

# Public Document Pack



**Service Director – Legal, Governance and  
Commissioning**

**Julie Muscroft**

The Democracy Service

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Monday 10 December 2018

## Notice of Meeting

Dear Member

### **Cabinet**

The **Cabinet** will meet in the **Leadership Meeting Room - 1st Floor, Civic Centre 3, Huddersfield, HD1 2TG** at **4.00 pm** on **Tuesday 18 December 2018**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

**Julie Muscroft**

**Service Director – Legal, Governance and Commissioning**

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Cabinet members are:-**

### **Member**

Councillor Shabir Pandor  
Councillor David Sheard

Councillor Masood Ahmed  
Councillor Viv Kendrick

Councillor Musarrat Khan  
Councillor Naheed Mather  
Councillor Peter McBride  
Councillor Cathy Scott  
Councillor Graham Turner

### **Responsible For:**

Leader of the Council  
Deputy Leader of the Council and holder of the  
Deputy Leaders Cabinet Portfolio  
Cabinet Member - Learning and Aspiration  
Cabinet Member - Children (Statutory  
responsibility for Children)  
Cabinet Member - Health and Social Care  
Cabinet Member - Communities and Environment  
Cabinet Member - Economy  
Cabinet Member - Housing and Democracy  
Cabinet Member - Corporate

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of the Committee**

To receive apologies for absence of Members who are unable to attend this meeting.

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**2: Interests**

1 - 2

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

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**3: Admission of the Public**

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

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**4: Deputations/Petitions**

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

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**5: Public Question Time**

The Committee will hear any questions from the general public.

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**6: Member Question Time**

To consider questions from Councillors.

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**7: Quarter (2) Corporate Performance Report**

3 - 30

This report is to provide Members with an overview of the Council's corporate performance at the end of Quarter (2) 2018/19.

**Contact:** Nick McMillan - Directorate Performance Lead Officer Tel: 01484 221000

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**8: Calculation of Council Tax Base 2019/20**

31 - 42

To seek approval of the Council for the various tax bases, this will apply to the Kirklees area for the financial year 2019/20 in connection with the Council Tax. There are no proposed changes to the current Council Tax Reduction Scheme (CTRS) for 2019/20.

**Contact:** Steve Bird – Head of Welfare and Exchequer Services and Mark Stanley – Senior Manager Welfare and Exchequer Services  
Tel: 01484 221000

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**9: Council Tax - Empty Property Premium**

43 - 48

To note that Council can now determine under s11B of The Local Government Finance act 1992 to increase the premium for long term empty properties from 50% to 100% meaning that owners of those properties will pay 100% extra in council tax from 1<sup>st</sup> April 2019.

**Contact:** Julian Hobson, Policy Officer, Tel: 01484 221000

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**10: Review of KNH**

49 - 62

To report on the outcome of the Council's independent review of Kirklees Neighbourhood Housing Ltd (KNH) coupled with the KNH Board's review of governance and make recommendations on the future direction of the management of the Council's housing service

**Contact:** Naz Parkar - Service Director for Growth and Housing, Tel: 01484 221000

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<b>KIRKLEES COUNCIL</b>			
<b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b>			
<b>DECLARATION OF INTERESTS</b>			
<b>Name of Councillor</b>			
<b>Item in which you have an interest</b>	<b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b>	<b>Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]</b>	<b>Brief description of your interest</b>

Signed: ..... Dated: .....

## NOTES

### Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**Name of meeting:** Cabinet  
**Date:** 18th December 2018  
**Title of report:** Quarter (2) Corporate Performance Report

**Purpose of report** This report is to provide Members with an overview of the Council's corporate performance at the end of Quarter (2) 2018/19

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall - 7.12.2018
Is it also signed off by the Service Director for Finance (S151 Officer)?	Eamonn Croston - 7.12.2018
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft - 7.12.2018
Cabinet member <a href="#">portfolio</a>	Cllr Shabir Pandor, Leader of the Council

**Electoral wards affected:** Not applicable

**Ward councillors consulted:** Not applicable

**Public or private:** Not applicable

**(Have you considered GDPR?)**

This report contains only aggregated and/or anonymised data and therefore contains no personal data that identifies a living individual, no sensitive personal data such as health, religion, sexuality and ethnicity and no information about members of staff, users of services, details of Kirklees' citizens.

## 1. Summary

Corporate performance for 18/19 aims to provide Executive Team and Cabinet with a quarterly overview of impact, improvement and risk against each of the seven Kirklees Outcomes, within the context of what is set out in the newly formatted Corporate Plan. There are several key aspects to this revised approach. This approach is in development. The major part of this development process will take place in the first half of 2018/19, to be finessed during the second half of the year. For Quarter (2) and onwards, we have assigned an intelligence and performance lead for each of the Outcomes to drive the development of focused and meaningful corporate performance content.

## **2. Information required to take a decision**

The Executive Summary of the report sets out both highlights and issues/risks from the main body of the report. It also sets out some of the key data development issues that are essential to continuous improvement of both the data included and the insight that comes from the analysis undertaken. Cabinet is invited to consider this overview of organisation performance in contribution to each of the seven Kirklees Outcomes and the Council's aspiration to be effective and efficient in the delivery of its services.

## **3. Implications for the Council**

The attached reports show progress in relation to the seven shared outcomes as expressed in the Corporate Plan for 2018/19. In that the Quarter (2) Corporate Performance Report provides a high level overview of performance across all council activity, it sets out activity and impact in all five of the following sub-headings:-

### **3.1 Working with People**

### **3.2 Working with Partners**

### **3.3 Place Based Working**

### **3.4 Improving outcomes for children**

### **3.5 Other (eg Legal/Financial or Human Resources)**

## **4. Consultees and their opinions**

The attached reports show progress in relation to the Seven Kirklees Outcomes and the Council's aspirations for each, as expressed in the Corporate Plan for 2018/19.

## **5. Next steps and timelines**

The reports may be considered by Overview and Scrutiny Management Committee.

## **6. Officer recommendations and reasons**

It is recommended that the report is noted.

## **7. Cabinet portfolio holder's recommendations**

Not applicable.

## **8. Contact officer**

Nick McMillan - Directorate Performance Lead Officer  
[nick.mcmillan@kirklees.gov.uk](mailto:nick.mcmillan@kirklees.gov.uk)  
(01484) 221000

## **9. Background Papers and History of Decisions**

Not applicable.



**10. Service Director responsible**

Rachel Spencer-Henshall, Strategic Director for Corporate Services  
[rachel.spencer-henshall@kirklees.gov.uk](mailto:rachel.spencer-henshall@kirklees.gov.uk)  
(01484) 221000

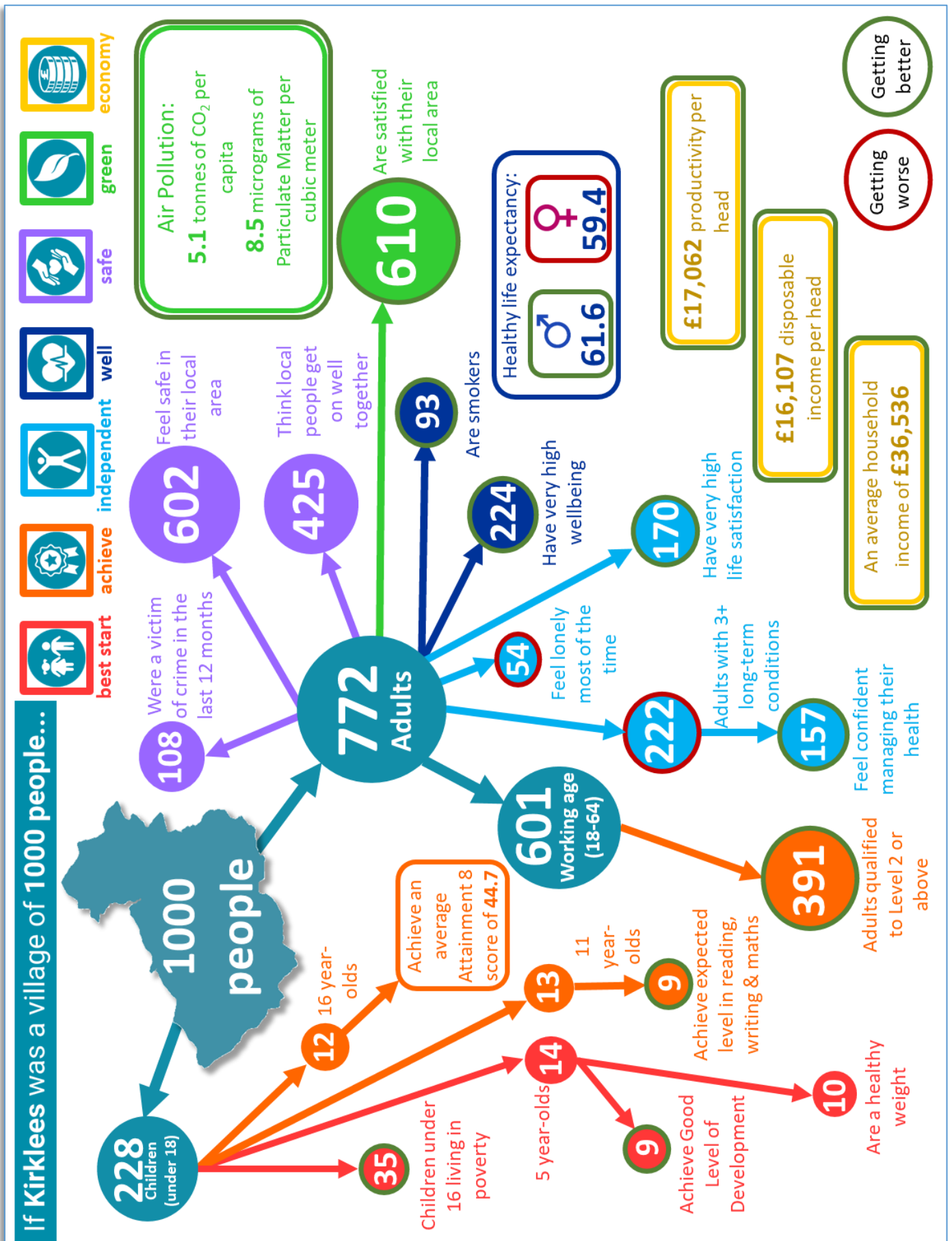
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# Corporate Intelligence & Performance Analysis

Quarter (2)  
July to September 2018



# Picture of Kirklees - Overview



# Executive Summary

*Corporate performance for 18/19 aims to provide Executive Team and Cabinet with a quarterly overview of impact, improvement and risk against each of the seven Kirklees Outcomes, within the context of what is set out in the newly formatted Corporate Plan. There are several key aspects to this revised approach.*

*This approach is in development. The major part of this development process will take place in the first half of 2018/19, to be finessed during the second half of the year. For Quarter (2) and onwards, we have assigned an intelligence and performance lead for each of the Outcomes to drive the development of focused and meaningful corporate performance content.*

## **In overview:**

There is a substantial amount of evidence of support and collaboration with the public, private and voluntary sectors – from business planning workshops with early education providers to extensive support for adult social care providers. Community Plus (helping and supporting people and families who might be struggling to lead a better life by connecting them with local resources, groups and individuals) now supports over 140 groups and the Place standard has been piloted in Golcar, a citizen engagement approach to enable communities to better inform and influence the future of their community. Working in partnership with Victim Support, Safer Kirklees has launched two new victim's hubs in North Kirklees (Dewsbury and Batley). And the 'Big Build' conference brought together 150 industry professionals, developers and investors to explore their potential participation in the District's ambitious plan to support the building of 10,000 new homes in the next 5 years in Kirklees.

Key highlights for the Quarter include the following:

- Opening of the new Brambles Primary Academy, the new Primary school in North Huddersfield, in temporary accommodation with children starting in the first reception class
- Opening of the new Kirklees College Springfield Sixth Form College in Dewsbury
- Kirklees remains above the national average benchmark for take up of pre-school education
- A 5.9% improvement in the proportion of SEN support children achieving at least the expected standard.
- Launch of the Kirklees Communities Partnership Plan, setting out key priorities for the next 3 years
- Voluntary and community groups have been awarded over £65K from the Police and Crime Commissioner to fund local community safety activities, the highest District award in West Yorkshire.
- Over 2,000 people take part in a variety of cohesion and engagement projects
- A Faith & Learning conference for schools involving 350 people
- Of the 7 key outcomes from the 2017-18 Adult Social Care Survey Kirklees saw an improvement in 6 including Quality of life, Control over daily life, Social contact and Finding information and advice.
- Substantial work is taking place between Adult Services, local NHS Trusts and partners to better support the flow of people through hospital and to avoid delayed discharges, in preparation for winter
- Despite the pressures, Kirklees performs favourably in comparison with other Councils on Delayed Transfers of Care. From 152 councils with adult social care responsibilities Kirklees are ranked 71<sup>st</sup> overall, 89<sup>th</sup> for NHS Delays and 66<sup>th</sup> Adult Social Care.
- 91% of adult social care clients believe that the variety of people caring for them work well together and give them the best care and support possible
- Significant improvement in child protection conferences taking place with agreed timescales, now at 89.5% and higher than statistical neighbours
- Decision making on children's social care referrals within 24 hours has also improved from 53% in April to 98% in September.
- A local Economic Partnership award of £300,000 from the Local Economic Partnership's Business Rates Pool fund. This will be used to support the ambition for making Kirklees a renowned destination for music.
- SME Growth Managers have supported 96 businesses in the first half of 2018-19 and the corresponding investment into businesses in Kirklees as a result of that support has now reached £4.87m.
- An 'Innovation of the Year' award from the National Association of British Markets for the Council's Markets and Creative Economy team, for the Temporary Contemporary art gallery spaces

- A refresh of the Kirklees Economic Strategy is underway

There are a number of risks highlighted.

- Within the Thriving Kirklees provision, there continues to be a significant demand on capacity due to dealing with safeguarding issues.
- A number of issues arose from a programme of local area health and care system reviews undertaken by the Care Quality Commission,
  - Kirklees is ranked 2<sup>nd</sup> lowest performer in the region on satisfaction of people in receipt of long term services and ranked 112 out of 152 councils in England.
  - In Kirklees 1.5% of older people receive reablement (services for people with poor physical or mental health to help them accommodate their illness by learning or re-learning the skills necessary for daily living) following hospital discharge, significantly lower than the England average of 2.7%.
  - Kirklees is below the Y&H average on the proportion of people still at home following hospital discharge and a short term service to maximise independence (85%), in the bottom 3 lowest performing councils in the region and ranked 101 nationally (152 councils) – though 3% separates the seven lowest performers.
- In relation to attainment scores for all pupils at Key Stage (4), School based data suggests that the local authority may have lost ground on the national ranking positions when 2018 data is released in December.
- Currently, 79.2% of Kirklees pupils are in schools that are rated Outstanding or Good. The national average is 86%. Several large schools in vulnerable positions are due their first inspection as a new school/academy this year.
- There has been a noticeable and continued increase in violent offences. Much is connected with assaults, malicious communications and “public fear, alarm / distress”. There have also been increases in more serious violence including those associated with weapons (some of which involving gangs) and incidents associated with the night time economy.

