data or provide data electronically and in a commonly used format.</p> <p><b>GBC Status:</b> This forms part of the overall project plan that is being progressed through the Directorate sub-groups. Changes that have been made already include updating on the privacy notices on various forms, letters and pieces of correspondence produced by the Council's services and an update to the data processing information and Privacy Notices on the Council's website. Individuals rights are reviewed in Data Protection Impact Assessments, see further information below at step 10.</p>
5	<p><b>Subject Access Requests:</b> <i>Update procedures and plan how you will handle requests within the new timescales and provide any additional information.</i></p> <p><b>GBC Status:</b> Subject access request procedures have been reviewed, and further information is distributed to departments at the point at which a Subject Access Request (SAR) is received. This process is now managed centrally through the shared Information Governance Team, providing additional support to staff handling the requests and the individual making the request.</p>

6	<p><b>Legal Basis for Processing Personal Data:</b> Look at the various types of data processing you carry out, identify your legal basis for carrying it out and document it.</p> <p><b>GBC Status:</b> This forms part of the overall project plan that is being progressed through the Directorate sub-groups. Changes that have been made already include updating on the privacy notices on various forms, letters and pieces of correspondence produced by the Council's services and an update to the data processing information and Privacy Notices on the Council's website. The 'Three Phase Plan' has been drafted to account for these processing requirements. The basis for processing is reviewed in Data Protection Impact Assessments, see further information below at step 10.</p>
7	<p><b>Consent:</b> <i>Review how you are seeking, obtaining and recording consent and whether you need to make any changes.</i></p> <p><b>GBC Status:</b> Where necessary, consent is now sought for the obtaining and recording of personal data, and practical examples of this are in relation to sign-up procedures for the Council's electronic version of Your Borough, where all recipients have had to provide their explicit permission for the Council to hold their personal data and use it to communicate with them on a regular basis.</p>
8	<p><b>Children:</b> <i>Think now about putting systems in place to verify individuals' ages and to gather parental or guardian consent for the data processing activity.</i></p> <p><b>GBC Status:</b> This forms part of the overall project plan that is being progressed through the Directorate sub-groups. Changes that have been made already include updating on the privacy notices on various forms, letters and pieces of correspondence produced by the Council's services and an update to the data processing information and Privacy Notice on the Council's website. Changes have been made to the Council's Safeguarding policies to take about of this requirements. The processing of children's data is reviewed in Data Protection Impact Assessments; see further information below at step 10.</p>
9	<p><b>Data Breaches:</b> <i>Make sure you have the right procedures in place to detect, report and investigate a personal data breach.</i></p> <p><b>GBC Status:</b> The Information Governance Group now has specific responsibility for the consideration and reporting of any personal data breach identified within the authority, and training has been provided to front-line data handlers to enable them to identify instances where data could have been breached. Such instances are rare, and tend to relate solely to human error or printing issues, with no requirement to report any data breaches to the ICO at this time.</p>
10	<p><b>Data Protection by Design and Data Protection Impact Assessments:</b> <i>Familiarise yourself now with the guidance the ICO has produced on Data Protection Impact Assessments and work out how and when to implement them in your organisation.</i></p> <p><b>GBC Status:</b> The GDPR makes privacy by design a legal requirement, under the term 'data protection by design and default'. It also makes Data Protection Impact Assessments (DPIA) mandatory in situations where processing is likely to result in high risk to the rights and freedoms of individuals and accordingly all new/revised system requests (involving the processing of personal data) now require a DPIA to be carried out. As such, DPIA is a formal consideration for all decision making reports as required e.g. the recently launched Corporate Plan 2019-23</p>

	Consultation requires the processing of personal information relating to resident respondents and therefore a DPIA was undertaken to support this process.
11	<b>Data Protection Officers:</b> Designate a Data Protection Officer to take responsibility for data protection compliance and assess where this role will sit within your organisation's structure and governance arrangements.
	<b>GBC Status:</b> As defined by Article 39 of the Regulation, the Information Governance Manager, employed by Medway Council as part of the Legal Shared Service, has been nominated by Gravesham Borough Council as the Data Protection Officer (DPO).
12	<b>International:</b> <i>If your organisation operates internationally, you should determine which data protection supervisory authority you come under.</i>
	<b>GBC Status:</b> This is considered when investigating the use of cloud storage for any elements of the Council's business, with a recent example being the investigation of the cloud-based storage credentials of continuing to use Survey Monkey, with the outcome being that this was considered viable for the Council.

