

Time 5.00 pm **Public Meeting?** YES **Type of meeting** Executive
Venue Committee Room 3, Third Floor - Civic Centre, St Peter's Square, Wolverhampton
WV1 1SH

Membership

Chair Cllr Ian Brookfield (Lab)
Vice-Chair Cllr Peter Bilson (Lab)

Labour

Cllr Harman Banger
Cllr Steve Evans
Cllr Dr Michael Hardacre
Cllr Jasbir Jaspal
Cllr Linda Leach
Cllr Louise Miles
Cllr John Reynolds

Quorum for this meeting is five Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

Item No. *Title*

MEETING BUSINESS ITEMS

- 1 **Apologies for absence**
- 2 **Declaration of interests**
- 3 **Minutes of the previous meeting - 13 November 2019** (Pages 5 - 8)
[For approval]
- 4 **Matters arising**
[To consider any matters arising from the minutes of the previous meeting]

DECISION ITEMS (AMBER - DELEGATED TO THE CABINET)

- 5 **Revenue Budget Monitoring Quarter Two 2019-2020** (To Follow)
[To receive a projection of the likely revenue outturn position for the General Fund and Housing Revenue Account compared with the Council's approved revenue budgets for 2019-2020] [**Report to follow**]
- 6 **Appointment to the West Midlands Combined Authority Environment Board**
(Pages 9 - 12)
[To approve an appointment to the West Midlands Combined Authority Environment Board]
- 7 **Restructure and Redundancy Policy** (Pages 13 - 60)
[To approve an updated restructure and redundancy policy for the Council]
- 8 **Information Governance Quarter Two Performance Update Report** (Pages 61 - 68)
[To review and comment on the quarter two performance]
- 9 **External Funding Update 2019/2020** (Pages 69 - 80)
[To approve an update an update on external funding bids]
- 10 **Client Relationship Managing Report - Quarter Two, July to September 2019**
(Pages 81 - 120)
[To review and comment on the quarter two performance]

- 11 **Exclusion of press and public**
[To pass the following resolution:

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information on the grounds shown below]

Part 2 - exempt items, closed to press and public

- | | | | |
|----|--|---|-----|
| 12 | Procurement - Award of Contracts for Works, Goods and Services (Pages 121 - 148)
[To approve the award of contracts] | Information relating to the financial or business affairs of any particular person (including the authority holding that information) | (3) |
|----|--|---|-----|

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CITY OF WOLVERHAMPTON COUNCIL	Meeting of the Cabinet Minutes - 13 November 2019
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Attendance

Members of the Cabinet

Cllr Ian Brookfield (Chair)
Cllr Peter Bilson (Vice-Chair)
Cllr Harman Banger
Cllr Steve Evans
Cllr Dr Michael Hardacre
Cllr Louise Miles
Cllr John Reynolds

Employees

Tim Johnson	Chief Executive
Mark Taylor	Deputy Chief Executive
Emma Bennett	Director of Children's Services
John Denley	Director of Public Health
Ian Fegan	Director of Communications and External Relations
Charlotte Johns	Director of Strategy
Kate Martin	Director of City Assets & Housing
Claire Nye	Director of Finance
Tracey Christie	Head of Legal Services
Jaswinder Kaur	Democratic Services Manager
Philippa Salmon	Democratic Services Officer

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|---|
| 1 | Apologies for absence
Apologies for absence were received from Councillor Jasbir Jaspal and Councillor Linda Leach. |
| 2 | Declaration of interests
There were no declarations of interest submitted. |
| 3 | Minutes of the previous meeting
That the minutes of the previous meeting held on 16 October 2019 be approved as a correct record and signed by the Chair. |
| 4 | Matters arising
There were no matters arising from the minutes of the previous meeting. |

- 5 **Treasury Management Activity Monitoring- Mid Year Review 2019-2020**
Councillor Louise Miles presented the Treasury Management Activity Monitoring- Mid Year Review 2019-2020 for recommendation to Council. The report provided a monitoring and progress report on treasury management activity for the second quarter of 2019-2020 as part of the mid-year review, in line with the Prudential Indicators approved by Council in March 2019. There had been a change to national rules regarding borrowing by local authorities and updates would be provided to Cabinet as developments evolved. The Cabinet recorded their thanks to the officers involved for their work.

Resolved:

Council is recommended to note:

1. That a mid-year review of the Treasury Management Strategy Statement has been undertaken and the Council has operated within the limits and requirements approved in March 2019.
2. That revenue underspends of £253,000 for the General Revenue Account and £124,000 for the Housing Revenue Account are forecast from treasury management activities in 2019-2020.

- 6 **Capital Programme 2019-2020 to 2023-2024 Quarter Two Review**
Councillor Louise Miles presented the Capital Programme 2019-2020 to 2023-2024 Quarter Two Review for recommendation to Full Council. The report provided an update on the 2019-2020 financial performance of the General Revenue Account and HRA capital programmes and the revised forecast for 2019-2020 to 2023-2024 as at quarter two 2019-2020. The report also set out revisions to the current approved capital programmes covering the period 2019-2020 to 2023-2024. The Cabinet noted the significant investment in Education and Highways departments.

Resolved:

Council is recommended to:

1. Approve the revised medium term General Revenue Account capital programme of £326.9 million, an increase of £44.8 million from the previously approved programme and the change in associated resources.

Cabinet resolved:

1. That the virements for the General Revenue Account capital programme be approved as detailed at Appendix 4 to the report for;
 - i. Existing projects totalling £3.0 million;
 - ii. New projects totalling £1.1 million.
2. That the virements for the HRA capital programme be approved as detailed at Appendix 4 to the report for:
 - i. Existing projects totalling £13.5 million.
3. That it be noted that the Corporate Contingency has been revised upwards by £33.9 million over the medium term capital programme to reflect potential future budget requirements within various service areas including ICT, Corporate Asset Management, Fleet Services, Waste and Affordable Warmth. Budget provision has been incorporated into the Corporate Contingency in order to be prudent at this stage. Programme business cases are in the process of being developed and assessed. Once this process is complete, approval will be sought in the Capital Programme 2019-2020 to 2023-2024 Quarter Three Review and 2020-2021 to 2024-2025 Budget Strategy report to allocate budget provision from the Corporate Contingency to individual projects.

7 **Public Health Annual Report 2018-2019**

In the absence of Councillor Jasbir Jaspal, Councillor Ian Brookfield presented the Public Health Annual Report 2018-2019 for endorsement. John Denley, Director of Public Health, outlined the key points from the report. The Annual Report 2018-2019 built on the Vision for Public Health 2030 and detailed the Council's commitment to improve the factors that influenced healthy life expectancy at a population level. The aim was to address the variation in life expectancy across the City, and it was recognised that there were many different areas that impacted on this. Notable improvements over the period included work on flu vaccinations in children, sexual health services, rough sleepers and suicide rates. It was noted that there were no quick fixes to challenge many of the long-standing issues but that the Council was moving in the right direction. The Cabinet recorded their thanks to the Public Health team and the partners involved for their work.

Resolved:

That the publication of the Public Health Annual Report 2018 – 2019 be endorsed.

8 **Exclusion of press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

9 **Financial Support for Foster Carers to Transport Children in Care to School**

Councillor John Reynolds presented the Financial Support for Foster Carers to Transport Children in Care to School report that was exempt as it contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

Resolved:

That the proposed payment structure to financially support foster carers to transport children in care to and from school be approved.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 December 2019
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Report title	Appointment to the West Midlands Combined Authority Environment Board	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Ian Brookfield Leader of the Council	
Key decision	No	
In forward plan	No	
Wards affected	All Wards	
Accountable Director	Mark Taylor, Deputy Chief Executive	
Originating service	Democratic Services	
Accountable employee	Jaswinder Kaur Tel Email	Democratic Services Manager 01902550320 Jaswinder.kaur@wolverhampton.gov.uk
Report to be/has been considered by	N/A	

Recommendation for decision:

The Cabinet is recommended to:

1. Approve the appointment of the Councillor Champion for Climate Change to the West Midlands Combined Authority Environment Board to replace the Cabinet Member for City Environment for the remainder of the 2019-2020 Municipal Year.

1.0 Purpose

- 1.1 To approve the appointment of the Councillor Champion for Climate Change to the West Midlands Combined Authority Environment Board.

2.0 Background

- 2.1 Council had appointed the Cabinet Member for City Environment to the West Midlands Combined Authority Environment Board at Annual Council on 15 May 2019. The Labour Group has since nominated the Councillor Champion for Climate Change to be appointed to the West Midlands Combined Authority Environment Board to replace the Cabinet Member for City Environment for the remainder of the 2019-2020 Municipal Year.

3.0 Evaluation of alternative options

- 3.1 The alternative option to the proposed recommendations would be to not fill the vacancy. This would prevent the Labour Group from providing representation on the West Midlands Combined Authority Environment Board.

4.0 Reasons for decision(s)

- 4.1 This decision will ensure that the Labour Group fills the vacancy on the West Midlands Combined Authority Environment Board.

5.0 Financial implications

- 5.1 There are no financial implications associated with the report recommendation.
[GE/22112019/O]

6.0 Legal implications

- 6.1 The Local Government and Housing Act 1989 requires the Council to review periodically the political composition of the Authority, and how this is applied to appointments to Council bodies.
- 6.2 The rules for securing political balance on Committee and Sub-Committees appointed by local authorities are contained in sections 1 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations, 1990.
- 6.3 The Council is under a duty to:
- Ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable;
 - Review the allocation of seat to political groups at or as soon as practical after the Annual Council meeting and at certain other specified times e.g. as a result of changes in political balance or an increase in the number of committees established;
 - Allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
 - Accept nominations made by the groups for the fillings of seats allocated to them.

- 6.4 In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable;
- (a) Not all seats to be allocated to the same political group;
 - (b) If a political group has a majority on the Council, it must have a majority of seats on committees;
 - (c) Subject to (a) – (b) above, the total of all seats on ordinary committees should be allocated to the groups in proportion to their respective strength on the Council; and
 - (d) Subject to (a) – (c) the number of seats on ordinary committees or sub-committees to be allocated to each political group in proportion to the number of all the seats on the committee or sub-committee in proportion to their respective strength on the Council.
- 6.5 To appoint representatives on outside bodies when such appointments are not made by the Council or if requested to do so by the Council.
[TS/22112019/Q]

7.0 Equalities implications

- 7.1 There are no equalities implications arising from the recommendation in the report.

8.0 Climate change and environmental implications

- 8.1 There are no climate change and environmental implications arising from this report.

9.0 Health and Wellbeing Implications

- 9.1 There are no health and wellbeing implications arising from this report.

10.0 Human resources implications

- 10.1 There are no human resources implications arising from this report.

11.0 Corporate landlord implications

- 11.1 There are no corporate landlord implications arising from this report.

12.0 Schedule of background papers

- 12.1 Full Council 15 May 2019 - [Political balance, appointment of the Cabinet, appointments to Scrutiny and Regulatory and other Committees, and appointments to outside bodies for 2019-2020.](#)
- 12.2 Full Council 17 July 2019 and Governance Committee 5 July 2019 – [Appointment of Councillor Champions.](#)

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 December 2019
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Report title	Restructure and Redundancy Policy	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Louise Miles Resources	
Key decision	Yes	
In forward plan	Yes	
Wards affected	N/A	
Accountable Director	Mark Taylor, Deputy Chief Executive	
Originating service	Human Resources	
Accountable employee	Denise Pearce Tel Email	Head of Human Resources 01902 554515 Denise.Pearce@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board	19 November 2019

Recommendation for decision:

The Cabinet is recommended to:

1. Approve the City of Wolverhampton Council's Restructure and Redundancy Policy.

1.0 Purpose

- 1.1 As part of a policy review process, the Restructure and Redundancy Policy has been updated, along with managers' guidance and supporting templates.

2.0 Background

- 2.1 The current policy and guide 'Managing Restructures and Redundancy, including consultation and establishment changes' was last updated in 2014. The new policy has been revised and separated into two parts, the first focuses on restructures and the second on redundancy.
- 2.2 Alongside the policy document, managers' guidance and suite of templates have been created to assist managers. The updated policy and step by step managers' guide are designed to ensure that:
- The Council mitigates against compulsory redundancies where possible.
 - Restructures, regardless of size are managed effectively, fairly and consistently as possible and in a transparent way across the Council.
 - The Council complies with its legal obligations in managing change, and all employees are informed of their legal employment entitlements and supported throughout the process.
- 2.3 The following were consulted on the Restructure and Redundancy Policy, Managers' Guidance and templates: Trade Unions (JCP), Equality Forums, HR Improvement Board and HR User Group.

3.0 Progress, options, discussion, etc.

- 3.1 The table below identifies the proposed amendments to the existing Restructure and Redundancy Policy and Managers' Guidance:

Current policy and guidance	Proposed policy and guidance
Policy and guidance - combined.	Policy and managers' guide separate into two documents, with additional supporting templates available.
Redundancy process – select in and select out.	Removed the option to 'select out' - whereby managers use selection criteria to decide which employee to make redundant. The new proposal 'selects in' all employees at risk of redundancy. Employees have the opportunity to engage in a competitive selection process (where roles are available) or apply for voluntary redundancy.

<p>Assimilation and ring-fence - Assimilation can occur when; there is an 80% or more match in duties, the post is on the same grade and there is no significant change in the emphasis of the post.</p>	<p>The current arrangements are still in place; however, the guidance has been expanded, to permit employees to be offered a role at a lower grade. The employee can then determine whether they feel this is a suitable alternative and accept or reject the proposed assimilation or ring-fence opportunity – text below.</p> <p>On occasions where a lower graded role exists in the new structure, with an 80% match in duties, an employee can be assimilated or ring-fenced to the role, if the employee feels it is a suitable alternative. The employee is still entitled to apply for voluntary redundancy.</p> <p>See section 2 of the manager guidance for further details.</p>
<p>Ring-fence challenge process - ‘their response should be sent to the appropriate Director in five working days of receipt of formal notification’.</p>	<p>Changed to a minimum of five working days - ‘Employees must be given a minimum of five working days to challenge the assimilation or ring-fence proposal following formal notification at the group consultation meeting.’</p> <p>See section 6.3 in the restructure part of the policy for further details.</p>
<p>Process for managing more voluntary redundancy applications than are required - use a selection criteria matrix to determine which voluntary redundancy applications are approved.</p>	<p>The selection criteria matrix has been removed from the policy, with the options below included in the managers’ guide:</p> <p>Managers will be advised to consult with those employees who have requested voluntary redundancy to advise them more applications have been received than are required and check whether employees still wish to take voluntary redundancy.</p> <p>If there are still too many voluntary redundancy applications, the manager can either approve all applications and recruit to vacant roles or decline all applications and conduct a ring-fence selection process. The decision will depend upon the number of additional applications and the restructure circumstance and should be made with the HR representative and in consultation with the relevant Trade Unions.</p> <p>See section 14 of the managers’ guide.</p>

<p>Selection process – ‘if the application of ring-fences does not enable all available posts to be filled, the remainder will be open to competitive selection from within the at risk group first; from staff in the same grade or in a lower graded post. Priority will then go to: (i) the Council-wide redeployees (ii) internal competitive applications’.</p>	<p>A range of selection options have been included in the managers’ guide, including the option to advertise new posts first, where there are no employees assimilated or ring-fenced to the post.</p> <p>The restructure lead should discuss and select the most appropriate option with their HR representative and in consultation with the Trade Unions. Employees on the Council Redeployment Register will continue to have the opportunity to apply for vacant roles before they are advertised internally.</p> <p>See section 17 in the managers’ guidance for further details.</p>
<p>Establishment change process (ECR1) – hard copy form.</p>	<p>Replaced with Structure Management Request (SMR) – electronic form.</p>
<p>Work trials – maximum length of trial not specified.</p>	<p>Up to a maximum of 12 weeks.</p>
<p>Redundancy appeals process - included in the policy and guidance.</p>	<p>Redundancy appeals process to be included in the Appeals Guidance. The right of appeal is documented in the policy.</p>
<p>Appendices</p>	<p>The ‘select out’ appendices have been removed, and other forms updated and included in the managers’ guide.</p>

4.0 Evaluation of alternative options

- 4.1 During the development of the Restructure and Redundancy Policy and supporting Managers’ Guidance, research was undertaken into other local authorities’ policies and procedures, ACAS guidelines, employment case law and best practice, which informed the proposed amendments outlined in table above (3.1).

5.0 Reasons for decision(s)

- 5.1 To update the Restructure and Redundancy Policy and Managers’ Guidance, to support the delivery of restructures, to ensure they are managed effectively, fairly and consistently as possible and in a transparent way across the Council.

6.0 Financial implications

- 6.1 There are no direct financial implications arising as a result of the proposed revisions to the policy.

- 6.2 Payments associated with requests for voluntary redundancy will follow the principles of the current voluntary redundancy scheme.
[MH/14112019/S]

7.0 Legal implications

- 7.1 There are no immediate legal implications resulting from the revisions in policy. All revisions adhere to current employment law requirements.
[JB/14112019/R]

8.0 Equalities implications

- 8.1 An Equality Analysis has been undertaken to identify the associated equality implications. The equality analysis did not identify any negative impact as a result of the proposed changes.
- 8.2 The policy and guidance documents have also been shared with the four Equality Forums for feedback.

9.0 Climate Change and Environmental implications

- 9.1 There are no direct implications on climate change and the environment arising from this report.

10.0 Health and Wellbeing implications

- 10.1 During the restructure process, managers must be mindful of how the change process may affect employees, as employees may be feeling anxious about the uncertainty, and ensure that appropriate support mechanisms are in place. Managers should seek to improve their employees understanding of the need for change and attempt to gain their commitment, by identifying and addressing any concerns. Managers should also tap into employees' knowledge and creativity through meaningful consultation.
- 10.2 Health and wellbeing at work is strongly linked to having a degree of control over our job and how it is done. Giving employees a voice in how change is managed, can maintain their sense of wellbeing. Independent advice, information and emotional support is available to all employees through the Employee Assistance Programme. Employment advice is also available from Human Resources, Organisational Development and Trade Unions.
- 10.3 More information on the support available is identified in the Restructure and Redundancy Managers' Guidance.

11.0 Human resources implications

- 11.1 The amendments to the Restructure and Redundancy Policy and managers' guidance are designed to improve the delivery of the establishment change process, mitigating compulsory redundancy where possible.

- 11.2 The review of the Restructure and Redundancy Policy also ensures that it complies with changes in employment legislation, meets the needs of the Council in the fast paced changing environment, and provides some flexibility in the manner in which restructures are implemented.
- 11.3 The step by step managers guide, should support the consistent delivery of restructures, ensuring they are managed fairly and effectively across the organisation. It also ensures that managers are fully informed of the steps they are required to undertake in any restructure and considerations that they must take into account
- 11.4 A suite of template documents also ensures that managers have the tools they require to implement a restructure of their service area.
- 11.5 The Policy will be reviewed following a period of 12 months or sooner if required, if implementation highlights the need for further review.

12.0 Corporate landlord implications

- 12.1 There are no direct corporate landlord implications arising from this report.

13.0 Schedule of background papers

- 13.1 None applicable

14.0 Appendices

- 14.1 Appendix 1 – Restructure and Redundancy Policy
- 14.2 Appendix 2 – Restructure and Redundancy Managers' Guidance

Restructure and Redundancy Policy

November 2019

Created: 26 November 2019
Revised:

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Restructure Policy

1.0 Policy Statement

1.1 This policy is designed to ensure that City of Wolverhampton Council delivers the highest standard of service with the resource available and that it responds to changing circumstances in an efficient and effective manner, whilst meeting its legal employment obligations.

1.2 The need for change can arise for a variety of reasons, including:

- To deliver savings, as budgets are reallocated, funding ceases or is significantly reduced.
- To improve efficiency, to ensure we meet the Council's strategic objectives.
- The way services are delivered changes.

1.3 The overall aim of this policy is to ensure that:

- Restructures, regardless of size are managed as effectively, fairly and consistently as possible, and in a transparent way across the Council.
- The Council complies with its legal obligations in managing change and all employees are informed of their legal employment entitlements and supported throughout the process.

2.0 Scope

2.1 This policy and procedure applies to all employees of the City of Wolverhampton Council. It excludes NJC employees and Teachers employed by Governing Bodies who are covered by Schools HR Policies. Policies adopted by the City Council may, following discussion with relevant trades unions, also be recommended as good practice models for adoption by maintained school governing bodies.

3.0 Principles

3.1 The policy is based upon principles of delivering restructures/ establishment changes in a fair and equitable manner, with meaningful consultation with all employees affected by the proposed changes.

3.2 The proposed structure will include assimilations (see section 6.1) and ring-fences (see section 6.2) proposals where appropriate. Employees can challenge the proposal and suggest alternatives during the meaningful consultation process. Employees also have the opportunity to formally challenge assimilation and ring-fence proposals through the Ring-fence Challenge Process. All formal challenges will be considered by an independent panel.

3.3 Changes to the establishment within a service area may affect those employees who deliver the service, as some job roles are no longer required as a result of the proposed changes, or employees may need to:

- Undertake different work
- Work different hours

- Work at a higher or lower grade
- Work at a different location

3.4 The Council needs to retain a competent, knowledgeable and skilled workforce to support the delivery of the Council's strategic objectives and mitigate against compulsory redundancies where possible. The organisation will offer voluntary redundancy, bumped redundancy, work trials and redeployment opportunities where available to mitigate compulsory redundancies.

4.0 Roles and Responsibilities

4.1 Managers will:

- Ensure that this policy is applied within their service area, supported by the Managers Guidance.
- When considering a restructure/ establishment change arrange to meet with their HR Business Partner to discuss proposals.
- Direct any queries on the application or interpretation of this policy to [Human Resources](#) before taking action.
- Consider and apply methods to mitigate compulsory redundancies.

4.2 Human Resources will:

- Provide operational support and advice to managers and the wider organisation to enable the effective management of restructures and redundancy.
- Review and monitor the implementation of the Restructure and Redundancy Policy.
- Ensure the Restructure and Redundancy Policy, guidance and supporting documents are regularly reviewed and updated, in consultation with the recognised Trade Unions.

5.0 Procedures

5.1 Please see Restructure and Redundancy Managers Guidance for a step by step guide to conducting a restructure.

6.0 Process definitions and overview

6.1 Assimilation

Where a service has been restructured and there is a pool of potentially “at risk” employees, assimilation is the process whereby one person is placed into a new job because the new post is either virtually unchanged from, or a very close match to their substantive post.

Factors which are not relevant to assimilation include: any changes to terms and conditions that might be agreed through the normal processes (e.g. changes to shift working or to 5 out of 7 working.)

Where an employee potentially at risk is not assimilated, they will be put at risk, and the appropriate selection procedures will be applied.

Assimilations are determined by the manager, with support from Human Resources, in consultation with the Trade Unions.

6.2 Ring-fencing

The ring-fence matching process determines the closest possible match of current post holders to posts within the proposed structure, with the overarching aim to minimise displacement and uncertainty.

Throughout the ring-fencing matching process, the primary focus is on the post and not the post holder, so no account has been taken of the post holder's personal skills or capabilities.

6.3 The Challenge Process

Should employees wish to challenge the assimilation process or the ring-fence they have been assigned to, they will need to set out in writing the reasons for this by completing the Ring-fence Challenge Form (see Managers Guidance), which should be sent to the appropriate Director. Employees must be given a minimum of 5 working days to challenge the assimilation or ring-fence proposal following formal notification at the group consultation meeting.

Each challenge will be considered by a specially convened Panel who will consider the written submissions received. The panel will consist of the Director, (or nominee) a Human Resource representative and a Trade Union Representative, not previously involved in the restructure.

Please note that the decision of the Panel will be final, and this will be confirmed in writing to the individual in the first instance. Once all individuals have been notified of the outcome of their challenge any resulting changes will be confirmed to affected employees. If the challenge is upheld, then the nature of the change will determine whether consultation is required on the amended proposal.

6.4 Competitive selection process

Following the assimilation and ring-fence process, vacant positions within the new structure will be open to competitive selection process, see managers guide for further information.

6.5 Work trials

An employee who accepts an offer of alternative work is entitled to a trial period of 4 weeks to check that the work is suitable for both the employee and the employer. The trial period may be extended by agreement between employer and employee to re-train for the new work, up to a maximum 12 weeks. Any such agreement must be in writing and agreed with management and Human Resources and Trade Unions consulted as appropriate.

7.0 Links to supporting documents

- 7.1 Restructure and Redundancy Managers Guide
- 7.2 Recruitment and Selection Policy
- 7.3 Redeployment Policy and Procedure
- 7.4 Employee Assistance Programme

Redundancy Policy

1.0 Policy Statement

- 1.1 The Redundancy Policy is designed to ensure that City of Wolverhampton Council adheres to employment rights legislation and mitigates against compulsory redundancies where possible.
- 1.2 Redundancy is a potentially fair reason for dismissing an employee and a redundancy situation can occur when a:
 - Employer ceases to carry out business for the purpose for which the employee was employed.
 - Requirements of the business do not require the existing number of employees to carry out work of a particular kind.
- 1.3 Employees can also put themselves forward for voluntary redundancy during an establishment change process when they are identified as at risk.
- 1.4 The Corporate Voluntary Redundancy Scheme is open to employees who wish to apply for redundancy at any time, except when there is an active restructure in that area of work.

2.0 Scope

- 2.1 This policy and procedure applies to all employees of the City of Wolverhampton Council. It excludes NJC employees and Teachers employed by Governing Bodies who are covered by Schools HR Policies. Policies adopted by the City Council may, following discussion with relevant trades unions, also be recommended as good practice models for adoption by maintained school governing bodies.

3.0 Principles

- 3.1 Meaningful consultation must take place with all employees affected/ 'at risk' of redundancy, see managers guide for further information. The redundancy process must be carried out in a fair and equitable manner, ensuring the Council carries out all legal and statutory obligations in line with employment law guidelines, including statutory notice periods.
- 3.2 The Council will mitigate against compulsory redundancies where possible and if applicable, by offering:
 - Voluntary redundancy
 - Bumped redundancy
 - Redeployment opportunities and work trials

4.0 Roles and Responsibilities

4.1 Managers will:

- Ensure that this policy is applied within their service area, supported by the Managers Guidance.
- When considering establishment changes arrange to meet with their HR Business Partner to discuss proposals.
- Direct any queries on the application or interpretation of this policy to Human Resources before taking action.
- Following consultation and the approval of the new establishment structure, work with Human Resources to implement the structure and ensure we meet our legal obligations, including the statutory notice period and dismissal process.

4.2 Human Resources will:

- Provide operational support and advice to managers and the wider organisation to enable the effective management of establishment changes, including: the consultation process, structure implementation, at risk employees and redundancy/ dismissal process as appropriate.
- Complete the HR1 and for the provision of information required by Section 188 of Trade Union and Labour Relations (Consolidation) Act 1988 (if required).
- Review and monitor the implementation of the Restructure and Redundancy Policy.
- Ensure the Restructure and Redundancy Policy, guidance and supporting documents are regularly reviewed and updated, in consultation with the recognised Trade Unions.

5.0 Procedures

5.1 Please see Restructure and Redundancy Managers Guidance for a step by step guide to conducting an establishment change/ restructure process, which could result in redundancies.

6.0 Process definitions and overview

6.1 Collective Consultation

If an employer is proposing to dismiss as redundant 20 or more employees at one establishment within a period of 45 days or less, it will be under an obligation to consult (discuss) with appropriate representatives. This is known as 'collective consultation'. The duty to consult collectively is in addition to the employer's obligations to consult individually with each of the potentially redundant employees.

The consultation must begin in good time and in any event meet timescales as follows:

- 100+ dismissals - legal requirement 45 days before any dismissal takes place. However, in principle the Council's current position is to work to a 90 day consultation period wherever possible.
- 20-99 dismissals - legal requirement 30 days before dismissals take place. However, in principle the Council's current position is to work to a 45 day consultation period wherever possible.

The City of Wolverhampton Council is obliged to consult with the recognised Trade Union representatives and the affected employees. Consultation must include and be provided in writing:

- Reasons for the proposed redundancies.
- Numbers and descriptions of employees whom it is proposed to dismiss as redundant.
- Total number of employees of any such description at each establishment.
- Proposed method of selection, ringfencing, assimilations etc.
- Proposed method of carrying out dismissals taking account of any agreed procedure, including the period over which the dismissals are to take place.
- Proposed offers of Voluntary Redundancy for those employees at risk.

Consultation must be with a view to reaching an agreement and no dismissals must *take place ahead of the consultation timescales outlined above.*

Individual consultation (i.e. one to one meetings) should take place after the initial group consultation meeting has been conducted. It is important to consult with all employees who are absent from work for any reason.

6.2 Compulsory redundancy

Where a role at the City of Wolverhampton Council is no longer required and a suitable employment opportunity is not available, then compulsory redundancy can occur. The Council will mitigate compulsory redundancies where possible by offering: voluntary redundancy, bumped redundancy, work trials and redeployment opportunities.

6.3 Voluntary redundancy

This is where the Council offers a financial incentive to an employee to leave the organisation. This can occur through an establishment change process or via the Council's current Corporate Voluntary Scheme. For further advice, the latest information and an application form please refer to the Voluntary Redundancy Section of the HR intranet. Further information on voluntary redundancy application and approval process is available in the managers guidance.

6.4 Bumped redundancy

A bumped or transferred redundancy occurs when an employee whose job is not at risk of redundancy is dismissed as redundant and the resulting vacancy is filled by a suitable employee whose job is redundant. There is no salary compensation for a bumped redundancy. Employees will be paid the grade for the job that they accept, which must be at the same grade as their current post or lower.

If the manager is unable to identify any opportunities available for a 'bump' in the immediate service area, all bumped roles will be advertised to redeployees. If a bumped redundancy cannot be secured through the service area or redeployment the employee will be unable to exit the organisation on a voluntary redundancy.

6.5 Redeployment/ suitable alternative employment

Employees who are made compulsory redundant are entitled to access redeployment opportunities for the duration of their individual statutory notice period, see Redeployment Policy and Procedure for further information. Redeployment is not open to employees on a single fixed term contract of less than 12 months.