There is a corresponding and significant data development agenda across all outcomes. Much of this is the result of changing the emphasis of performance analysis from monitoring what happens to assessing why and, therefore, providing insight.

- A significant gap in data on the degree to which people are better off across all Outcomes
- The need to better reflect particular experiences of the customer journey in a more connected and co-ordinated approach
- Co-ordinated investment in the right technologies to help with both access to a wider set of data and in making the connections between data sets
- Strengthening the ability to report on outcomes data on a more frequent basis and drawing from local intelligence sources.
- A need to understand how each Outcome inter-relates with other Outcomes, how activities in contribution to one Outcome impact – either positively or negatively – on the aspirations of others and where the gaps/overlaps exist between them
- The need to strengthen the connection between performance content, in reflection of Outcome aspirations, and the key Policies and Strategies of the Council – in building a stronger golden thread

A comprehensive data development agenda is being compiled to support the process of continuous improvement in intelligence and performance reporting over next 18 months.





## Best start

### The Bigger Picture

At the end of Reception (Early Years Foundation Stage) 68.1% of children in Kirklees reached a good level of development, lower than the England average (70.7%). Whilst there is improving performance in this figure, Kirklees is still below England and Yorkshire & Humber (England 70.7%; Yorkshire and the Humber 68.1). However, Kirklees performs higher than statistical neighbours (67.4%). The performance for girls is 75.5% and boys 60.6%.

### Where the Council makes a contribution

The Council is aiming to achieve progress and impact in the following four areas:

- *Confident children ready to do well at school and in life; Better outcomes for vulnerable children; Child focussed activities which support families; As many children as possible staying with their families*

### Key activities in the Quarter

#### **As part of pre-school education**

- There has been further development of the assessment of sufficient places based on the actual take-up of 30 hours in the previous three terms. Currently, this indicates a possible pressure in the Lindley ward for the summer term 2019. However, there are indications that new provision may open to meet this need. With limited history to draw upon, there are risks associated with accuracy of forecasting. Forecasts will therefore be reviewed termly as trends build stronger insight.
- The second phase of the business planning workshops for early education and childcare providers from all sectors were delivered in September and take-up was much higher than in the summer term.
- Six 1-1 sessions also took place in October. Feedback from the delegates was excellent. Feedback from the trainer was that some settings are doing all they can. The main reason for them being under pressure is the fall in numbers of children. This is mainly affecting sessional providers that offer less flexibility to parents.

#### **As part of the Thriving Kirklees programme**

- A key objective is to develop an integrated approach to the commissioning and provision of services and activity to improve outcomes for children and young people from conception to age 19 (age 25 for children, young people and families with additional needs).
- There continues to be a significant demand on capacity due to dealing with safeguarding.
- Positive feedback has been received relating to how the Local Public Health Intelligence Leads (PHILs) are working with the Community Hubs. The PHILs are being supported by Public Health and Public Health Intelligence to identify, collate, analyse and understand relevant indicators for each hub, to inform local plans to improve outcomes.
- The National Childhood Measurement Programme (NCMP) is being provided to standard.
- Existing vision screening provision is being reviewed.
- A breastfeeding Peer Support Programme will be developed and implemented in the New Year.

### Impact

#### **As part of pre-school education**

- There are no updates in Quarter (2) for take-up as this is only available at the end of each school term.

- Kirklees remains above the national average up-take benchmark - measured in the spring term. Take-up by eligible children in Kirklees was 74% compared with a national average of 72%.

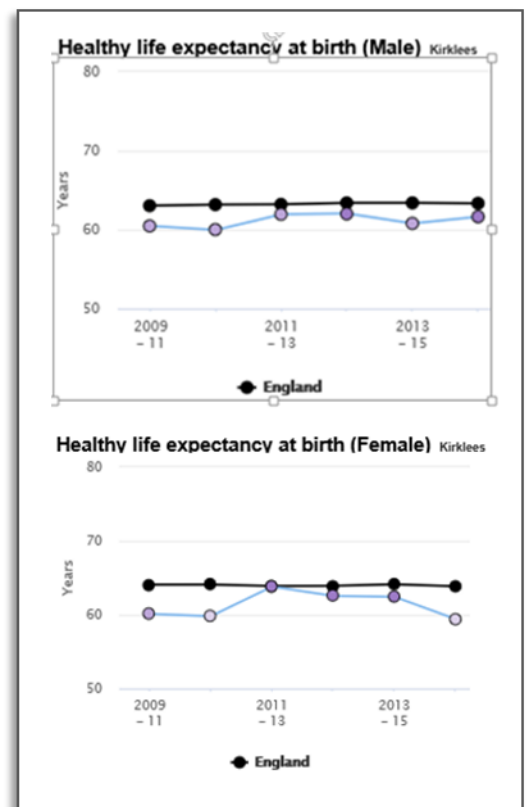
### As part of the Thriving Kirklees programme

- 1,150 young people are on the waiting list at various stages in Quarter (2).
- Thriving Kirklees is currently achieving the 28 day target for assessment for all Looked After Children cases.
- Performance indicators that are currently below target include the percentage of people receiving specialist support treated within 6 weeks and the average waiting time for specialist support. The Thriving Kirklees consortium continue to focus on reducing waiting times. An independent review of all CAMHS waiting times and current provision has been commissioned. The final report, including recommendation is due in January.
- One of the contributing factors to high waiting times is the open access referral system which allows children and young people, parents and carers to self-refer. Many positive outcomes have been captured in case studies provided on a quarterly basis.
- Preparation for Parenthood (PfP) is demonstrating positive outcomes for parents. The Council is scoping out delivery options to increase the reach of the PfP, which is currently not able to meet demand in North Kirklees. A multi-agency Nurturing Parents group has begun to identify gaps and opportunities. Work continues to develop the single point of contact and ensure Home Start and the Yorkshire Children Centre can receive electronic referrals.

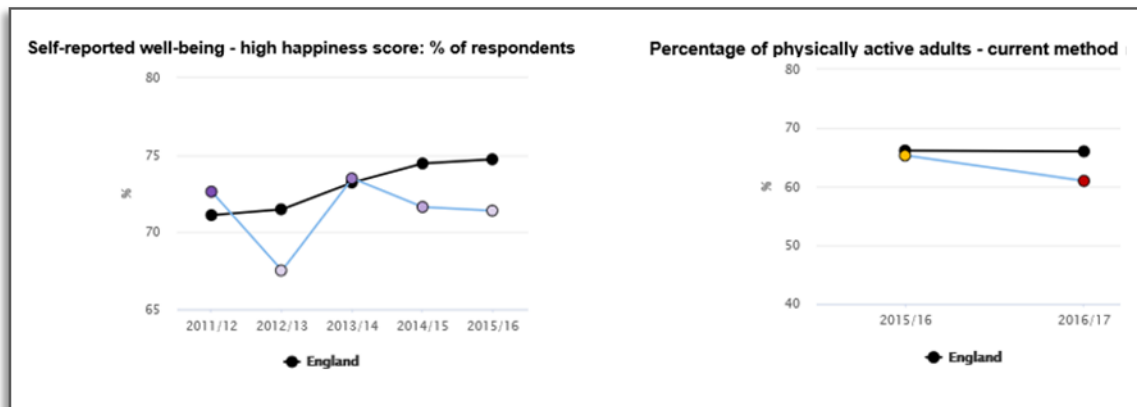


### The Bigger Picture

- Healthy life expectancy (HLE) is the number of years a baby born today is likely to live in 'good' health. There is a clear social gradient for HLE. Locally HLE is highest in Kirkburton ward (males 68.6 years and females 69.1 years) and lowest in Dewsbury West ward (males 55.0 years and females 56.3 years). This is a gap of 13.6 years for males and 12.8 years for females.
- Female HLE in Kirklees has started to decrease (2<sup>nd</sup> trend line) and is now significantly lower than regional and national averages.
- The demographic and ethnicity profile of Kirklees is changing. The largest predicted increases are in the youngest and oldest age groups so there will be a squeeze on the working age population. HLE below the national retirement age is thus a key concern. Changes in the ethnic profile of Kirklees have important implications for tailored and targeted approaches to improving outcomes overseen by the Health and Wellbeing Board.
- Inequalities in healthy life expectancy are underpinned by inequalities in physical and mental health and health behaviours.
- Self-reported emotional wellbeing appears to be decreasing in Kirklees (trend line 3, below) and is lower than nationally or regionally. The proportion of physically active adults is also decreasing (trend line 4, below), and is significantly lower than England and one of the lowest in the Yorkshire & Humber region.







## Where the Council makes a contribution

The Council is aiming to achieve progress and impact in the following three areas:

- *More people active in their communities and engaged in local democracy; Access to opportunities to improve their health and wellbeing; A joined up health and care system in Kirklees; Support, help and advice for people in the communities where they live; Protection of the public's health through education, support and interventions*

## Key activities in the Quarter

Taking a holistic approach to the outcome, there are four principle programmes that aim to make significant contributions to the health and wellbeing of Kirklees residents. These are Communities Plus, the Kirklees Wellness Service, Physical Activity programmes and the wider Integrated Commissioning programme. *(A fifth programme - Thriving Kirklees – is reported as part of the previous Best Start Outcome.)*

### **Community Plus Programme**

*This targets both adults at risk of social isolation and/or developing health and social care needs, together with the local groups and networks that support them*

#### **Key Activities in the quarter**

Introductions have increased but there have been lower rates in Rural and Dewsbury & Mirfield localities. The service is recording positive outcomes for people following introductions (impact measures to be provided from next quarter). Drop-in and community outreach support has been provided via library services. Positive outcomes have also been reported by volunteers. However, introductions from the adult social care front door have been lower than expected. Intensive work has been involved in the 'Fit and Fed' project (for families experiencing holiday hunger). Over 3,000 meals and snacks have been provided and 665 young people participated. Gaps in youth service provision have been identified and local community provision has been enabled and added value.

#### **Impact**

- 461 group introductions (89 new),
- 146 total groups supported (49 new),
- 354 total individual introductions (234 new)
- 959 brief conversations recorded across Kirklees.
- Half of all individual introductions were in Huddersfield. 15% of group introductions and 12% of individual introductions were in Dewsbury

### **The Kirklees Wellness Service**

*Targeting adults needing support to improve their health behaviours and wellbeing*

#### **Key Activities in the quarter**

A Design & Mobilisation Group has been established with a project plan being progressed. Design of an operating model is ongoing. In August, a design and transformation partner - 'Big Life' - was commissioned to work alongside the Council and partners to provide additional capacity, capability and leadership in the development of the Wellness Model. This will facilitate the production of an operating model based on the service specifications. Staff

engagement sessions have been delivered to support change management and job specifications. Roles are currently being designed. Stakeholder engagement is also ongoing.

## Physical Activity Programmes

*Focusing on people with a variety of long term conditions and/or immediate health issues where physical activity could help in management and/or recovery*

### Key Activities in the quarter

The Steps for Life (SfL) programme has been reviewed with new and better ways of working adopted, including support for carers. Also, the Everybody Active Partnership hosted a Workplace "Fit to work" conference, with over 65 delegates attending from a range of local employers. Feedback has been extremely positive. In addition, there is ongoing work in support of the Built Sport & Leisure Facilities Strategic Framework; the Playing Pitch Strategy refresh; planning issues impacting on playing fields; the Council and Kirklees Active Leisure relationship; the Everybody Active Board; and the Rugby League World Cup 2021 bid.

### Impact

- Practice Active Leisure Scheme (PALS): Quarter (2) targets were achieved. 632 people booked first appointments. 29 specialist classes are provided weekly across Kirklees, with 5,529 attendances recorded. 82% of clients completing PALS were more active; 71% reported improved physical health and 62% improved self-esteem. On PALS completion, 64% of clients fully and 32% partially achieved their long-term goal. PALS is supported by 65 active Physical Activity Motivators, providing 2,340 volunteer hours in Quarter (2) and positive outcomes reported.
- Active for Life: 201 people attended 1:1s and group sessions. 74% felt that activity was a worthwhile /meaningful use of time. 70% of participants considered that increasing their activity levels had led to improvements in emotional wellbeing.

## Integrated Health & Social Care

*Focussed on health and social care commissioners/providers across Kirklees*

### Key Activities in the quarter

The Integrated Commissioning Board has been established and is meeting monthly. The Integrated Commissioning Strategy has been signed off by the Board and was endorsed by the Health and Wellbeing Board in September. A detailed delivery plan has also been developed. The Integrated Provider Board is meeting monthly. A detailed implementation plan is being developed. The Board has agreed that the main focus will be on developing Primary Care Networks, implementing the new Intermediate Care and Reablement Model and Kirklees wide community based services. These will be supported by actions across the following enabling workstreams: workforce, digital, estates, community infrastructure, physical infrastructure, organisational development.



## The Bigger Picture

9% of adults need help or support to continue to live at home, as reported in the 2016 Current Living in Kirklees survey. This proportion is highest among those not in work because they are sick or disabled, those aged 75+, social tenants, people with an annual household income below £10,000 and those of a mixed ethnic background. Half of these are dependent on others for daily activities such as bathing/toilet, dressing and/or eating. In the previous survey, undertaken in 2012, 11% of adults reported the need for help or support to continue to live at home.