The Information Governance Manager & Data Protection Officer fielded questions from the Committee and highlighted the following:

- The Council conduct training needs analysis for staff and allocate training where required.
- Recent history has shown that the ICO appears to be fairly lenient regarding fines for Local Authorities involved in data breaches; an enforcement notice, with a report back to the ICO in 6 months, seems to be the preferred route. However, non-compliance with an enforcement notice has resulted in fines for other Local Authorities.
- The Council has a records retention schedule that dictates why and when data is deleted.
- The Council has its own bespoke systems that contain modules that ensure data is properly deleted at the appropriate time.
- The Information Governance Manager & Data Protection Officer works closely with the Service Manager (IT Services) to ensure all data processing is transferred securely.
- The Information Governance Manager & Data Protection Officer highlighted the importance of all Councillors registering as Data Controllers on the ICO website.

**Resolved** that the Committee noted the report.

## 42. Corporate Performance Update - Quarter Three 2018-19

The Corporate Performance Manager presented Members of the Performance and Administration Committee with an update against the Performance Management Framework, as set out within the council's Corporate Plan 2015-19, for Quarter Three 2018-19 (October – December 2018).

The Corporate Performance Manager explained that two performance measures have missed their target; PM 11 – Average time taken to process Housing benefit / Council Tax claims (days) and PM12 – Average time taken to process Housing Benefit / Council Tax change of circumstances (days). However; both measures are still performing ahead of the equivalent Kent and County averages.

Officers fielded questions from the Committee and highlighted the following:

- Page 30: of the 11 outstanding Audit recommendations; 3 have moved on and been adopted:
  - Introduction of KPIs for Legal Services
  - Review of arrangements for the use of petty cash
  - Void property management and re-let;
    - A review of the re-let process to identify efficiencies and improve turnaround times,
    - the introduction of a voids policy, and
    - maintaining of records throughout the re-let process

The Audit team are currently operating at 90.9% of their recommendations.

- PM 11 – Average time taken to process Housing benefit / Council Tax claims (days): currently at 20.4 days which is slightly above target. It is worth noting that the figures reflect the cumulative total of both Housing benefit and Council Tax claims.

Detailed statistics for each quarter:

Q1: 23.4 days

Q2: 21.8 days      Year-To-Date (YTD) 22.7

Q3: 14.6 days (way above target)      YTD 20.4

Q4: currently 13.7 days – will bring YTD to 19 days and ahead of the set annual target of 20 days.

Housing Benefit only:

Q1: 22.4 days

Q2: 17.6 days      YTD 20.8

Q3: 14.5 days      YTD 19.4

Q4: currently 12.5 days) – will bring YTD to 18 days.

- PM 12 - Average time taken to process Housing Benefit / Council Tax change of circumstances (days):

Q1: 7.3 days

Q2: 6 days      YTD 6.7

Q3: 4.3 days      YTD 5.9

Q4: currently 3.2 days - will bring YTD to 5.3 days

- The Assistant Manager (Revenues & Benefits) explained that the new recruits to the team are performing well but an apprentice needs to be recruited on the overpayment side.