Redeployment is a form of suitable alternative employment to try and mitigate the need for compulsory redundancy. Failure to offer suitable alternative employment opportunities when they are available could make a dismissal unfair.

The availability of suitable alternative employment opportunities through redeployment will be dependent upon the prevailing circumstances within the Council at the time and there is no obligation to create employment opportunities. There is no guarantee that suitable alternative employment opportunities will be available.

If an employee unreasonably refuses an offer of suitable alternative employment, the entitlement to statutory redundancy pay is lost.

Employees on maternity leave, adoption leave, or additional paternity leave have an automatic right to be placed into suitable alternative identified post if available.

6.6 Work trials

An employee who accepts an offer of alternative work is entitled to a trial period of 4 weeks to check that the work is suitable for both the redeployee and the employer. The trial period may be extended by agreement between employer and employee to re-train for the new work, up to a maximum 12 weeks, in extenuating circumstances. Any such agreement must be made before the employee starts the new work and must be in writing. This should be agreed with management and Human Resources and Trade Union as appropriate.

6.7 Dismissals Process - compulsory redundancy

Individual notices of dismissal must not be issued until collective and individual consultation has been completed. The dismissal itself cannot take effect until the minimum period has expired and individual notice periods have been observed. The date the dismissals take effect may therefore also depend upon the period of notice which applies.

Employees are entitled to receive notice in line with their contractual entitlement which is related to length of continuous local government service and subject to the minimum periods as set out in Section 86 of the Employment Rights Act 1986.

Employees are entitled to access redeployment opportunities for the duration of their statutory notice period, in line with the Council's Redeployment Policy.

Redeployment is not open to employees on a single fixed term contract of less than 12 months.

Employment can be terminated before the end of the notice period where an employee has agreed to take a payment in lieu of notice (PILON). The Council will only make a payment in lieu of notice (PILON) where there is a clear business case and with Director approval.

6.8 Dismissals Process - voluntary redundancy

An employee whose application for voluntary redundancy is approved will be asked to sign a settlement agreement. This is a legal agreement that safeguards the Council from employees who volunteer for redundancy but then seek to bring an employment tribunal legal case.

Employment can be terminated before the end of the notice period where an employee has agreed to take a payment in lieu of notice (PILON). The Council will only make a payment in lieu of notice (PILON) where there is a clear business case with Director approval, or an employee agrees to waive their notice period.

If an employee chooses to waive their notice period there could be financial implications to this decision, you will need to consult Human Resources to understand the implications.

6.9 Structure Management

During the implementation of the new structure, managers should complete a Structure Management Request (SMR) form. Any posts declared as redundant will be deleted from the establishment and will not be permitted to be re-established.

6.10 Redundancy selection appeals procedure

An employee who is made compulsory redundant will be allowed a right of appeal. If an employee has been selected for redundancy due to being unsuccessful following a competitive selection process, they should initially seek formal feedback from the selection panel. However, this does not remove their right of appeal at the point when they have been advised in writing of the decision to make them redundant and of the right to appeal to an Appeals Panel.

The appeal should be made in writing to the appropriate Director within 5 working days of receipt of the formal notification of redundancy. For more information see the Appeals Manager Guide.

7.0 Links to supporting documents

7.1 Restructure and Redundancy Manager Guide

7.2 Recruitment and Selection Policy

7.3 Redeployment Policy and Procedure

7.4 Employee Assistance Programme

7.5 Appeal Managers Guide

Restructure and Redundancy Managers Guidance

November 2019

Created: 26 November 2019
Revised:

Restructure and Redundancy – Managers Guidance

Restructures must be conducted fairly, consistently and in a transparent manner. When managing establishment changes, the Council must undertake meaningful consultation and ensure all employees are informed of their legal entitlements. Failure to do so, could result in a challenge and employment tribunal, which may have financial implications and an impact on the organisation's reputation.

During the restructure process managers must be mindful of how the change process may affect employees and ensure the appropriate support mechanisms are in place. Managers should seek to improve their employees understanding of the need for change and attempt to gain their commitment, by identifying and addressing any concerns. Managers should also tap into employees' knowledge and creativity through meaningful consultation.

Health and wellbeing at work is strongly linked to having a degree of control over our job and how it is done. Giving employees a voice in how change is managed can maintain their sense of wellbeing. Independent advice, information and emotional support is available to all employees through the [Employee Assistance Programme](#). Advice is also available from Human Resources, Organisational Development and Trade Unions.

The Restructure and Redundancy guidance is designed to support the application of the Council's policies and procedures and is not intended as a substitute for following policies and procedures.

The step by step approach has been developed to support managers during the restructure and redundancy process and establish a more consistent approach to managing establishment change. The guide provides links to useful templates, as well as hints and tips developed from lessons learnt in previous restructures.

For more information please see the Managing Restructures and Redundancy Policy or contact Human Resource Team through the [Customer Portal](#) or HR.SupportDesk@wolverhampton.gov.uk

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Step by Step Guide for Managers

1. Contact the Human Resource Team

Before conducting a restructure, you must first gain approval from senior management, you should then inform your HR Business Partner and discuss your proposal with them and explore options. It is also best practice to inform your Finance Manager of your intention to restructure. Depending upon the nature of the restructure, your HR Business Partner may assign a HR Advisor to support you during the process or continue to support you directly if more appropriate.

2. Discuss and develop your proposal

At the meeting with your HR representative, you will discuss the rationale for the restructure, the existing structure, proposed structure and timeline.

The proposed structure discussion will include:

- The proposed number of posts to be deleted and identification of displaced posts
- Ring-fence and assimilation proposals (if applicable)
- Mitigation against compulsory redundancy, including voluntary redundancy and bumped redundancy
- The selection processes (see section 17 of the managers guidance)

2.1. Assimilations

Where a service has been restructured and there is a pool of potentially 'at risk' employees, assimilation is the process whereby one person is placed into a new job because the new post is either virtually unchanged from, or a very close match to their substantive post. Assimilation can occur when;

- There is an 80% or more match in duties, the post is on the same grade and there is no significant change in the emphasis of the post.
- This can be demonstrated clearly by a comparison of both job description and person specification.
- Where there are differing employment terms, but there is a an 80% or more match in duties and the salary grade is the same.

Assimilation will not occur when:

- The new post(s) vary sufficiently to cause a re-allocation and potential change of grade is required.

- There is a match in duties but the number of posts in the 'old' structure is greater than the number of posts in the new structure – the post will be ring-fenced.
- Additional duties cause the person specification to be significantly changed, and the changed element cannot be met by development or experience in a reasonable length of time.

On occasions where a lower graded vacant role exists in the new structure, with an 80% match in duties an employee can be assimilated into the role if the employee feels it is a suitable alternative. This can only apply if no employee in a lower graded position is displaced as a result of this. The employee is still entitled to apply for voluntary redundancy.

Factors which are not relevant to assimilation include: any changes to terms and conditions that might be agreed through the normal processes (e.g. changes to shift working or to 5 out of 7 working.)

Where an employee potentially at risk is not assimilated, they will be put at risk, and the appropriate selection procedures will be applied.

Assimilations are determined by the manager, with support from Human Resources, in consultation with the Trade Unions.

2.2. Ring-fencing

The ring-fence matching process determines the closest possible match of current post holders to posts within the proposed structure, with the overarching aim to minimise displacement and uncertainty.

When a restructure produces a higher graded post, which encompasses the duties and responsibilities of an existing lower graded post, but also includes additional duties and responsibilities which merit a higher grade, the post should initially be ring-fenced to the existing jobholder(s) and the appropriate selection process applied.

Posts will also be ring-fenced where the number of employees who have a potential claim on a post is greater than the number of posts available.

On occasions where a lower graded vacant role exists in the new structure, with an 80% match in duties, an employee can be ring-fenced, if the employee feels it is a suitable alternative. This can only apply if no employee in a lower graded position is displaced as a result of this. The employee is still entitled to apply for voluntary redundancy.

The principles applied to determine the proposed match/es included assessing the post holder's existing job description and person specification and current salary scale, to deem if the posts in the ring-fence could be considered a reasonable alternative role.

Throughout the ring-fencing matching process, the primary focus is on the post (not the post holder), so no account is taken of the post holder's personal skills or capabilities.

2.3. Voluntary redundancy

This is where the Council offers a financial incentive to an employee to leave the organisation. This can occur through an establishment change process or via the council's current corporate voluntary scheme. For further advice, the latest information and an application form please refer to the Voluntary Redundancy Section of the [HR intranet](#). Further information on voluntary redundancy application and approval process is available in section 14.

2.4. Bumped redundancy

A bumped or transferred redundancy occurs when an employee whose job is not at risk of redundancy is dismissed as redundant and the resulting vacancy is filled by a suitable employee whose job is redundant. There is no salary compensation for a bumped redundancy. Employees will be paid the grade for the job that they accept, which must be at the same grade as their current post or lower.

If the manager is unable to identify any opportunities available for a 'bump' in the immediate service area, all bumped roles will be advertised to redeployees. If a bumped redundancy cannot be secured through the service area or redeployment the employee will be unable to exit the organisation on redundancy. More information on bumped redundancy is available in Appendix A.

2.5. HR1 / Section 188 Notice

Your HR representative will advise whether a HR1/ Section 188 Notice needs to be completed and if required the Human Resource Team will complete. As the Council already has a semi-permanent corporate notice in place, most restructures do not require this process to be undertaken.

2.6. HR catch ups

When conducting complex restructures, you may find it useful to schedule weekly catch up meetings with your Human Resource representative, to ensure time is available to discuss issues, provide updates and answer queries as they arise.

3. Document your proposal

You will need to develop and send the following documents to your HR representative to support your restructure proposal:

- Current job descriptions and person specifications
- Proposed job descriptions and person specifications – **Template A**
- Current organisational chart ‘as is’ – **Template B**
- Proposed organisational chart ‘to be’ – **Template B**
- Proposed managers restructure timeline - **Template C** (see guidance in 3.1)
- Employee restructure data – **Template D** (see guidance in 3.2)

It is best practice to ensure the documents listed above are saved within your OneDrive or on a restricted area of a SharePoint site. Access should be given to those managing the restructure, this is to ensure all those involved are accessing the most up to date versions.

When developing job descriptions and person specifications, guidance is available in the Managing Recruitment and Selection Managers’ Guidance.

3.1. Timeline development guidance:

Activity	Considerations when developing your timeline
Job allocation	Your HR representative will advise on timescales for Job Allocation Panels (as appropriate) after liaison with the Pay and Reward Team (see section 4).
Senior Management approval of proposed structure	You must ensure you obtain approval before proceeding to consultation.
Trade Unions	Unions must be informed of the proposed restructure in advance of group consultation.
Group consultation and one to ones	The initial consultation period (group consultation and one to ones) should be open for a minimum of two weeks for feedback on the proposed structure. You must leave adequate time available to accommodate all employee one to one requests.
Ring-fence Challenge	Provisional time should be allocated to allow any challenges to be heard by a panel.
Consultation feedback	Before feeding back to those in scope, all employee feedback received during the consultation period must be reviewed and responded to and any challenges heard by

	a panel.
At risk notification and selection invite letters (if appropriate)	These will be sent out by the Human Resource Team following the consultation feedback.
Selection process	Allocate enough time to accommodate the selection process for ring-fenced employees and other applications as appropriate, your HR representative will support you with this process.
Dismissal meetings	To be held with employees: <ul style="list-style-type: none"> • Who applied and were unsuccessful in securing a role within the new structure (compulsory redundancy) • Who applied for voluntary redundancy and where their application was approved.
Appeals	Employees have the right of appeal up to 5 days after receiving their dismissal letter, the restructure lead will need to be available to attend appeal hearing(s) if required.

3.2. Employee restructure data

When completing the employee restructure data spreadsheet, if you do not have the establishment information you require, data is available through [QlikView](#) or [Agresso](#), by running your Establishment Report. Alternatively, if the information is not easily accessible, please contact the [HR Support Desk](#) to determine the correct details.

4. Job Allocation

Your HR representative will review the new job descriptions (if applicable) and complete a job allocation form – the HR representative will then forward this to the Pay and Reward Team on your behalf.

The Human Resource Team will liaise with the Pay and Reward Team who will confirm if a Job Allocation Panel is required. The length of the process will vary depending upon the changes proposed and the panels availability and you should allow up to four weeks. Where minor changes are proposed, which do not affect the grade a panel may not be required.

The Pay and Reward Team will organise a Job Allocation Panel (if required), and it will include: you (as the manager of the restructure), a Trade Union representative and the Job Allocation Advisor. The Job Allocation Advisor will inform you, your HR representative and the appropriate Trade Unions of the outcome of the panel.

Please note, when developing your restructure timeline, you must ensure adequate time has been scheduled in to account for the job allocation process, as its finding may result in amendments to the proposed structure.

You should not contact Trade Unions or start discussions until you have received feedback from the Job Allocation Advisor/ Panel to ensure any alterations are captured in the structure before this is shared with Trade Unions or employees.

5. Equality Assessment

You will need to complete an Equality Analysis see **Template E**. The assessment will help you to identify the impact of the restructure on those in scope and to establish whether any individuals or groups are negatively impacted by the proposal and what amendments or actions can be taken to mitigate the risk, see checklist in Appendix B.

If you need support when completing the Equality Analysis template, please contact the Equalities Team for guidance on Equalities2@wolverhampton.gov.uk

At the end of the restructure process you should review the equality implications of the new structure, to establish whether any individuals or groups were negatively impacted by the restructure and share your findings with the Equalities Team.

6. Business Case (SEB Report Template)

Develop a business case, outlining your proposal and the rationale. Your Business Case should be documented in the Leadership Team/ Strategic Executive Board report template, available within [Modern.Gov](#) See **Appendix A** for the Business Case checklist.

If you do not have access to Modern.Gov or require support contact Democratic Services on Democratic.Services@wolverhampton.gov.uk

7. Senior Management approval on proposed structure

Before a restructure can commence, the proposal (business case) must be taken to the appropriate Senior Leadership Team to obtain approval.

The nature of the restructure and service area will determine which of the Leadership Teams the report goes to and whether Cabinet Resource Panel approval is required.

If you are unsure of the approval route, please contact your HR representative and Director for guidance.

Please note, you will need to ensure your restructure item is on the Forward Plan agenda for each of the relevant Leadership Teams and Committees.

You should use the appropriate report template available in [Modern.Gov](#) to document your approach.

8. Pre-consultation with Trade Unions

Ahead of consultation with employees, you will need to organise to meet with the relevant Trade Unions to discuss your proposed restructure, your HR representative will support you at the meeting.

Trade Union representative need information on the proposed restructure to negotiate effectively on behalf of employees and ensure meaningful consultation takes place, as per [ACAS guidelines](#).

Checklist

The meeting discussion must include:

- ☐ The proposal and restructure rationale
- ☐ The number of employees in scope
- ☐ Existing structure chart and proposed structure
- ☐ Proposed number of posts to be deleted
- ☐ Ring-fence and assimilation proposals
- ☐ Mitigation against compulsory redundancy
- ☐ Restructure timeline
- ☐ Identification of displaced posts, including voluntary redundancy and bumped redundancy

During the discussion:

- ☐ Proposals must still be at a formative stage with an open mind to alternative proposals and consultation must be meaningful
- ☐ You must consider options to mitigate potential redundancies
- ☐ Agree the process for implementing the new structure e.g. voluntary redundancy, compulsory redundancy, redeployment
- ☐ Provide adequate information and time in which to respond
- ☐ The manager should document key actions and decisions

9. Consultation - communication and methodology

You will need to consult on the proposal with those employees affected by the restructure (in scope). Collective consultation should include the following:

- The business rationale for the decision – therefore there should be clarity about why you are consulting about potential redundancies.
- Avoiding dismissals i.e. considering other options instead.
- Reducing number of employees to be dismissed e.g. suspending recruitment, redeployment, reducing overtime etc.
- Mitigating the consequences of dismissal e.g. voluntary redundancy.

Please note, if a manager does not carry out such consultation any subsequent dismissal will almost certainly be unfair.

For consultation to be meaningful you must ensure all employees and Trade Unions have access to all the information they require, as well as the opportunity to discuss and challenge the proposal, including suggesting alternative options which must be considered.

The nature and size of the restructure will determine the engagement approach and communication plan see **Template F**. Your HR representative will be able to advise you of the range of communication options available and best practice, e.g. face to face, email, newsletter.

Please note, if the restructure is proposing to dismiss 20 or more employees as redundant within 45 days or less, it will be under an obligation to consult with appropriate representatives. The duty to consult collectively, is in addition to the employer's obligations to consult individually with each of the potentially redundant employees. Please see the policy for further details.

You should also consider the equality implications of the communication approach and adapt where required, to ensure information is accessible to all. It is crucial to keep all employees informed during the restructure process through regular communication.

After you have met with those in scope, you must also communicate the proposed changes to employees who will be indirectly affected by the restructure. This could be through a newsletter, email or separate face to face briefing session.

9.1. Information to be shared

The following key documents should be developed ahead of the group consultation

process:

- Frequently Asked Questions (FAQs) – **Template G** (you should update this document during the restructure process)
- New job descriptions and person specifications – **Template A**
- Current structure 'as is' – **Template B**
- Proposed structure 'to be' – **Template B**
- Employee restructure timeline – **Template H**
- Application form – **Template I**. The Human Resource Team will advise whether the long or short form is required, which will be determined by the nature of the role.
- Voluntary redundancy information and the estimated redundancy payment calculator is available via the [HR Intranet](#). If an employee 'at risk' is interested in pursuing this request, they should contact the restructures HR representative to discuss further.
- Ring-fence Challenge Process and Form – **Template J**. For more information about the ring-fence challenge process please contact your HR representative who will provide further guidance and support.

9.2. Circulating information

The communication method will depend upon the group in scope:

Option 1: Where employees have access to a wolverhampton.gov.uk email address they should be communicated with via email; please ensure all recipients are blind copied into communications.

It is recommended that a SharePoint site is set up as a central repository for key documents and information (including those listed in 9.1), this information can then be shared via a link in an email following group consultation.

To set up a SharePoint site please log a call on the [ICT Portal](#) using the 'request a solution' option. You may wish for the site to include a questions function, to allow employees to ask questions through the portal. If you would like to have this option available, please inform ICT when raising the request.

Option 2: When communicating with employees who do not have access to a wolverhampton.gov.uk email address, they will need to be sent the relevant information via letter or through another appropriate form of communication.

Key documents (listed in 9.1) should be included in a hard copy restructure pack and distributed at the group consultation meeting where appropriate.

Checklist

You must also consider employees who temporarily do not have access to their emails, including:

- ☐ Sick leave / long term sick
- ☐ Maternity/ paternity leave
- ☐ Secondment
- ☐ Unpaid leave
- ☐ Leave

These employees should be contacted via letter or another suitable form of communication.

10. Group Consultation

Group consultation on the restructure proposal should take place with all employees in scope. Following the session, employees should be offered one to one sessions with the restructure manager or appropriate representative. You may also wish to consider alternative methods for those who are unable to attend the group consultation session, if you would like to discuss this further please contact your HR representative.

It is recommended that the initial consultation process (group consultation and one to ones) is open for a minimum of two weeks to ensure meaningful consultation takes place.

Ahead of the group consultation session, you will need to develop a briefing presentation, **Template L** is available for managers to adapt, to ensure all key information is disseminated during the session. Please ensure you liaise with your HR representative regarding the content of the presentation ahead of the group consultation meeting.

10.1. Group consultation meeting invite

Once the proposed structure has been reviewed by senior management and the relevant Trade Unions have been informed, you should then invite those employees affected by the restructure to the group consultation session. An email/ calendar invite/ letter template is available for managers to adapt see **Template K**. You must also invite the appropriate Trade Unions to the meeting.

Please note, if the restructure communication is being sent via email you must

ensure all recipients are blind copied in. Any employees who temporarily do not have access to their work email address, e.g. long-term sick or maternity, receive the information via letter.

10.2. Group consultation meeting

Managers should ensure an appropriate room is booked for the group consultation meeting, with a suitable room layout and the required ICT.

All those who attend the group consultation meeting: employees, Trade Union representatives and other attendees must sign in on arrival. Please use the attendance register for group consultation see **Template M**. Following the session, the register should be scanned and forwarded to your HR representative to keep on record and saved into your central repository.

The session will include the restructure overview presentation and an opportunity for any questions.

A restructure document pack should be provided to those employees who do not have access to a wolverhampton.gov.uk email address. The document pack should include all the documents listed in Step 9.1.

10.3. Communication following the group consultation session

(If employees have access to a wolverhampton.gov.uk email address)

Following the group consultation meeting an email should be sent to all those affected to signpost them to the restructure SharePoint site, which contains the key documents (those identified in Step 9.1) and remind employees of the one to one booking process, see **Template N**.

If other employees will be indirectly affected by the restructure you should communicate the proposed changes to them also, following the group consultation meeting. This could be through a newsletter, email or separate face to face briefing session.

11. One to one meetings

During a restructure all employees must be offered the opportunity to have a one to one with the restructure lead or appropriate nominee. This is to ensure that the process allows for meaningful consultation.

The process for booking one to ones should be communicated at the group

consultation meeting and circulated via email or included in the restructure pack.

Employees are permitted to request more than one, one to one meeting and you should ensure capacity is built into the consultation timeline to accommodate this.

Employees are also entitled to have a Trade Union representative and/ or work colleague attend their one to one meeting(s). Employees may choose to have a group one to one meeting with their manager and this should be accommodated.

The Human Resource Team may attend one to one meetings to support managers in expectational circumstances, please contact your HR Business Partner to discuss.

11.1. The process for booking one to ones

The process for booking one to ones will depend upon the service area, you may wish to consider one of the following options:

Option 1: This option must be selected when employees do not have access to a wolverhampton.gov.uk email address	For the manager to take an appointment list to the group consultation meeting for employees to book on. Following the session approach employees and ask them if they would like to meet with you. You could also leave an appointment list in a communal area for employees to put their names down.
Option 2: If employees have access to a wolverhampton.gov.uk email address	Ask employees to book their one to one meeting with you via an Outlook meeting request. Please ensure you leave enough time free in your diary during the consultation period for employees to book a session with you. You should also block book a room to ensure an appropriate room is available for the sessions.
Option 3: If employees have access to the Learning Hub	Add available dates and timeslots to the Learning Hub to enable employees to book on. If you would like to offer sessions through the Learning Hub, please contact the Organisation Development Team on OrganisationalDevelopment.Team@wolverhampton.gov.uk

11.2. Documenting one to ones

One to ones with employees must be documented on the Record of Individual Consultation Form see **Template O**. All employees must date and sign the completed Record of Individual Consultation.

Copies of the one to one record should be scanned and sent to the Human Resource Team and stored for 6 years in line with the retention schedule documented in Limitation Act Section 2 1980.

11.3. FAQs update

Managers should update the FAQs document following the questions raised during one to one meetings and those questions submitted via the restructure SharePoint site (if applicable). If you require assistance with the answers to questions, please contact your HR representative for guidance and support.

12. Formal consultation reminder

During the consultation period, employees should be sent a reminder of the consultation timeline (updated version if applicable), including: ring-fence challenge deadline, voluntary redundancy deadline, one to one session availability and updated FAQ, see **Template P**.

13. Assimilations and Ring-fence Challenge

Employees may have been assimilated or ring-fenced for positions in the new structure. The process for assimilating and ring-fencing employees to new positions is identified in section 2.

During the consultation period employees can challenge the proposals, by completing a Ring-fence Challenge Form see **Template J**. The Ring-fence Challenge Form deadline will be communicated through the group consultation process. The deadline for challenge(s) should be a minimum of 5 working days after the formal notification, at the group consultation meeting. The deadline for submitting a challenge will need to be clear in the timeline shared with employees in the consultation documentation, and this is normally no longer than a two-week period. . The Ring-fence Challenge form can be completed by a group of employees or an individual and should be sent via email/post to the relevant Human Resource Advisor.

Challenges to ring-fences and assimilations will be considered by a panel. The panel will be convened by the Human Resource Team and includes: Director or nominee, a Human Resource Business Partner (or nominee) and a Trade Union representative who have not been involved in the restructure. You as the manager of the restructure and your HR representative may be asked to attend the panel to

explain the rationale behind the proposal.

The panel decisions will be final, and the outcome will be confirmed in writing to all individuals who raised the challenge. If the challenge is upheld, the structure will need to be amended and communicated to all employees in scope. The nature of the change will determine whether consultation is required on the amended proposal.

Please note, substantial changes could result in the existing proposal no longer being feasible, which would result in a restructure redesign – taking you back to step 2 of the process.

14. Voluntary redundancy application and selection process

Within a restructure, where fewer posts are needed the Council will offer employees at risk the opportunity to apply for voluntary redundancy. Applications must be made by employees using the correct form and only after they have checked their voluntary redundancy calculation (if possible) from the ready reckoner and (if relevant) their pension benefits estimate.

Applications for voluntary redundancy will be considered by the manager and the Human Resources representative, with director approval.

14.1. Guidelines for considering voluntary redundancy applications:

Where the number of voluntary redundancy applications for a role, is equal to or is less than the number of roles required within the new structure then it is likely the applications will be accepted. The remaining employees within the role could then be assimilated or ring-fenced for this position.

On occasions where more applications for voluntary redundancy are received than required for the role, managers should contact their Human Resource representative to discuss the appropriate way forward, which fulfils the strategic needs of the service area and mitigates compulsory redundancy.

The managers of the restructure could meet with employees on a one-to-one basis, to advise them that more applications have been received than required and establish if employees still wish to take voluntary redundancy.

If there are still too many applications, the manager can either approve all applications and recruit to vacant posts or decline all applications and conduct a ring-fence selection process. The decision will depend upon the number of additional voluntary redundancy applications, the restructure circumstances and due regard given to the financial implications. This decision should be made with the HR representative, in consultation with the relevant Trade Unions and Service Director

and will also require Director of Finance approval, prior to being implemented. If a ring-fence selection process takes place and employees fail to engage in the selection process, they are deemed to have resigned.

15. Consultation Feedback

Once the formal consultation period has concluded, employees and Trade Union representatives should receive feedback on the restructure proposal. This often takes the form of a restructure closure meeting. The most appropriate communication method should be selected, which will be informed by the nature of the restructure. Your HR representative can provide guidance on the communication options available and the most appropriate form, e.g. face to face, email, newsletter.

When feeding back in a closure meeting, you should use the End of Consultation Briefing Presentation see **Template R**, to ensure all key points are covered during the session. Please ensure you liaise with your HR representative regarding the content of the presentation ahead of the group consultation feedback session.

15.1. Closure meeting invite

When inviting staff to a closure meeting this should be sent via email or calendar invite to those with a wolverhampton.gov.uk email address and by letter or newsletter for those who do not have access, see **Template Q**.

15.2. At the group consultation feedback session

It is important to record who attended the feedback session, all employees, Trade Union representative(s) and other attendees must sign in on arrival. Please use the attendance register for group consultation see **Template M**. Following the session, the register should be scanned and forward to your HR representative to keep on record. Please ensure you also store a copy of this in your SharePoint site repository.

The group consultation feedback session will include the restructure feedback presentation and opportunity for any questions.

15.3. Following the group feedback session

If other employees will be indirectly affected by the restructure you should communicate the changes to them also, following the group meeting. This could be through a newsletter, email or separate face to face briefing session.

16. At Risk Notifications

At risk notices will be issued by Human Resource Team to employees when the restructure is at the point of formal implementation. Where employees have been ring-fenced to a position the at-risk letter may also include the interview and assessment information.

17. Selection Process

Where assimilations are agreed, employees will not be required to attend interviews or assessments.

Your HR representative will support the development of the selection process and may be part of the selection panels where possible.

On occasions where no assimilation or ring-fence has been identified for a new/ vacant role(s) within the structure, the role(s) may be advertised within the service area prior to the implementation of assimilations or the ring-fence selection process for other roles.

17.1. Develop Selection Process

You will need to consider your selection process methodology and interview content. Your HR representative can provide guidance on the most appropriate forms of assessment based on the role and grade.

Selection process, options to consider:

- Interview questions
- Presentation
- In tray exercise
- Stakeholder group
- Leading discussions
- Assessment centres

As the recruiting manager you will need to develop your assessment materials and inform Human Resource Team of the interview / assessment dates and time slots available.

An Interview Questions and Scoring Grid is available for managers to use – questions and model answer can be added to the template, see **Template S**. During interviews, applicants' feedback should be recorded on the Interview and

Assessment Feedback Form see **Template T**.

For more information, please see the Recruitment and Selection Policy and Managers Guide.

17.2. Priority Ring-fence interviews

Those ring-fenced to a position in the new structure will be given a priority ring-fenced interview during the selection process.

Following the selection process, the recruiting manager will be responsible for communicating the outcome to employees, to confirm whether they were successful or not and outline next steps.

The Human Resource Team will send out formal confirmation letters.

17.3. Displaced employees

Following the ring-fence interviews, vacant positions should be advertised and open to competitive selection process.

The restructure manager should discuss and select the most appropriate option with their HR representative and in consultation with the Trade Unions.

Options could include, but are not limited to:

Option 1:

1. At risk employees in the structure
2. All staff within the service area under restructure - this is to allow potential lateral movement across the grades to mitigate compulsory redundancy within the service area
3. Council wide redeployees
4. Internal applicants
5. External applicants

Option 2:

1. The at risk group - to apply for the same grade or a lower graded post
2. Council-wide redeployees
3. Then internal applications
4. External applicants

Please note, all applications for roles should meet essential criteria for the post

applied for.

If an employee unreasonably refuses an offer of suitable alternative employment the entitlement to statutory redundancy pay is lost. A suitable alternative occurs where there is an 80% or more match in duties, the post is on the same grade and there is no significant change in the emphasis of the post.

Where there are no displaced employees following a restructure, the standard recruitment process applies.