## Where the Council makes a contribution

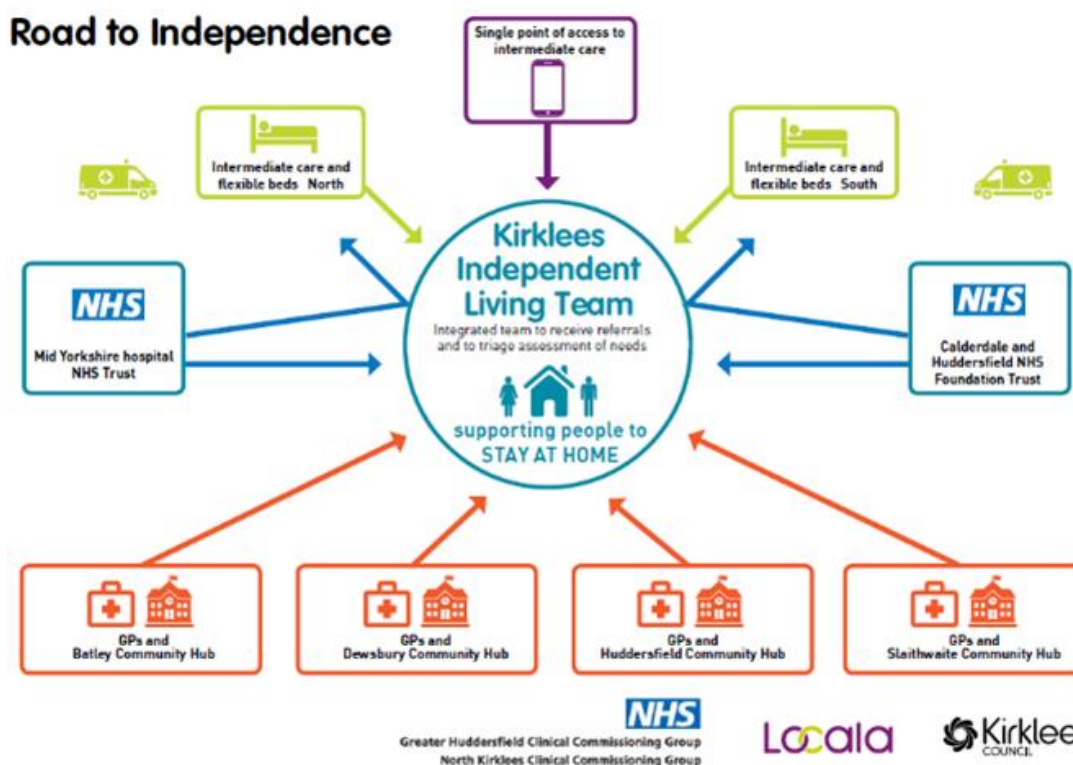
The Council is aiming to achieve progress and impact in the following four areas:

- *Joined up and personalised adult social care support which enables independence; A broad range of high quality options for care and support, provided with dignity and respect; Supporting people to successfully manage the changes in their lives; Providing for suitable and affordable homes in attractive places within a supportive community*

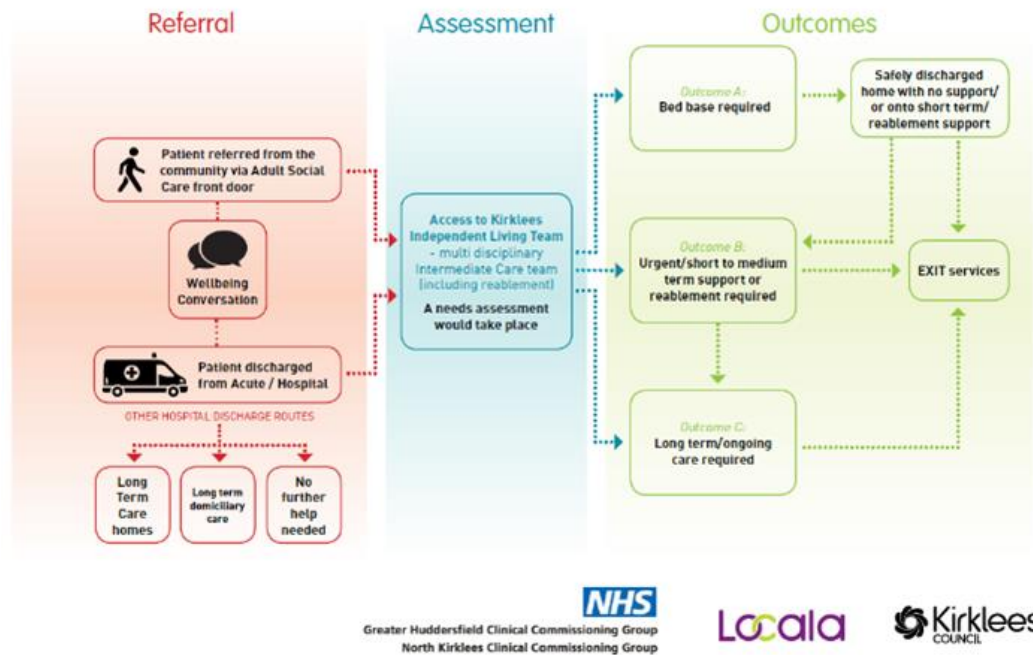
## Key activities in the Quarter

### Adult social care and support

- Adult Social Care is taking a more collaborative approach with care providers so it can deliver more flexible, people centred care and support, and make it easier for people to transfer from one form of care to another.
- A central aim is to streamline a citizen's health and care journey and enable the system to operate more effectively and efficiently.
- Adult Services continue to work with partners to ensure a safe and effective flow of people through care settings, ensuring this reduces readmissions/avoidable admissions and a system which remains sustainable.
- Following a programme of local area health and care system reviews, the Care Quality Commission have recently published a series of profiles to give a picture of the health and social care system in each local authority area. These bring together data to give an indication of how different services work together and show how well the health and care system performs against a set of cross-sector indicators covering service provision, quality, staffing and user experience of social care and activity through acute hospitals. These profiles focus on the care pathway for people aged 65 or over living in these areas. Key highlights are presented below.
- A Joint Intermediate Care Project between the Council, Locala and the Clinical Commissioning Groups (CCGs) is underway and progressing well. A number of workshops have been held where the overarching vision and future offer has been developed. A proposed customer pathway has been developed and some initial testing has commenced around an enhanced offer to support people out of hospital quicker once medically fit. A wider set of supporting metrics has been proposed in collaboration between the Council, Locala and the CCG to baseline performance activity and outcomes.



## Customer Journey through 'Intermediate Care Services' with 'Kirklees Independent Living Team'



### Meeting the housing needs of people in the most vulnerable groups

- As reported in Quarter (1) the Council has successfully implemented all requirements of the Homelessness Reduction Act. All people who are either homeless or threatened with homelessness are provided with a Personal Housing Plan and supported to secure a suitable and affordable home.
- Further work is taking place to embed the restorative practice approach with referral mechanisms now in place to receive referrals from the prescribed organisations covered by the Act. A programme of working with partners to help them understand what threatened with homelessness looks like is underway, to ensure early intervention and prevention work is embedded. A commissioning brief is also being progressed for single homeless with low support needs to access private rented sector housing.

## Impact

### Experience and outcomes of people between health and social care settings

- Of the 7 key outcomes from the 2017-18 Adult Social Care Survey Kirklees saw an improvement in 6 including Quality of life, Control over daily life, Social contact and Finding information and advice. More detailed analysis, insight and learning activity from the survey will be included in the Qtr3 report following NHS Digital's publication of the outcomes on the 23rd October.
- The only key outcome we haven't improved on is satisfaction with care and support. Only 60.5% of people in receipt of longer term services are extremely or very satisfied with their care and support, down from 61.9% in 2016-17. Kirklees is ranked 2<sup>nd</sup> lowest performer in the region on this outcome but with only 3.4% points separating the 6 poorest performers. We are ranked 112 out of 152 councils in England, the average being 65%. Satisfaction with services is directly linked to a positive experience of care and support and analysis of surveys suggests that reported satisfaction with services is a good predictor of the overall experience of services.
- One of the additional questions we asked in this year's Adult Social Care Survey was if those receiving longer term social care services felt different people treating and caring for them worked well together to give them the best possible care and support. 91% felt that all, or most of them, work well together. We will

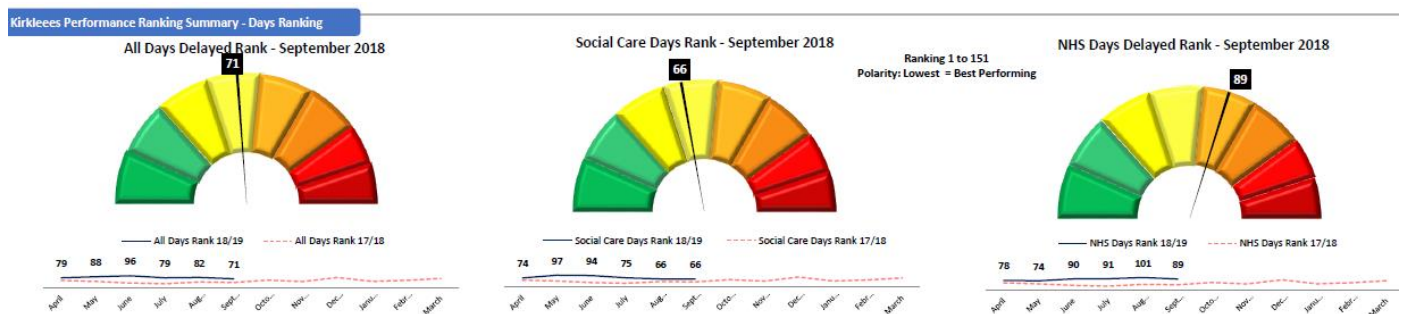
Council name	National rank
Calderdale	13
East Riding of Yorkshire	17
Wakefield	26
North Lincolnshire	30
North Yorkshire	39
Kingston upon Hull, City of	45
Barnsley	53
Rotherham	55
Bradford	64
York	91
Leeds	96
Doncaster	99
Sheffield	107
Kirklees	112
North East Lincolnshire	121



continue to include this question in future qualitative research to help evidence progress with regards to partnership working in health and social care settings.

### Hospital discharge into adult social care and support

- Latest published data shows that in Kirklees 1.5% of older people receive reablement following hospital discharge, significantly lower than the England average of 2.7%.
- Kirklees' performance for Delayed Transfers of Care has shown a decline during 2018/19 with September year to date performance on *All delayed days* per 100k population currently at 9.4 (up from 7.6 at the same point during 2017/18). The majority of delays to residents of Kirklees are attributable to the NHS, accounting for 6.2 bed days, and Adult Social Care responsible for 2.2 (up from 1.6 during 2017/18). DToC is an area in which, despite the pressures, Kirklees performs favourably in comparison with other Councils. For Sept 2018, the England figures are 11 (NHS 6.8 and Adult Social Care 3.3), and Regional Humber figures are 10.8 (NHS 6.6 and Adult Social Care 2.6). From 152 councils with adult social care responsibilities Kirklees are ranked 71<sup>st</sup> overall, 89<sup>th</sup> for NHS Delays and 66<sup>th</sup> Adult Social Care. Substantial work is taking place between Adult Services, local NHS Trusts and partners to better support the flow of people through hospital and to avoid delayed discharges. In preparation for winter, work has also commenced on the development of *Choice & Recovery* beds where the aim is for us to support people on the long term care pathway whilst finding their home of choice.



### Maximising independence through timely access to short term reablement and rehabilitation services

- Latest published data shows that in Kirklees 80.7% of people aged 65+ are still at home following hospital discharge and a short term service to maximise independence, slightly below the 80.8% in 2016-17. Kirklees is below the Yorkshire & Humber average on this measure, which is 85%, and although in the bottom 3 lowest performing councils in the region there are less than 3% points separating the 7 lowest performers. We are ranked 101 nationally (out of 152 councils).
- In terms of the effectiveness of short term social care support to maximise independence, of all new requests for support from people aged 18+ which resulted in our service, 71.2% received no (or reduced) ongoing services, 2% less than the 73.2% in 2016-17. Again, Kirklees is below the Yorkshire & Humber average on this measure, which is 72.9%.
- In Quarter (2) there were 660 referrals to Kirklees Short Term and Urgent Support Team, with roughly a 50/50 split of people presenting via hospital or the community. Of these approximately 430 people received reablement with around 69% receiving no ongoing support or a lower level.
- A new care pathway flow diagram showing people receiving short term services to maximise independence and the sequel to care pathway events has recently been developed to help provide insight

### Homelessness

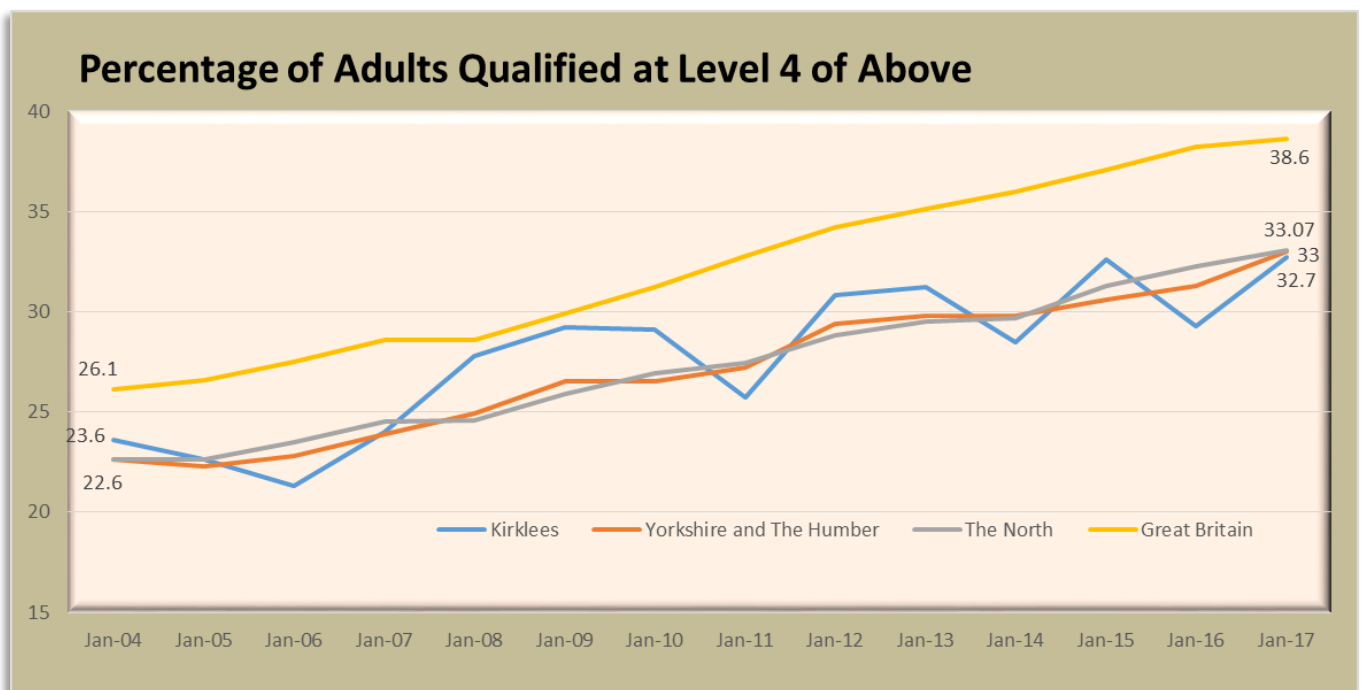
- Six months into implementing the Homelessness Reduction Act, the changes to the way in which councils counts homelessness is having an impact on the number of households the Council is accepting for a full housing duty. Early indications suggest efficiencies in preventing or relieving homelessness with 28 Homeless Acceptances in Quarter (2) compared to 26 in Quarter (1). At the half way point in the previous year, under significantly different rules, there were 284 homelessness acceptances.
- The number of cases where homelessness has been prevented has also increased with 278 year to date. This has been expected. Some households that approached in Quarter (1) have had their homelessness prevented this quarter. With National figures not due to be published until later in the year these are not yet being recognised as official statistics due to them not yet being robust enough, following their introduction in April 18. It therefore it is difficult to benchmark if this is good performance, although partnership working with fellow West Yorkshire Local Authorities suggests that it is.