- The Corporate Performance Manager advised that the use of targets and the whole performance framework itself will be reviewed in the near future as part of the development of the council's new Corporate Plan.
- PM 9 - Percentage of council tax collected: 84.3%
- PM 10 - Percentage of NNDR collected: At 84.3% for Q3, the Council is heading towards 99% which would equal a record outturn for the authority.
- Importantly, the recovery doesn't stop at the end of the year; the team still try and recover the debt year on year. These statistics can be added to the report for future meetings.
- PI 42 - Total amount of housing benefit overpayments raised and PI 43 - Total amount of housing benefit overpayments recovered: these figures do tend to go up and down but the Council is on target to collect more than last year but this will be shown at the end of the year.
- Licensing Shared Service became operational on 01.01.2019, with officers previously employed by Medway Council transferring to the employment of Gravesham Borough Council. At this stage, there are no further shared service or shared working arrangements being explored. As has previously been agreed across the council, shared working arrangements will be explored as and when opportunities arise and as such, this is an area of activity that will be monitored closely moving forward.
- Over recent years, officers have been working to deliver the savings required against each of the activities identified in the 'Bridging the Gap' Strategy and have made significant progress; approx. £800k is still required in order to meet the full £2.9m required and work is continuing to deliver these initiatives. Over the course of the past two years, however, there have been a number of further changes which have culminated in the need to identify additional savings/income generation initiatives to deliver at least, a further £1 million in order to balance the Council's Medium Term Financial Plan.
- In November 2018, both the Cabinet and the Overview Scrutiny Committee considered a report which set out a number of proposals for the council, in order to address the additional budget gap identified. The proposals set out in the report amounted to a total of £1.3m in budget savings, more than the £1m identified. Members felt that it would be prudent to consider options that deliver more than the identified budget gap at this time, due to the number of potential 'unknowns' in the future of local government financing.
- The Corporate Performance Manager agreed to circulate the suite of 43 Financial Indicators to the Committee and highlighted the following statistics:
  - 74% of the suite of Financial Indicators have improved on the year before.
  - 79% of the suite of Financial Indicators are now more efficient than the Kent averages.
  - Total level of expenditure for this authority per head of population: in 2017/18 GBC was spending £111.47 for every person in the Borough, this positions Gravesham third least in Kent.

- The Corporate Change Manager provided the following figures for the Committee regarding the 'Bridging the Gap Strategy':
  - Property Acquisitions Activity (first phase): Target of £400,000 (target has been met, no further work required)
  - Fees and Charges Activity: Target of £270,000 (still a saving of £100,000 to be achieved)
  - Service Review Process: £1.4million identified.
  - Shared Service progression: Target £240,000 (£120,000 achieved, another £120,000 to be identified)
  - Property Acquisitions Activity (second phase): Target of £390,000 (this has been achieved)
  - Budgetary challenge measures: Target of £200,000 (this has been achieved)

**Resolved** that the report be noted.

#### **43. Working in Partnership Framework**

The Corporate Change Manager presented Members of the Performance & Administration Committee with a draft of the updated Working in Partnership Framework for discussion.

Appendix two to the report sets out the revised Framework (and accompanying appendices) for the council; specific changes that have been made are as follows:

- Updates to reflect changes in officer titles.
- Reference to the revised General Data Protection regulations and consideration of these when considering partnership and shared-working arrangements.
- Inclusion of the principles that have been agreed across North Kent for the development of shared working arrangements.
- Inclusion within the Partnership Evaluation Form of specific consideration to Safeguarding obligations.

The report will be presented to Cabinet for approval, followed by submission to Full Council for formal adoption into the council's Policy Framework.

The Corporate Change Manager fielded questions from the Committee and highlighted the following:

- Legal advice is sought on all shared service matters to ensure the Council is protected.
- Darren Everden, Service Manager - IT Services, is working with the Kent Connects Partnership to progress IT compatibility across Kent. IT for the Licensing Shared Service has worked well; Medway transferred to the Idox System.
- The HR Department are involved in every shared service project. The Council tries to engage staff at an early stage to ensure they are fully aware of the proposals.

The Committee discussed the recent article that had appeared in the local news regarding the shared CCTV service arrangements.

The Chair agreed that this matter should be placed on the agenda at the next meeting of the Committee on 26 March 2019.