17.4. Work trials

An employee who accepts an offer of alternative work, to mitigate against redundancy, is entitled to a statutory trial period of four weeks in accordance with Section 138 of the Employments Rights Act 1996 to check that the work is suitable for both the redeployee and the employer. This trial period must run simultaneously with the notice period.

In extenuating circumstances, the trial period may be extended by agreement between employer and employee to re-train for the new work, up to a maximum 12 weeks. Any such agreement must be made before the employee starts the new work and must be in writing, with approval from the manager, Human Resources and in consultation with the Trade Union as appropriate. The agreement must specify the date that the trial period ends and the terms and conditions of employment that will apply after that date.

If the work trial is unsuccessful, the employee's contract will be terminated, and the employee will receive their redundancy payment based on the date of leaving.

18. Structure Management Request

To implement the new structure, you will need to change your establishment by completing the Structure Management Request form (SMR), which is available on the Human Resources Intranet - [SMR Form](#)

When completing the form, you will need to create new positions and delete the previous positions. When deleting posts, you must put the effective date after the employee's last payment.

Please ensure you complete all fields and attach the following documents to the form:

- Business case

- Job allocation outcomes
- Structure charts (as is and to be)
- New job descriptions and person specifications

As failure to do so, will delay the process and may also result in your request being rejected.

SMR forms must be completed 28 days prior to the effective date of the new establishment to allow positions to be amended ahead of the implementation.

When new posts are created, managers will be asked to complete a DBS questionnaire for each of the job descriptions, to confirm whether the job requires a DBS check and if applicable which level.

19. Dismissal

19.1. Dismissals Process - compulsory redundancy

Individual notices of dismissal must not be issued until collective and individual consultation has been completed. The dismissal itself cannot take effect until the minimum period has expired and individual notice periods have been observed. The date the dismissals take effect may therefore also depend upon the period of notice which applies.

Employees are entitled to receive notice in line with their contractual entitlement which is related to length of continuous local government service and subject to the minimum periods as set out in Section 86 of the Employment Rights Act 1986.

Employees are entitled to access redeployment opportunities for the duration of their statutory notice period, in line with the council's Redeployment Policy. Redeployment is not open to employees on a single fixed term contract of less than 12 months.

Employment can be terminated before the end of the notice period where an employee has agreed to take a payment in lieu of notice (PILON). The Council will only make a payment in lieu of notice (PILON) where there is a clear business case and with director approval.

19.2. Dismissals Process - voluntary redundancy

An employee whose application for voluntary redundancy is approved will be asked to sign a settlement agreement. This is a legal agreement that safeguards the Council from employees who volunteer for redundancy but then seek to bring an

employment tribunal legal case.

Employment can be terminated before the end of the notice period where an employee has agreed to take a payment in lieu of notice (PILON). The Council will only make a payment in lieu of notice (PILON) where there is a clear business case with director approval, or an employee agrees to waive their notice period.

If an employee chose to waive their notice period there could be financial implications to this decision.

19.3. Dismissal meeting

Employees who are unsuccessful during the selection process will be invited by the Human Resource Team to attend a dismissal meeting. Human Resources will ensure a suitable venue is booked, with enough time allocated to avoid interruptions and that the employee has been advised of the right of representation (Trade Union or work colleague). Meeting attendees will include you (restructure manager), your HR representative, the employee and their representative if applicable.

Checklist

At the meeting you must discuss:

- ☐ The reason for the dismissal
- ☐ Date of termination/ last day at work
- ☐ Notice period
- ☐ Check Terms and Conditions for redundancy pay and notice periods
- ☐ Annual leave
- ☐ Redundancy payment – more information is available on the [HR Intranet](#)
- ☐ Date of final payment
- ☐ Pension implications (if applicable)
- ☐ Redeployment
- ☐ Right to appeal
- ☐ Support available

Employees declared as compulsorily redundant will be placed on redeployment, until such a time where alternative employment is found, or the employees notice period expires.

19.4. Redeployment / suitable alternative employment

Employees who are made compulsory redundant are entitled to access redeployment opportunities for the duration of their individual statutory notice period,

see Redeployment Policy and Procedure for further information. Redeployment is not open to employees on a single fixed term contract of less than 12 months of service.

Redeployment is a form of suitable alternative employment to try and mitigate the need for compulsory redundancy. Failure to offer suitable alternative employment opportunities when they are available could make a dismissal unfair.

The availability of suitable alternative employment opportunities through redeployment will be dependent upon the prevailing circumstances within the Council at the time, and there is no obligation to create employment opportunities. There is no guarantee that suitable alternative employment opportunities will be available.

Employees can be offered alternative employment opportunities at a lower grade or a fixed term position; the employee can then decide whether to accept the position or take redundancy.

If an employee unreasonably refuses an offer of suitable alternative employment as above the entitlement to statutory redundancy pay is lost.

Employees on maternity leave, adoption leave, or additional paternity leave have an automatic right to be placed into suitable alternative identified post, if available.

19.5. Leavers Form

Managers must complete a leavers form for each employee leaving the council, the Leaver Form is available via the [HR Intranet](#). This will ensure services such as ICT, Agresso, Payroll and HR are informed. If the Leavers Form is not completed, this could result in overpayments to employees.

19.6. Employee support

To support employees during this time a range of support is available:

- The Organisation Development Team can offer employment skills guidance, including: self-development, job search skills, writing a Curriculum Vitae (CV), interview skills and preparation, for more information contact OrganisationalDevelopment.Team@wolverhampton.gov.uk
- E-learning course are available on the Learning Hub under the 'Developing Yourself' section <https://wolverhampton.learningpool.com>

- Independent advice and emotional support are available to all employees through the Employee Assistance Programme, visit <https://www.carefirst-lifestyle.co.uk/> or call Care First direct on 0808 1682143.
- Pension advice is also available with [West Midlands Pension Fund](#).

20. Appeal

An employee who is made compulsory redundant will be allowed a right of appeal. If an employee has been selected for redundancy due to being unsuccessful following a competitive selection process, they should initially seek formal feedback from the selection panel. However, this does not remove their right of appeal at the point when they have been advised in writing of the decision to make them redundant and of the right to appeal to an Appeals Panel.

The appeal should be made in writing to the appropriate Director within 5 working days of receipt of the formal notification of redundancy. For more information see the Appeals Manager Guide.

21. Review

Following the implementation of the restructure it is essential you reflect on restructure process and review the impact of the new structure.

21.1. Equality Implication

At the end of the restructure process you should review the equality implications of the new structure, to establish whether any individuals or groups were negatively impacted by the restructure. You should review and comment on your Equality Analysis to document the implications and the impact of the mitigating action taken. Your findings should be shared with your HR representative and the Equalities Team. If you need support, please contact the Equalities Team for guidance on Equalities2@wolverhampton.gov.uk

21.2. Lessons Learnt

Throughout the restructure process, it is important we capture what worked well and areas for improvement, to ensure these lessons learnt inform future restructures. Lessons learnt should be recorded as they occur **see Template U**.

At the end of the restructure process we recommend you meet with your HR representative and other employees who have supported the restructure process (e.g. those on the interview panel) to review the process and finalise your lessons learnt log. These should then be sent to your HR Business Partner to record centrally. These lessons recorded and shared can then be given to managers who will undertake the process in future.

22. Appendices

Appendix A: Bumped redundancy guidance

It is recommended that managers consider whether 'bumping' would be appropriate in every potential redundancy situation when looking at the issue of suitable alternative employment. Notes should be kept demonstrating that 'bumping' was considered, even if management conclude that it is not appropriate. It should not be assumed that the redundant employee would not take a more junior role.

Employees who receive agreement to voluntary redundancy dependent upon a 'bumped redundancy' will be informed of the next steps by their line manager. If the manager is unable to identify any opportunities available for a 'bump' in the immediate service area, all 'bumped' roles will be advertised to redeployees via the TalentLink recruitment portal. Unlike other vacancies, bumped redundancies may be advertised through the redeployment portal more than once, and for longer than the usual 5 days, in order to try and secure a 'bump' prior to the agreed end date for the voluntary redundancy scheme.

Managers should advise employees from the outset that if a bumped redundancy cannot be found through this route, they will be unable to take voluntary redundancy.

If a 'bumped redundancy' is found, the employee requesting the 'bumping' opportunity will be informed by HR and arrangements for their voluntary redundancy to proceed will be made.

Checklist

- ☐ The decision on whether or not a post is suitable for a 'bumped redundancy' rests with the manager.
- ☐ Managers will be responsible for providing information on 'bumped' posts (i.e. advertisements, job descriptions and person specifications) to HR for advertising through TalentLink.
- ☐ At risk employees available for redeployment will be able to 'self-select' via the redeployment portal within TalentLink.
- ☐ Managers advertising bumps will need to follow a fair selection process in line with the Council's recruitment and redeployment policies.

- | |
|--|
| <input type="checkbox"/> Employees pursuing 'bumps' have access to advice and support from their line manager or from the HR Support Desk. |
|--|

Appendix B: Equality Analysis checklist

Checklist

Your Equality Analysis should include:

- ☐ Define the aims and objectives
- ☐ Indicate which equality duties are relevant
- ☐ Identify outcomes and delivery mechanisms
- ☐ Establish potential impact on equality strands from the evidence and data available
- ☐ Outline proposed consultation or consultation undertaken and key findings
- ☐ Identify the negative implications on individuals and groups
- ☐ Define changes or mitigating action proposed
- ☐ Monitoring progress and the equality action plan

Appendix C: Business Case checklist

Checklist

Purpose	<ul style="list-style-type: none"> • Why the restructure is taking place e.g. financial, service improvement etc • Overview of proposed structure • Summary of all posts to be deleted, established or amended including grade and numbers
Background	<ul style="list-style-type: none"> • Background to the changes, e.g. statutory, government initiative, Council policy • Reasons for the proposed change, e.g. financial savings required • Existing structure
Progress, options, discussion	<ul style="list-style-type: none"> • Detail proposed structure • Summary of structure changes required • Outline all post affected (do not identify the post holder) only their grade and number of positions, including full time or part time, permanent or fixed term and sources of funding (if external), along with job profiles

	<ul style="list-style-type: none"> Proposed timetable for moving from the current structure to the proposed structure
Evaluation of alternative options	<ul style="list-style-type: none"> Include options considered Rationale for why these have been discounted Record of Trade Union(s) consultation date, overview of discussion and response Summary of any other consultation to date Group consultation date and consultation period dates Define communication and engagement approach with employees affected
Reasons for decision(s)	<ul style="list-style-type: none"> Outline the reasons for the decision Benefits of undertaking the restructure and moving to the proposed structure Risks to not undertaking the restructure
Financial implications	<ul style="list-style-type: none"> Finance to code report Identify financial implications including: <ul style="list-style-type: none"> Projected savings from post reductions in full financial year Projected redundancy cost to offset savings Projected cost of new posts Sources of funding, e.g. mainline budget or externally funded Duration of funding if time-limited Whether external funding will cover future potential redundancy costs
Legal implications	<ul style="list-style-type: none"> Legal to code report and identify legal implications
Equalities implications	<ul style="list-style-type: none"> Equality Analysis overview: <ul style="list-style-type: none"> Diversity profile of all posts affected Diversity profile of employees at risk of redundancy, compare to the service's diversity profile and the Council's employee profile Define the implications of the proposed structure and changes
Environmental implications	<ul style="list-style-type: none"> Identify whether the proposed restructure will have any implications
Health and Wellbeing Implications	<ul style="list-style-type: none"> Consider the implications of the proposed restructure on those employees in scope and other employees who will be affected by the changes
Human resources implications	<ul style="list-style-type: none"> Human Resource Business Partner to code the report and identify implications Summary of employees affected (do not identify the post holder) only their grade and number of positions

Corporate landlord implications	<ul style="list-style-type: none"> Identify implications on the Council's property portfolio, e.g. has the team's location changed in the proposal, what is the impact on the occupancy of the building
Schedule of background papers	<ul style="list-style-type: none"> Include a list of proceeding reports or documents that are relevant to the restructure
Appendices	<ul style="list-style-type: none"> Current Structure – Template B Proposed Structure – Template B New Job Descriptions and Person Specifications – Template A Restructure Timeline - Template C

Appendix D: Templates

- **Template A:** Job Description & Person Specification
- **Template B:** Organisational Chart
- **Template C:** Restructure Timeline
- **Template D:** Employee restructure data
- **Template E:** Equality Analysis
- **Template F:** Communication and Engagement Plan
- **Template G:** Frequently Asked Questions
- **Template H:** Employee Restructure Timeline
- **Template I:** Application form
- **Template J:** Ring-fence Challenge Process and Form
- **Template K:** Group consultation meeting invite
- **Template L:** Group consultation briefing presentation
- **Template M:** Attendance register for group consultation
- **Template N:** Communication following the group consultation session
- **Template O:** Record of Individual Consultation Form
- **Template P:** Consultation update and reminder
- **Template Q:** Group consultation closure meeting invite
- **Template R:** End of consultation group presentation
- **Template S:** Interview Questions and Scoring Grid
- **Template T:** Assessment and Interview Feedback
- **Template U:** Lesson Learnt Log

CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 December 2019
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Report title	Information Governance Quarter Two Performance Update Report	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Sandra Samuels OBE Governance	
Key decision	No	
In forward plan	Yes	
Wards affected	All	
Accountable Director	Mark Taylor, Deputy Chief Executive	
Originating service	Information Governance	
Accountable employee	Anna Zollino-Biscotti	Information Governance Manager and Data Protection Officer 01902 555166 Anna.zollino- biscotti@wolverhampton.gov.uk
Report to be/has been considered by	Tel	
	Email	
	Governance Directorate	7 November 2019
	Leadership Team	
	Strategic Executive Board	19 November 2019
	Information Governance	3 December 2019
	Board	

Recommendation for noting:

The Cabinet is asked to:

1. Note the quarter two performance update for Information Governance.

1.0 Purpose

- 1.1 To provide an update on the Information Governance (IG) performance figures for quarter two 2019-2020.

2.0 Background

- 2.1 The Information Commissioner's Office (ICO) has been interacting with the Council on information governance matters for several years. Considerable improvements have been made since their consensual audits in 2011 and 2012, which focused on requests for personal data (Subject Access Requests - SAR) and Freedom of Information (FOI).
- 2.2 Work has continued since the conclusion of the audit and a strategic approach to Information Governance has been adopted to ensure that the Council appropriately manages its information assets. Considerable improvements have been made in terms of processing information requests and the Council's overall statutory response rates have improved dramatically over the last five years.
- 2.3 To ensure ongoing improvements with information governance this report outlines current performance.

3.0 Progress for quarter two

- 3.1 The IG performance figures for quarter two are contained in appendix 1.
- 3.2 FOI Freedom of Information and Environmental Information (FOI/EIR) – 389 requests for freedom of were received this quarter which is slightly higher than last quarter (345) and the highest volume received per quarter since 2015. Four requests for information were responded to outside of the statutory deadline, equating to a response rate of 99%.
- 3.3 Data Protection (DP/SAR) – 202 requests for personal data were received in this quarter. The increase in volume from the last quarter is the result of our new case management system having the ability to differentiate between personal data request types. This report now covers all requests for personal data and includes subject access requests/personal data requests whereby individuals can request access to their own data; third-party disclosures – whereby organisations such as the police, health, solicitors, insurance companies can request information about individuals and finally requests for CCTV footage. The number of subject access requests received for the quarter was 59 (which is in line with previous quarters) and all of these were responded to within the statutory timeframe of 30 calendar days – equating to a 100% response rate for these request types. The number of third-party disclosure requests received for the quarter was 143, with two of these requests being responded to outside of our internal deadline timeframe of 10 working days. As a result, the overall response rate Data Protection requests for quarter two is 99%.
- 3.4 It is worth noting that our new case management system was implemented at the start of quarter two. The IG team has worked with teams across the Council to ensure a smooth transition from the old system to the new and the figures reported indicate that implementation of the system has not had any negative impact on performance for the quarter.

3.5 Information Incidents – 34 information incidents were reported to the Information Governance team this quarter, which is seven lower than the volumes reported last quarter. The total number of incidents reported to date is 75, which is still higher than those reported at this point in previous years but is in line with the number of incidents reported last year, since the General Data Protection Regulation (GDPR) was implemented. All incident were categorised as low risk, with the exception of one which was categorised as medium risk.

4.0 Evaluation of alternative options

4.1 No alternative options have been considered or evaluated since this report is to provide an update on progress in terms of IG performance.

5.0 Reasons for decision(s)

5.1 No decisions have been presented for approval since this report is an update on progress in terms of IG performance.

6.0 Financial implications

6.1 There are no financial implications associated with this report as Councillors are requested to review the information governance performance figures. All work associated with meeting information governance requirements is covered through existing budgets.

6.2 It is worth noting, however, that a failure to effectively manage information governance carries a financial risk. Inaccurate and out of date information can lead to poor decision making and a potential waste of financial resources. Following the implementation of the General Data Protection Regulation (GDPR), a two-tiered sanction regime with higher financial penalties is in place. Lesser information incidents can now be subject to a maximum fine of either €10 million or 2% of an organisation's global turnover, whichever is greater. More serious violations could result in fines of up to €20 million or 4% of turnover.

[GE/06112019/M]

7.0 Legal implications

7.1 The Council has a legal duty under the current Data Protection Act 2018, GPDR 2016/679, Freedom of Information Act 2000 and Environmental Information Regulations 2004 to appropriately manage and protect information assets.

7.2 The integration of Public Health into the Council in April 2012 required the Council to provide assurance to the NHS that it had in place suitable information governance policies, procedures and processes.

7.3 Failure to effectively manage information governance could increase risk of exposure to fraud and malicious acts, reputational damage, an inability to recover from major incidents and potential harm to individuals or groups due to inappropriate disclosure of information.

7.4 The Information Commissioner has the legal authority to:

- Fine organisations for breaches of Data Protection 2018 or Privacy & Electronic Communication Regulations. With the implementation of the GDPR on 25 May 2018, a two-tiered sanction regime was introduced, and higher financial penalties are being adopted by the ICO. Lesser information incidents can now be subject to a maximum fine of either €10 million or 2% of an organisation's global turnover, whichever is greater. More serious violations could result in fines of up to €20 million or 4% of turnover.
- Conduct assessments to check organisations are complying with the Act.
- Serve Enforcement Notices and 'stop now' orders where there has been a breach of the Act, requiring organisations to take (or refrain from taking) specified steps to ensure they comply with the law.
- Prosecute those who commit criminal offences under section 170 of the DPA 2018 (previously section 55 of the 1998 Act.)
- Conduct audits to assess whether organisations processing of personal data follows good practice.
- Report issues of concern to Parliament.

7.5 Demonstration of the Council's compliance with the current data protection law protects it from legal challenges for alleged breaches of individuals' rights.
[TS/06112019/Q]

8.0 Equalities implications

8.1 Having considered the equalities issues presented under the new legislation - Data Protection Act 2018 and GDPR 2016/679, no new implications have been identified from associated actions or recommendations of this report.

9.0 Climate change and environmental implications

9.1 There are no climate change and environmental implications identified.

10.0 Human resources implications

10.1 There are no direct human resource implications identified.

11.0 Corporate landlord implications

11.1 There no direct corporate landlord implications identified.

12.0 Health and Wellbeing Implications

12.1 There are no health and wellbeing implications identified.

13.0 Schedule of background papers

13.1 [IG Quarter One Performance report presented to Cabinet \(Performance Management\) Panel – 16 September 2019.](#)

14.0 Appendices

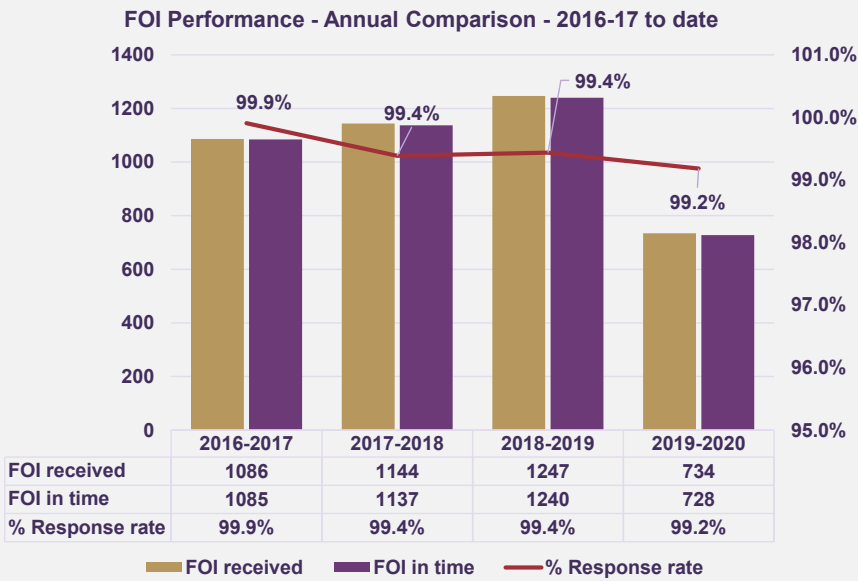
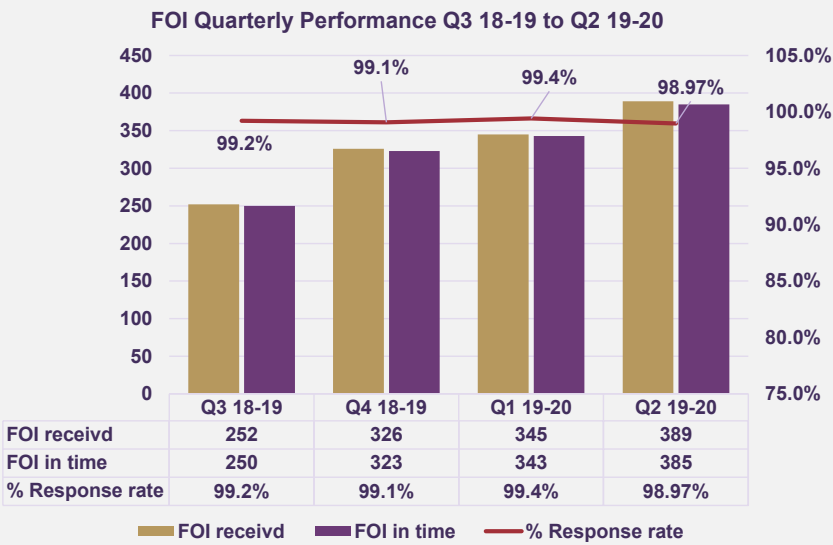
14.1 Appendix 1 – *Information Governance Q2 2019-2020 Info-graph*

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Information Governance

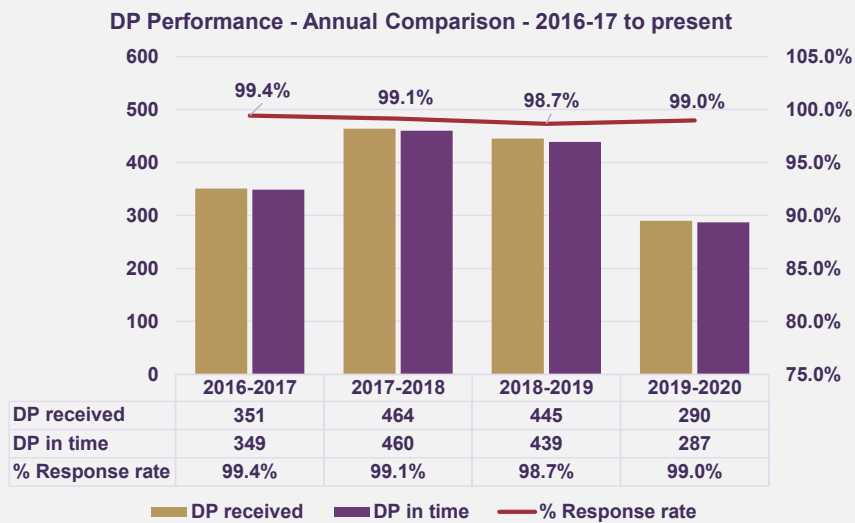
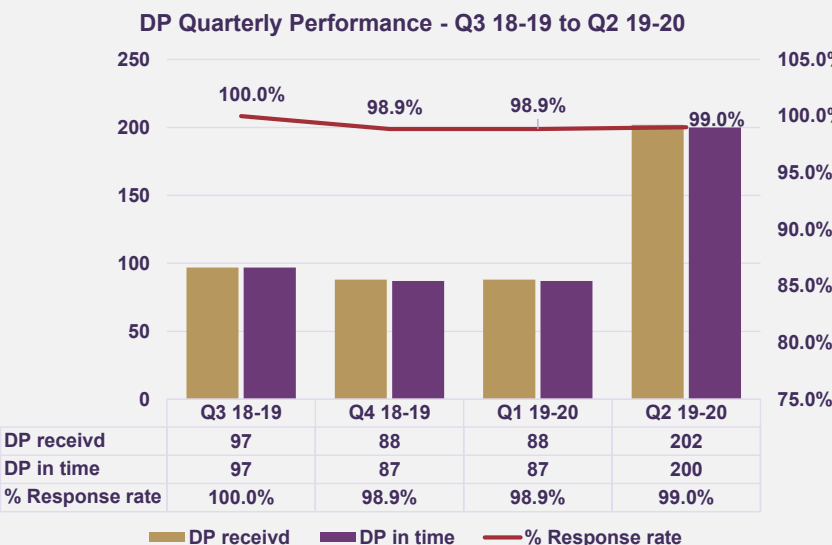
Quarter 2 2019-2020

Freedom of Information



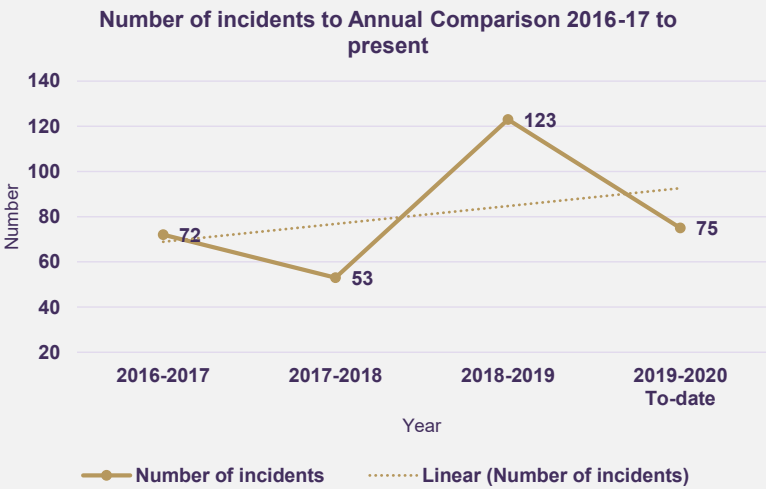
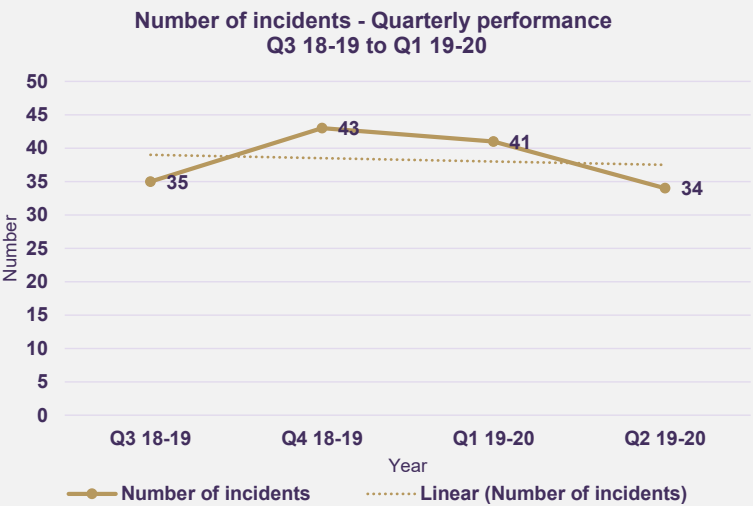
Volumes of FOI and EIR requests are slightly higher than the last quarter. Four requests in Q2 went over the statutory time limit however the response rate remains high at 99% for the quarter and year to date.

Data Protection



Due to our new case management system, we are reporting all requests made under the Data Protection Act 2018/GDPR and not just Subject Access Requests - hence the apparent increase in volume. The report now covers all requests for personal data, including disclosures by other agencies as well as individuals. The response rate remains consistent at 99% for the quarter and year to date.

Information Incidents



The volumes of incidents reported this quarter are slightly lower than last quarter and may indicate a downward trend, however they still remain high in comparison to previous years. Incidents are being monitored and feedback continues to be given to teams directly - especially where there is a repeating theme. All incidents were categorised as low risk, with the exception of one categorised as medium.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 December 2019
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Report title	External Funding Update 2019/2020	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Miles Resources	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All	
Accountable Director	Charlotte Johns, Strategy	
Originating service	Strategy	
Accountable employee	Heather Clark Tel Email	Service Development Manager 01902 555614 Heather.Clark2@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board	19 November 2019

Recommendations for decision:

The Cabinet is recommended to:

1. Approve the project change request for the AIM for GOLD project extension and contract variation for the Black Country Impact project extension.
2. Approve the creation of a fully funded revenue budget to support and add value to the Bilston Business Improvement District's (BID) Christmas activities. The funding to be principally sourced through the West Midlands Combined Authority's (WMCA) Town Centres Programme.
3. Delegate authority to the Cabinet Member for City Economy and the Cabinet Member for Resources, in consultation with the Director of Regeneration and Director of Finance to:
 - a. Approve acceptance of the grant funding agreements/variation and the Council entering into such agreements if the projects referred to in recommendation 1 above are successful at project change request stage.