## Aspire and achieve

### The Bigger Picture

There is a widening gap in comparing the results for Kirklees with those of Great Britain in relation to Adults qualified to Level 4 or above. Between 2004 and 2017 the gap has more than doubled – from 2.5% to 5.9%. Currently (2017 data) the proportion of the adult population qualified at Level 4 or above is 38.56% for Great Britain compared with 32.7% in Kirklees. The trend lines between Kirklees and Yorkshire & Humber are broadly similar over the same period, though a little more erratic in Kirklees – one year a little above and the next a little below. (See diagram overleaf)



### Where the Council makes a contribution

The Council is aiming to achieve progress and impact in the following four areas:

- *Access to the highest quality inclusive learning and education provision; Learning provision responds to the needs of people; Children making good educational progress and achieving the best outcome; A highly skilled population able to secure good jobs*

### Key activities in the Quarter

#### **Sufficiency of school places**

- Brambles Primary Academy, the new Primary school in North Huddersfield, has opened in temporary accommodation with children starting in the first reception class in September. Work is also well underway on the preparation of the annual school place planning document. It provides a 2018 evidence base on which to inform future decisions.

## **Special Educational Needs**

- The High Needs Review (HNR) now has Transformation support. Funding models have been developed and will be shared at the next HNR workshop in October ahead of being finalised for wider discussion/agreement early next year. Specialist services have developed data collection and analysis in order to better predict future demand. The Special Education Needs and Disability Act review has been completed although some new staff have yet to start.
- Graduated approach documents are ready to be reviewed and recirculated with schools. Key Stage (2) data for 2018 shows improvements made in reading, writing and maths for children with an Education, Health & Care Plan. But Kirklees remains significantly below the national average. In terms of Special Educational Needs Support, improvements have been made in reading and writing, but not in maths and still significantly below the national average.

## **School Improvement**

- The Director for Children's Services and Strategic Director for Learning & Early Support have completed an external review of School Improvement, engaging a range of internal and external stakeholders. Outcomes and recommendations from the review will shape and inform service planning, to enable priorities to be determined to improve outcomes for those pupils with High Needs.

## **Post 16 years employment and skills**

- The Council is working with Job Centre Plus to develop a project to support the hardest to reach out-of-work residents, aligned to the Flexible Support Fund Grant. A decision is expected soon. Consultation continues with a wide range of stakeholders regarding the establishment of an Employment and Skills Plan.

## **Impact**

### **Provision of high quality education**

- Provisional data (yet to be validated) suggests that the percentage of children attaining at least expected levels in reading, writing and maths have climbed the national rank by several places. Validated data to be presented in December may yet see Kirklees move from the bottom band to the lower-middle quartile.
- Currently, 79.2% of Kirklees pupils are in schools that are rated Outstanding or Good. The national average is 86%. Several large schools in vulnerable positions are due their first inspection as a new school/academy this year. Whilst improvements have been seen, they are not yet rated Good. Other recently Ofsted inspected schools are not due to be re-inspected until next academic year so these are unlikely to move up in the next 18 months.
- In relation to attainment scores for all pupils at Key Stage (4), School based data suggests that the local authority may have lost ground on the national ranking positions when 2018 data is released in December.
- For information, there have been 7 permanent exclusions from schools in the first 5 weeks of the new academic year, in line with the rolling monthly average.
- There are 760 children missing in education (children of compulsory school age who are not on a school roll, nor being educated otherwise and who have been out of any educational provision for a substantial period of time). There is always an increase in referrals for children missing in education in September and this is in line with Local Authority neighbours.

### **Special Educational Needs (SEN)**

- Un-validated data suggest that Kirklees has seen a 5.9% improvement in the proportion of SEN support children achieving at least the expected standard at Key Stage (2) in reading, writing and maths combined. Regional and national data has not yet been released. 17.1% would see the Council moving into Band C and equalling Yorkshire & Humber average based on 2017 quartile rankings.

### **Not in Employment, Education or Training (NEET) Y12/13**

- Although NEET is low at 2.0% there is still a lot of work to complete to confirm new destinations at the start of the new academic year. As a result corresponding 'not knowns' group is still quite high at 14.4%. As reported previously, the data will be more accurate in October/November once 'not known' destination are confirmed. The 2.0% NEET figure for Quarter (2) compares well with 2.3% at the same period in 17/18.

## Council Employability Schemes

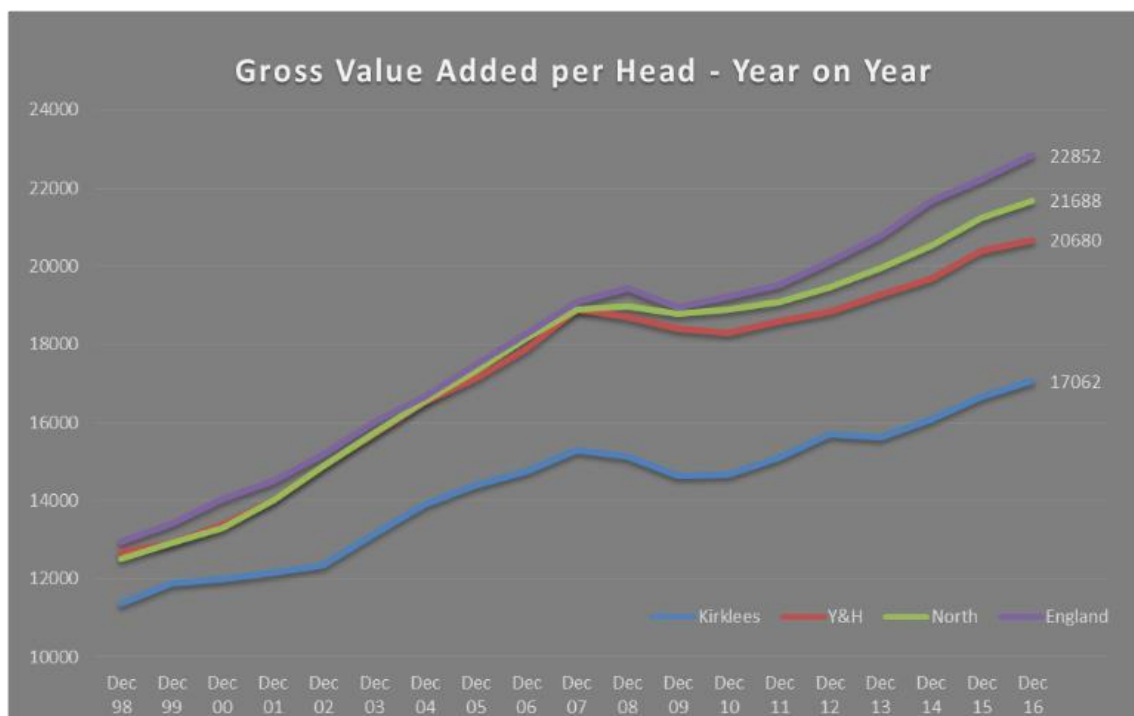
- Cumulatively, 872 people have been supported by council run employability schemes during the first half of this year. Of these, 87 have moved into paid work. This represents a success rate of just 10%, which is in line with the average success rate achieved in previous years.



## The Bigger Picture

### Gross Value Added per head of population

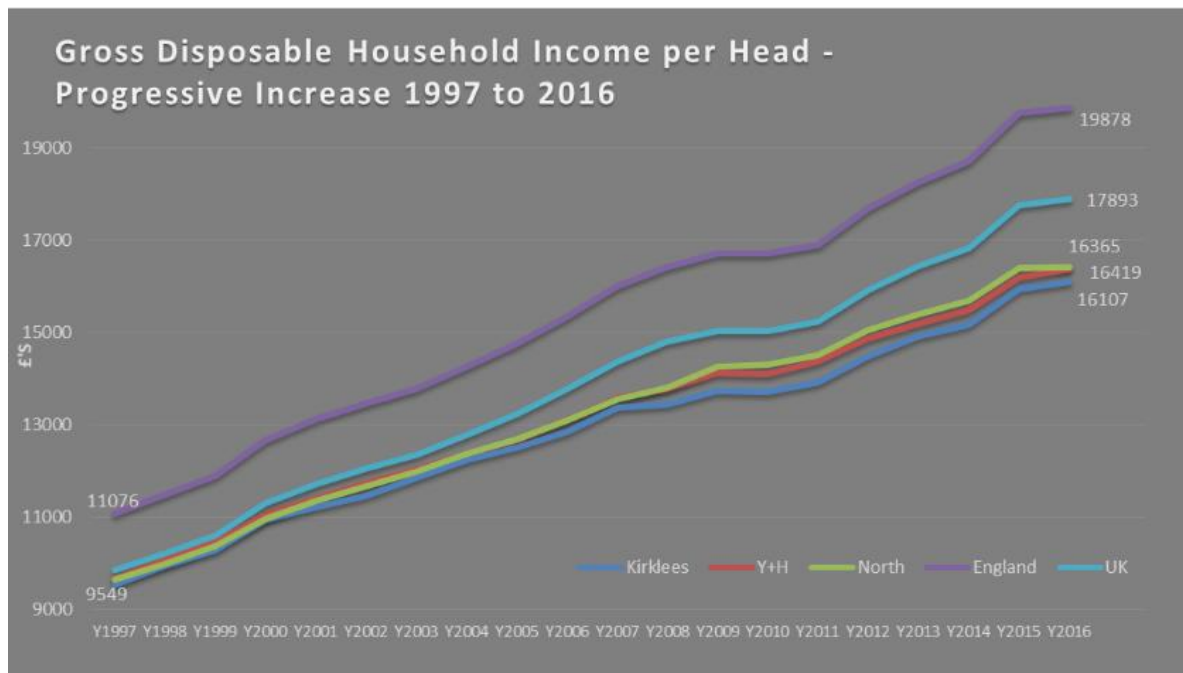
The gap between Kirklees and both Yorkshire & Humber and England has widened year on year for the last 18 years. The gap has doubled in comparison with the England average. In 1998 the gap between Kirklees and England was £1,585 per head (a 12.24% gap). In 2016 the gap between Kirklees and England was £5,790 per head, (a 25.34% gap). Taking accumulated growth from a 1998 baseline, again, the gap has widened year on year compared with England as a whole. Between 1998 and 2016, Kirklees GVA per head grew by 69.85% whereas the GVA per head for England grew by 98.11%.



### Gross Disposable Household Income (GDHI) per head of population

Similarly, there has been a widening gap year on year for the last 20 years when comparing Kirklees with both Yorkshire & Humber and England. In 1997 the gap between Kirklees and England was £1,398 per head (a 12.62% gap). In 2016 the gap between Kirklees and England was £3,771 per head (an 18.97% gap). Taking accumulated growth from a 1997 baseline, again, the gap has widened year on year compared with England as a whole. Between 1998 and 2016 Kirklees GDHI per head grew by 68.68% whereas GDHI per head for England grew by 79.46% (see graph overleaf).





## Where the Council makes a contribution

The Council is aiming to achieve progress and impact in the following three areas:

- *More and better quality jobs; Create an environment for regeneration and inward investment; People experiencing vibrant town centres and an appealing cultural offer*

## Key activities in the Quarter

### **More and better jobs**

- There are a number of funding bids being developed to expand the Council's support offer to businesses in Kirklees. Through the Local Economic Partnership (LEP), the Council has submitted a regional European Structural Investment Fund bid to match fund the SME Growth Manager role and create a dedicated resilience post to help businesses with relocation which, if successful, will commence spring 2019. The Council is also looking to secure funds from the LEP Business Rates Pool to support 90 creative and digital start-up businesses through the universities Magnificent 7 Programme. European Union bids are also in development for Adventure2 (high growth young and start-up businesses) and for Digital Enterprise2 (supporting transformational digital projects).
- The second Business Hub Live event has taken place, in partnership with the University of Huddersfield, Kirklees College and the Chamber of Commerce.
- The pilot to create a single business property record cannot commence until recruitment of additional staff within IT has taken place. This project aims to establish a single matched source from what is currently a mismatch between various data sources - a clear and definitive record of business properties.

### **Regeneration and inward investment**

- A refresh of the Kirklees Economic Strategy (KES) is underway. The context has changed radically since the KES was developed. At that point, the economy was coming out of recession, youth unemployment was high, a different Government was in power, there was no national Industrial Strategy, a different Leeds City Region economic strategy was in place and Brexit was not yet a word in the English language. In Kirklees, the Council's leadership has changed, a fresh corporate and partnership framework is in place and there is a new sense of ambition and vision. A new economic strategy should take account of these changes.
- Consultants have been engaged in undertaking scoping activity to create a sustainable economic partnership
- A pitch book, video and BIG Build brochure has been produced for MIPIM UK, the UK property trade show. This forms the basis of property investment plan.
- The principles of creating an integrated business support offer with strategic partners is in place and regeneration of a jointly owned Business Growth plan is on track. Mechanisms for maximising good growth

through planning are in place and work is being planned with procurement to strengthen our approach in the next quarter.

#### **Vibrant town centres and culture**

- The Huddersfield Town Centre Master Plan has been commissioned, with a preferred bidder selected in July. The Master Plan is scheduled for completion for Cabinet approval in December 2018, with delivery of the Plan to begin subsequently. Linked to this, a Heritage Lottery Fund bid has been submitted as part of the AECOM project.
- Cabinet has approved a loan to SKA, subject to due diligence, to develop 103 New Street in Huddersfield for student housing. This property has been empty for a significant amount of time and is in a prominent position on the ring road. Finance and legal work are now ongoing.
- Landlord works to Pioneer House in Dewsbury remain on track for completion by the end of January 2019.

## **Impact**

#### **More and better jobs**

- SME Growth Managers have supported 96 businesses in the first half of 2018-19. At the beginning of the year, it was anticipated that just 90 businesses would be supported for the whole year. However, additional resources have meant a significantly greater number have been reached.
- The corresponding investment into businesses in Kirklees as a result of that support has now reached £4.87m
- And the number of new jobs created as part of this inward investment from the LEP is 120.

#### **Regeneration and inward investment**

- The Big Build Conference, hosted by the Council, brought together 150 industry professionals, developers and investors to explore their potential participation in the District's ambitious plan to support the building of 10,000 new homes in the next 5 years in Kirklees. This includes 1,000 homes on council-owned land.
- In association, the Council also launched its Housing Strategy 2018-23 at the Big Build Conference.