**Resolved** that the report be noted.

**Close of meeting**

The meeting ended at 8.45 pm

**Classification: Public**

**Key Decision: No**

### **Gravesham Borough Council**

**Report to:** P&A Committee  
**Date:** 26 March 2019  
**Reporting officer:** Mike Bytheway, (Service Manager Revenues & Benefits)  
**Subject:** Revenues & Benefits Update

#### **Purpose and summary of report:**

To update Members on current performance and changes due from 1 April 2019

#### **Recommendations:**

For Information only

### **Revenues & Benefits Update March 2019**

#### **1. Performance and Workload of the Benefits Service**

- 1.1 The average number of days to assess new benefit claims is now 19 and therefore under the target of 20 days. From April to September the average time to process new claims was 22.7 days whereas from October to February the average time to process new claims was 14.2 days.
- 1.2 The average number of days to assess changes in circumstances is 5.3 days just above the target of 5 days. From April to September the average time to process changes in circumstances was 6.7 days whereas from October to February the average time to process changes in circumstances was 3.8 days, and the average turnaround time for the year of 5.3 days is therefore decreasing over time.
- 1.3 Performance has improved in the second half of the year as new staff have been trained and therefore been able to process correspondence.

#### **2. Discretionary Housing Payments (DHP)**

- 2.1 The DHP Fund for 2018/19 was £244,588 and as at 28 February 2019 all but £4,494 had been allocated to support residents within the borough.
- 2.2 559 applications have been received with 314 being successful.
- 2.3 84 cases have involved helping customers with the spare room subsidy restriction and 78 with the Local Housing Allowance restrictions.

### **3. Universal Credit (UC)**

- 3.1 In May 2018, the Universal Credit (UC) full service was rolled out across the Borough. It is now in operation throughout the whole of England and as a result the Housing Benefit total caseload (i.e. the total number of claimants within the Borough) has reduced from 6,551 at 1 April 2018 to 5,616 at 1 March 2019; a reduction of 14.27%.
- 3.2 As at 1 March 2019 399 Housing Benefit cases have been cancelled in 2018/19 as those claimants have either moved onto Universal Credit or experienced a change in circumstances that means that they are no longer eligible to claim Housing Benefit.
- 3.3 Discretionary Housing Payments (DHP) can be awarded to top up and assist residents receiving UC providing the award includes an element for housing costs. In 2018/19 17 UC cases have received a DHP.

### **4. Council Tax Reduction Scheme**

- 4.1 The Council Tax Reduction Scheme (CTRS), which replaced council tax benefit from 1 April 2013, has been uprated and aligned with national benefit rates each year in accordance with prescribed requirements from Government and in line with benefit rates and allowances provided in the annual uprating circular published by the DWP.
- 4.2 The Council Tax Reduction Scheme (CTRS) 2019/20 will be based on the 2018/19 scheme with amendments for prescribed requirements and uprating this is available to view on our website at <http://www.gravesham.gov.uk/home/council-tax/council-tax-reduction/council-tax-reduction-scheme>
- 4.3 In addition to the above amendments, to simplify claiming and administration of CTRS, the scheme has been amended to allow a claim for UC to be treated as the intention to claim council tax reduction from the date of the UC claim. That information can be obtained via the Department for Work and Pensions (DWP) Data Hub. A claim made in this way would of course be subject to all other rules around entitlement as a claim made directly to the Council
- 4.4 The local council tax reduction scheme for 2020/21 is currently being reviewed by a group of officers acting on behalf of Kent. The aim is to simplify and reduce the cost of administration of the scheme by moving away from a means tested reduction to a banded scheme more aligned to council tax than benefits. Further details will follow when more information is available.
- 4.5 The CTRS caseload has reduced from 7,317 at 1 April 2018 to 7,035 as at 1 March 2019.

### **5. Housing Benefit Overpayments**

- 5.1 The total outstanding Housing Benefit (HB) debt has reduced from £5.5m in April 2018 to £5.2m in February 2019.
- 5.2 During 2018/19 £1,508,204 HB overpayments has been raised £1,349,137 has been recovered and £115,950 written off.