- b. Approve necessary budgets in line with the funding agreement/variation if the projects referred to in recommendation 1 above are successful at project change request stage.
 - c. Approve the use of the indirect costs element of any ERDF grant to cover any additional administrative costs associated with the above EU funded programmes
 - d. Approve the signing of any necessary funding and other legal agreements with the WMCA and the Bilston BID to support the BID's events programme
4. Delegate authority to the Cabinet Member for City Economy and the Cabinet Member for Resources, in consultation with the Director of Regeneration and Director of Finance to:
- a. Approve reimbursement of ERDF grant to delivery partners who are awarded ERDF grant for the AIM for GOLD extension.
 - b. Approve the payment of grants to businesses who are awarded ERDF grant for AIM for GOLD extension
5. Approve acceptance of the Arts Council grant funding and the creation of a fully funded revenue budget of £20,000 for the Cultural Compact project, in line with the funding agreement.
6. Approve the increase in the post of Enterprise Team Co-ordinator within the AIM for GOLD project from part-time to full-time in light of additional administrative burden from 1 January 2020 until March 2023 and the funding of the additional costs from the AIM for GOLD grant.
7. Approve that the Black Country Executive Joint Committee's Collaboration Agreement be amended to reflect Walsall Metropolitan Borough Council's role as single accountable body for all Black Country Local Enterprise Partnership funding.

Recommendation for noting:

The Cabinet is recommended to:

- 1. Note that the match funding requirement for the Black Country Impact Extension and AIM for GOLD projects (extension of existing projects) are met via the Wolves at Work budget over the lives of the projects. If these commitments are not met, appropriate match funding from another source will be required or the grant funding will be at risk.

1.0 Purpose

- 1.1 To seek approvals relating to bids and project change requests for external funding to meet the Council's priorities following the recent submission of outline bids and to enable WMCA funding to be used to support the Bilston BID's Christmas events programme.
- 1.2 To seek approval to enter into a revised Collaboration Agreement in relation to the Black Country (BC) Executive Joint Committee for funds secured by the BC Local Enterprise Partnership (LEP).

2.0 Background

- 2.1 The securing of external monies is important to funding the delivery of the Council's key priorities as set out in the Council Plan. The Medium Term Financial Strategy emphasises the importance of maximising external income. Over the last three years, externally funded projects worth over £85 million have been delivered and secured across all Council priorities.
- 2.2 The Black Country European Structural and Investment Fund (ESIF) Strategy, developed on behalf of the Local Enterprise Partnership (LEP), outlined the Black Country's priorities for allocating European funding between 2014 and 2020. The Black Country's allocation between 2014 and 2020 was €177 million (£152 million based on exchange rate 24 October 2019) split 50/50 between European Regional Development Fund (ERDF) and European Social Fund (ESF). Despite the result of the EU referendum, the UK is committed to the existing programme period for European Structural and Investment Fund (ESIF) funding with potential for projects to run until 2022. The recent call for outline applications is the final opportunity to draw down resources. The final call for outline applications for ERDF was made June 2019 with a closing date of 30 September. The Council have been very proactive at identifying suitable projects and match funding to secure resources.
- 2.3 Bilston is identified as one of the five first wave town centres across Birmingham and for the Black Country to benefit from the WMCA's Town Centres Programme. The resources identified to support the BID's Christmas activities represent an early win for the town and are included in this report to enable time critical activity to take place in the run up to Christmas.
- 2.4 On the 24th April, Walsall MBC's Cabinet approved a request from the BC LEP to formally appoint Walsall MBC as the single Accountable Body for all LEP funding, which will include the funding received from the WMCA, together with other funding streams including:
 - Local Growth Fund
 - LEPs Core, Strategic and Growth Hub funding
 - Enterprise Zones
 - Growing Places Fund
 - Land & Property Investment Fund

- 2.5 Any future Black Country funding routed through the LEP will be managed by Walsall MBC as part of its single accountable body role. The Black Country Joint Executive Committee's Collaboration Agreement has been updated to reflect this change.

3.0 Externally Funded Projects

- 3.1 External funding is sought to deliver Council priorities. Cultural Compact contributes to a vibrant green city we can be proud of. AIM for GOLD contributes to more good jobs and investment in the city by supporting businesses to grow. Black Country Impact contributes to well skilled people working in an inclusive economy. European Regional Development Fund (ERDF) and European Social Fund (ESF) adds value to existing planned activity enabling improved quality and efficiencies, additional businesses supported to grow and more young people supported into employment, education and training.
- 3.2 An overview of the grant bids and their current status is shown in the tables below. In total, the amount of external funding requested, including recently secured funds, amounts to over £6 million. The Council has submitted outline applications for funding to support other initiatives that support the delivery of our council plan such as Black Country Blue Network 2, energy efficiency improvements, solar farm and ultralow emission vehicles which will be covered by a future report if they proceed to full bid stage.

Table 1 – Overview of Grant Bids - Extensions to Current Projects

Funder	Project Overview	Funding and Outcomes	Current Status and Approvals Required
ERDF	<p>AIM for GOLD: expansion of the current project to meet demand by increasing ERDF grant available for distribution and the size of the average capital and revenue grant to businesses.</p> <p>Extension - it will increase the amount of time the grant is available for – at current demand, grants would run out in March 2021. It will also fund a project extension of 12 months until 31 March 2023 covering additional grants, salary, evaluation, marketing and other delivery costs.</p>	<p>£2 million ERDF towards total project costs of £6 million</p> <p>Increase in businesses receiving information, diagnostics and brokerage from 410 to 440, business assists from 225 to 285 and increase in employment from 166 to 230.</p> <p>Match funding is from business contribution for grants and existing staff time.</p>	<p>Outline application submitted 30 September.</p> <p>Approval to submit project change request is sought in this report.</p> <p>If successful, delegated approval is sought in this report, to create budgets in line with the funding agreement/variation and approve reimbursement of ERDF grant to delivery partners and SME's.</p>

			Subject to approval of the grant extension, approval is sought in this report to increase the Enterprise Team Co-ordinator from part-time to full-time in light of additional administrative burden from 1 January 2020 to end March 2023, fully funded by the grant.
Department for Work and Pensions (DWP) Funded 1/3 YEI, 1/3 ESF and 1/3 match comprising staff time.	Black Country Impact (BCI) Extension: BCI supports young people (15 – 29) who are not in education, employment or training (NEET) through the provision of advice and guidance, bespoke training and intensive support to access employment.	Currently funded to end of 2021, extension bid submitted by lead body (Dudley Council), to extend provision to end 2023 and provide and additional £4.3 million funds to the Council. Outcomes will be set by lead body following notification of successful funding; will include total engagement numbers and progression to education and training or offer of employment.	Approval required for a contract variation with the lead body Dudley MBC. Delegated authority to create a supplementary budget for the extended programme should the bid be successful is sought in this report.

Table 2 – Overview of Grant Bids – Grantor Approvals in Place

Funder	Project Overview	Funding and Outcomes	Current Status and Approvals Required
Arts Council	Cultural Compact: Resources to fund a Cultural Champion to set up a multi-agency partnership bringing together cultural and non-cultural partners to maximise impact of culture on regeneration and economic growth activities.	£20,000 Arts Council Grant £6,000 match identified from Future High Streets Fund preparatory grant	Bid submitted October 2019 and approved November 2019 Approval to create supplementary budgets is sought in this report.
West Midlands Combined Authority	Town Centres Programme Resources identified to fund a series of “soft” interventions across the five identified town centres to support further land and property related interventions.	£27,000 WMCA £2,500 Bilston BID £2,500 CWC	Approved at WMCA. Approval to create a supplementary budget and authority to sign any necessary funding and legal agreements is sought in this report.

4.0 Risks and Mitigations

- 4.1 Dedicated Project Management:** EU funding is subject to strict rules and regulations which are outlined in the Grant Fund Agreement that the Council as lead body would enter into with the Funder. These include rules around procurement, marketing and publicity and document retention which the Council must comply with to avoid risk of clawback of grant. To ensure that additional requirements are complied with, to minimise risk to the Council, dedicated project management is costed into EU funding bids.
- 4.2 Grant Funding Agreements** with delivery partners: a number of the bids are partnership bids with the Council leading on behalf of a range of delivery partners who bring match funding to the table. At full bidding stage, delivery partners will be required to provide a letter committing their match funding. In addition, delivery partners must enter into a back to back Grant Funding Agreement outlining their contributions and agreement to comply with EU rules and regulations transferring risk of compliance and associated clawback. If a delivery partner were to pull out prior to full bid submission, their project costs would be removed from the project costs. Where this happens during delivery, costs would be reduced through a project change request with the funder.
- 4.3 Indirect Costs:** EU funded projects allow inclusion of 15% indirect costs to cover additional council costs if not specifically costed into the project. To minimise pressure on internal resources before and during delivery, indirect costs can be used to fund additional pressures such as those arising from dedicated finance and procurement

support, compliance requirements and regulatory archiving stipulations for record keeping etc. Therefore, it is proposed to explore the use of the indirect costs element of any ERDF grant to cover any additional costs associated with the delivery of EU funded projects in line with the terms of the grant offer.

4.4 **Outputs:** EU funded projects must deliver outputs as outlined in the call and evidence in line with output definitions. Should outputs not be achieved, the project could be liable to a penalty, although there is usually 15% variance and changes can be made during delivery via Project Change requests. Therefore, the Project Manager should monitor output delivery against profile and submit a Project Change request if required.

4.5 **Costing:** in order to develop full bids, it is important to have detailed costings in place, therefore departments may need to identify appropriate resources to collate accurate costing information to support the bids.

5.0 Evaluation of alternative options

5.1 **No bid** - projects would not proceed or would proceed at a lesser scale or over a longer timescale if external funding was not available.

5.2 **Bid** - external funding enables the Council to deliver priority projects at a faster pace with greater impact with positive impact on regeneration activity and economic growth including gross value added (GVA) gain, learner assists. For example:

- **AIM for GOLD:** additional ERDF funding will enable this project to be extended and increase resource available for grants to meet business demand.
- **Black Country Impact Extension:** additional ESF and Youth Employment Initiative funding will enable the project to be extended to support more young people into employment, education and training.
- **Cultural Compact:** Arts Council funding will enable us to bring in additional resources to pull together a partnership putting us in a better position to bid for future funding and also explore more sustainable finance options. This will include the recently announced Cultural Development Fund round with £90 million available.
- **WMCA Town Centres Programme:** the funding of a three day street festival in Bilston represents a step change in what the town can offer and will directly support the objectives of the Council and the BID in the town. A number of measures (footfall, spend etc. will be used to evaluate the project.

6.0 Reasons for decision(s)

6.1 External funding enables priority projects to proceed, at a faster pace and with greater impact. External funders usually require the Council to enter into a Grant Funding Agreement outlining what the resource can be used for and rules and regulations relating to the funding source. There is a risk of clawback of grant if rules and regulations are not followed, therefore dedicated Project Managers are built into costings for larger external funded projects to minimise risk.

7.0 Financial implications

- 7.1 The financial implications of each bid are outlined in the tables and narrative below. Should the final bids/project change request be successful, there would be no additional net budget requirements for the Council as the contributions are limited to existing approved revenue and capital budgets. There is however, a commitment to utilise certain budgets for future match funding purposes.
- 7.2 Where the City of Wolverhampton Council act as lead body for externally funded projects, the Council will be required to enter into a funding agreement with the Funder which outlines the project and also sets out rules and regulations that must be complied with. Where partners are involved in the project's delivery, the Council will enter into a back to back grant funding agreement with delivery partners setting out their responsibilities and ensuring compliance with the funder's rules and regulations to mitigate the risk of non compliance and possible grant clawback.

AIM for GOLD (Extension of Existing Project)

- 7.3 Funding is sought to enable this project to be extended and to increase resources available for grants to help grow SME businesses. The other delivery partners involved in this extended project are Walsall, Dudley and Sandwell Councils, the Black Country Consortium and SME's.
- 7.4 Revenue match is from existing staff time and capital match is from SME contributions. A dedicated project manager will be responsible for ensuring the project is delivered within budget and timescale. Approval to extend the enterprise team co-ordinator post from part time to full time, funded via the grant received, is requested in this report.
- 7.5 If the outline bid progresses to project change request stage and the latter is successful, there would be no impact on the net position of the capital programme or revenue budget.
- 7.6 It is anticipated that the profiled revenue and capital spend, which reflects the submitted project change request, will be as per the table below.

Table 3 - AIM for GOLD Funding and Phasing Funding and Phasing

	2019-2020 £000	2020-2021 £000	2021-2022 £000	2022-2023 £000	Total £000
Revenue					
ERDF	4	19	103	496	622
<u>Public Sector Match</u>					
CWC Match Funding	5	19	29	326	379
Walsall Council	-	-	40	78	118
Dudley Council	-	-	-	18	18

Sandwell Council	-	-	-	25	25
Black Country Consortium	-	-	33	-	33
<u>Private Sector Match</u>					
SME's	-	-	-	49	49
Total Revenue	9	38	205	992	1,244
Capital					
ERDF	-	84	540	814	1,438
SME's	-	195	1,259	1,899	3,353
Total Capital	-	279	1,799	2,713	4,791
Total Funding	9	317	2,004	3,705	6,035

- 7.7 As partners are involved in the project's delivery, the Council will enter into a back to back grant funding agreement with delivery partners setting out their responsibilities and ensuring compliance with the funder's rules and regulations. This helps to mitigate the Council's reliance on match funding that sits in delivery partners' budgets. There is also a commitment to utilise the Wolves at Work budget for future match funding purposes over the life of the project. If this commitment is not met, appropriate match funding from another source will be required or the grant funding will be at risk.

Black Country Impact Extension

- 7.8 Funding is sought to enable the project to be extended to support more young people into employment, education and training. Wolverhampton is currently acting as a delivery partner as part of a wider Black Country project. Dudley Council is lead partner and accountable body and will administer the project change request.
- 7.9 If the outline bid by Dudley Council progresses to contract variation stage, there would be no impact on the net position of the revenue budget. Revenue match is from existing staff time.
- 7.10 It is anticipated that the re-profiled revenue spend from 2019-2020, which reflects the City of Wolverhampton's share of the extended project, will be as per the table below.

Table 4 - Black Country Impact Extension Funding and Phasing

	2019-20 £000	2020-21 £000	2021-22 £000	2022-23 £000	2023-24 £000	Total £000
Revenue						
ESF (European Social Fund)	1,188	1,153	1,076	1,089	445	4,951
CWC Match Funding	440	524	542	554	214	2,274
Total Revenue	1,628	1,677	1,618	1,643	659	7,225

- 7.11 There is also a commitment to utilise the Wolves at Work budget for future match funding purposes over the life of the project. If this commitment is not met, appropriate match funding from another source will be required or the grant funding will be at risk.

Cultural Compact

- 7.12 Funding is sought to support the development of a Cultural Compact, a place based strategic partnership taking full advantage of cultural resources, supporting the role of arts and culture in regeneration and allowing more people to benefit from social and economic impact of culture in their lives.
- 7.13 Revenue match is from existing activity connected to the Future High Street Fund that embeds culture in regeneration activity. There would be no impact on the net position of the Council's revenue budget.
- 7.14 It is anticipated that the profiled revenue spend will be as per the table below.

Table 5 – Cultural Compact Funding and Phasing

	2019-2020 £000	2020-2021 £000	Total £000
Revenue			
Arts Council	10	10	20
CWC Match Funding	6	-	6
Total Revenue	16	10	26

Town Centres Programme

- 7.15 The funding of a three day street festival is an early win for the Town Centres Programme and will take place at various venues within Bilston town centre, including the markets.
- 7.16 The majority of the funding for the event is drawn from the West Midland Combined Authority's (WMCA) approved funding for 'soft' interventions within the five identified town centres. Match funding is provided by the Bilston Business Improvement District (BID) and from approved budgets within Markets Services so there is no impact on current budgets.

Table 6 – Town Centres Programme Funding and Phasing

	2019-2020 £000
Revenue	
WMCA	27.0
CWC Match Funding	2.5
BID Match Funding	2.5
Total Revenue	32.0

[VS/06122019/R]

8.0 Legal implications

- 8.1 Where the City of Wolverhampton Council acts as lead body for externally funded projects, the Council will be required to enter into a funding agreement with the Funder which outlines the project and also sets out rules and regulations that must be complied with. Where partners are involved in the project's delivery, the Council will enter into a back to back grant funding agreement with delivery partners setting out their responsibilities and ensuring compliance with the funder's rules and regulations.
[TS/14112019/W]

9.0 Equalities implications

- 9.1 Equal opportunities are a cross cutting objective of all European funded bids, therefore must be considered in the delivery of all European funded projects with equalities data monitored as part of delivery. The monitored equalities targets are set by the funder as part of the cross-cutting themes.

10.0 Climate change and environmental implications

- 10.1 Sustainability is a cross cutting objective of all European funded bids, therefore must be considered in the delivery of all European funded projects. The Council is exploring several bids which will have a direct positive impact on energy usage and climate change through reduction in greenhouse gases.

11.0 Human resources implications

- 11.1 Dedicated ERDF Project Managers are built into the project costs for all City of Wolverhampton Council projects. ERDF Project Managers are also responsible for submission of quarterly claims supported by defrayal evidence and ensuring project delivery is compliant with EU rules and regulations.
- 11.2 As part of AIM for GOLD, the City of Wolverhampton Council is the Lead Partner and has been assigned delivery of 52% of the project output targets. Given the significant administrative burden this creates due to the extensive paper work, processes and systems required to comply with ERDF rules, output requirements, state aid and grant SME grant applications processing, there is big risk of non-compliance. To mitigate this, the existing post of "Enterprise Team Coordinator" which is currently part time (50%) will become full time (100%) from 1 January 2020 to support the Wolverhampton delivery team overcome the administrative burden and to reduce risk. The full-time post will be funded 50% by ERDF and 50% from existing budgets within the Enterprise Service.

12.0 Corporate landlord implications

- 12.1 Outline bids for ERDF grant have been submitted which would involve projects to reduce energy consumption. A further detailed report will be submitted for consideration if the outline bids are successful which sets out the corporate landlord implications.

13.0 Health and Wellbeing Implications

- 13.1 Several projects, including those still at outline bid stage, will have positive health and wellbeing implications. Impact targets young people with health problems to support them back to employment education and training.

14.0 Schedule of background papers

None.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 December 2019
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Report title	Client Relationship Managing Report – Quarter Two July 2019 to September 2019	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Peter Bilson City Assets and Housing	
Key decision	No	
In forward plan	Yes	
Wards affected	(All Wards);	
Accountable Director	Kate Martin, Director of City Assets and Housing	
Originating service	Housing	
Accountable employee	Lakhi Sahota	Housing Strategy and Development Support Officer
	Tel	01902 550180
	Email	Lakhwinder.sahota2@wolverhampton.gov.uk
Report to be/has been considered by	Housing and Assets Leadership Team	21 November 2019

Recommendation for noting:

The Cabinet is asked to note:

1. The performance in the Client Relationship Managing Report for quarter two of 2019-2020.

1.0 Purpose

- 1.1 The primary purpose of this report is to provide an evaluation of the performance of Wolverhampton Homes and the Tenant Management Organisations (TMOs) in managing and maintaining council owned dwellings during the 2019-2020 financial year.

2.0 Background

- 2.1 This report assists in clarifying and highlighting areas of performance; where performance data suggests that intervention or revised working may be required or has been undertaken.
- 2.2 This report illustrates performance from quarter two 2018-2019 to quarter two 2019-2020 inclusively to allow comparison over the year.
- 2.3 The performance for each of the managing agents is grouped under three headings:
- a) Rents management
 - b) Repairs management
 - c) Voids and allocations
- 2.4 Wolverhampton Homes additionally reports on Business Planning, satisfaction with the handling and outcome of the Anti-Social Behaviour (ASB) process, Customer Care and Estate Services.
- 2.5 Tables indicate both the direction in which performance needs to move for improvement, and performance trends between the current and the previous quarter.
- 2.6 Additionally, performance is categorised as:
- a) GREEN – where performance is in target and:
 - (i) Was in target the previous quarter, or
 - (ii) Was marked as Amber in the previous quarter.
 - b) AMBER – where performance is:
 - (i) Off target this quarter and was marked as Green in the previous quarter, or
 - (ii) In target this quarter and was marked as Red in the previous quarter.
 - c) RED – where performance is off target and,
 - (i) Was marked as Amber in the previous quarter, or
 - (ii) Was marked as Red in the previous quarter, or
 - (iii) Gives clear cause for concern

Governance

- 2.7 The Housing Strategy Team continues to monitor the governance of the housing management organisations.

- 2.8 The Service Lead - Housing Strategy is invited to attend Wolverhampton Homes' board meetings as an observer. Wolverhampton Homes' board, committee and other minutes and papers are available on request to council employees.
- 2.9 The TMOs provide agendas, minutes and other documents from their regular meetings. Housing Services employees have observed TMO board and committee meetings where resources have permitted.
- 2.10 An annual review of the TMOs is conducted and this includes a review of governance, which started March 2018. An update regarding the audit report progress was provided at the Audit and Risk Committee meeting in July 2019 informing all of the support that will be provided during 2019/2020.

3.0 Evaluation of alternative options

- 3.1 As this is a monitoring report, there are no alternative options to evaluate.

4.0 Reasons for decision

- 4.1 To maintain oversight of Wolverhampton Homes and the management of the Council's housing stock in accordance with the management agreements.

5.0 Financial implications

- 5.1 The performance of the managing agents, and in particular Wolverhampton Homes, impacts on the Council's Housing Revenue Account (HRA) Business Plan. The financial impact is reflected in the quarterly financial monitoring of the HRA which is included as part of the quarterly corporate budget monitoring reports to Cabinet (Resources) Panel. [JM/11112019/L]

6.0 Legal implications

- 6.1 The services provided by the managing agents relates to the discharge of the Council's duties to its tenants. Failure to undertake relevant repairs to housing stock within a reasonable time following notice to the Council of disrepair can result in a tenant commencing proceedings in the civil courts against the Council for breach of repairing obligations under S11 of the Landlord and Tenant Act 1985. [DC/14112019/W]

7.0 Equalities implications

- 7.1 There are no direct equality implications arising from this report, however the delivery of housing management services has an impact on the accessibility of housing for residents in the city.

8.0 Climate change and environmental implications

- 8.1 There are no direct climate change and environmental implications arising from this report, however the delivery of housing management services has an impact on the accessibility of housing for residents in the city.

9.0 Human resources implications

9.1 This report has no human resources implications.

10.0 Corporate Landlord implications

10.1 This report relates to the performance of the housing management agents and council housing stock and therefore has no corporate landlord implications.

11.0 Health and wellbeing implications

11.1 This report relates to the provision of housing and the improvement of which will have an impact on the health and wellbeing of the residents in the city.

12.0 Schedule of background papers

12.1 None

13.0 Appendices

13.1 Appendix 1: Client Relationship Managing Report, Quarter Two July to September 2019.

CLIENT RELATIONSHIP MANAGING REPORT

QUARTER TWO JULY-SEPTEMBER 2019

1. LANDLORD SERVICES




2. HOMELESSNESS SERVICES

CLIENT RELATIONSHIP MANAGING REPORT

QUARTER TWO – JULY-SEPTEMBER 2019

1. LANDLORD SERVICES

This housing management performance report covers the second quarter of the financial year 2019-2020. It uses the 'RAG' rating system of red, amber and green traffic light symbols to provide an indication of performance.

Trend	
	Performance is out of target.
	Performance is: (i) off target this quarter and was marked as green previously, or (ii) in target this quarter and marked as red in the previous quarter.
	Performance is in target and: (i) was in target the previous quarter, or (ii) was marked as amber in the previous quarter.

Performance indicators and stock management

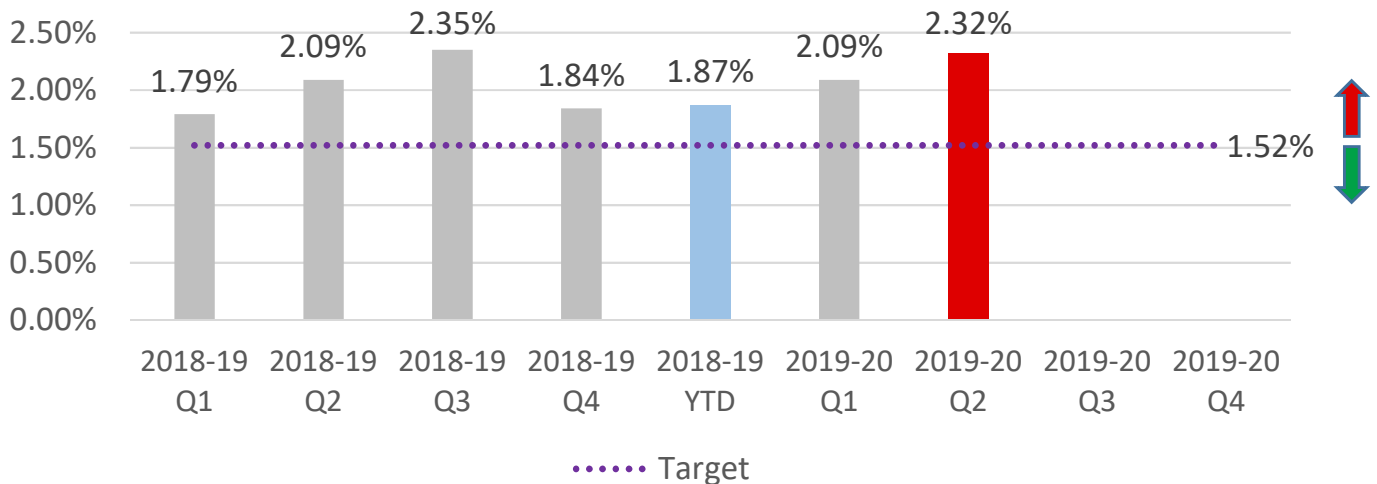
Managing Agent	Stock profile	Number of measured indicators	Performance targets snapshot		
			Below required target	Within an acceptable tolerance	Met/exceeded target
Wolverhampton Homes	19,831	22	2	4	16
Bushbury EMB	828	8	3	1	4
Dovecotes TMO	777	10	2	0	8
New Park Village TMC	293	9*	1	1	6
Springfield Horseshoe HMC	254	9	0	1	8

* There were no re-lets in New Park Village during quarter two and performance data is therefore not available for the number of days to re-let housing. New Park Village therefore have 8 indicators for quarter two compared to 9 in previous quarters.

Wolverhampton Homes demonstrates strong performance for quarter two 2019-2020, with 14 indicators within target, 5 indicators scored amber on the RAG rating, being just within an acceptable tolerance and 3 indicators falling below the required target. .

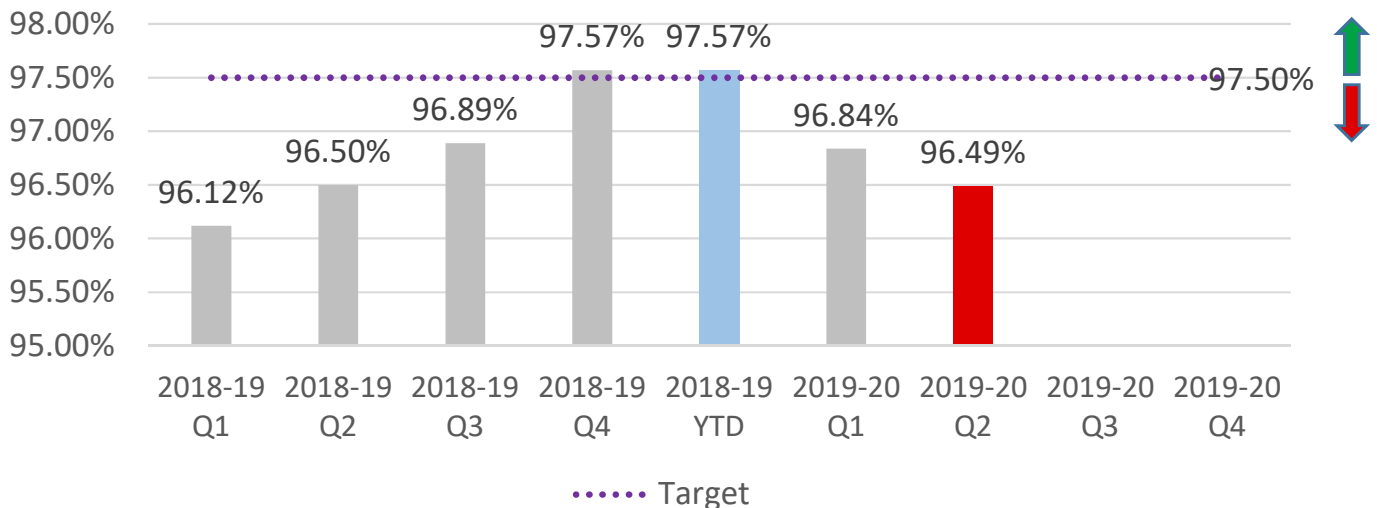
RENT MANAGEMENT

Arrears as a % of the rent roll



Performance has fluctuated in arrears and falls outside of target for this quarter. Improved performance is anticipated in financial year 2020-2021 after the affect of the onset of universal credit has steadied.