#### **Vibrant town centres and culture**

- The new Kirklees College Springfield Sixth Form Centre has now opened in Dewsbury. Also, building works have begun on the Dewsbury railway station gateway project.
- The Council has been awarded almost £300,000 from the LEP's Business Rates Pool fund. This will be used to support the ambition for making Kirklees a renowned destination for music, a place where everyone can hear world-class music through Kirklees festivals and programming.
- The Council's markets and creative economy teams have scooped the award for 'Innovation of the Year' at this year's annual National Association of British Market Authorities (NABMA) conference. Traders at Queensgate Market have been working in partnership with the Council and the School of Art, Design and Architecture at the University of Huddersfield in a new initiative in Huddersfield's indoor market called Temporary Contemporary. The project converts vacant stalls into contemporary art gallery spaces. This working partnership and new approach to arts and visual culture programming is what has won recognition from NABMA.
- As a result of the quality of our World War 1 programmes, our Cultural Engagement Officer has been selected by Imperial War Museum network to represent Kirklees at the prestigious national commemoration of Armistice at Westminster Abbey in November.
- There has also been a strong growth rate in the number of Creative Kirklees Profiles, a 4% increase, quarter on quarter. There are now 503 creative artists, creative organisations and places registered on the Creative Kirklees Directory.
- Oakwell Hall was recognised for its excellence in landscape design and presentation with a Yorkshire in Bloom Gold award.



## Safe and cohesive

### The Bigger Picture

53% of adults in Kirklees say people from different backgrounds get on well together, as reported in the Current Living in Kirklees survey, 2016. 88% of adults reported that they felt very safe or fairly safe in their local area. Comparable results can be found in the 'Your Place, Your Say' which ran in 2011. A significantly lower number of people in 2011 believed that people from different background get on well together, just 43.4% agreeing. And there were fewer people reporting that they felt safe, though by a smaller margin – at 86%.

### Where the Council makes a contribution

The Council is aiming to achieve progress and impact in the following three areas:

- *More people active in their communities and engaged in local democracy; A thriving voluntary and community sector; High quality, joined up and accessible services which safeguard children and adults from harm*

### Key activities in the Quarter

#### **Crime, Anti-Social Behaviour and Perceptions**

- The Kirklees Communities Partnership Plan was launched in Quarter (2). It sets out the key priorities for the next 3 years as: reducing crime, tackling anti-social behaviour, protecting people from serious harm and improving place
- Multi-agency theme groups are in place for each to develop partnership implementation plans.
- Working in partnership with Victim Support, Safer Kirklees has launched two new victim's hubs – one in Dewsbury and one in Batley - for people affected by crime or anti-social behaviour. Although they have been in operation for less than three months, attendance at these hubs is already the highest per week in comparison to similar hubs across West Yorkshire.

#### **Extremism and radicalisation**

- Two Channel Panels were held in the quarter to look at four new cases. A Channel panel training plan has been developed to ensure that panel members continue to develop their knowledge and skills to support the Channel function - areas covered include ideologies, the far right, threat and risk online and support available. Channel provides support to those who may be vulnerable to being drawn into terrorism, through early intervention and diverting people away from the risk they may face.

#### **Cohesion and faith based work**

- The Quarter saw a variety of cohesion and engagement activities which saw over 2,000 individuals taking part in a variety of projects/events including Batley Pride, More in Common and Meet your Neighbours events. A specific example of activity was the Srebrenica Memorial Day which saw members of the Bosnian community and local residents/community group attend a commemoration ceremony in Batley.
- Work with young people included developing a Faith & Learning conference for schools, engagement with over 350 people around faith related areas and supporting institutes to improve practices around safeguarding and health and safety.

#### **A stronger Third Sector**

- Third Sector Leaders produced a draft State of the Sector report 2018 which will provide intelligence where best to target resources and develop the Sector. Workshops have been delivered to enable the sector to implement Outcomes Based Accountability to reframe work around impact, outcomes and business planning.

## Democracy and inclusion

- Quarter (2) saw piloting of the Place Standard in Golcar ward as a citizen engagement approach to enable communities to better inform and influence the future of their community and the decisions affecting it. Elected Members are now working with partners to agree priorities for action relating to the physical environment (the buildings, streets, public spaces and natural spaces that make up a place) and also the social environment (the relationships, social contact and support networks that make up a community).
- The Refugee and Asylum delivery plan is in place for 2018/19. Kirklees Citizens Advice and the Law Centre have been commissioned to develop and maintain web resource of services and support available to asylum seekers.
- The Resettlement plan for 2018/19 in place and transfer numbers agreed. The existing plan has been revised to take account of commissioning of intensive progression support towards employment of adults.

## Impact

### Crime, Anti-Social Behaviour and Perceptions

- Although Quarter (2) saw a reduction in residential burglaries and vehicle offences, there was a noticeable and continued increase in violent offences. Much of this is connected with assaults (including those without injury), malicious communications and “public fear, alarm/distress”. However, there have also been increases in more serious violence including those associated with weapons (some of which involving gangs) and incidents associated with the night time economy - this has received local media coverage and concerns have been raised by residents in relation to this.
- In relation to more general perceptions, when asked how safe they felt in their neighbourhood, 79% of respondents in the Police Crime Commissioner quarterly survey said that they felt safe. Figures for Quarter (2) showed a slight improvement from Quarter (1) and match the overall figure for West Yorkshire. 71% of respondents said they were satisfied with their area. This has declined from 75% over the past year. Some of the issues associated with this are speeding traffic and perceived drug dealing, which is particularly associated with poor satisfaction scores.
- Quarter (2) also saw voluntary and community groups awarded over £65K from the Police Crime Commissioner to fund local community safety activities. This is the highest District award in West Yorkshire and is the result of concerted efforts to work collaboratively and support the sector in developing high quality bids.

### Children’s safeguarding

- The number of looked after children has reduced over the course of the financial year – from 675 in April to 644 in September. The same is also true for children with a child protection plan – from 325 in April to 261 in September. However, the number of children in need is increasing – from 2,205 in April to 2,381 in September.
- The average caseload for social workers and personal advisors has reduced since the beginning of the financial year – from 18.4 cases in April to 16.4 cases in September.
- Currently, 89.5% of Initial Child Protection Conferences took place within 15 days of a Section 47 enquiry - Quarter (2) saw a significant increase in this measure and now performance in Kirklees is better than Statistical Neighbours.
- 24 hour decision making on social care referrals has also seen a significant improvement through the year, from 53.8% of referrals in April to 98% in September.

### Deprivation of Liberties (DOLS)

- At the end of Q2 Kirklees had received 1,208 DOLS requests. The average number of requests in Yorkshire & Humberside at Q1 was 407 request with Kirklees 4th highest in terms of volumes. Due to recent staffing implications in the operational team, there are a range of potential risks in meeting DOLS timescales which have been flagged up to senior management as early warnings. These risks continue to be managed proportionately.

### A stronger Third Sector

- The quarter saw a “meet the funder” half day conference which brought together 70 individuals to gain and understanding of a variety of funding streams and be better equipped to put together high quality bids to increase income for the sector.



- Work on grants schemes has resulted in 10 inclusive grants awarded in the Quarter benefitting over 200 young people
- The Short Breaks Activity Programme commenced with funding for six service level agreements and Community Plus Grants saw development of the Good-gym launched in the Quarter.

### **Controlling Migration programme**

- 35 volunteers started on the Mentor programme in the quarter
- However, a significant risk to its success is the lack of co-operation and referrals from G4S which has been raised as a priority for the strategic asylum dispersal board. Asylum seekers who are placed in a G4S house (which tends to be of poor quality) receive very little support from Group after they have been placed. Consequently, the Council has set up a mentoring/befriending scheme in order to fill this gap. However, Group 4 are refusing to make referrals to this scheme, citing GDPR, and consequently the valuable provision is not being accessed.
- Initial planning and a joint working session took place and quarterly #kirkleeswelcomes meetings are set up.



### **The Bigger Picture**

As part of the Current Living in Kirklees survey in 2016, residents were asked about their satisfaction with local place. Compared to a similar Councils that undertook resident's survey in 2016, satisfaction with the local area in Kirklees is significantly higher (79% vs. 72%). Furthermore, the proportion of those who report they are 'very satisfied' with the local area is also significantly higher in Kirklees (35% vs. 24% in comparator Council). Interestingly, there is a link between satisfaction with local area and the Index of Multiple Deprivation, with each successive quintile reporting higher levels of satisfaction. Results were slightly lower in 2011, under the 'Your Place, Your Say' survey of residents, with a reported figure of 76%.

### **Where the Council makes a contribution**

The Council is aiming to achieve progress and impact in the following three areas:

- Well planned places and sustainable communities; Better infrastructure for our communities; People have access to greenspaces including appropriate sports and leisure opportunities.

### **Key activities in the Quarter**

#### **Digital Connectivity**

- The Council is working with City Fibre to finalise the two data centre sites for their fibre build and discussions are ongoing with legal and estates to progress. City Fibre are set to commence build in November with aspirations to reach 65,000 homes and businesses over the course of the next two years. A bid for the Superfast Contract 3 has been submitted and a response from the Department of Environment, Food & Rural Affairs and the Department of Communities & Local Government is awaited.
- Superfast Contract 2 is struggling to meet outputs and Openreach are currently preparing a mitigation plan to get them back on track.

#### **Waste Management**

- Negotiations with SUEZ, our waste contractor, have been stalled at their best offer, whilst the Council has sought legal advice, which has now been given. There is limited ability to extend the contract, up to 5 years, and then a requirement to re-procure.

## Air Quality

- A West Yorkshire-wide procurement process has been successful in appointing a company to install electric charging points for hybrid and electric vehicles. Discussions are underway to finalise locations in Kirklees before instalments are to take place.
- Staff are currently being recruited to undertake planned air quality improvement works.

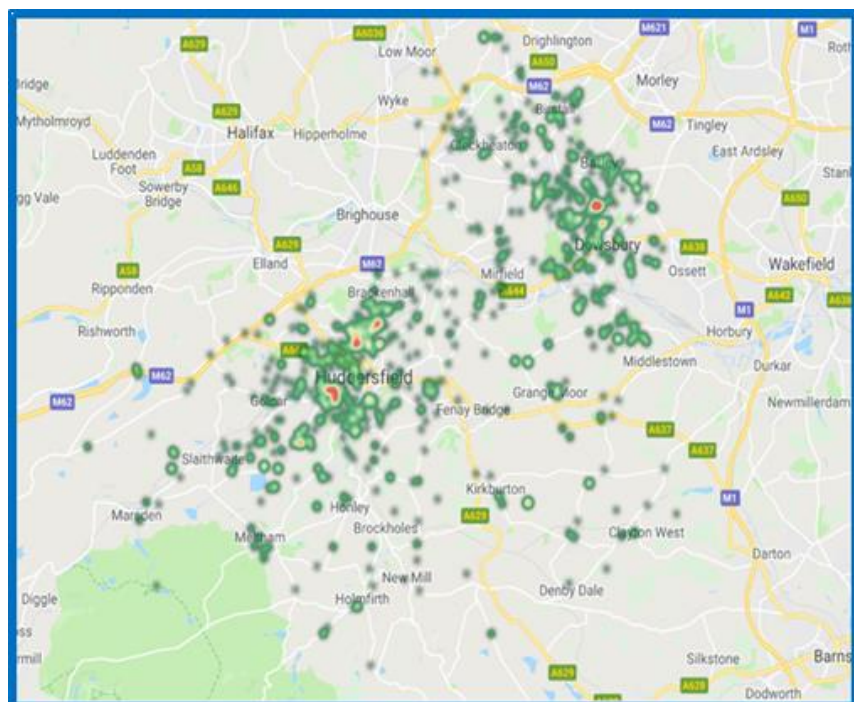
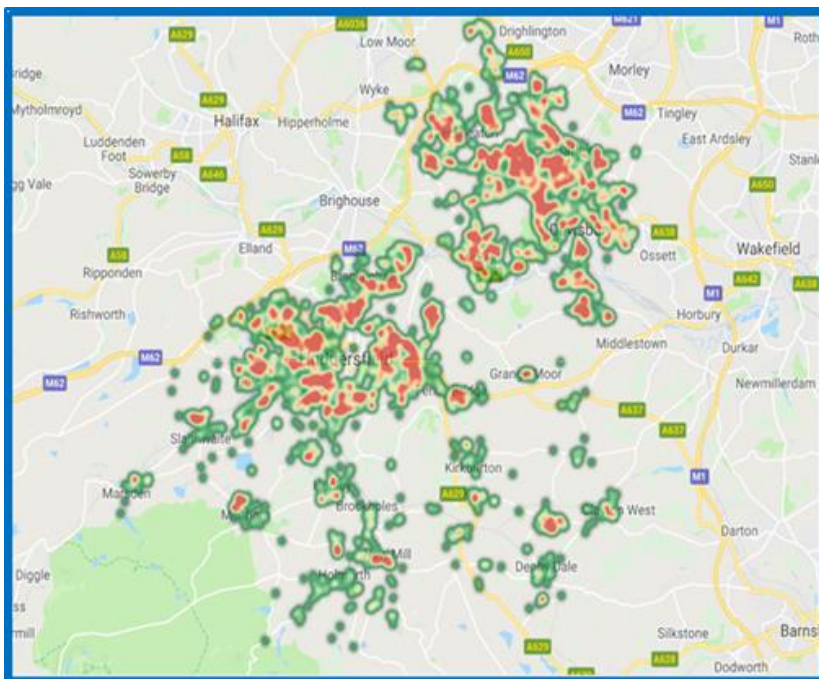
## Spatial Planning – Local Plan

- With Local Plan Examination in Public (EiP) hearings having been completed, the Council is continuing with proposed modifications to the Plan. The Local Plan Inspector’s Report is due by December and adoption of the Local Plan continues to be on track for early 2019.

## Impact

### Waste Management

During the last month, 98.9% of all bins have been collected and emptied, therefore the missing bin rate is 1.1%. Given that there are 45,000 bins collected each day, this equates to just under 500 bins missed. The adjacent map shows where the highest densities of missed bins have occurred. Looking back over the last year the span of performance has been between 97.52% at its lowest (in February, with winter weather disruption) 99.7% at its highest.



There have been 1,200 incidents of fly tipping reported to the Council over the last three months, with just over 100 investigations launched as a result. The adjacent map shows the highest densities in relation to where fly tipping is taking place. To date, there have been no prosecutions. Incident reporting is significantly higher than for the same period last year. However, this reflects the drive for continuous improvement in the reporting process. This year will form a benchmark for future years. Fly tipping is highest in Greenhead, Dewsbury West, Batley East and Crosland Moor/Netherton Wards.

