

Options’ appraisal for future management arrangements and staffing structure of Wolverhampton Anti-social Behaviour (ASB) Team

1. Purpose of report

For the Vibrant, Safe and Sustainable Communities Scrutiny Panel to:

- Consider options for the future delivery of the city’s ASB service;
- Comment on the preferred option (Option 4) outlined within this report which will inform the presentation of subsequent reports to Vibrant, Safe and Sustainable Communities Scrutiny Panel (2 October 2014) and Cabinet (12 November 2014).

The ASB Service Review has considered the feedback from stakeholders and also the human resources (HR) issues raised. Accordingly, four options have been developed for consideration detailing how ASB services across the city could be delivered going forward. The options considered are outlined below:

2. Options

Option 1 - Revert back to two separate ASB functions

This option will see the ASB service split, with a return to the ASB Unit (WCC) managing ASB in private housing and non-housing ASB; the WH staff return to their previous posts and ASB cases are managed by generic WH Estate Managers.

Option 1 – Advantages	Option 1 - Disadvantages
<ul style="list-style-type: none"> • No disparities in pay, terms and conditions between WCC and WH staff 	<ul style="list-style-type: none"> • Potential reduction in customer satisfaction • Potential duplication of resources • Loss of specialist service provided to WH customers • Return of confusion amongst customers about where they should report ASB • Loss of 3 ASB Team posts under the WCC Medium Term Financial Strategy (MTFS) which will lead to significant reduction in service and potentially reduced customer satisfaction

Option 2 - Retain the existing staffing structure and management arrangements

This option will retain the existing staffing structure. WCC staff will continue under the secondment arrangement to WH.

Option 2 – Advantages	Option 2 - Disadvantages
<ul style="list-style-type: none"> • High level of customer satisfaction • No duplication of resources • Specialist ASB service provided to all customers, irrespective of housing tenure and incorporates non-housing ASB • Single point of contact for customers to report ASB 	<ul style="list-style-type: none"> • Loss of 3 ASB Team posts under the WCC MTFs which will lead to significant reduction in service and potentially reduced customer satisfaction • Significant disparities in pay, terms and conditions between WCC and WH staff • ‘Flat’ structure that restricts opportunities for proactive work and limits ability for targeted work in areas/communities where there is under-reporting • Does not address staff and trade union concerns about lack of differential in duties between higher and lower graded posts • Limits capacity of the team to implement and manage new ASB legislation

Option 3 – New staffing structure and TUPE transfer of WH staff to WCC

This option will see a potentially new staffing structure. WH staff TUPE transfer to WCC.

Option 3 – Advantages	Option 3 - Disadvantages
<ul style="list-style-type: none"> • Retain high level of customer satisfaction • No duplication of resources • Specialist ASB service provided to all customers, irrespective of housing tenure and incorporates non-housing ASB • Single point of contact for customers to report ASB • Revised structure may provide enhanced ASB service to the business sector • Addresses staff concerns about lack of differential in duties between higher and lower graded posts • No disparities in pay, terms and conditions between WCC and WH staff • May allow capacity for management of new ASB legislation 	<ul style="list-style-type: none"> • Loss of 3 ASB Team posts under the WCC MTFs which will lead to significant reduction in service and potentially reduced customer satisfaction • Significant increase in salary costs to bring 13 WH staff in line with WCC grades under Single Status • Increase in salary costs (as above) would necessitate a reduction in the number of posts within the ASB Team, which will ultimately result in a significantly reduced service and potential reduction in customer satisfaction • Employee relations issues of transferring staff

Option 4 – New staffing structure and TUPE transfer of WCC staff to WH

This option will see a new staffing structure. WCC staff will TUPE transfer to WH. 2 of the 3 posts due to be deleted under the WCC MTFs will be retained. Under this proposal, £0.035M of the £0.150M WCC savings will be realised earlier than 2017/18, with WH funding 50% of the posts until March 2017 and 100% of the posts from April 2017 onwards.

Option 4 – Advantages	Option 4 - Disadvantages
<ul style="list-style-type: none"> • Overall reduction in salary costs to WCC • Earlier realisation of WCC budget reductions (Community Safety) • Retention of 2 of the 3 posts identified to be deleted under the WCC MTFs • Retain high level of customer satisfaction • No duplication of resources • Specialist ASB service provided to all customers, irrespective of housing tenure and incorporates non-housing ASB • Single point of contact for customers to report ASB • Revised staffing structure will allow more proactive work and enable planning and more targeted work in areas/communities where there is under-reporting across the co-ordinated areas • Revised structure will provide enhanced ASB service to the business sector • No disparities in pay, terms and conditions between WCC and WH staff • Addresses staff concerns about lack of differential in duties between higher and lower graded posts • Allows capacity for management of new ASB legislation 	<ul style="list-style-type: none"> • Employee relations issues of transferring staff

3. Preferred option

3.1 The preferred option which has been developed further is Option 4.

3.2 Under this option, WH would have overall management responsibility of the city's ASB service under a contractual arrangement with WCC. The council would maintain oversight and influence over the service through contractual

arrangements and service monitoring through a robust performance management framework.