% Rent collection (arrears indicator)

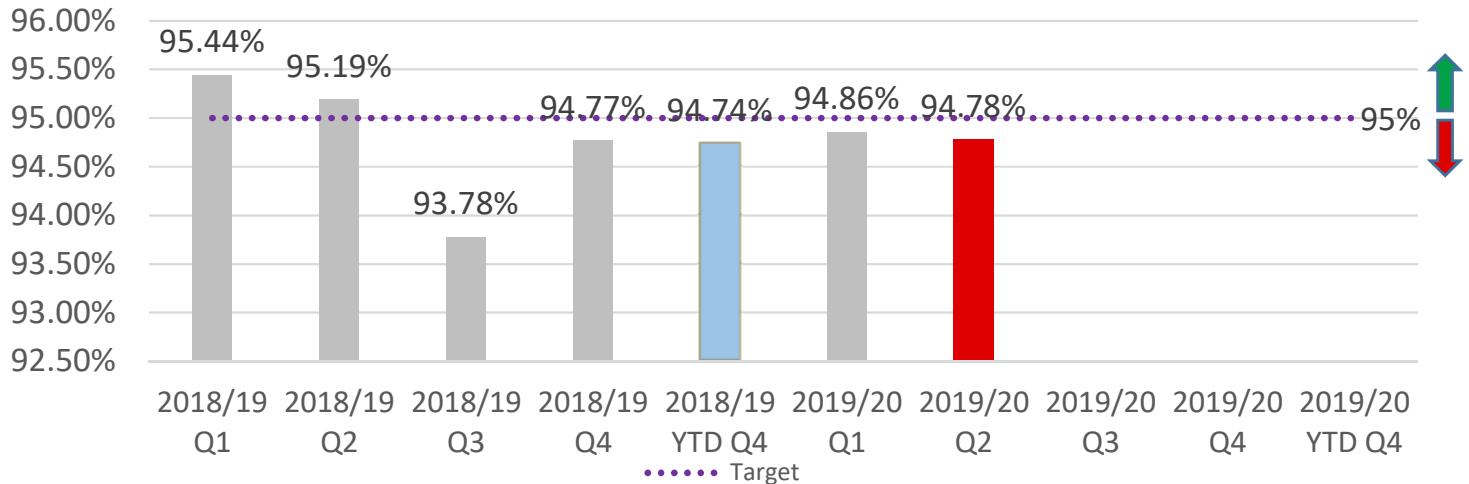


Wolverhampton Homes' performance has declined slightly, remaining out of target but figures are similar to that of the same quarter in the previous financial year. Performance is affected by both current and former tenant arrears and void loss.

Wolverhampton Homes' Money Smart team provide support and advice for tenants in arrears and will contact customers who have been transferred to Universal Credit at the onset to provide information and advice if required. Page 87

REPAIRS MANAGEMENT

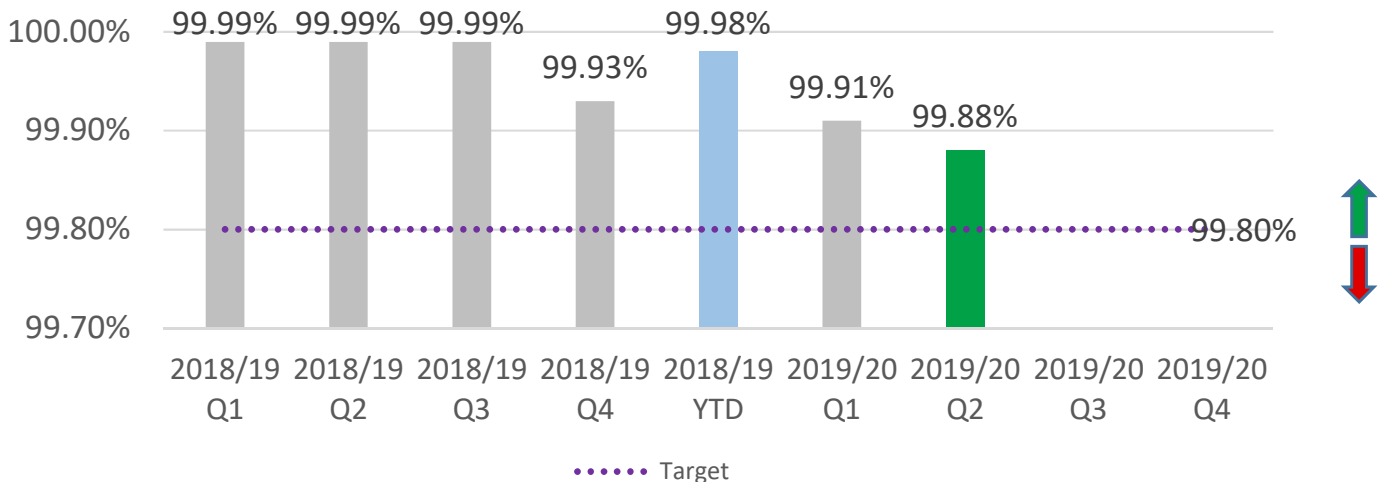
% Responsive Repairs for which an appointment was made and kept



Responsive repair rates continue to fall just below target, albeit by 0.22% this quarter.

Wolverhampton Homes are currently in the process of restructuring the repair recording and reporting process. All repairs would follow the same, lean process from start to finish, ensuring customers are kept informed and their expectations on timescales managed. It is anticipated that this new process will improve performance and customer satisfaction.

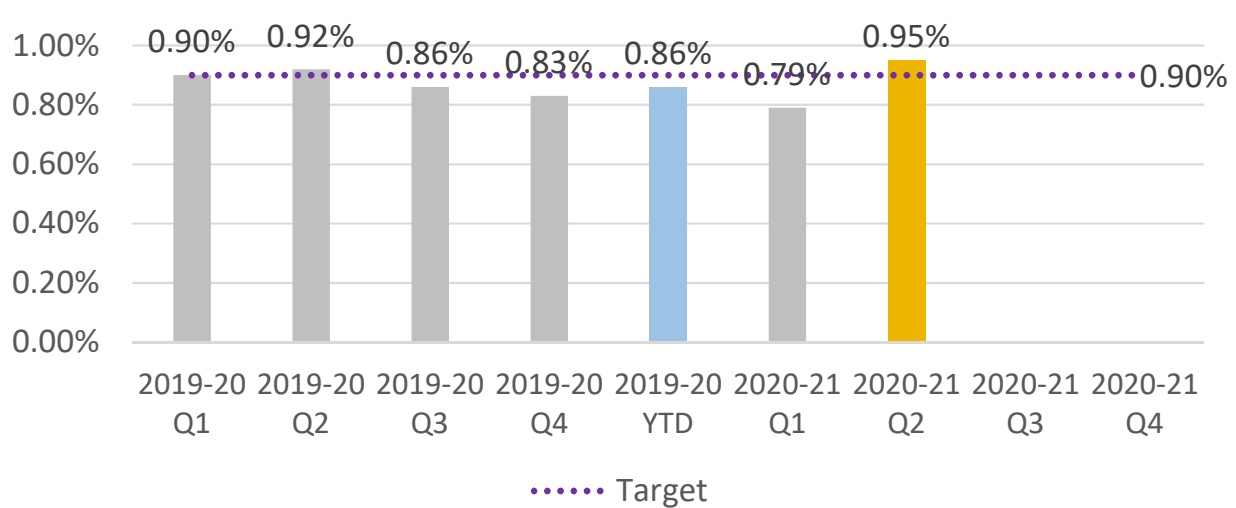
% Valid Gas Certificates



Wolverhampton Homes continues to maintain its high performance with regards to the percentage of valid gas certificates completed. Targets were increased due to ongoing exceptional performance. Checks were previously carried out in a more standardised way and this will shortly be transformed to a new "MOT" style of checking.

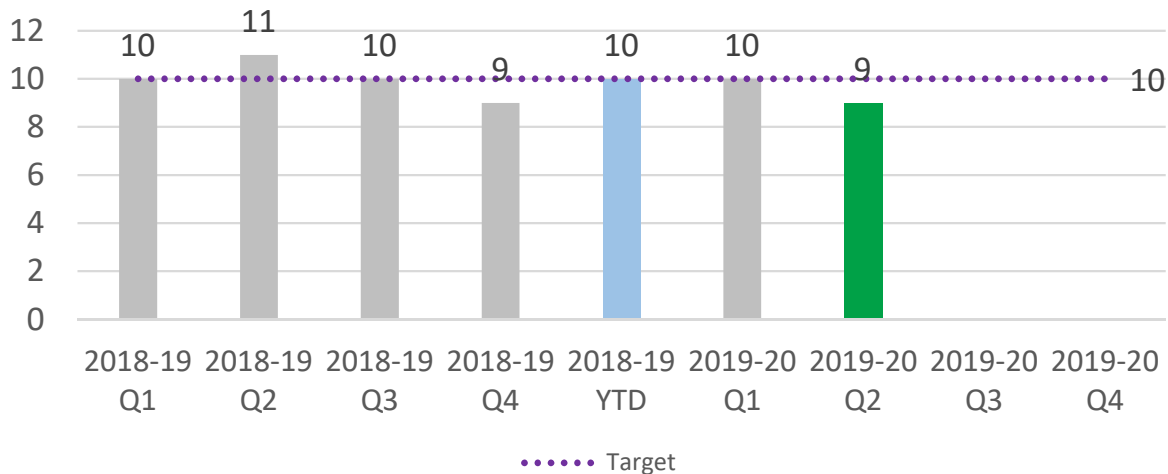
VOIDS AND ALLOCATIONS

Void loss as a % of the rent roll





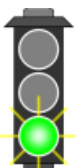

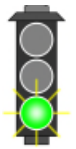

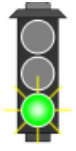



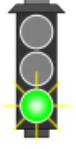



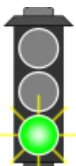

Properties with asbestos-related issues were dealt with in September, however, performance still remains high and only 0.05% below target.

Average number of calendar days to re-let





0.95% of rent was lost through void properties for quarter two, just slightly out of the target of 0.9%. Void loss is largely due to asbestos checks and infestations, with delays for major works averaging at 42 days, compared to 9 days for re-let times once repair works have been completed.


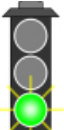

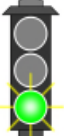

In respect of re-let times, performance remains strong for Wolverhampton Homes and within target. Repair and re-let time have been split to allow the two separate teams to be accountable for delays and thus improve performance where required.

Anti-Social Behaviour				
	% satisfied with the way their ASB was dealt with		95.45% Target: 97% (high)	Overall performance has been good, however, this may fluctuate depending on the number of surveys responded to, or the customer's expectations.
Business Planning				
	Average days lost through sickness		6.42% Target: 6.5% (low)	Performance for quarter two is strong and within target.
Business Planning				
	% customer calls answered within 80 seconds		60.7% Target: 55% (high)	Customer care performance is good, with three indicators being on target and two falling below target for quarter two. Due to a number of staff changes and retraining new members of staff, there was a slight decline in performance of complaints responded to within time. Wolverhampton Homes anticipate this to improve and the year to date average remains on target due to excellent performance earlier in the year.
	% calls abandoned		8.9% Target: 15% (low)	
	% complaints responded to within target		89.91% Target: 92% (high)	
	% calls answered		98.56% Target: 85% (high)	
	Councillor enquiries responded to in 14 days		89.91% Target: 92% (high)	
Estate Inspections				
	% estate inspections achieving Good or Excellent rating		100% Target: 99% (high)	(E.g. lawns, graffiti, litter, fly-tipping) 67 estates were checked out of a total of 16; estate checks are carried out on a rotation basis. All inspections achieved Good or Excellent rating.

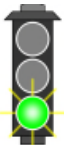
Repairs

	% response repairs completed in target		97.36% <i>Target: 98% (high)</i>	Calls received late in the day impacted figures, however, performance dropped only slightly below target. Staff changes should improve performance in the coming quarters.
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Neighbourhood and Housing Management Services

	Tenants evicted for rent arrears		10	For information only; number of evictions taking place during quarter two. Evictions are at the lowest they have been in years. System upgrades and team restructuring has improved performance in telecare services.
	% telecare calls answered within 60 seconds		98.56% <i>Target: 97.5% (high)</i>	
	% out of hours calls answered		98.56% <i>Target: 97.5% (high)</i>	

Estate Services / Health and Safety

	% fire safety inspections completed – low and medium rise		100% <i>Target: 99.5% (high)</i>	Excellent performance overall for all three indicators.
	% fire safety inspections completed – high rise		100% <i>Target: 99.5% (high)</i>	
	Management of Fire Risk Assessments		100% <i>Target: 99.5% (high)</i>	

Stock Investment

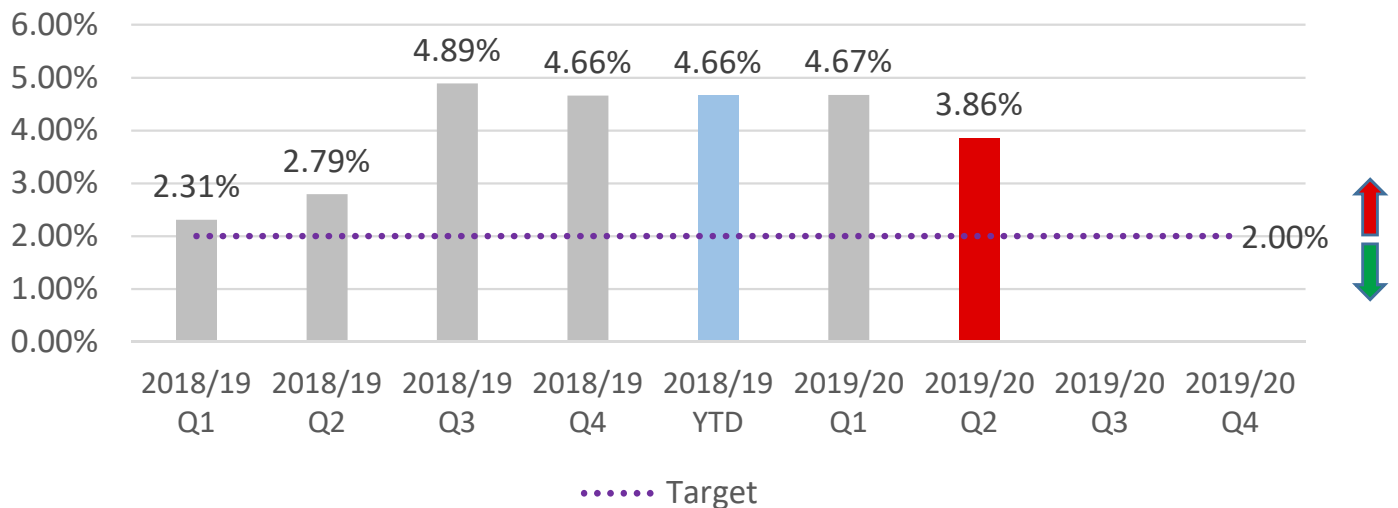
	% progress (by value) with the delivery of capital projects		97.5% <i>Target: 95% (high)</i>	Delivery of capital projects remains high and in target, but slightly below what was anticipated due to certain projects being on hold
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BUSHBURY HILL ESTATE MANAGEMENT BOARD

Below is the quarter two performance information for Bushbury Hill Estate Management Board (EMB), for 2019-2020. 3 indicators are outside of target, 1 within acceptable tolerance level and the remaining 4 are within target.

RENT MANAGEMENT

% Tenants with more than seven weeks gross rent arrears

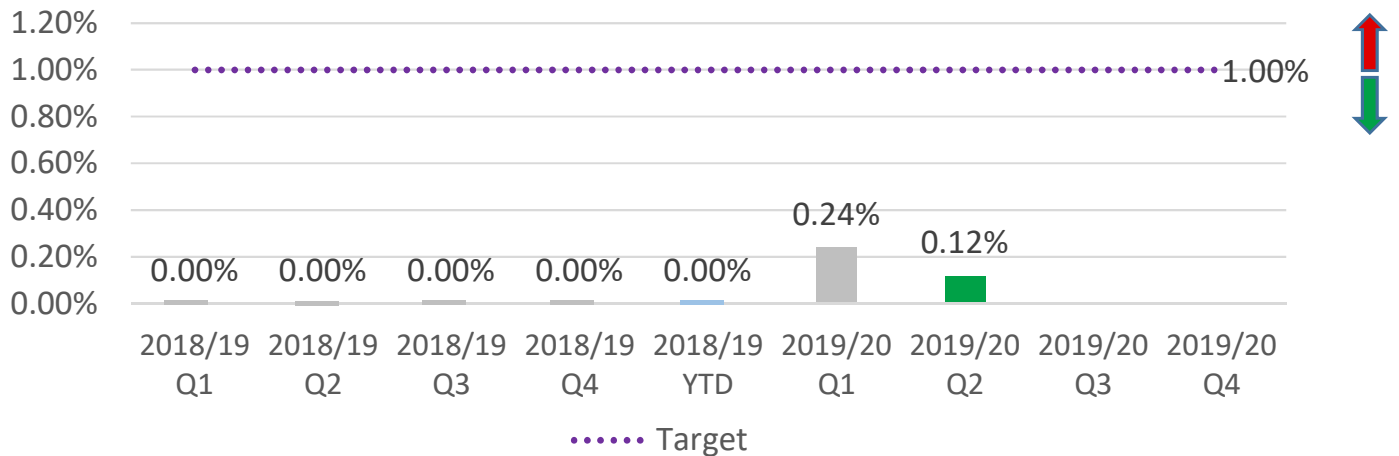


Quarter two shows some improvement in overall arrears figures. Bushbury Hill EMB follow the same procedure for arrears as Wolverhampton Homes, which is required for the pre-action protocol whereby tenants in significant arrears are contacted by telephone, home visits etc. to determine reasons for arrears and to offer support where possible.

Due to excellent performance in arrears management, Bushbury Hill EMB have a higher target when compared to the other TMOs. This will be reviewed at year end to reflect on the impact of universal credit, whilst still stretching performance.

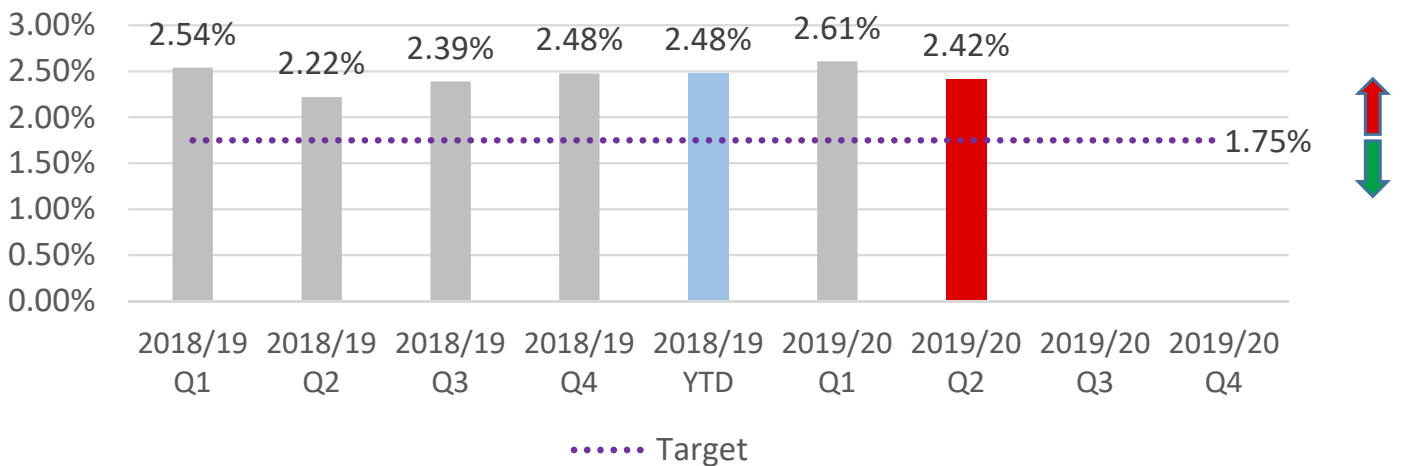
RENT MANAGEMENT

% Tenants evicted as a result of rent arrears



Bushbury Hill EMB remain within target despite the occurrences of two evictions in quarter one and one eviction in quarter one.

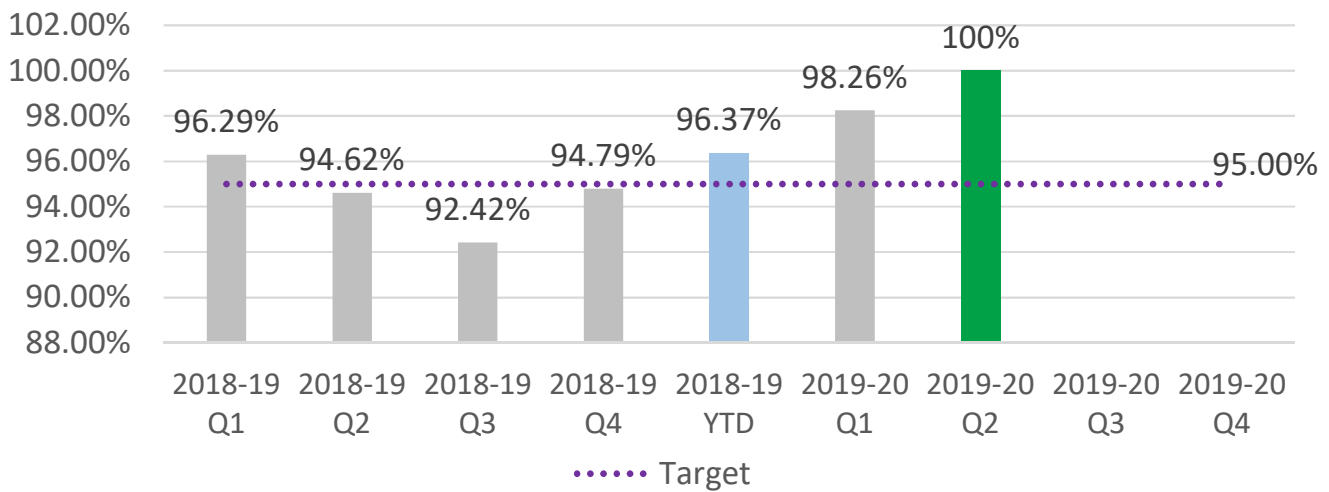
Arrears as a % of the rent roll



Arrears as a percentage of the rent roll remain out of target with a slight decrease in rent arrears in quarter two.

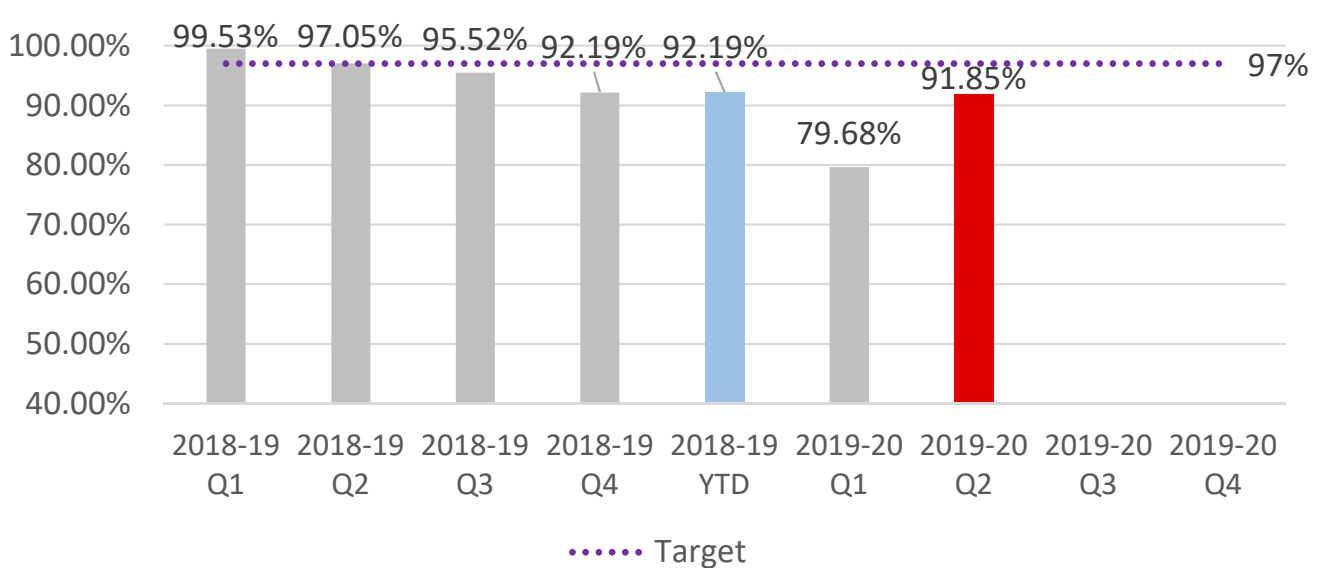
REPAIRS MANAGEMENT

% Repairs attended within time (WHT* & WH)



Performance for repairs attended within time is excellent and remains above target.

% Rapid response repairs attended same day (WHT* only)

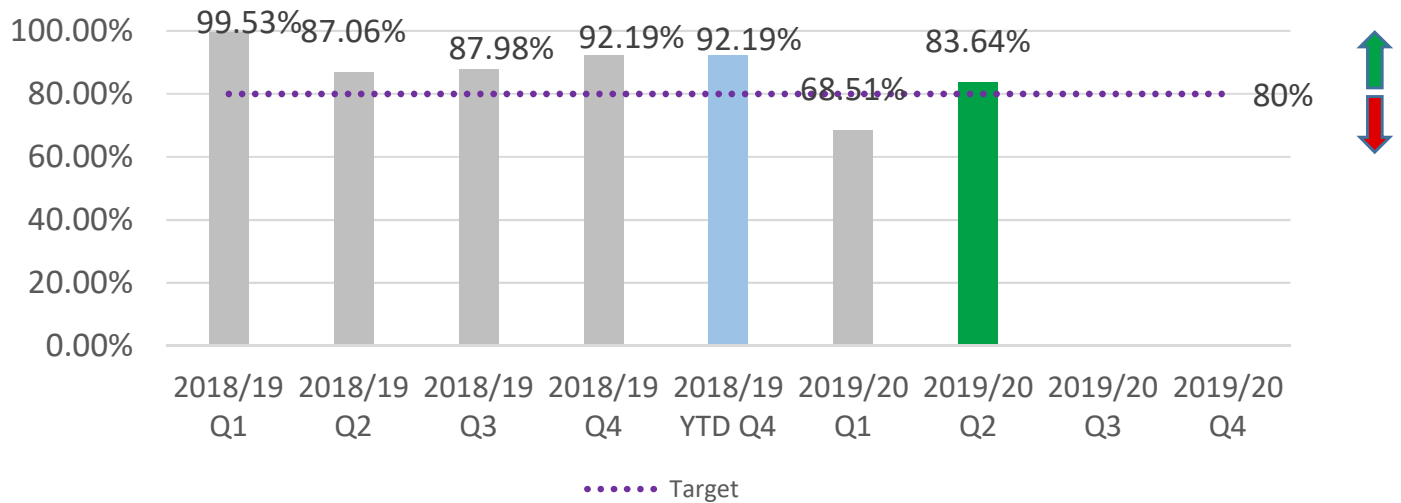


There has been significant improvement in same day attendance as well as same day completion for Rapid Response repair call-outs following some issues in quarter one with a new Scheduling System. This System adversely affected the Rapid Response figures in particular, despite the system improving follow-on work rates. The balance has been redressed and a steady increase in the figures should now be seen.

Rapid Response rates can also be adversely affected where calls are received later in the day and it would be unrealistic to attend on the same day, Bushbury Hill EMB will therefore be considering reporting on attendance within 24 hours in future to more accurately reflect their response rates.

REPAIRS MANAGEMENT

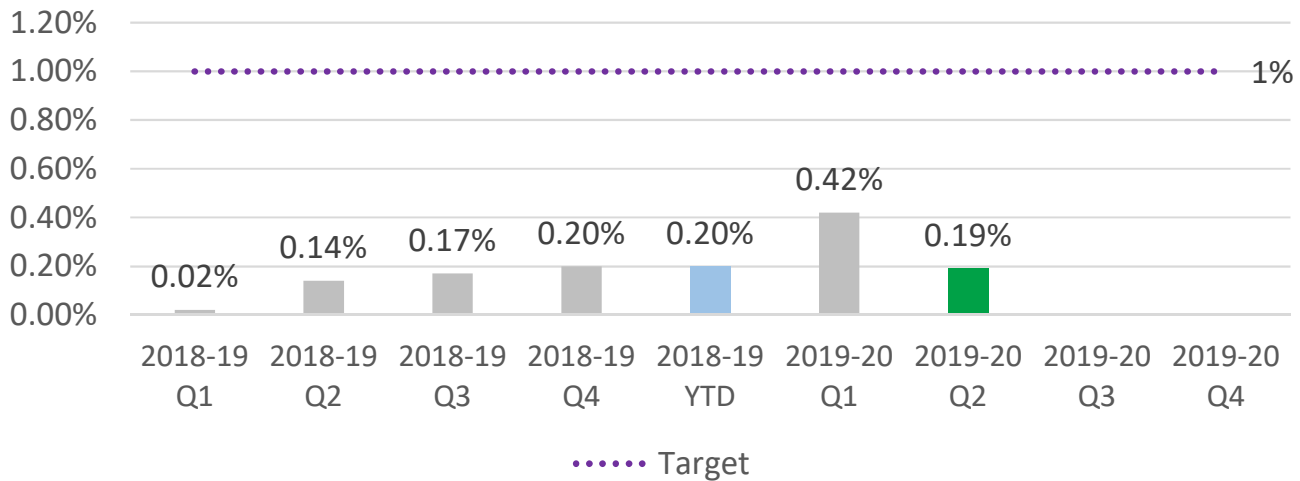
% Rapid response repairs completed same day (WHT only)



Due to issues at the onset of a new Scheduling System, quarter one saw a decrease in Rapid Response repair completions. However, these issues have now been corrected and quarter two shows a steady improvement in performance.