## Calls to Kirklees Direct

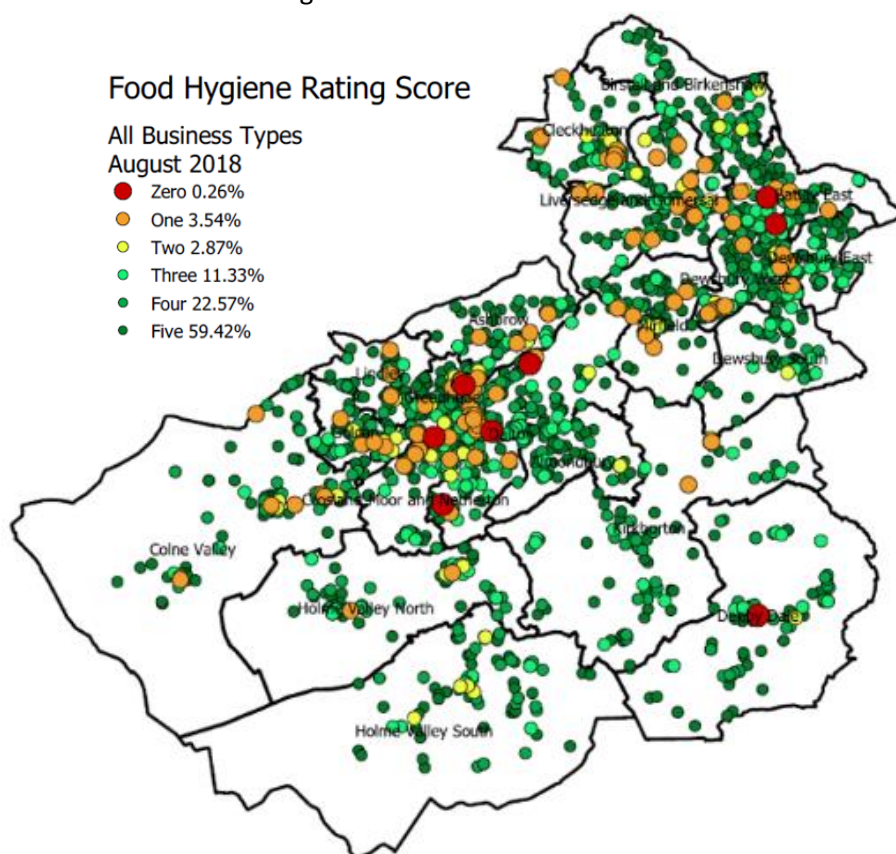
- In relation to Environment and Greenspace, there have been 7,800 calls made during the last month. The four most popular issues were the waste management strike (11.6%), waste and recycling centre permits (20.6%), bulky items collection (8.5%) and missed grey bins (10.2%).
- By far the largest volume of calls is under the 'Steetscene Other' category (33.7%). This indicates a need to revise categories to provide greater insight.
- In relation to Highways Operations, there were 4,300 calls made over the last three months. The greatest call volumes have been in the areas of roadworks and pavements (21%), trees and vegetation (10%) and street lighting (7%).
- Similarly to Environment and Greenspace, the largest volume of call is under the category of 'Highways Other'. This, again, highlights the need for a review of categories for greater insight.

## Highways Operations

- During the last month 100% of category (1) potholes have been repaired on time and 92% of category (2) potholes.
- 94% of street lighting faults reported have been repaired within agreed timescales.
- 97.3% of signalised installations faults reported have been repaired within agreed timescales.

## Public Protection and Enforcement

- There have been 10,400 penalty charge notices issued in the three month period for illegally parked vehicles. Of these, 70% have been paid. 10% have been subject to challenge and 9% were cancelled as a result of a successful challenge. This leaves 30% of fines outstanding.
- Currently, 60.6% of food hygiene inspections have rated premises as 'very good'. 22% have been rated as 'good' and 11.3% as 'generally satisfactory'. This leaves 6% requiring improvement and 0.3% requiring urgent improvement. The areas with results of concern concentrate on the population centres of Huddersfield, Dewsbury and Denby Dale. The general spread of results is presented in the adjacent map.
- There were 2,000 pollution and noise control complaints made to the Council in the previous three months. By far the largest volume came in the category of noise (64%). Planning & Development and Air Pollution were the next most numerous at 11.3% and 7.9% respectively. Half of all complaints were resolved within 30 days and 86% were resolved within a 90 day period. 14% took longer than 90 days to resolve. Formal action was taken in 40 cases and informal action taken in another 40 cases. Over half were addressed through advice provided. No action was taken in 115 of the complaints that came in (12.7%).







## Where the Council makes a contribution

The Council is aiming to achieve progress and impact in the following five areas:

- Skilled, motivated and healthy staff; Strong political leadership and an intelligence led Council; robust systems, processes and governance; collaborative, partnership working across public, private and voluntary sectors; transforming our organisation so that it is fit for purpose now and in the future

## Key activities in the Quarter

### **The People Strategy**

Work continues on the three key strands of the People Strategy with an update presented at Corporate Scrutiny Panel in October. A specific focus of the update was on Talent Development. The Development theme focuses specifically on cultural transformation, developing our workforce, leadership and management and performance. An update on the apprenticeship work stream was also provided. Key activities include the following.

- a new workshop on promoting emotional intelligence,
- relaunch of Inclusion and Diversity Hub,
- design and introduction of a performance framework using the outcomes based accountability framework

The apprenticeship levy has funded a number of new starters to the council, along with a cohort of existing employees that are being developed in a "grown our own" programme.

### **Inclusion and Diversity**

The annual report and second year action plan is now scheduled to be discussed at the various governance forums during October and November with final sign off at Full Council in December. Part of the action plan and accompanying report will outline the particular areas which will be given an additional focus in the next twelve months, such as a partnership based Diversity Awards event in 2019. During the week beginning 24<sup>th</sup> September the council took part in National Inclusion Week, organised nationally by the Inclusive Employers organisation. Each day during that week the Chief Executive and Directors took it in turns to set out daily challenges to the organisation via short videos, around the theme of "Everyday Inclusion", on the Intranet. A workshop on Inclusion and Diversity took place as well as a very successful drop-in session for employees - involving stalls and presentations by employee networks, services on areas such as mental health support and wellbeing, community cohesion, visual impairment services, learning and development.

## Impact

### **Sickness Absence**

- Sickness absence across the Council has reduced in comparison to Q1, from 12.2 days lost per FTE to 12.1.
- The top 5 jobs with the most sickness absence were Support Workers (414.71 FTE days), Refuse Collectors (199.24 FTE days), Cleaners (193.77 FTE days), Social Workers/ Senior Practitioners (172.22 FTE days), and Catering Assistant (167.51 FTE days). These number of days equated to 27% of the overall absence for September 2018.

### **Employee Resourcing**

- The Council has 5,248 FTE's, with a headcount of 6,867 employees. And the percentage turnover is current 10.6% (on a rolling 12 months basis). Turnover has reduced slightly over the Quarter.



- Agency spend currently stands at £660k, and increase on the previous quarter which was £535,996. Agency spend has seen a spike in September, specifically within Adults & Health.
- The top 3 reasons for agency appointments are vacancy pending recruitment (31), annual leave cover (29) and one off event/project (17).

#### **Financial inflow/outflow**

- Both the collection of Council Tax and Business Rates are on track to deliver against targets with 51.81% and 55.59% collected respectively at the half way point in the year.
- The percentage of invoices paid seamlessly over the course of the year has increased significantly – from 23% at the beginning of the year to 42% at the end of September.
- And the percentage of payments made to critical suppliers within 10 working days is running healthily at 94%, an increase from 81% at the beginning of the financial year.

There is work to be done to identify and establish a wider set of data to evidence impact against efficiency and effectiveness of the Council and which connect with greater strength to the Council's financial management and risk management monitoring and reporting regimes. Mapping work on available data sets has begun. Development and improvements will be undertaken quarter by quarter, into the new financial year.

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**Name of meeting:** Cabinet – 18<sup>th</sup> December 2018  
 Council – 16<sup>th</sup> January 2019

**Title of report:** Calculation of Council Tax Base 2019/20

**Purpose of report:** To seek approval of the Council for the various tax bases, this will apply to the Kirklees area for the financial year 2019/20 in connection with the Council Tax. There are no proposed changes to the current Council Tax Reduction Scheme (CTRS) for 2019/20.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>Yes: The calculation of the Council Tax base affects all wards in the Kirklees area.</b>
<b>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports?)</u></b>	<b>Yes</b>  <b>8<sup>th</sup> Oct 2018</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>No – Full Council decision</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>  <b>Is it also signed off by the Service Director for Finance IT and Transactional Services?</b>  <b>Is it also signed off by the Service Director for Legal Governance and Commissioning Support?</b>	<b>Rachel Spencer-Henshall</b> , Strategic Director, Corporate Strategy and Public Health – 30 November 2018  <b>Eamonn Croston</b> Service Director, Finance – 6 December 2018  <b>Julie Muscroft</b> Service Director – Legal, Governance and Commissioning – 4 December 2018
<b>Cabinet member portfolio</b>	<b>Cllr Graham Turner</b>

**Electoral wards affected:** All

**Ward councillors consulted:** N/A

**Public or private:** Public

**Have you considered GDPR:** Yes - there is no personal data within the Council Tax base report or calculation.

## 1. Summary

Section 67(2) of the Local Government Finance Act 1992 requires that the tax base for Council Tax should be approved by the Authority (i.e. the Council).

The regulations covering setting the tax base are covered and updated under Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (as amended).

### 1.1 Members should be aware of the provisions of Section 106 of the Local Government Finance Act 1992, which applies to members where –

- (a) they are present at a meeting of the Council, the Cabinet or a Committee and at the time of the meeting an amount of Council Tax is payable by them and has remained unpaid for at least two months, and
- (b) any budget or Council Tax calculation, or recommendation or decision which might affect the making of any such calculation, is the subject of consideration at the meeting.

In these circumstances, any such members shall at the meeting and as soon as practicable after its commencement disclose the fact that Section 106 applies to them and shall not vote on any question concerning the matter in (b) above. It should be noted that such members are not debarred from speaking on these matters.

Failure to comply with these requirements constitutes a criminal offence, unless any such members can prove they did not know that Section 106 applied to them at the time of the meeting or that the matter in question was the subject of consideration at the meeting.

## 2. Information required to take a decision

In determining the level of local taxation, each local authority calculates a tax base annually so that, once the level of expenditure has been approved, the determinations of the level of local taxation becomes an arithmetical exercise.

The Council Tax base for an authority is the amount of income which would be received by levying a Council Tax of £1.00 on band D properties and taking into account the differential rates which would be applied to properties in the other bands.

In view of the fact that there are Parish and Town precepts, it is necessary to calculate a tax base for:

- a) the whole of Kirklees; and
- b) each parish and town council area

The valuation listing received from the Inland Revenue (valuation office) places each domestic property in Kirklees into one of eight valuation bands.

In order to calculate the tax base, the following factors must be taken into account and applied to the valuation bandings:

- a) Fixed ratios between valuation banding;
- b) Number of exempt properties;
- c) Number of properties eligible for a discount

- d) Properties subject to an Empty Homes premium (long term empty properties, empty over 2 years) subject to premium charge(s). (see separate report on proposed changes to Empty Homes Premium Charges)
- e) Number of appeals against bandings which will be successful;
- f) Number of new properties which will be added to the list during the year; and
- g) Council Tax Reduction Scheme (CTR) – continuing the local scheme as in 2018/19 at 20%.
- h) An allowance for losses on collection.

For the purpose of calculating the tax bases, it should be noted that a collective adjustment has been made to the current tax base as at 30<sup>th</sup> November 2018. The current tax base figure based on 30<sup>th</sup> November 2018 figures is 120,486.87. Allowing for the factors above the overall collective adjustment for 2019/20 has been calculated at 1.47594% to take into account the above factors and adjustments in the tax base. The Council Tax base as set out in the report will be used to inform the demand on the collection fund amount to be considered at full budget Council on 16<sup>th</sup> January 2019.

There will be no additional percentage increase for Adult Social Care (ASC) precept for 2019-20. Councils were able to apply an ASC precept uplift of no more than 6% over the 2017-20 period. Kirklees applied 3% uplifts in 2017-18 and 2018-19, and are now at the 6% limit. The proposed Council Tax rise for 2019/20 will be covered under a separate budget report to full Council.

The Council may introduce an extension of the discretionary reduction in Council Tax available for Care Leavers up to age 21 to cover those care leavers up to age 25. The potential additional quantum is yet to be identified as it will depend entirely upon the number of care leavers with a Council Tax liability not already being met in full through other reductions, discounts and exemptions already in place.

It is recommended that the 2019/20 tax base for the whole of Kirklees area, and the tax bases for the five Parish and Town Council areas be approved as follows:

Whole of Kirklees	118,708.56
Denby Dale	5,771.84
Holme Valley	9,998.83
Kirkburton	8,910.47
Meltham	2,820.42
Mirfield	6,617.91

In order to demonstrate the methodology used in the calculation, the Appendices show the current number of properties in each band, the current effect of discounts, exemptions and the collective adjustment referred to earlier in the report. This is broken down into the Whole of Kirklees and the five Parish and Town council areas above.

#### Council Tax Reduction Parish Grant

Over recent years a grant has been distributed to Parish Councils to supplement the Parish precept, so as to provide top-up funding to mitigate the effect of the Localisation legislation introduced in 2013/14. The effect of Localisation was to reduce individual Parish tax bases, resulting in a consequential loss in their income. Since 2013/14 the Parishes have seen their tax bases grow and based on the tax bases recommended in this report, the following grants will be payable:

	<b>CTR Parish Grant</b>
<b>Parish for 2019/20</b>	
Denby Dale	£1,212.43
Holme Valley	£206.33
Kirkburton	£1,651.77
Meltham	£858.94
Mirfield	£3,825.85
	<b>£7,755.32</b>

### 3. **Implications for the Council**

#### 3.1 **Working with People**

The setting of the tax base is related to all domestic properties in Kirklees and is not based on individual circumstances. It applies to every property.

The Local Government Finance Act 1992 requires each authority to devise a Local Council Tax Reduction Scheme it does not specify the extent of any such reduction.

By providing a scheme that reduces liability to an affordable level, it prevents the need to take unnecessary and costly recovery action that would inevitably result in courts finding the customer did not have the means to pay.

#### 3.2 **Working with Partners**

N/A

#### 3.3 **Placed based working**

N/A

#### 3.3 **Improving Outcomes for Children**

N/A

#### 3.4 **Reducing demand of services**

N/A

#### 3.5 **Other (e.g. Legal/Financial or Human Resources)**

The setting of the tax base is related to the annual budget process.

Setting a budget specifically to meet Council Tax liability of those that would otherwise be unable to pay, means we have greater clarity as to the amount of Council Tax we might collect. That in turn allows the Council to plan more accurately based on anticipated revenue from the collection of Council Tax.

The decision to agree the tax base determines the levels of income received by the Council through the levy of Council Tax for residents of Kirklees.

The Council must consider any legislative changes as part of the Council Tax base setting process, as any changes will materially affect the Council Tax base. Any legislative changes (if any) have been considered and incorporated in the Council Tax base setting process.