- 3.3 Accordingly, a proposed structure, which is being informed by officers and stakeholder feedback, will be produced in response to a number of issues, including HR issues (detailed in Section 3.2.4 of the covering report), implementation and management of the new ASB legislation, the need for an improved ASB service to businesses and more planned/proactive work in our neighbourhoods and communities.

The structure will retain a similar number of posts. However, the overall costs will eventually be reduced by a reduction in the number of higher graded posts and the introduction of entry-grade posts. The key features of the recommended option (Option 4) are:

- A TUPE transfer of 7 WCC staff to WH;
- An overall reduction in the cost of the ASB service;
- The retention of 2 of the 3 ASB Team posts identified under the WCC MTFS;
- A reduction in the number of co-ordinated areas which will result in a reduction in the number of supervisors;
- The creation of entry-level posts that will manage lower level ASB cases;
- An ASB Team Manager who will provide strategic management of the team as well as day-to-day operational management and who will continue to fulfil statutory functions on behalf of WCC;
- A structure that will enable officer capacity for management of ASB casework as well as placing a greater focus on planned/proactive work and management/implementation of the new ASB legislation;
- The creation of a 'business district' ASB team which will focus on ASB issues in the city centre and other business areas. This will complement the drive to encourage new businesses and increased footfall into the city's shopping areas;

- 3.4 Clearly, any new structure will take a period of time to fully implement and, in accordance with TUPE legislation, existing employees will have a right to protected terms and conditions at the point of transfer. WCC employees currently receive a significantly higher level of salary as a consequence of Single Status that was implemented in 2012. The intention is to protect these conditions until such time as the salary of those involved in the transfer are ameliorated with WH salary scales. Currently equivalent WH employees receive a temporary honorarium as a supplement to their basic salary. This will simultaneously reduce as the proposed structure is implemented.

- 3.5 Before implementation is reached, there will be a need to protect existing employees whilst grades are equalised. Although this will delay realising the savings, the funding from WCC will reduce in stages so that the associated costs can be offset. If the proposals are approved, 50% of WCC's budget saving requirements will be realised in 2015/16, two years earlier than anticipated.

- 3.8 In 2017/18, when it is anticipated the structure will be fully implemented, the ratio of funding will be 29% WCC and 71% from WH. The activities of the ASB Team split across housing revenue account (HRA) and WCC general fund is broadly comparable. Indeed, during the quarter ended 31st March 2014 there were 80% of cases relating to Wolverhampton Homes managed properties and 20% relating to non HRA related issues, many of which are more time consuming and require intensive management.

4. Consultation and implementation

- 4.1 Indicative discussions have been held with WCC service managers, WCC and WH HR officers and legal officers as well as UNISON. Further meetings are planned and proposals will need to be considered by WCC's Vibrant, Safe and Sustainable Communities Scrutiny Panel, WH Board, and formal approval by WCC Cabinet. Thereafter, a formal consultation period with employees affected and their trades union representatives will be required.
- 4.2 If this proposal is agreed, it is intended that implementation will be phased over time with posts being ring-fenced to affected staff as appropriate. Any posts remaining vacant following implementation of the new structure will be advertised internally within WCC and WH.
- 4.3 Subject to Cabinet approval, the proposal being developed is to formally consult upon a TUPE transfer of WCC employees to WH which, if agreed, will take effect no later than 1 April 2015.

5. Financial Implications

- 5.1 The financial implications are outlined below.

The preferred Option 4 is based upon WCC continuing to fund four posts within the structure not affected by budget saving proposals by an adjustment to WH annual management fee. WH will provide funding for 50% of the costs of 2 of the 3 posts identified to be deleted under the WCC Savings' Programme from April 2015 until March 2017 thus realising an accelerated saving for WCC of £35,000 per annum (two years earlier than proposed). WH will then fund 100% of these 2 posts thereafter. When fully implemented in 2017/18, the proposed structure will realise annual savings of £89,000 for WCC.

	2014/15	2015/16	2016/17	2017/18	Total
<i>WCC Funding</i>	263,900	228,900	228,900	174,700	896,400
<i>WH Funding</i>	419,900	454,900	454,900	431,300	1,761,000
Total	683,800	683,800	683,800	606,000	2,657,400
Increased cost to WH per annum	n/a	35,000	-	(23,600)	11,400
Reduced cost to WCC – per annum	n/a	35,000	-	54,200	89,200