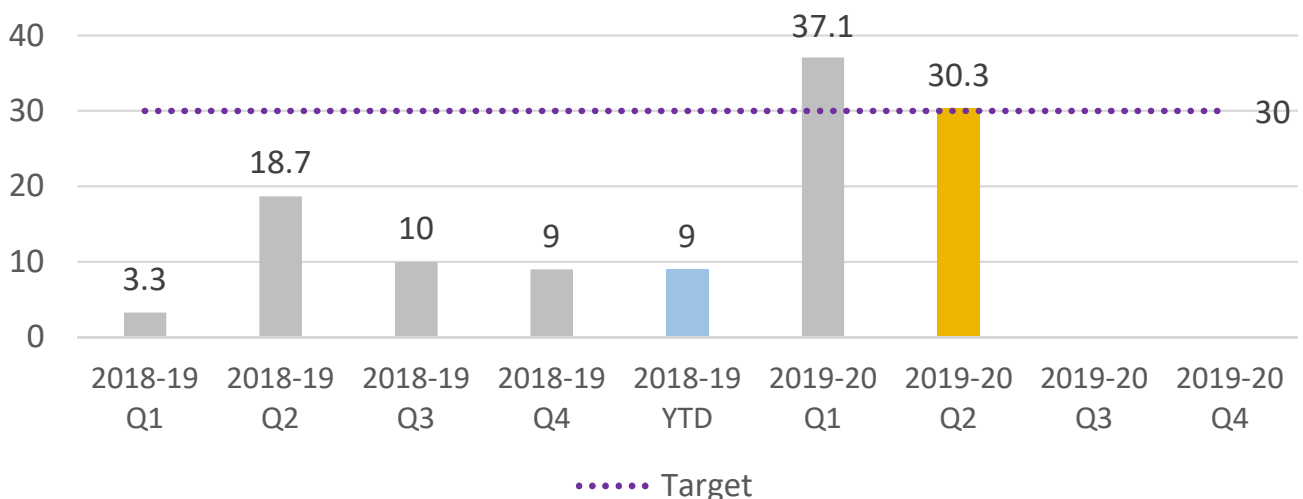
VOIDS AND ALLOCATIONS

Void loss as a % of the rent roll



Having implemented new strategic improvements to contractor issues, Bushbury Hill EMB show improvement on void loss rates in quarter two and remain well within the target.

Average number of calendar days to re-let housing



There has been a marked improvement on the average number of calendar days to re-let housing, with Bushbury EMB achieving extremely close to target. While contractor time has improved, mandatory asbestos checks play a large factor in increasing void times, contributing an average of 18.5 additional days to re-let times.

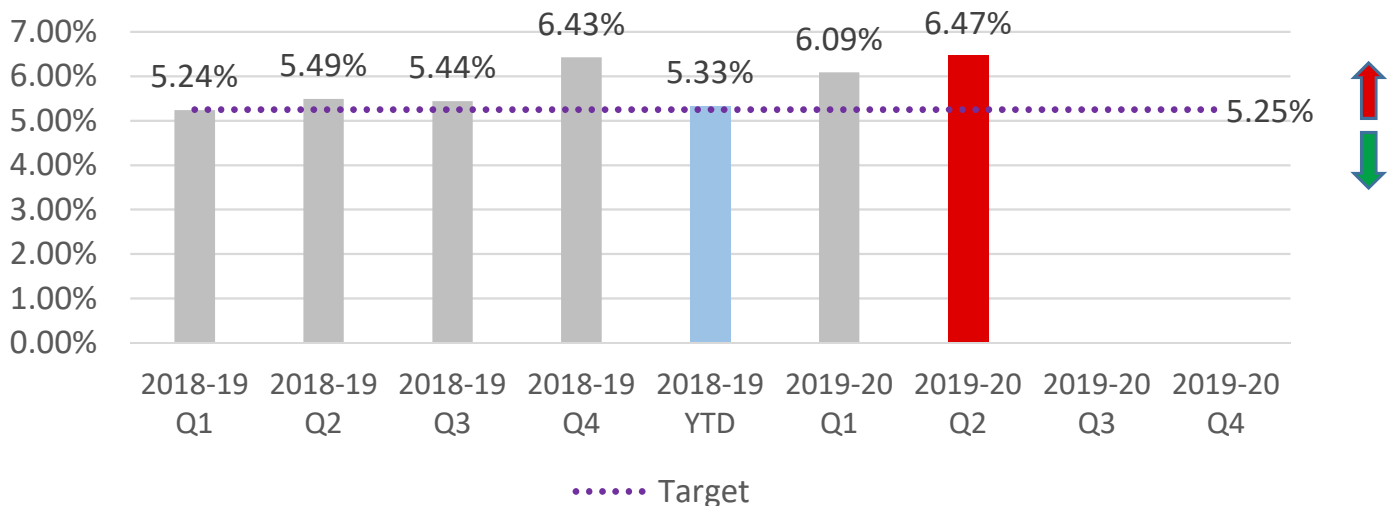
Bushbury Hill EMB carry out internal reviews into the causes for void delays to ensure the correct team or procedure is accountable, so that focus can remain on areas that require improvement. There is also further analysis of the reasons why properties become void in the first instance, for example, a long-term tenant moving to a retirement home having been in a property since the 1950's, where the property would then require extensive repair work carrying out.

DOVECOTES TENANT MANAGEMENT ORGANISATION

Below is the quarter two performance information for Dovecotes Tenant Management Organisation (TMO), during 2019-2020. Dovecotes TMO has performed well with 8 indicators being within target and only 2 outside of target.

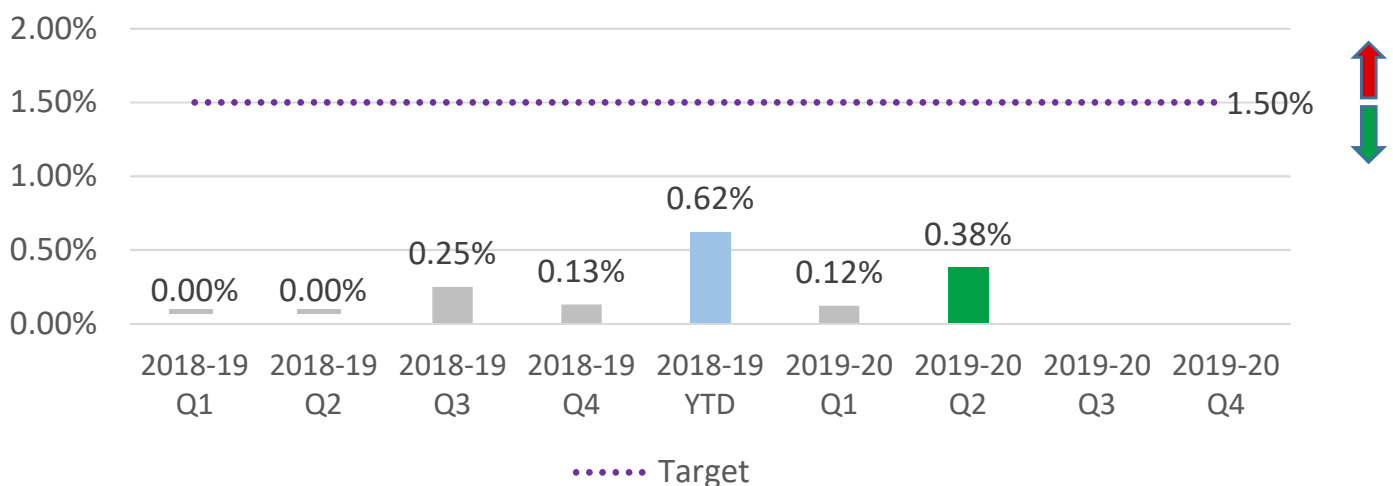
RENT MANAGEMENT

% Tenants with more than 7 weeks rent arrears



The continuing roll out of Universal Credits resulting in tenants waiting 4-8 weeks for their first Universal Credit payment, in addition to an historic high percentage of tenants with more than 7 weeks rent arrears results in Dovecotes TMO performing out of target. The TMO apply early intervention processes for tenants in arrears, including various methods of contact to tenant, establishing the reason for arrears and encouraging payment by direct debit.

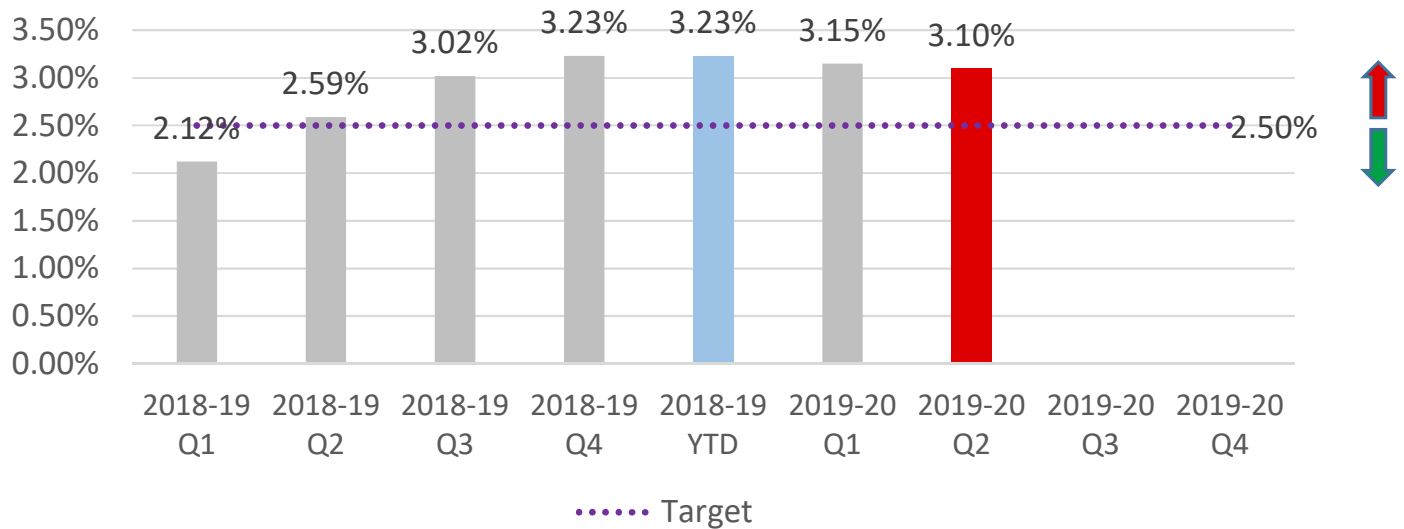
% Tenants evicted as a result of rent arrears



Evictions remain below the maximum allowance for quarter two.

RENT MANAGEMENT

Arrears as a % of the rent roll

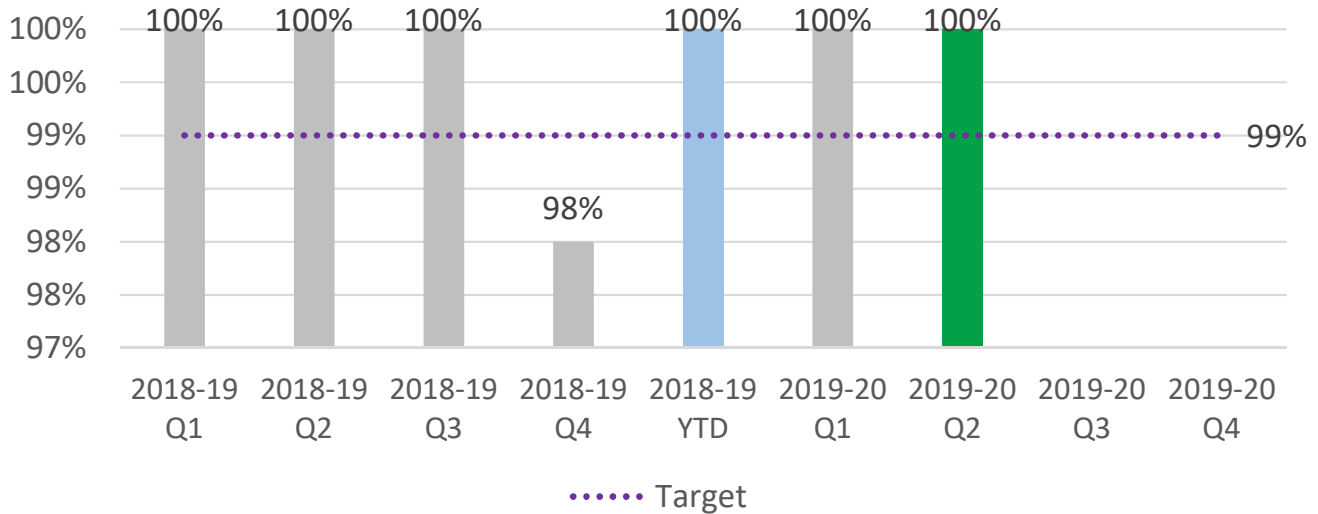


Whilst arrears as a percentage of the rent roll was within target until quarter two 2018-2019, it has increased quarter on quarter, due to the full service roll out of Universal Credit.

Dovecotes TMO have realigned their resources to address arrears and reviewing their processes to determine where improvements can be made. On doing there has been gradual improvement since the start of financial year 2019-2020. Housing Strategy will however, continue to monitor.

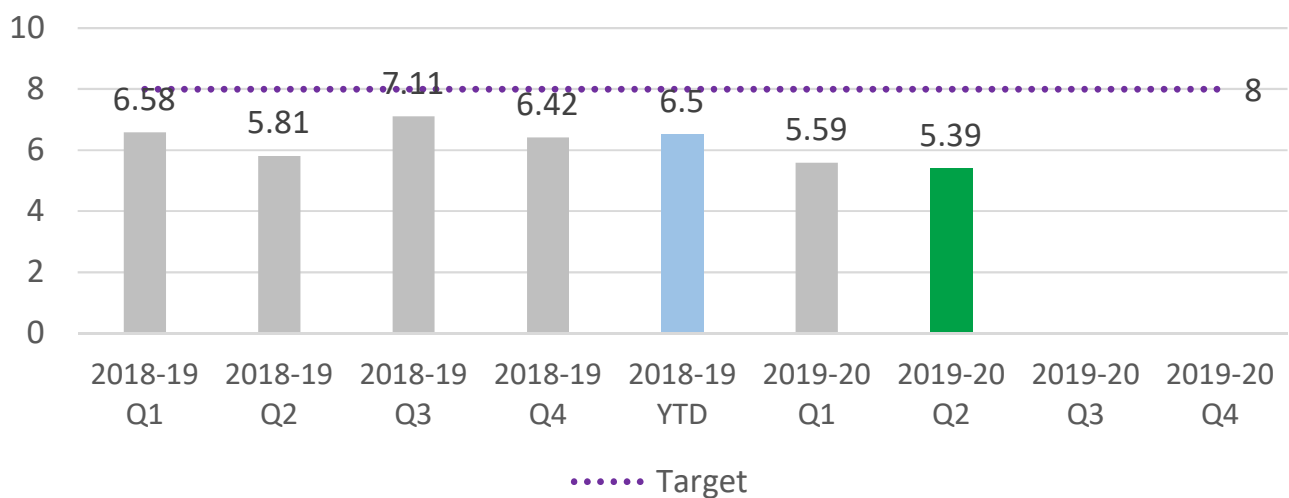
REPAIRS MANAGEMENT

% Rapid response repairs (same day)



Dovecotes TMO have been completing all Rapid Response repairs ahead of the 7 day Government target.

Average number of calendar days to complete non-urgent repairs

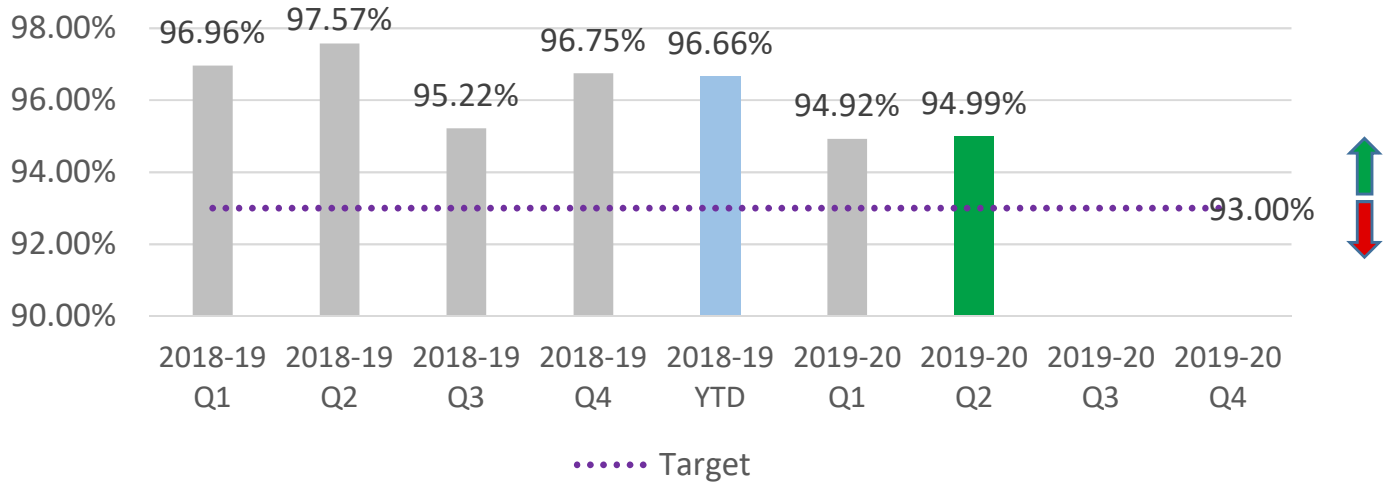


Completion of non-urgent repairs continues to remain within target and has improved slightly compared to quarter two 2018/19.

DOVECOTES TENANT MANAGEMENT ORGANISATION

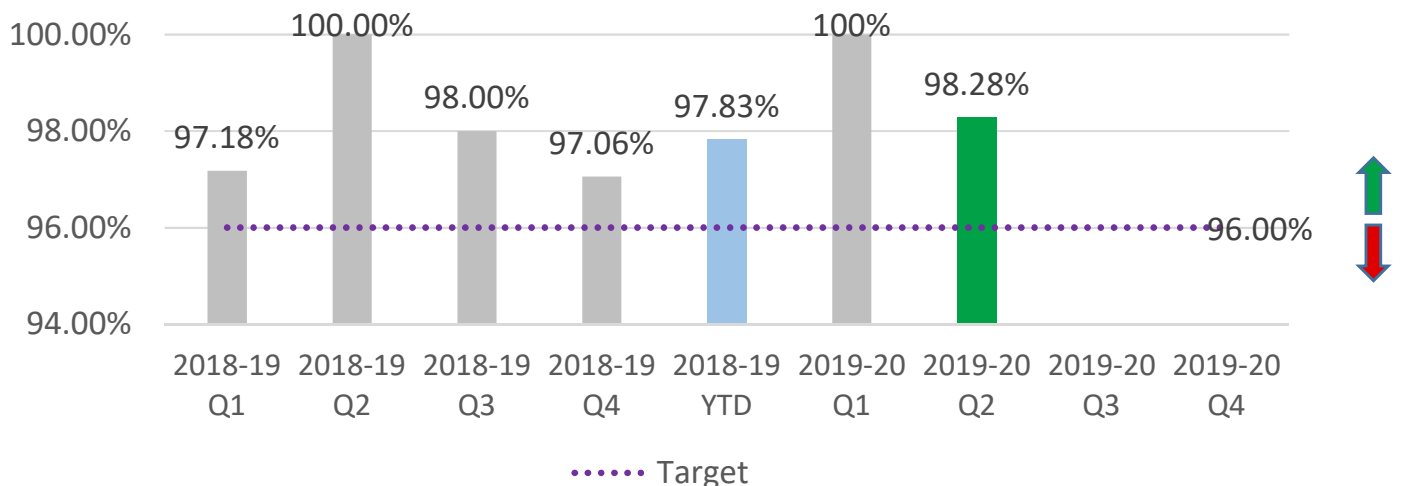
REPAIRS MANAGEMENT

% Responsive repairs- appointments made and kept



Quarter two performance for responsive repairs has stayed above the required target and Dovecotes TMO continue to perform well since quarter one of the previous financial year. Delays/cancellations may occur where a repairer may have overrun on a previous job, or arrived at a job earlier than expected.

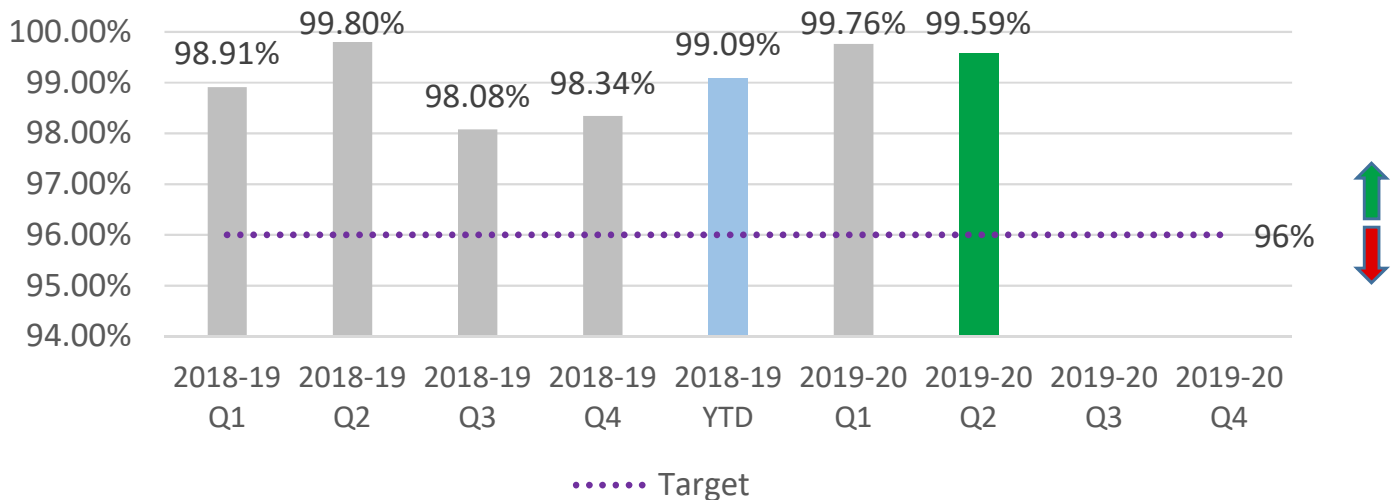
% Emergency repairs completed on time



Emergency repairs are in most cases completed on the same working day and Dovecotes TMO remain above target.

REPAIRS MANAGEMENT

% Routine repairs completed on time

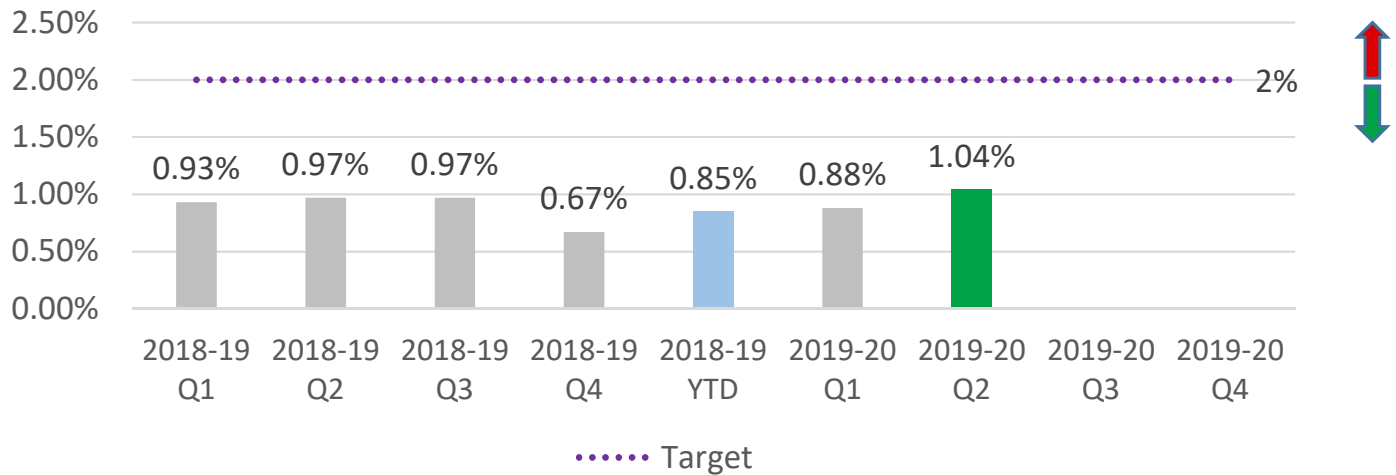


Overall performance for routine repairs completed on time has been good remaining above target since Q1 of 2018-2019.

Dovecotes TMO have performed within target across all repair indicators. To ensure monitoring of repair targets remains expedient, a review of repair indicators will be carried out in collaboration with Dovecotes TMO in readiness of financial year 2020-2021.

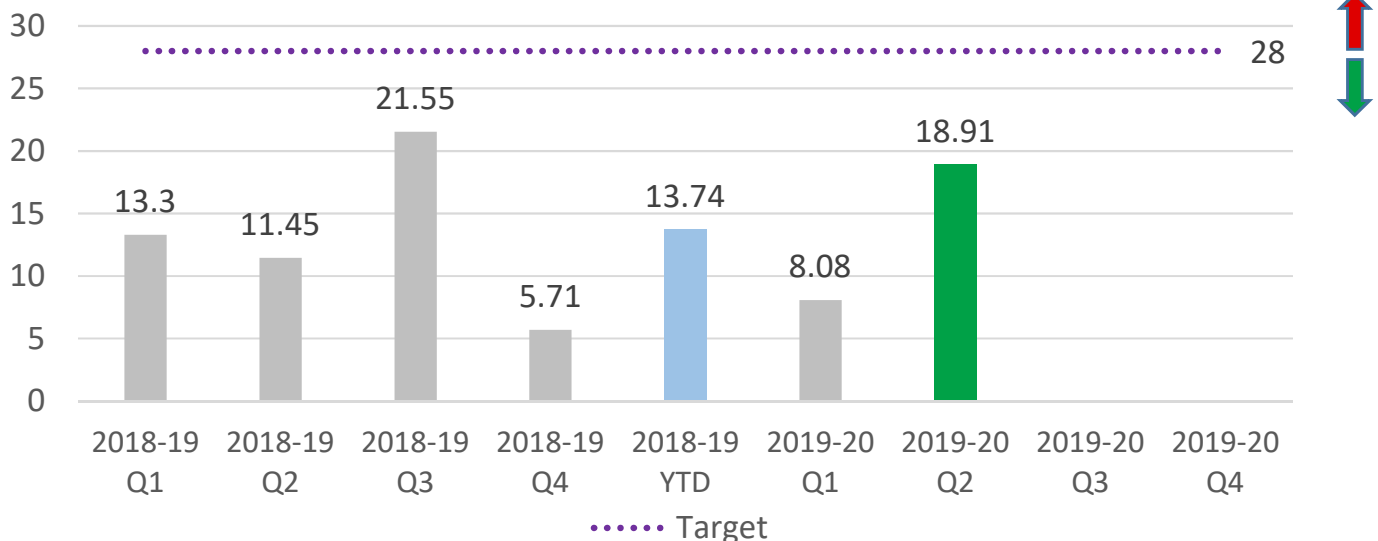
VOIDS AND ALLOCATIONS

Void loss as a % of the rent roll



With some fluctuations across the quarters, Dovecotes TMO performance continues to remain below the required target and has done since Q1 of 2018-2019.

Average number of calendar days to re-let housing



Quarter on quarter performance for the average time to re-let housing continues to remain within the required target.

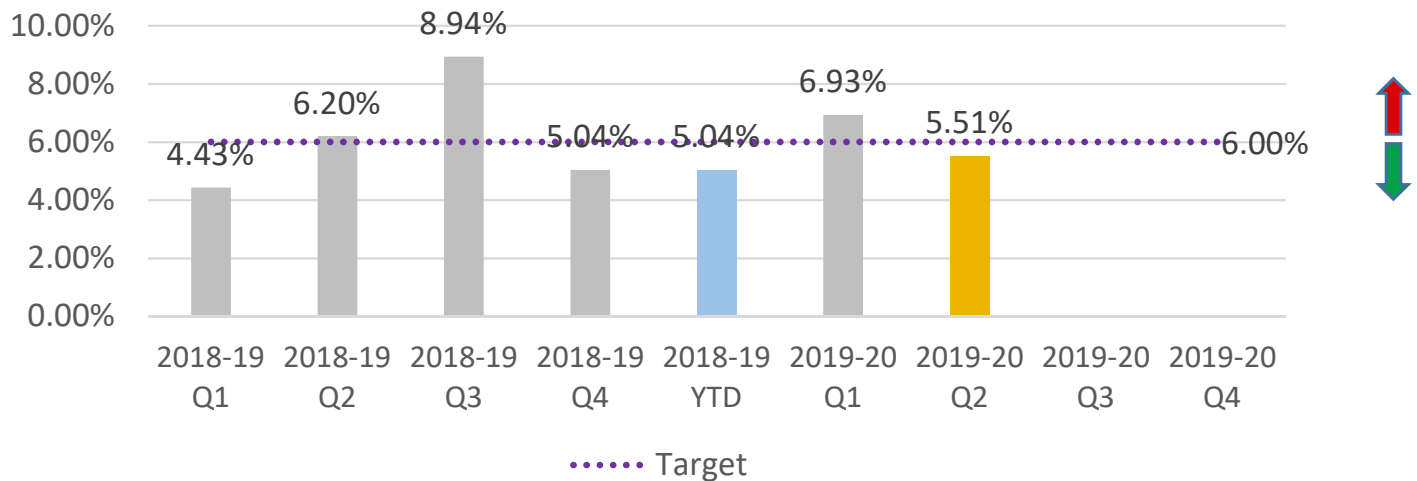
Performance has improved when compared to the previous quarter, meaning letting times has reduced. Dovecotes TMO therefore are well within the target of 28 days.

NEW PARK VILLAGE TENANT MANAGEMENT COOPERATIVE

This section sets out quarter two performance information for New Park Village Tenant Management Cooperative (TMC), during 2019-2020. New Park Village TMC has generally performed well, with 1 indicator being outside of target, 1 being within acceptable tolerance level and the remaining 6 indicators within target.