### 4. **Consultees and their opinions**

Eamonn Croston - Service Director, Finance

Councillor Graham Turner - supports the calculations and judgments made in determining the proposed Council Tax base.

5. **Next steps**

- Cabinet to agree Council Tax base
- The Council Tax base will form part of the budget discussions at Full Council
- Agree the level of Council Tax for 2019/20.

6. **Officer recommendations and reasons**

It is recommended that the 2019/20 Council Tax base for the whole of the Kirklees area, and the Council Tax bases for the five Parish and Town council areas be approved by Cabinet and forms part of the budget process at Full Council meeting as follows:

Whole of Kirklees	118,708.56
Denby Dale	5,771.84
Holme Valley	9,998.83
Kirkburton	8,910.47
Meltham	2,820.42
Mirfield	6,617.91

These figures are based on the current CTR scheme. If there are any member alterations to the tax base figures then continued delegated powers be given to the Service Director, Finance, IT and Transactional Services to adjust the tax base to reflect any changes made.

7. **Cabinet portfolio holder's recommendations**

The Cabinet Portfolio Holder recommends that Cabinet approve the Council Tax base for the whole of the Kirklees area, and the Council Tax bases for the five Parish and Town for 2019/20 as listed in the report.

The Cabinet Portfolio Holder recommends that following approval of the 2019/20 Council Tax base that this along with the proposed Council Tax rise forms part of the budget process at Full Council.

8. **Contact officer**

**Steve Bird – Head of Welfare and Exchequer Services**

Mark Stanley – Senior Manager Welfare and Exchequer Services

9. **Background Papers and History of Decisions**

N/A

10. **Service Director responsible**

Eamonn Croston – Service Director, Finance

**Kirklees Metropolitan Council**  
**Council Tax Base Calculation for whole of Kirklees 2019/2020**

**APPENDIX A**

**2019/2020**  
Less :  
collective  
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 100% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
A Disabled	111	0	111	9.00	23.94	0.00	78.06	5	43.37
A	85,124	3,470	81,654	9,828.75	18,414.13	390.00	53,797.50	6	35,865.00
B	34,705	782	33,923	2,930.75	3,362.19	133.00	27,762.56	7	21,593.10
C	31,653	676	30,977	2,059.00	1,722.56	66.00	27,260.93	8	24,231.94
D	16,686	357	16,329	885.50	526.84	24.00	14,940.66	9	14,940.66
E	11,579	105	11,474	469.50	207.75	17.00	10,813.75	11	13,216.81
F	5,167	40	5,127	207.25	51.89	16.00	4,883.86	13	7,054.46
G	2,127	19	2,108	84.75	20.83	4.00	2,006.42	15	3,344.03
H	112	4	108	9.25	0.00	0.00	98.75	18	197.50
	187,264	5,453	181,811	16,483.75	24,330.13	650.00	141,642.50		120,486.87
							Less : collective adjustment	1.47594%	1,778.31
							Council Tax Base for KMC - Chargeable Dwellings Band 'D' Equivalent		<b>118,708.56</b>





Less :  
collective  
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 100% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
A Disabled	5	0	5	0.50	0.82	0.00	3.68	5	2.04
A	2,709	41	2,668	331.25	630.35	23.00	1,729.40	6	1,152.93
B	2,161	31	2,130	203.75	115.09	16.00	1,827.16	7	1,421.12
C	2,649	30	2,619	201.25	58.97	9.00	2,367.78	8	2,104.69
D	1,658	17	1,641	99.00	18.03	2.00	1,525.97	9	1,525.97
E	1,686	15	1,671	71.75	7.11	3.00	1,595.14	11	1,949.62
F	939	4	935	34.50	1.78	1.00	899.72	13	1,299.60
G	415	1	414	14.00	0.71	1.00	400.29	15	667.15
H	14	1	13	0.25	0.00	0.00	12.75	18	25.50
	12,236	140	12,096	956.25	832.86	55.00	10,361.89		10,148.62
							Less : collective adjustment	1.47594%	149.79
							Council Tax Base for Holme Valley Parish Council - Chargeable Dwellings Band 'D' Equivalent		<b>9,998.83</b>

Kirklees Metropolitan Council  
Council Tax Base Calculation for area of Kirkburton Parish  
Council 2019/2020

**APPENDIX D**  
**2019/2020**

Less :  
collective  
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 100% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
A Disabled	3	0	3	0.25	0.69	0.00	2.06	5	1.14
A	2,326	144	2,182	265.50	532.23	13.00	1,397.27	6	931.51
B	1,999	25	1,974	197.00	97.18	9.00	1,688.82	7	1,313.53
C	2,486	22	2,464	163.50	49.79	7.00	2,257.71	8	2,006.85
D	1,761	109	1,652	88.75	15.23	4.00	1,552.02	9	1,552.02
E	1,377	4	1,373	54.50	6.00	0.00	1,312.50	11	1,604.17
F	735	4	731	23.75	1.50	2.00	707.75	13	1,022.31
G	362	3	359	10.75	0.60	0.00	347.65	15	579.42
H	17	0	17	0.50	0.00	0.00	16.50	18	33.00
	11,066	311	10,755	804.50	703.22	35.00	9,282.28		9,043.95
							Less : collective adjustment	1.47594%	133.48
							Council Tax Base for Kirkburton Parish Council - Chargeable Dwellings Band 'D' Equivalent		<b>8,910.47</b>

Less :  
collective  
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 100% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
A Disabled	1	0	1	0.00	0.33	0.00	0.67	5	0.37
A	1,248	21	1,227	152.75	251.59	8.00	830.66	6	553.77
B	532	6	526	49.75	45.94	1.00	431.31	7	335.46
C	965	5	960	68.25	23.54	3.00	870.70	8	773.96
D	415	2	413	20.25	7.20	1.00	386.55	9	386.55
E	430	3	427	17.00	2.84	0.00	407.16	11	497.64
F	156	0	156	6.25	0.71	1.00	150.04	13	216.72
G	56	0	56	1.00	0.28	0.00	54.72	15	91.20
H	4	0	4	0.50	0.00	0.00	3.50	18	7.00
	<b>3,807</b>	<b>37</b>	<b>3,770</b>	<b>315.75</b>	<b>332.43</b>	<b>14.00</b>	<b>3,135.31</b>		<b>2,862.67</b>
							Less : collective adjustment	1.47594%	42.25
							Council Tax Base for Meltham Parish Council - Chargeable Dwellings Band 'D' Equivalent		<b>2,820.42</b>

Less :  
collective  
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 100% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
A Disabled	3	0	3	0.25	0.84	0.00	1.91	5	1.06
A	2,555	53	2,502	331.50	644.44	14.00	1,539.68	6	1,026.46
B	1,468	17	1,451	147.50	117.67	4.00	1,189.83	7	925.42
C	2,579	28	2,551	176.50	60.28	2.00	2,316.22	8	2,058.86
D	1,127	9	1,118	61.50	18.44	2.00	1,040.06	9	1,040.06
E	788	6	782	36.25	7.27	0.00	738.48	11	902.59
F	359	0	359	11.50	1.82	0.00	345.68	13	499.32
G	152	0	152	5.00	0.73	0.00	146.27	15	243.78
H	13	2	11	1.25	0.00	0.00	9.75	18	19.50
	9,044	115	8,929	771.25	851.49	22.00	7,327.88		6,717.05
							Less : collective adjustment	1.47594%	99.14
							Council Tax Base for Mirfield Parish Council - Chargeable Dwellings Band 'D' Equivalent		<b>6,617.91</b>

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**Name of meeting: Cabinet**

**Date: Cabinet – 18<sup>th</sup> December 2018 Full Council 16<sup>th</sup> January 2018**

**Title of report: Council Tax - Empty Property Premium**

## Purpose of report

To note that Council can now determine under s11B of The Local Government Finance act 1992 to increase the premium for long term empty properties from 50% to 100% meaning that owners of those properties will pay 100% extra in council tax from 1<sup>st</sup> April 2019.

To note that Council can further determine that In these cases, the 100% premium rate would apply for a further 3 years; on the 5<sup>th</sup> anniversary of the empty status a 200% premium rate could be applied ( earliest effective date 1<sup>st</sup> April 2020) and then 300% premium rate after 10 years ( earliest effective date 1<sup>st</sup> April 2021).

To take a recommendation to Council to make such a determination in respect of 2019/20 and subsequent years.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>Yes</b>  <b>If yes give the reason why – All Wards affected and the value may exceed £250K</b>
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	<b>Yes</b>  <b>If yes also give date it was registered 26/10/2018</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>No</b>  <b>Decision reserved for Council</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>  <b>Is it also signed off by the Service Director for Finance IT and Transactional Services?</b>  <b>Is it also signed off by the Service Director for Legal Governance and Commissioning Support?</b>	<b>Rachel Spencer- Henshall</b> Strategic Director- Corporate Strategy and Public Health – 9 December 2018  <b>Eamonn Croston</b> Service Director, Finance – 3 December 2018  <b>Julie Muscroft</b> Service Director - Legal, Governance and Commissioning – 4 December 2018
<b>Cabinet member <u>portfolio</u></b>	<b>Cllr Graham Turner</b>

**Electoral wards affected: All**

**Ward councillors consulted: None**

**Public or private: Public**

**Have you considered GDPR? Yes**

## 1. Summary

The current Council tax empty rate premium for Kirklees is 50% - agreed at full Council on 16th Jan 2013 (Council Tax Technical Changes report effective from 1st April 2013) and reconfirmed by full Council on the 18th Feb 2015.

The change to s11B is made under the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 which received Royal assent on 01st November 2018

A determination under s11B can only be discharged by authority (full council) under s67(2) of the Act.

There is an expectation that the premium will incentivise owners to bring property back into use so increasing the supply of homes for sale or rent. We are awaiting departmental guidance upon the circumstances where the authority is expected to exercise discretion in cases of hardship or where genuine attempts to bring property back into use are being made.

## 2. Information required to take a decision

The Council needs to consider how to best incentivise the bringing of property back into use to effect the behavioural change behind the policy intention and to encourage where possible economic growth in the Corporate Plan. Colleagues with strategic housing responsibility are exploring whether any additional revenue might be targeted at particular strategies. This is an emerging picture but does not of itself prevent the council from relying upon the behavioural change expected by the premium to kick start change.

- 2.1 The premium is expected to reduce the overall number of long term empty homes, however it should also create additional revenue. We currently charge a premium of 50% by way of a determination made on 15<sup>th</sup> Jan 2013 as outlined above.

The table below shows the impact of a determination to increase the premium to 100% based upon actual Long Term Empty properties in each band.

Council Tax Band	Long Term Empty Properties	50% premium (now)	100% premium	Additional Revenue
A	401	£587,773.77	£783,698.36	<b>£195,924.59</b>
B	138	£235,986.21	£314,648.28	<b>£78,662.07</b>
C	71	£138,758.85	£185,011.80	<b>£46,252.95</b>
D	27	£59,363.69	£79,151.58	<b>£19,787.90</b>
E	17	£45,683.25	£60,911.00	<b>£15,227.75</b>
F	17	£54,001.86	£72,002.48	<b>£18,000.62</b>
G	6	£21,986.55	£29,315.40	<b>£7,328.85</b>
H	0	£0.00	£0.00	<b>£0.00</b>
TOTAL	677	£1,143,554.18	£1,524,738.90	<b>£381,184.73</b>

- 2.2 If the behavioural effect were to reduce the number of long term empty properties then the additional revenue would reduce accordingly but the number in occupation would increase. In the table below we have assumed that 30% of owners bring their properties back into use as a behavioural response.

Because we are already charging a 50% premium it would only take a 30% change in behaviour to extinguish any revenue effect. In this example revenue of £76,236.95 is foregone in comparison to the current position. This is illustrated in the table below:-

Council Tax Band	If 30% brought back into use	100% premium	Revenue Effect	Revenue Foregone
A	280.7	£548,588.85	235,109.51	-£39,184.92
B	96.6	£220,253.80	94,394.48	-£15,732.41
C	49.7	£129,508.26	55,503.54	-£9,250.59
D	18.9	£55,406.11	23,745.47	-£3,957.58
E	11.9	£42,637.70	18,273.30	-£3,045.55
F	11.9	£50,401.74	21,600.74	-£3,600.12
G	4.2	£20,520.78	8,794.62	-£1,465.77
H	0	£0.00	0.00	£0.00
<b>TOTAL</b>	<b>473.9</b>	<b>£1,067,317.23</b>	<b>457,421.67</b>	<b>-£76,236.95</b>

- 2.3 The effect of the policy change is unknown at this stage, which means that it is difficult to calculate the effect of the increase to 200% for properties empty for more than 5 years as at April 2020 and more than 10 years at April 2021.

The figures in the table below are illustrative only and will be subject to change once we better understand the behavioural changes.

		Calculation only	Property long term empty 5 years + at 1st April 2020		Calculation only	Property long term empty 10 years + at 1st April 2021
Council Tax Band	Estimated Empty Properties 5yrs+	100% premium for 5yrs + properties only	200% premium	Estimated Empty Properties 10yrs+ (75% less)	100% premium for 10yrs + properties only	300% premium
<b>A</b>	117	£228,660.12	£342,990.18	29.25	£85,747.55	£114,330.06
<b>B</b>	44	£100,322.64	£150,483.96	11.00	£37,620.99	£50,161.32
<b>C</b>	16	£41,692.80	£62,539.20	4.00	£15,634.80	£20,846.40
<b>D</b>	3	£8,794.62	£13,191.93	0.75	£3,297.98	£4,397.31
<b>E</b>	7	£25,081.00	£37,621.50	1.75	£9,405.38	£12,540.50
<b>F</b>	3	£12,706.32	£19,059.48	0.75	£4,764.87	£6,353.16
<b>G</b>	1	£4,885.90	£7,328.85	0.25	£1,832.21	£2,442.95
<b>H</b>	0	£0.00	£0.00	0.00	£0.00	£0.00
<b>TOTAL</b>	<b>191</b>	<b>£422,143.40</b>	<b>£633,215.10</b>	<b>47.75</b>	<b>£158,303.78</b>	<b>£211,071.70</b>
		<b>Indicative</b>	<b>£211,071.70</b>		<b>Indicative</b>	<b>£52,767.93</b>

### 3. Implications for the Council

#### 3.1 Working with People

The empty property premium is about bringing properties into use so increasing housing supply. Increased Housing Supply reduces pressure on people seeking accommodation meaning that more people have a place that they can call home.

#### 3.2 Working with Partners

There will be no Impact

#### 3.3 Place Based Working

There will be no impact

#### 3.4 Improving outcomes for children

Children in households positively affected by increased housing supply will have better outcomes.