## **6. Collection of council tax and business rates**

- 6.1 As at the end of February the collection rate for Council Tax is 95.70% the target is 97%. This compares to a collection rate of 95.97% at the same point in the year twelve months ago which resulted in a year end collection rate of 97.04%
- 6.2 Council Tax arrears have reduced by £1,364,685 as at the end of February 2019, compared to those at the start of the year.
- 6.3 87% of the CTRS liability for the year has been collected.
- 6.4 As at the end of February the collection rate for Business Rates is 95.76% the target is 99%. This compares to a collection rate of 96.05% at the same point in the year twelve months ago which resulted in a year end collection rate of 98.05%
- 6.5 Business Rates arrears have reduced by £725,938 as at the end of February 2019, compared to those at the start of the year.
- 6.6 The total Council Tax outstanding debt including current year as at 1 March 2019 is £6,742,596.

## **7. Long Term Empty Homes Premium**

- 7.1 Legislation was changed in April 2013, allowing Local Authorities to charge an additional Council Tax premium on properties that had been empty for more than 2 years as a way of bringing empty properties back into use. Gravesham Borough Council took the decision to charge an additional 50% Council Tax premium from that date.
- 7.2 From 1 April 2019, local authorities are allowed to charge a 100% Council Tax premium on such properties, and by resolution of the Full Council on 26 February 2019, a decision has been taken to implement the increased premium.

## **8. Business Rates Changes**

- 8.1 A package of business rates measures were announced in the Autumn Budget to recognise that changing consumer behaviour presents a significant challenge for retailers in our town centres.
  - A one third discount for retail property with a rateable value below £51,000 for two years;
  - To grant a 100% relief from business rates for all standalone public toilets;
  - Extension of the £1,500 business rates discount for local newspapers' office space in 2019/20
- 8.2 The retail property discount will have effect for 2019/20 and 2020/21, with State aid rules applying in the normal way, and will automatically be applied to Business Rates bills based on MHCLG guidance.
- 8.3 The Council will be compensated for the cost of granting the discount through a Section 31 grant.

**9. Citizens Access Council Tax**

- 9.1 Citizens Access Council Tax is going live mid-April 2019 as a view only solution that will allow customers to view the council tax account balance, instalments due and payments made, view council tax bills for current and previous years and view any discounts or exemptions including Council Tax Reduction.
- 9.2 Initially it is being launched without too much publicity to allow us time to test and ensure the product works as expected in a 'live' environment.
- 9.3 However there is still the remaining functionality of Citizens Access Council Tax to implement as well as Citizens Access Business Rates and Citizens Access Benefits.
- 9.4 In time, it is fully anticipated that the digital solution will generate savings in paper and postage as well as resourcing efficiencies within the team.

**10. BACKGROUND PAPERS**

10.1

Anyone wishing to inspect background papers should, in the first place, be directed to Committee & Electoral Services who will make the necessary arrangements.

IMPLICATIONS	APPENDIX 1
<b>Legal</b>	There are no legal implications
<b>Finance and Value for Money</b>	There are no Finance implications
<b>Risk Assessment</b>	The report is for information only
<b>Data Protection Impact Assessment</b>	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	<p>a. Does the project/change being recommended through this paper involve the processing of <a href="#">personal data</a> or <a href="#">special category data</a> or <a href="#">criminal offence data</a>?</p> <p>A definition of each type of data can be found on the Information Commissioner's Office website via the above links.</p>
	<p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice?</p> <p>N/A</p>
	<p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at <a href="mailto:gdpr@medway.gov.uk">gdpr@medway.gov.uk</a>.</p>
<b>Equality Impact Assessment</b>	<p>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer.</p> <p>No</p>
	<p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer.</p> <p>N/A</p>
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>
<b>Corporate Plan</b>	<p>Specifically, the information set out in this report contributes to Strategic Objective Four - A sound and self-sufficient council and in particular the following commitments:</p> <ul style="list-style-type: none"> <li>- Responsible financial management, through on-going development of a Medium Term Financial Plan and regular budget monitoring</li> <li>- Work to maximise income collection through the robust management and recovery of debts owed to the council</li> </ul>
<b>Crime and Disorder</b>	There are no crime and disorder implications resulting from this report

<b>Digital and website implications</b>	The website has been updated with any relevant changes
<b>Safeguarding children and vulnerable adults</b>	There are no safeguarding implications resulting from this report