RENT MANAGEMENT

% Tenants with more than 7 weeks rent arrears



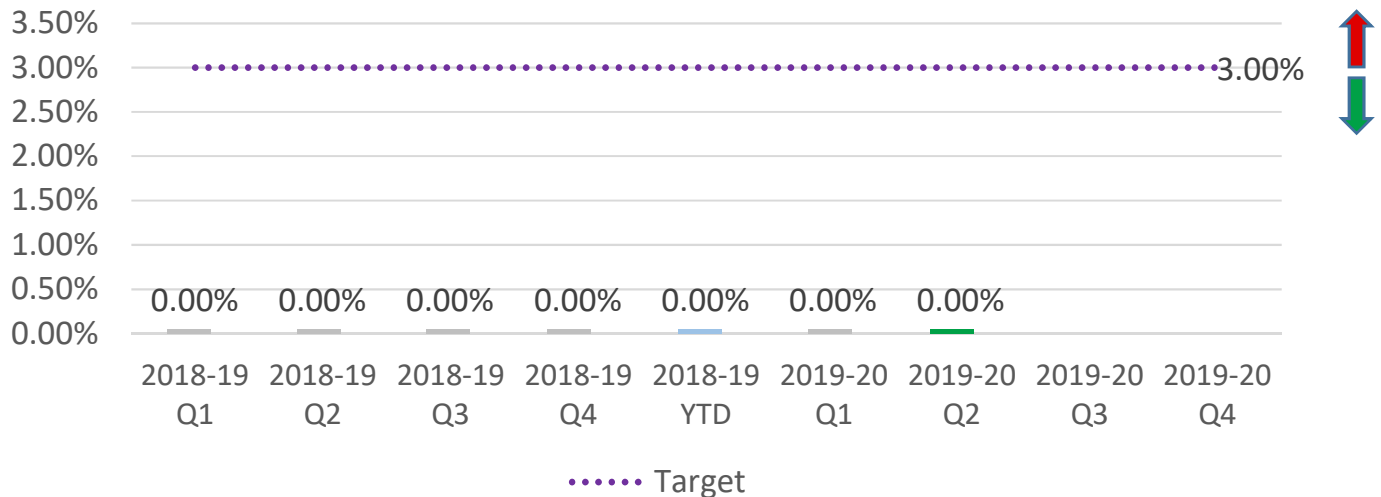
New Park Village TMC have successfully met their target for the percentage of tenants with more than 7 weeks rent arrears. Universal credit has continued to impact these figures, however, there has been some improvement in comparison to the same quarter last year. The vast majority of tenants with more than 7 weeks rent arrears have been served court orders.

Referrals are made to food banks when appropriate and New Park Village TMC offer a job club every Tuesday. Tenants are made aware of the advance payment available under Universal Credit, however this may be used towards paying for food and utilities rather than rent.

NEW PARK VILLAGE TENANT MANAGEMENT COOPERATIVE

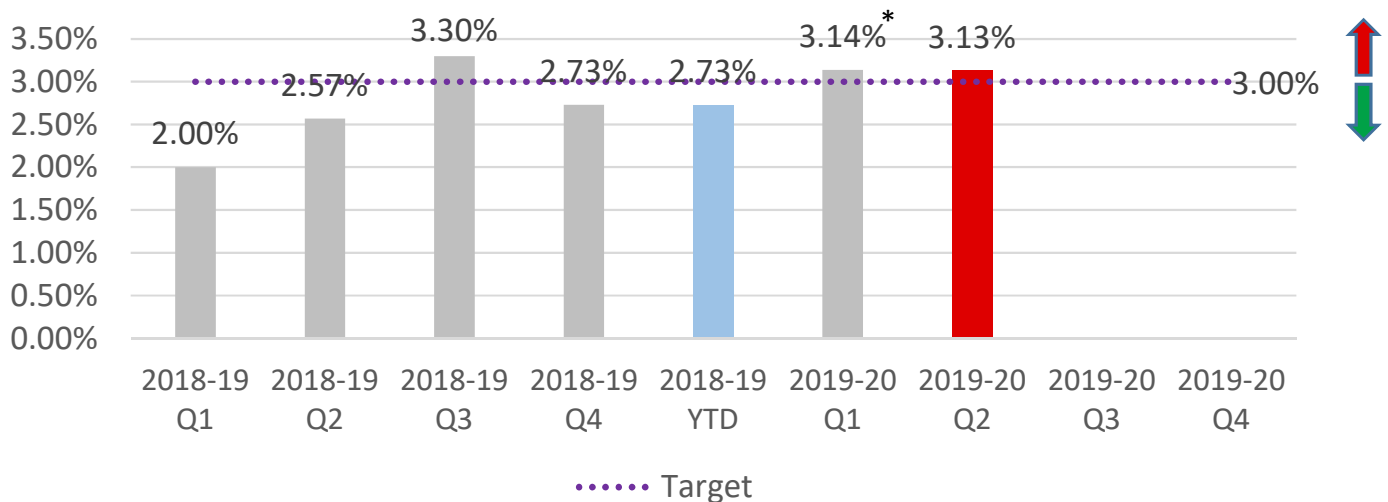
RENT MANAGEMENT

% Tenants evicted as a result of rent arrears



Ongoing good performance with no evictions, with New Park Village TMC working to help tenants to sustain their tenancies.

Arrears as a % of the rent roll



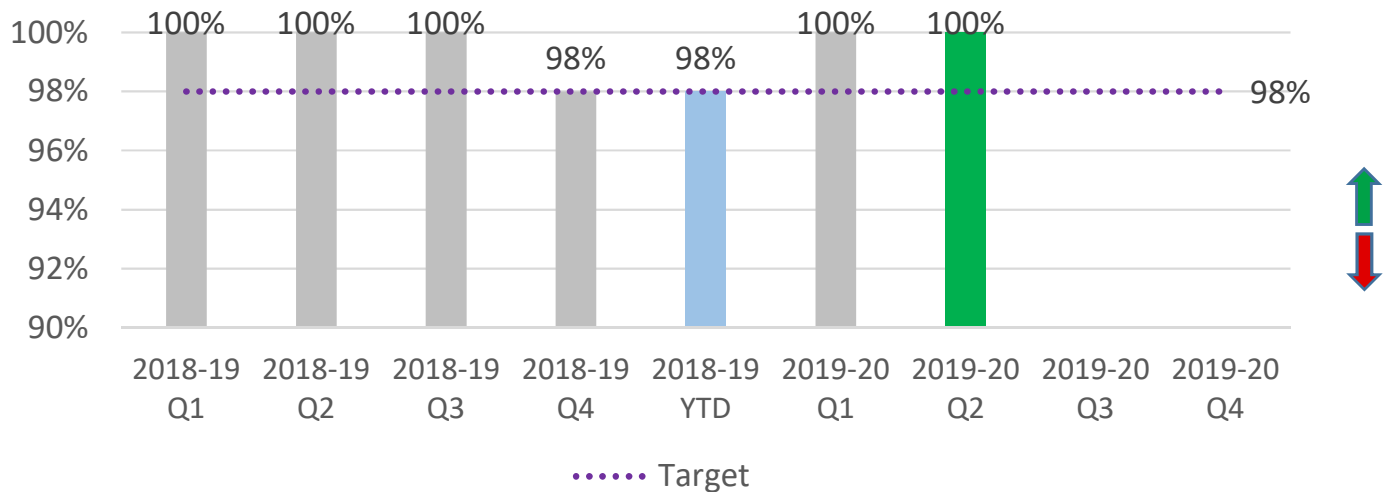
Arrears as a percentage of the rent roll remain slightly out of target for the second quarter at quarter two at 3.13%.

Support is provided to tenants through referrals to Citizens Advice Bureau, the Refugee and Migrant Centre and food banks; New Park Village TMC also run a job club every Tuesday to encourage tenants back into work where possible.

NEW PARK VILLAGE TENANT MANAGEMENT COOPERATIVE

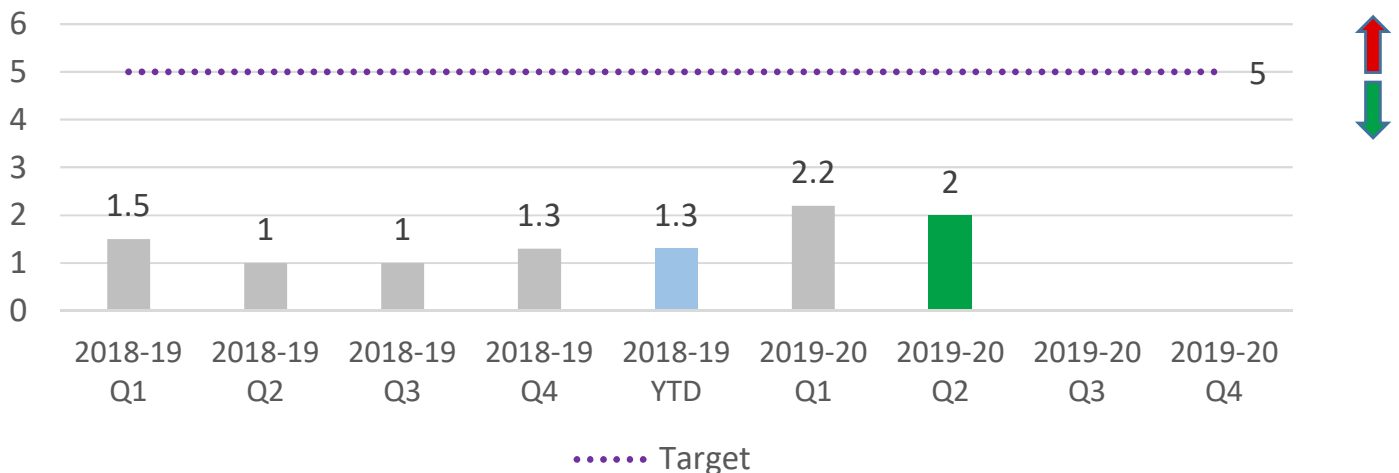
REPAIRS MANAGEMENT

% Rapid response repairs within Government time limits



Performance continues to remain at a high standard for rapid response repairs, increasing back to 100% at quarter one 2019-2020 after a slight decline.

Average number of calendar days to complete non-urgent repairs

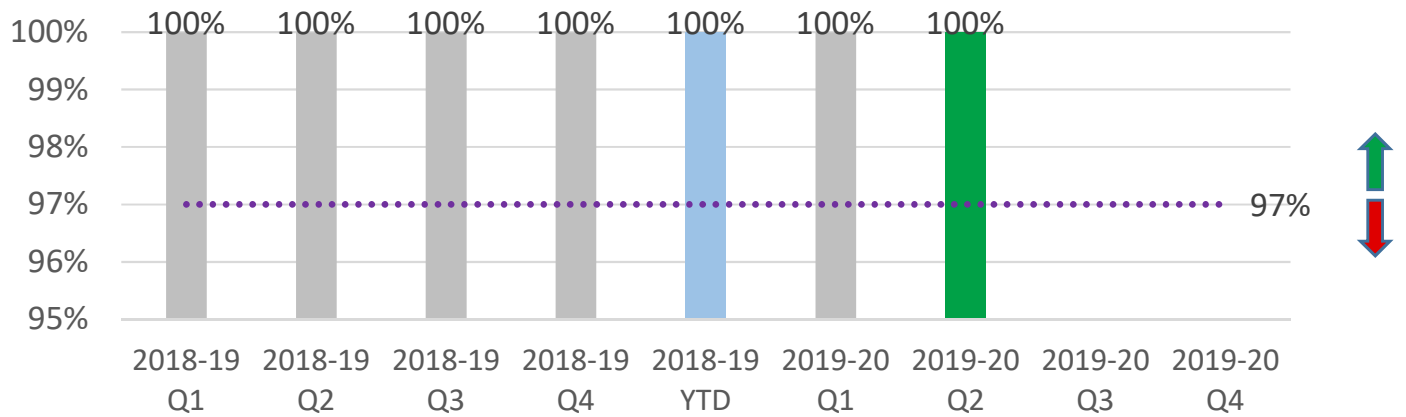


The time to complete non-urgent repairs remains well below the required target level, despite a small rise this financial year.

NEW PARK VILLAGE TENANT MANAGEMENT COOPERATIVE

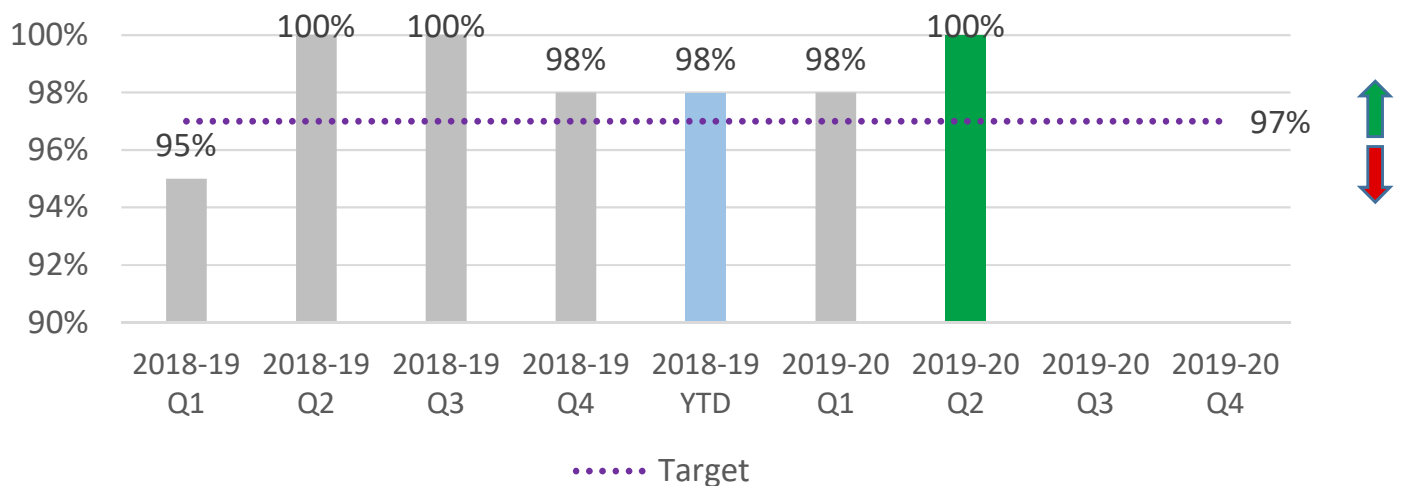
REPAIRS MANAGEMENT

% Emergency repairs completed on time



Performance for the percentage of emergency repairs completed on time continues to be excellent at one hundred percent for quarter one 2019-2020, continuing to remain above the required target level of ninety seven percent.

% Routine repairs completed on time

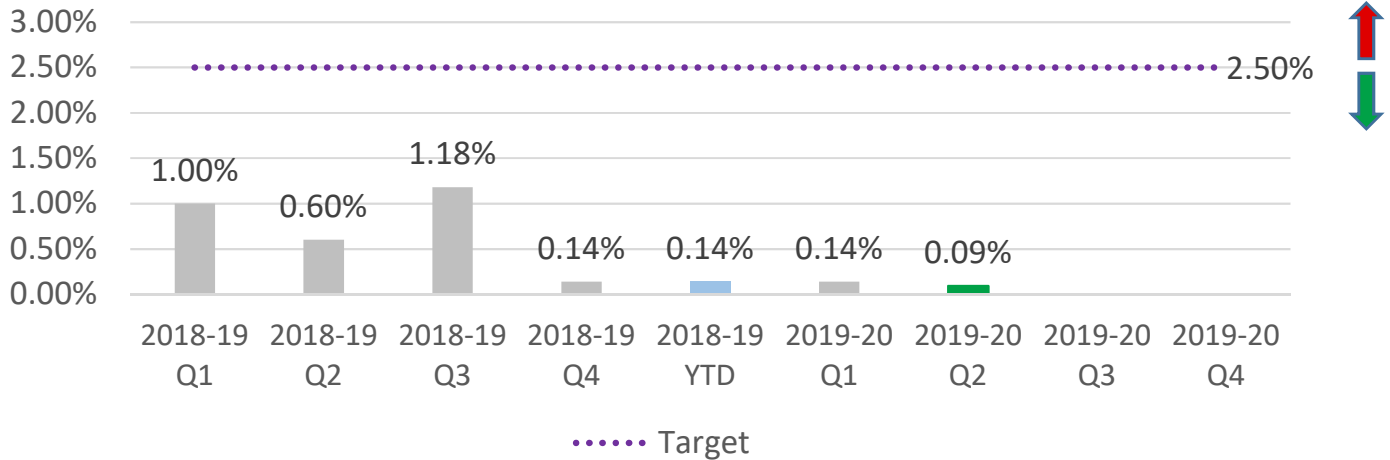


Routine repairs performance has improved since the last two quarters, with all repairs being completed on time.

NEW PARK VILLAGE TENANT MANAGEMENT COOPERATIVE

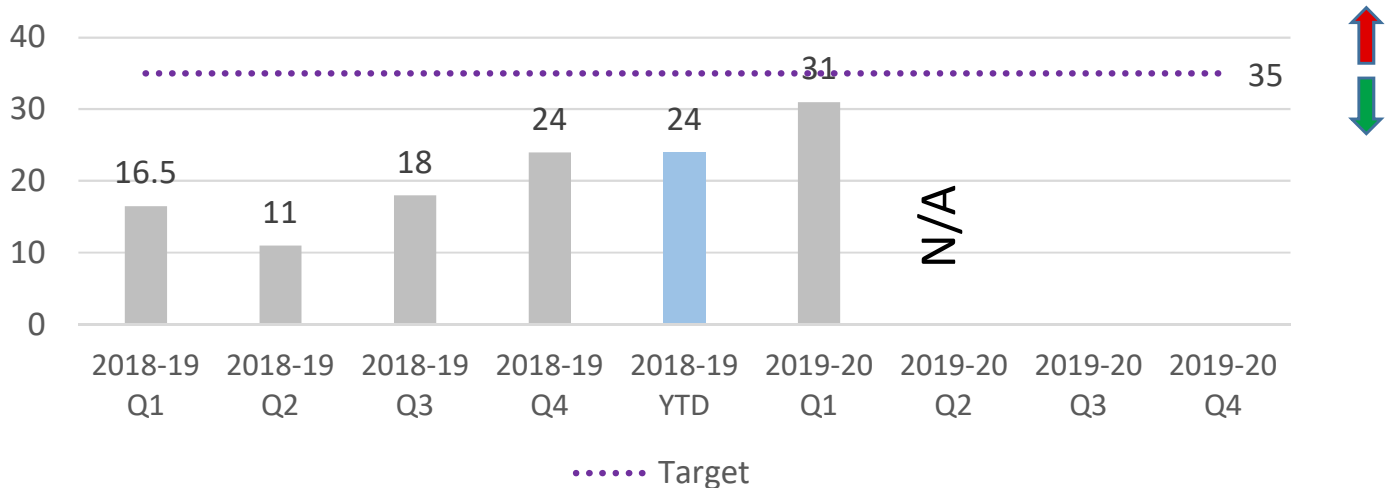
VOIDS AND ALLOCATIONS

VOIDS loss as a % of the rent roll



Void loss performance remains strong with only 0.09% void loss for quarter two.

Average number of calendar days to re-let housing



No properties were re-let during quarter two. Two properties became void*; one is being used for a decant and the other became void at the end of quarter two.

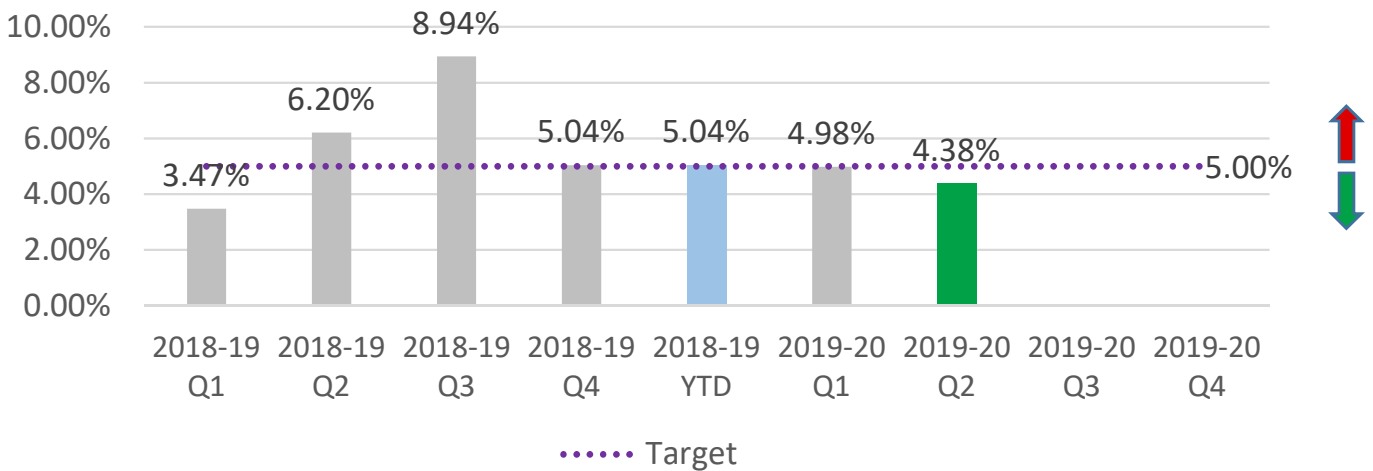
*void loss information for these properties will roll over to quarter three data.

SPRINGFIELD HORSESHOE HOUSING MANAGEMENT COOPERATIVE

Springfield Horseshoe Housing Management Cooperative is monitored against nine performance indicators. Quarter two performance information demonstrates all performance indicators being within target – one is marked amber due to performance being outside of target in the previous quarter, however, is within target for quarter two.

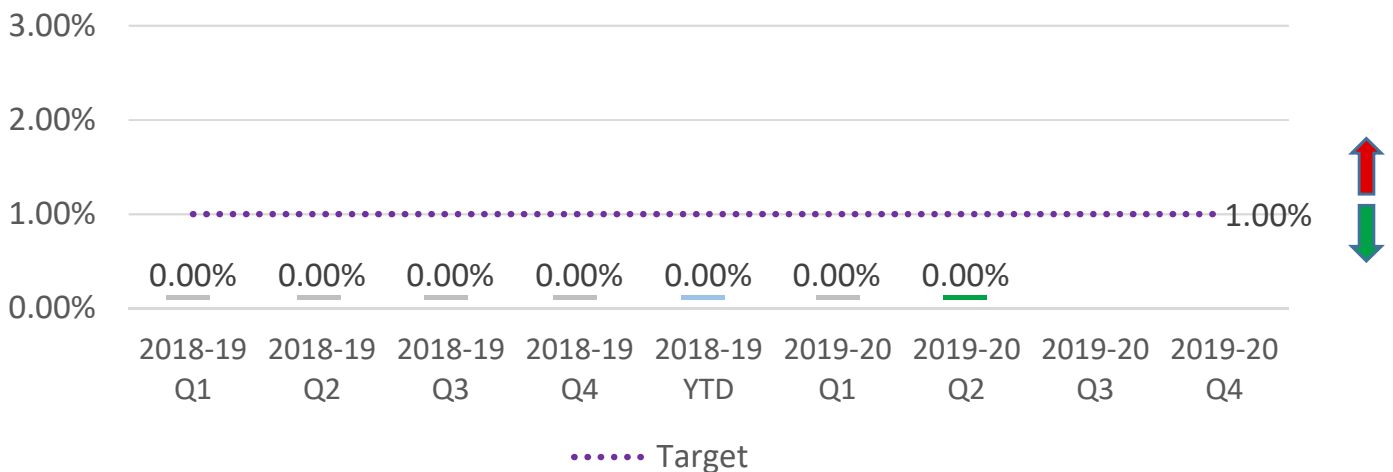
RENT MANAGEMENT

% Tenants with more than 7 weeks rent arrears



Arrears management shows a slight improvement in quarter two and remains just within target.

% Tenants evicted as a result of rent arrears

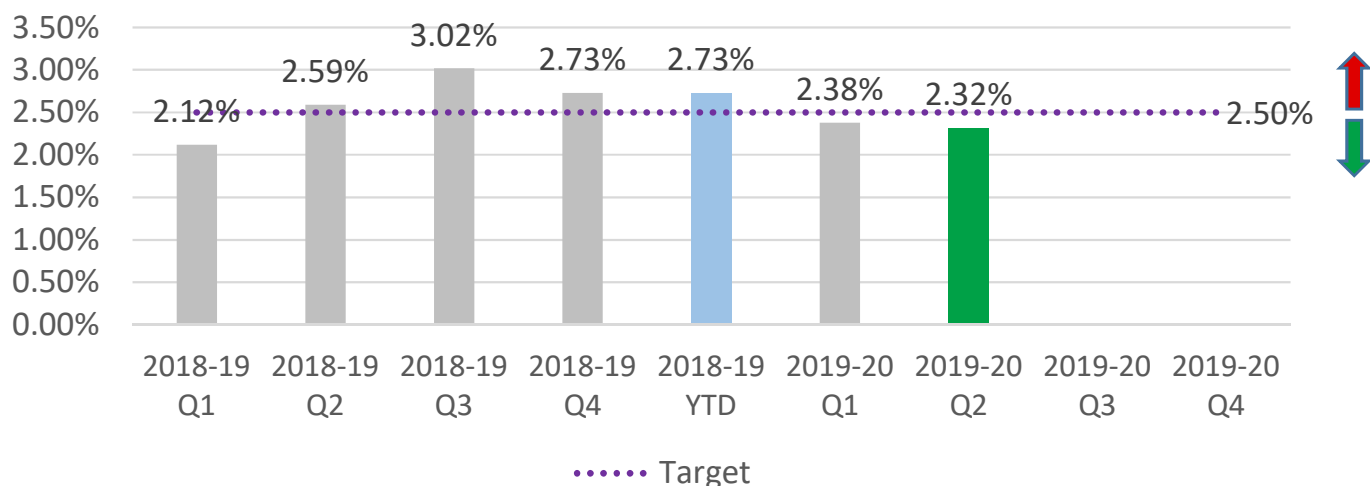


Springfield Horseshoe HMC continues to have no evictions due to rent arrears since quarter one 2018-2019.

SPRINGFIELD HORSESHOE HOUSING MANAGEMENT COOPERATIVE

RENT MANAGEMENT

Arrears as a % of the rent roll



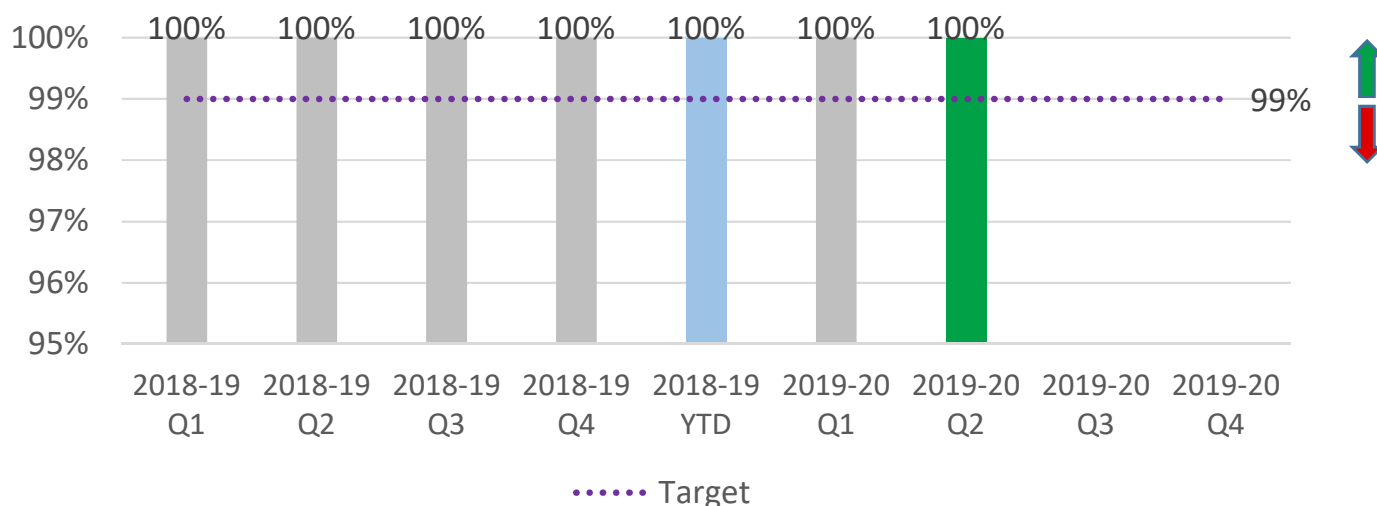
Performance for arrears as a percentage of the rent roll has improved for the past two quarters, and is just within the target of 2.5%. Given the increase of arrears in quarter three 2018-2019, it is anticipated that the effect of this will be seen for the next few quarters as Springfield Horseshoe HMC work with tenants in arrears to manage this without causing further hardship.

Wolverhampton Homes continue to support Springfield Horseshoe HMC with their arrears collection, due to short term resource issues. The improved performance is evident on how well the partnership is working. It is not known for how long this additional support is required and the partnership will continue to be monitored by Housing Strategy.

SPRINGFIELD HORSESHOE HOUSING MANAGEMENT COOPERATIVE

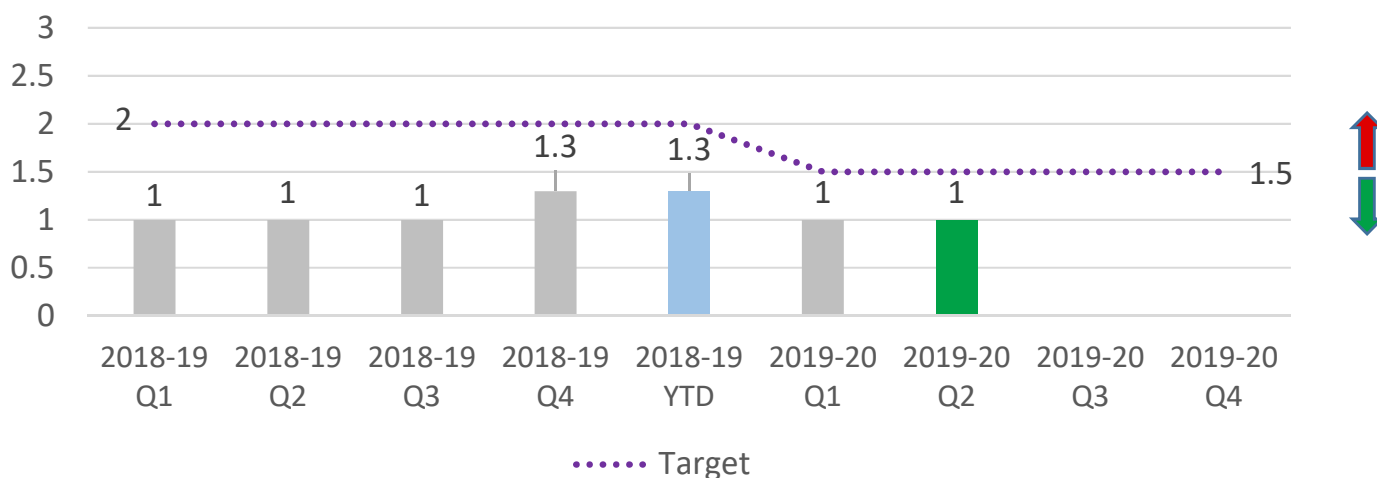
REPAIRS MANAGEMENT

% Rapid response repairs completed within time



Performance continues to remain at a high standard for rapid response repairs, remaining at 100% since quarter one 2018-2019.

Average number of calendar days to complete non-urgent repairs

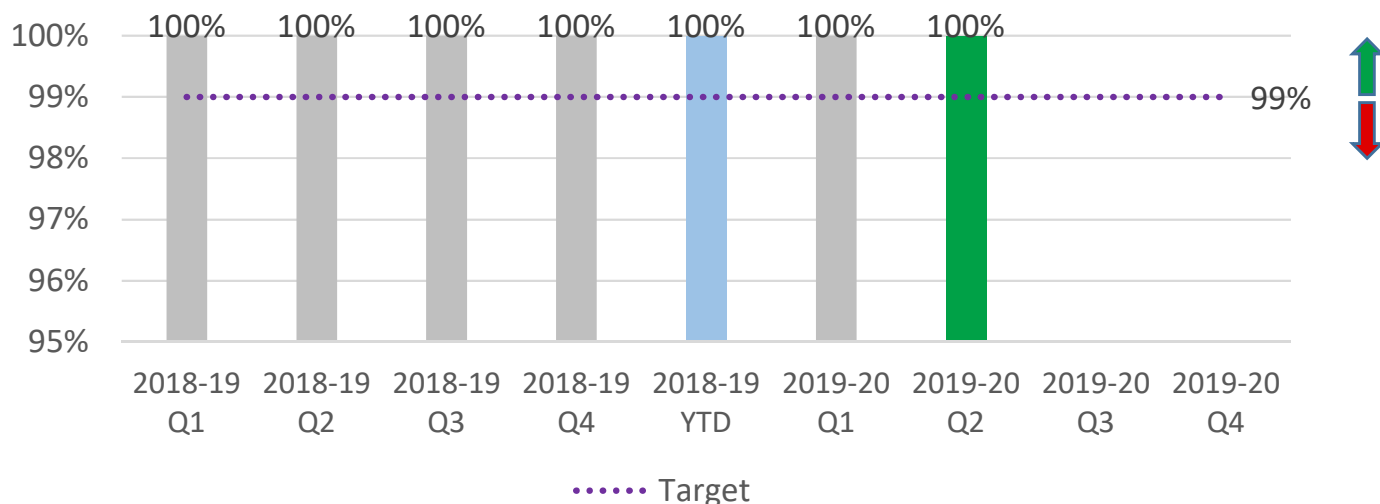


The time to complete non-urgent repairs remains below the required target level, with overall good performance each quarter. Springfield Horseshoe HMC's continuing excellent performance in repairs has meant that the target for repair completion has been lowered from 2 days in financial year 2018-2019, to 1.5 days in this financial year.

SPRINGFIELD HORSESHOE HOUSING MANAGEMENT COOPERATIVE

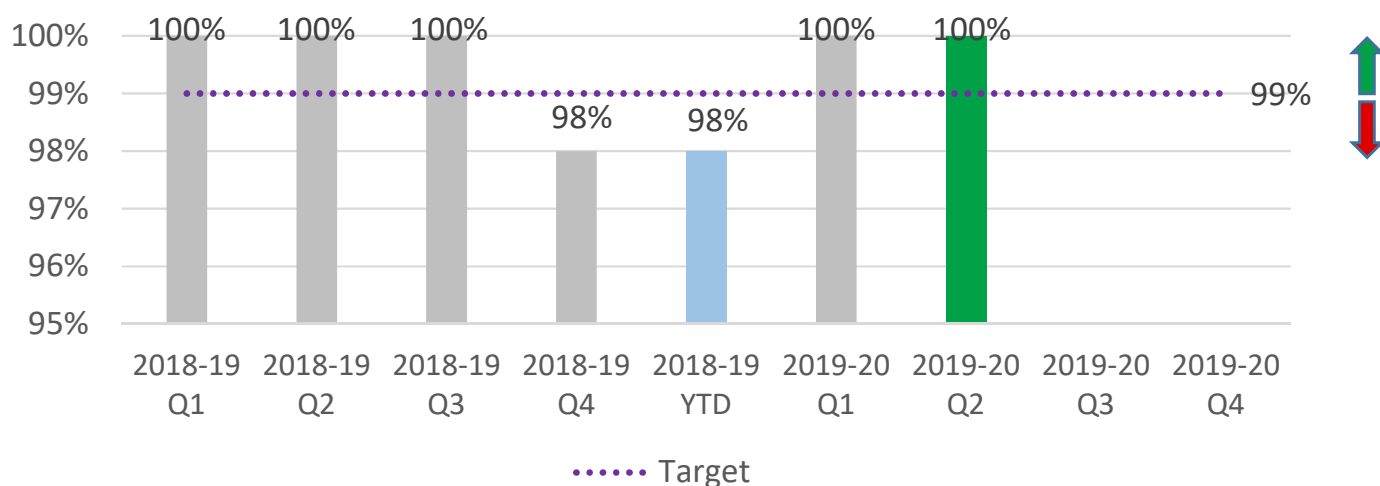
REPAIRS MANAGEMENT

% Emergency repairs completed within time



Performance continues at a high standard for emergency repairs, remaining consistently at 100% across the reporting period.

% Routine repairs completed within time

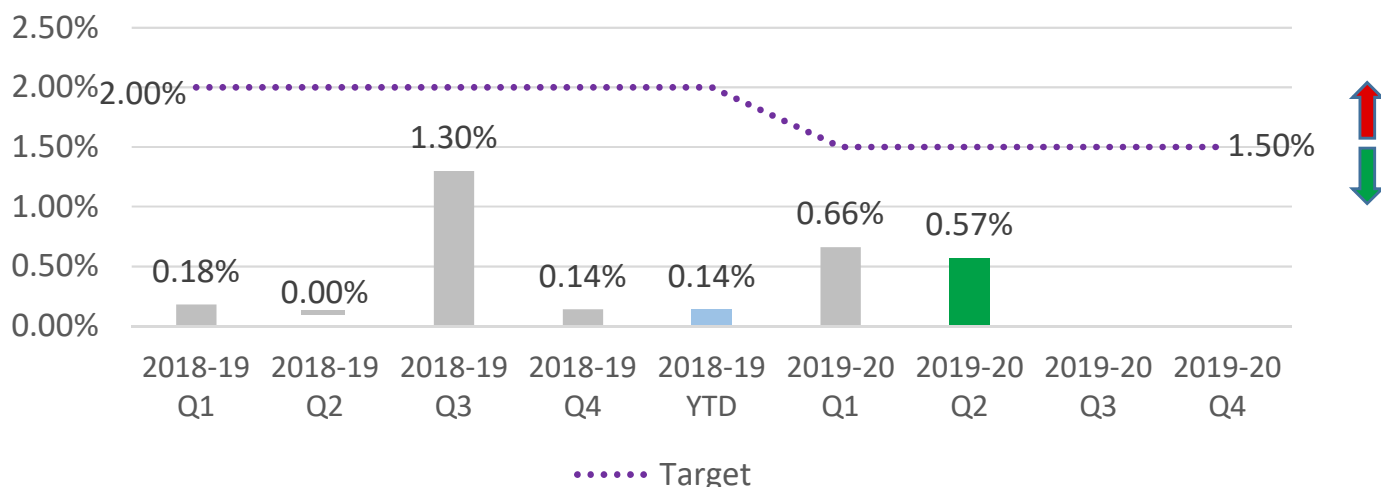


All routine repairs were completed within time, in an average of one working day.

SPRINGFIELD HORSESHOE HOUSING MANAGEMENT COOPERATIVE

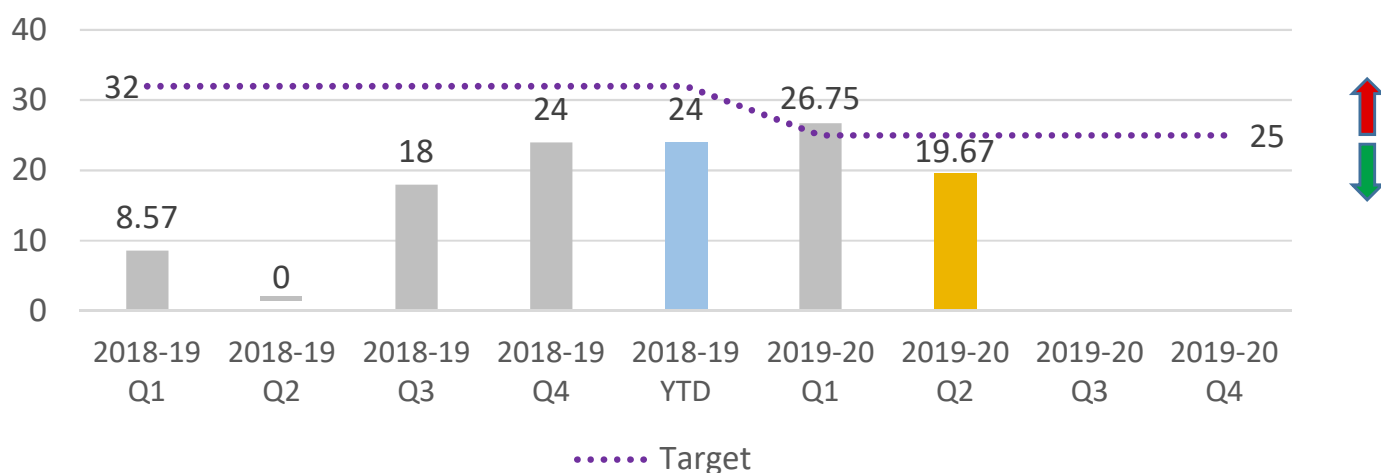
VOIDS AND ALLOCATIONS

Void loss as a % of the rent roll



Springfield Horseshoe HMC has performed well in respect of void loss, remaining below target in both the previous and current financial year, despite 3 properties being vacant in quarter two for a cumulative total of 59 days.

Average number of calendar days to re-let housing



Springfield Horseshoe HMC has performed within target this quarter, however, due to one particular property being vacant for 49 days, the average days for quarter one increased and an amber rating is given for quarter two.

Auditing the Managing Agents

Audit Update

As part of the Council's programme of internal audits the tenant management organisations (TMO) have been audited during the course of 2018-2019 on their governance and management arrangements to seek assurance of their compliance in meeting the requirements of their respective management agreements.

With all four TMOs having received the outcome of their audits, each of the Managing Agents have been working on their audit recommendations. With the support of Housing Strategy they have successfully managed to address some of the issues to ensure governance and performance improve.

In July 2019 at the Audit and Risk Committee meeting, an update was provided regarding the work that has been carried out which has enabled a majority of the recommendations to be closed off. A programme of works is now being developed to support the Managing Agents by bringing in additional resources and expertise to the Managing Agents.

Housing Strategy will work with the Managing Agents to monitor progress to ensure the Council continues to provide support and monitoring to the TMOs, to ensure the recommendations are completed by year end. Regular reviews will continue during 2019-2020 to ensure governance and performance of the TMOs.

CLIENT RELATIONSHIP MANAGING REPORT

QUARTER TWO – JULY-SEPTEMBER 2019

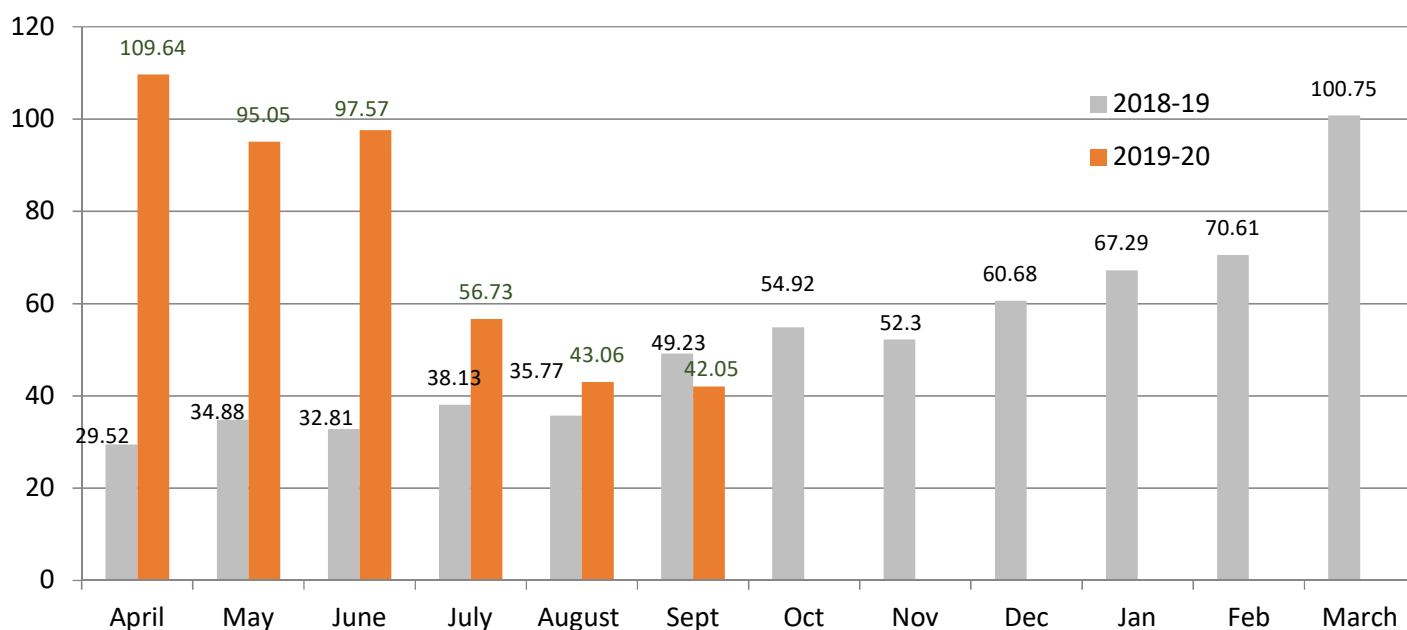
2. HOMELESSNESS SERVICES

The Homelessness Reduction Act which came into force from April 2018, has placed legal duties on local authorities in regards to homelessness, irrespective of their priority need status, as long as they are eligible for assistance.

Homeless services are delivered by Wolverhampton Homes on behalf of the Council, with residents provided with support in a number of ways to help ensure they keep their home.

The Housing Strategy team monitor Wolverhampton Homes' performance in the delivery of homelessness services as part of a service level agreement appended to the management agreement with the Council.

Decision time in working days



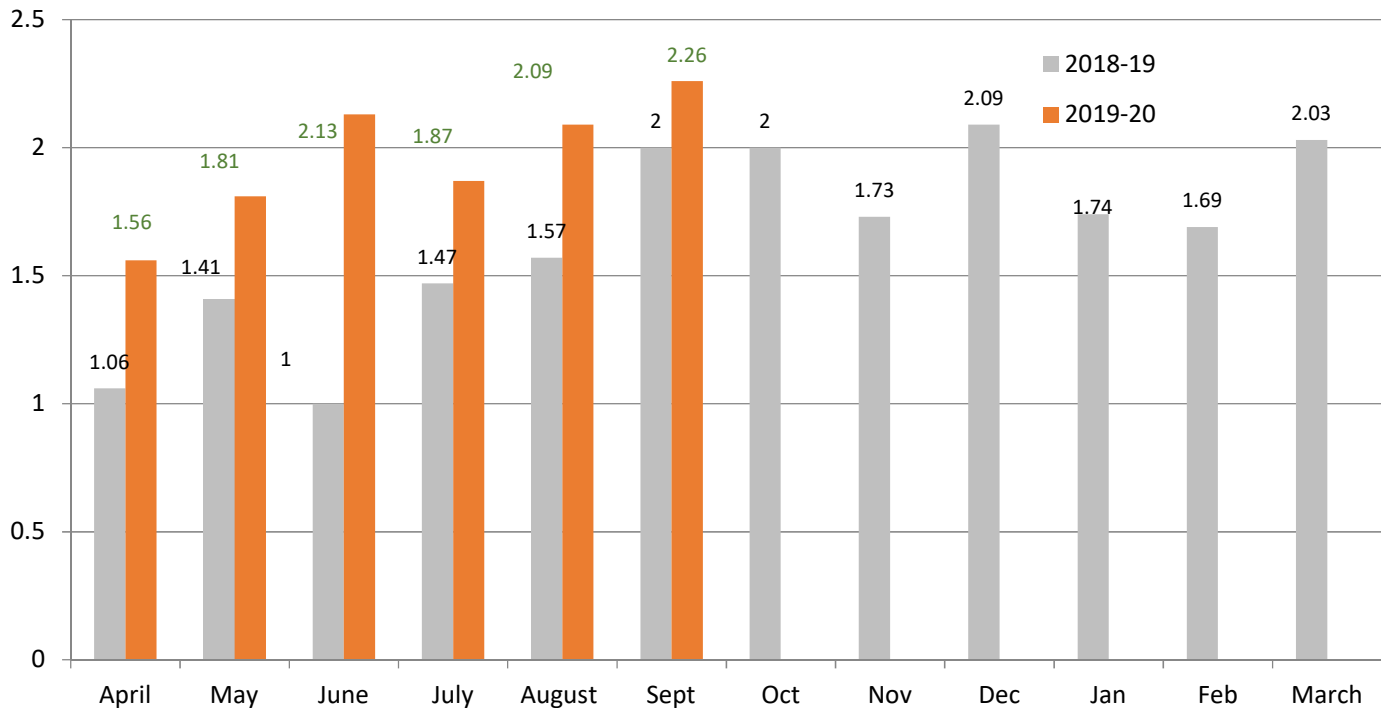
With the introduction of the Homeless Reduction Act, the average decision time has altered from 28 to 56 working days.

The chart above reflects this change and we are now looking at a cumulative average time of 74.01 days to make a decision, compared to 36.72 days as at September 2018. In comparison to June 2018, there has been a 101% rise in the decision time.

This is an improvement on the cumulative figure for the first quarter of 197%.

The projection for the coming year cannot be successfully calculated yet due to changes regarding the Homelessness Reduction Act.

Length of Stay in Daily Rate Emergency Accommodation (including Bed & Breakfasts) – all clients

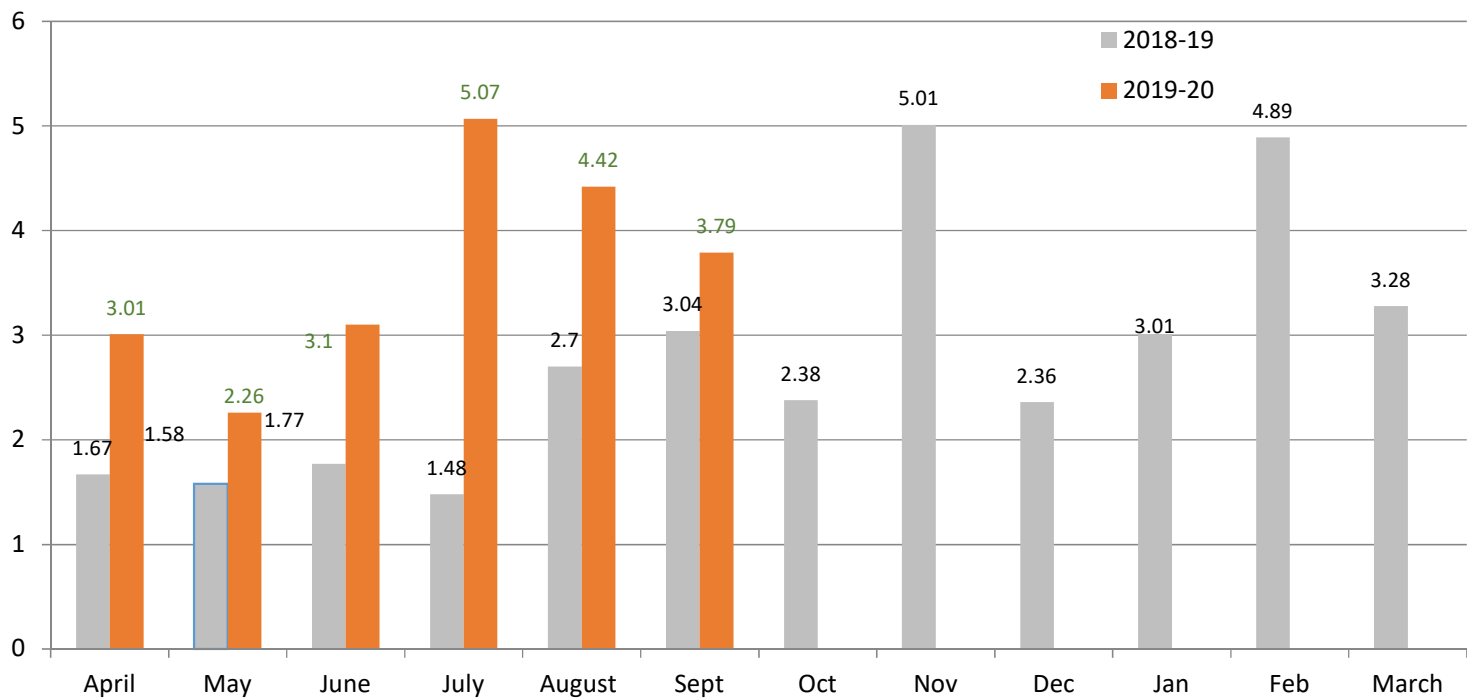


In comparison to the same period in 2018-2019, there has been a rise in the average length of time spent in Bed and Breakfast; with last year's average stay for the same quarter of 1.99 weeks increasing this quarter to an average of 3.26 weeks. This equates to an approximate 63.81% rise in average stays.

A significant rise can be seen in regards to the Bed and Breakfast spend during the financial year 2019-2020. April to August 2019-2020 in comparison to the same period during 2018-2019.

Bed and Breakfast usage will be monitored more closely to stop the rise in expenditure occurring again.

Length of stay in bed and breakfast with dependent children, leaving within a month



In relation to the Housing Options transfer to Wolverhampton Homes, issues regarding temporary move-on by utilising all available temporary accommodation within their own schemes has been mostly resolved.

Unfortunately due to the greater number of clients approaching the service, especially larger families, certain temporary accommodation units have been inappropriate to utilise due to the size of units.

Previous reports forecasted a drastic drop in average length of stay, which has been seen in quarter one. However, figures remain higher than that of the same quarter in the previous financial year.

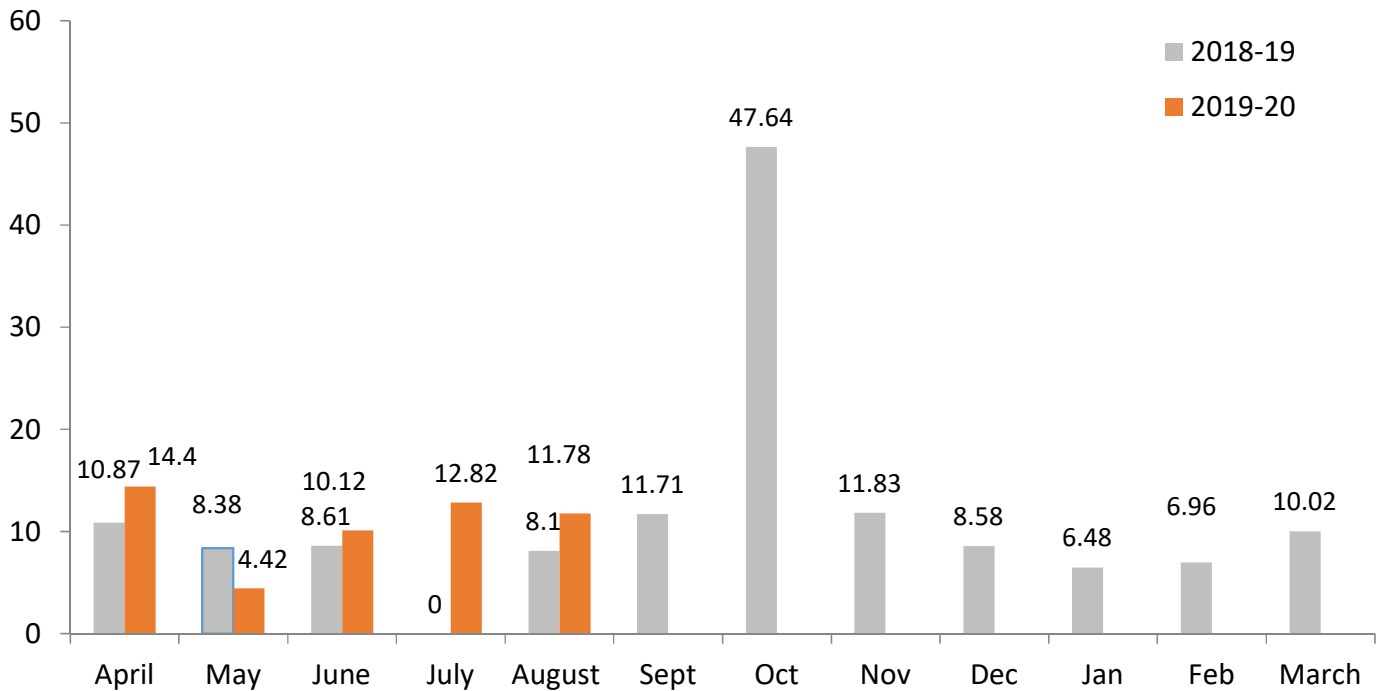
Bed and Breakfast facilities that can accommodate large families are being increasingly utilised and whilst the Housing Options team have vastly reduced the average length of stay for families in Bed and Breakfast in the latter part of quarter two, usage continues to rise.

As a snapshot; last year's average length of stay totalled 2.17 weeks up to September 2018. In comparison it has been up to 3.74 weeks up to September 2019.

There is clearly a definite rise over previous years alternative suitable temporary accommodation must be sourced within the Council's stock to reduce this figure. This forms part of the temporary accommodation review.

Housing Options staff are working to reduce the figures by working to ensure all other options are exhausted before bed and breakfast is used.

Length of stay (weeks) in temporary 'shared accommodation' households with dependent children, leaving within a month



In comparison to last year's average cumulative stay of 10.5 weeks for families placed who left accommodation during and up to March 2018/19, we are now seeing an average cumulative stay for quarter two of 11.78 weeks so far.

An increase in the length of stay for families within shared accommodation can also be seen from April to September this year with an average stay of 11.75 weeks, however it should also be noted that a larger number of families are being placed in B&Bs. This would normally reduce the above figures, however, in this instance this has not been the case due to the larger numbers approaching, together with the difficulty with move-on accommodation.

We are now seeing a rise in stay of approximately 11.9% over last year.

Reasons for Homeless within Wolverhampton

Criteria	Number of households accepted as homeless
End of private rented property – assured shorthold tenancy*	29
Required to leave accommodation provided by Home Office as Asylum Support*	25
Other	18
Not Known	18
Family no longer willing or able to accommodate	16
End of private rented property – not assured shorthold tenancy	11
Domestic Abuse	9
Friends no longer willing or able to accommodate	7
Relationship with partner ended (non-violent breakdown)	5
End of Social Rented tenancy	1
Eviction from Supported housing	1
Fire – Flood	1
Mortgage Repossession	1
Left HM forces	0
Left institution with no accommodation available	0
Non racially motivated / other motivated violence or harassment	0
Property disrepair	0
Racially motivated violence or harassment	0
Total	142

Successful prevention and relief

Definition of services:

Prevention is where work is undertaken to ensure households successfully remain in their own home.

Relief work is the work that is undertaken when households are not able to remain in their own home but are provided additional support such as finding them alternative accommodation.

Case work

- * Successful Preventions and Relief percentages are based only on the cases with outcomes during a particular month and not the initial decision being owed for a particular month. This is due to outcomes taking 56 days plus and it would be impossible to get an accurate percentage outcome based on one month at a time.
- * Percentages are based on all cases successful prevention or relief cases with an end date; for example April combining those together and basing each successful outcome against that figure. Successful outcomes will be those cases which were prevented by securing existing accommodation or finding alternative accommodation for 6 months plus. Relieved cases use the same outcomes methodology.

Months	1) Referral - Those who Presented themselves as homeless or at risk of homelessness*	2) Were assessed under the Homelessness Reduction Act (HRA) 2017	3) Of those assessed, received an initial decision of being owed:			a) Total Prevention cases with (End date)	b) Total Relief cases with (End date)	c) Combined totals with (End dates)	d) Successful Prevention cases	Percentage of Successful Prevention cases	e) Successful Relief cases	Percentage of Successful Relief cases
			a) Prevention duty under HRA	b) Relief duty under HRA- no prevention initiated	c) No prevention or Relief duty under HRA							
April	287	111	48	52	11	53	55	108	22	20.37%	31	28.70%
May	312	126	33	54	39	50	54	104	23	22.12%	39	37.50%
June	245	77	17	37	23	50	64	114	23	20.18%	38	33.33%
July	320	137	31	51	55	34	71	105	17	16.19%	42	40.00%
August	288	108	23	38	47	22	46	68	9	13.24%	17	25.00%
September	306	162	28	56	78	26	46	72	12	16.67%	25	34.72%
October												
November												
December												
January												
February												
March												
Yearly Total												

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