### 3.5 Other (eg Legal/Financial or Human Resources)

There will be no impact other than as set out in the body of the report. The accompanying 2019-20 Council Tax base report factors in the assumed £381k additional income impact as set out in the first table in this report. This assumption will be reviewed for subsequent budget rounds in light of actual experience.

## 4. Consultees and their opinions

N/A

## 5. Next steps and timelines

Cabinet – 18<sup>th</sup> December 2018

Council – 16<sup>th</sup> January 2019

## 6. Officer recommendations and reasons

Council has the option to make a determination(s) afforded by s11B of the act and to determine how any additional revenue be targeted.

That determination can set a premium of 100% or lower should council not wish to apply the maximum percentage with effect from 1<sup>st</sup> April 2019

That determination can set a premium of 200% or lower for properties empty for 5 years or more with effect from 1<sup>st</sup> April 2020

That determination can set a premium of 300% or lower for properties empty for 10 years or more with effect from 1<sup>st</sup> April 2021.

### 6.1 That a recommendation be brought before Council that it make the Determination set out below:

“This council determines that in accordance with section 11B of the Local Government Finance Act 1992 it will set a premium that applies the maximum afforded by the Act under sections 11B(1A) (1B) and (1C) with effect from the dates set out in those sections:

*(1A) For the financial year beginning on 1 April 2019 the “relevant maximum” is 100.*

*(1B) For the financial year beginning on 1 April 2020 the “relevant maximum” is—*

*(a) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is less than 5 years, 100;*

*(b) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 5 years, 200.*

*(1C) For financial years beginning on or after 1 April 2021 the “relevant maximum” is—*

- (a) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is less than 5 years, 100;*
- (b) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 5 years but less than 10 years, 200;*
- (c) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 10 years, 300. “*

**6.2** That work commence integrating this into the incentivising of bringing empty property back into use to increase Housing supply.

## **7. Cabinet portfolio holder’s recommendations**

To make the recommendations as set out in 6.1 and 6.2 above. The portfolio holder welcomes this new legislation, and its implementation by the Council.

Property that lies empty for a significant period of time, for no justifiable reason, when there is a national shortage of housing is unacceptable. The Council must use every power it has to encourage empty properties back onto the market.

The lack of housing has a huge impact on our residents and communities, and anything that can be done to address this problem, must be a positive step forward. Not only for our residents and communities, but at a time of unprecedented pressure on Council services this can also help reduce demand on under pressure services.

Empty property can also blight an area (i.e. anti-social behaviour), so whilst recognising there is a risk to the Councils finances, it is hoped that by adopting this new legislation we can encourage the property owners to bring empty homes back in the housing market. Which will help address, in a small way the current shortage of accommodation in Kirklees and will allow more people to have a place to call home.

## **8. Contact officer**

**Julian Hobson** Senior Manager Revenues and Benefits

## **9. Background Papers and History of Decisions**

Local Government Finance Act 1992

Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018

Previous Decision in relation to s11B to apply a premium of 50% was made by Council on the 16<sup>th</sup> January 2013.

## **10. Service Director responsible**

**Eamonn Croston** Service Director of Financial, IT and Transactional Services

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**Name of meeting:** Cabinet  
**Date:** 18<sup>th</sup> December 2018  
**Title of report:** Review of KNH

**Purpose of report**

To report on the outcome of the Council's independent review of Kirklees Neighbourhood Housing Ltd (KNH) coupled with the KNH Board's review of governance and make recommendations on the future direction of the management of the Council's housing service

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>No</b>
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	<b>No</b> <b>If yes also give date it was registered</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Yes</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>	<b>Karl Battersby - 3.12.18</b>
<b>Is it also signed off by the Service Director for Finance (S151 Officer)?</b>	<b>Eamonn Croston - 7.12.18</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Julie Muscroft - 10.12.18</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Councillor Cathy Scott - Housing and Democracy</b>

**Electoral wards affected:** None

**Ward councillors consulted:** N/A

**Public or private:** Public

**GDPR:** Has been considered.



## 1. Summary

- 1.0 The purpose of this report to report the outcome of the Council's independent review of Kirklees Neighbourhood Housing Ltd (KNH) coupled with the KNH Board's review of governance. It seeks approval to accept the recommendation of the KNH Board's resolution
- 1.0.1 To reduce the number of directors from 15 to 9 to be made up 6 council representatives and three tenant members;
  - 1.0.2 To strengthen the board by appointing on a skills base; and
  - 1.0.3 For the revised KNH Board to jointly appoint a Chief Operating Officer who will be an employee of KNH Ltd
- 1.1 Kirklees Neighbourhood Housing Ltd is the Council's wholly owned and controlled company limited by guarantee in which the council is the sole Member and where the directorships are split between the council, independents and tenant. It is a "Teckal" company for EU procurement purposes meaning the Council can award it contracts without competition.
- 1.2 In May 2018, the Council commissioned an independent review of the options for managing the housing service following the departure of the Chief Executive.
- 1.3 After the fire at Grenfell Tower, this review took a risk based approach and had a strong emphasis on accountability and governance to assure the Council that, the systems and processes to discharge its obligation to keep tenants safe in their homes are managed robustly.

## 2. Information required to take a decision

- 2.1 The context within which Kirklees Neighbourhood Housing (KNH) was formed and developed was significantly different in 2002 than it is now. The previous government made it conditional that to be in receipt of funding from the Decent Homes Programme, Councils should either enter a stock transfer arrangement or set up arms-length organisations.
- 2.2 Kirklees opted for the arms-length model. This allowed Kirklees to apply for funding from the government to bring Council housing up to the decent homes standard, bringing in over £100m of additional funding from government.
- 2.3 This period saw a step change in housing conditions, moving from less than 50% of homes meeting the decency standard at the beginning of the period, to almost 100% meeting the standard at its completion.
- 2.4 Decency funding has also now come to an end, being replaced with a new self-sustaining Housing Revenue Account (HRA).
- 2.5 The Council last made a significant change to its operational arrangements in the summer of 2016, when it agreed to transfer the Council's building maintenance operations - Building Services - to the management of KNH.
- 2.6 Recognising that the new combined business was approximately 3 times larger, and the new operations introduced a potentially higher degree of risk, the former KNH chief officer recognised it was appropriate and timely to consider if it was necessary to revise some of KNH's governance arrangements.
- 2.7 A consultant - Altair - was engaged May 2017 who considered the existing governance arrangements, largely using a checklist created for the National Housing Federation (NHF) which is the umbrella body for Housing Associations rather than ALMOs. This

document contains a lot of general good advice on governance, but it is intended for Housing Associations (rather than Teckal housing management organisations such as KNH). It has never been the Council's ambition for KNH to become a housing association.

2.8 After the Grenfell Tower fire, the tragic loss of 72 lives and the subsequent findings of the Hackitt Review, the Council began to indicate to KNH that a review of how the Council discharges its statutory functions would be required.

2.9 This together with the Council's growing ambition around the housing agenda prompted the Council to commission an independent review of KNH and after a process of considering a long list of alternative options, the following four options were shortlisted:

- A. ALMO Baseline option as status quo position
- B. In-house Council run Service
- C. Stock transfer to a housing association
- D. New housing management contract with an existing provider.

2.10 Using robust methodology and weighting criteria each of the options have been measured against the ALMO as a baseline.

2.11 The Council has engaged the KNH Board and its senior staff in the process. The Board met with the consultant where they were able to feedback their views and senior staff in KNH and the Council held a joint workshop regarding the role council housing should play in the housing market.

### 3. Aims of the Council's Review of KNH

3.1 The outcome of the review is to ensure the most effective management arrangements are in place to deliver a high quality, efficient and safe service that offers value for money to tenants particularly given the current economic and social pressures facing public services. There were a number of key drivers behind the review:

- A need for **clarity** around decision making, **governance and accountability** arrangements in light of **the heightened risk** profile presented by the changing landscape resulting from **Grenfell and** subsequently **the Hackitt Review**;
- Post Grenfell a need for the Council to be assured that **tenants are safe and their voice** is heard
- A need to consider the KNH Board's own governance review led by Altair which recommended a **smaller board** recruited and or appointed on the basis of **skills and capability**
- A need to offer a consistent and improved service for tenants that maximises the opportunities to integrate housing services with the **Council's wider services and the health and social care agenda** and placed based operating model;
- The end of government decency funding and the move to a **self-funding HRA** places even more importance on having a cost effective/value for money service in order to maximise **investment in the district's housing stock**, and;

3.2 The review is now complete and has confirmed the Council has two options that would deliver its objectives:

3.2.1 To continue with the ALMO but to strengthen the governance arrangements with immediate effect or;

3.2.2 By bringing it back to an in-house Council service.

- 3.3 However, since the independent review was initiated in May 2018, there have been significant changes and announcements in housing policy and it would be inappropriate for the Council not to consider these as part of this review and the decision it makes about the future.
- 3.4 The recent changes are as follows:
- 3.4.1 The publication of Dame Hackitt's Review of Building Safety and its recommendations will have far-reaching implications on how the Council's housing stock will be managed and maintained and will place greater regulatory burdens and scrutiny on the Council and the implications of non-compliance will be significant.
- 3.4.2 The publication of the Social Housing Green Paper which reads as a response to the Grenfell tragedy and the recommendations of the Hackitt Review places a high emphasis in 5 key areas:
- a) ensuring homes are safe and decent;
  - b) empowering tenants and strengthening the role of the Social Housing Regulator to regulate Council housing with an ability downgrade the housing service;
  - c) effective resolution of complaints by strengthening the voice of the tenant in getting redress;
  - d) addressing the stigma and perception of social housing and;
  - e) expanding supply and homeownership The Prime Minister's announcement to remove the HRA debt cap acts as a significant fillip to the ability and capacity for the Council to embark on a major housebuilding programme.
- 3.4.3 The Government's consultation on the Rent Standard and the role of the newly created Social Housing Regulator, the wider rollout of Universal Credit and the introduction of the Homelessness Reduction Act.
- 3.5 The purpose of this report is to consider the recommendation of the review of KNH in the light of the above as well as the Altair review of governance commissioned by KNH.

#### **4. Clarifying Roles and Responsibilities**

- 4.1 The transfer of housing services to a newly created company with its own Board has led to a number of client-contractor relationship challenges over the years. These have been managed through the strong relationships that existed between the KNH Board and the Cabinet but this has led to a lack of clarity of accountability and responsibility.
- 4.2 Within the Council, there is an increasing concern that the ambitious agenda for housing which is much wider than that of housing management can only be fulfilled by a separate and distinct housing management function if there is greater clarity on roles, responsibilities and remits. Good governance arrangements are key to this.
- 4.3 The Council is landlord for the housing revenue account, and it remains responsible, ultimately, for all liabilities and obligations toward tenants.

- 4.4 The Council is not protected from its legal responsibilities, or commercially separated from liabilities that arise through the activity promulgated by the housing management contractor, and events such as the Grenfell fire tragedy have re-emphasised that the council operation, with the Council guaranteeing certain obligations of the company, any commercial mitigation, such as from fines, or as contractual compensation to the council will not be available, and would indeed be likely to be at an additional cost to the Council and KNH often have more resource proportionately than the Council as a whole.
- 4.5 However, the Council is also concerned to ensure that the housing management and maintenance service is not destabilised with the potential disruption a change to operating model might cause at a time when there is a high level of uncertainty in the housing policy and regulatory environment described in 3.4 above.
- 4.6 Whilst the recommendation of the independent review of KNH commissioned by the Council is that there are only 2 clear options, it would be prudent, given the above, to pause and reflect.
- 4.7 Whilst concerns exist, the degree of disruption caused by changing the model, and the fact that we are uncertain whether the Green Paper will pass through its various readings onto the statute book and become legislation, indicates the Council should await the outcome over the next 12-18 months before making a final decision.
- 4.8 Therefore **it is proposed** the Council put in place interim arrangements for up to 12-18 months to strengthen the governance structures in KNH following which the Council can review, on an ongoing basis, the arrangements of any new policy and regulatory regimes. The aim of these arrangements will be threefold:
1. To clarify the respective roles of the Council and KNH - i.e. the Council has ultimate accountability for the stock, the policies and strategies related to its management including control of the HRA. KNH's role will be a single purpose to manage and maintain the stock on behalf of the Council.
  2. To offer greater assurance to the Council that its accountability to tenants and regulators is being effectively discharged by KNH, in light of the heightened levels of risk that exist.
  3. To enable focus on improving services to tenants and residents.
- 4.9 To support the cabinet a Housing Strategy Steering Group composed of cross party representation as well as a tenant representative to advise the cabinet on housing issues more broadly. These arrangements are shown at appendix 2 as a schematic.
- 4.10 The Terms of Reference for this Group will be agreed once the membership has been agreed.

## 5. The KNH Board's Review of Governance

- 5.1 The review of governance led by Altair led to recommendations that included reducing the Board (from 15 to 12, 10 or 9) as well as the number of committees; that membership of the Board should be for a maximum of 9 years (reviewed every 3 years); strengthen the skill base of the board; and that tenants could be better represented by a separate sub-committee, scrutiny panel or a form of digital media engagement.

5.2 The KNH Board meeting of 3rd December 2018 resolved the following:

- The Board approves the changes to KNH governance processes and Memorandum and Articles of Association. The changes to the Articles are as set out in appendix 1. In summary these are:
  - The number of Board Members shall be nine.
  - Six Board Members shall be Council Board Members.
  - Three Board Members shall be Tenant Board Members.
  - No more than three Board Members shall be Tenants
  - No more than six Board Members shall be Local Authority Persons.
  - A board member shall serve for no more than 9 years
- The Board calls an Extraordinary General Meeting (EGM) to formally enact the changes.
- The Board Members agreed to sign the resignation letter to be enacted at the date of the EGM.
- The Board approve the new role of Chief Operating Officer and that the Council and new Board will jointly appoint.

5.3 Therefore **it is proposed** the Council accepts and implements the recommendations of the KNH Board held on 3<sup>rd</sup> December 2018.

## 6. Officer recommendations and reasons

6.1 It is recommended that Cabinet approve:

6.1.1 The recommendations of the KNH Board outlined in 5.2 above;

6.1.2 The implementation of the changes to the Articles of Association as set out in Appendix 1 and summarised in 5.2 above and in addition to this the council appoints Naz Parkar – Service Director, Growth and Housing – to be delegated with authority to attend the proposed EGM and/or sign any relevant documentation to make the changes on behalf of the council as the sole member of KNH.

6.1.3 The role of the strengthened Board would be to oversee housing operations and to act as a single purpose vehicle to deliver the housing management and maintenance service.

6.1.4 That Housing Policy and Strategy, housing/asset investment and HRA Business planning matters would be determined by the Council, Cabinet or Council officers with advice from KNH officers;

6.1.5 The Council would establish a specific Housing Strategy Steering Group with cross-party representation to work with the KNH Board and help guide Cabinet decisions. This group would be supported by the Tenant Panel to ensure the tenants' voice is central to decision making.

6.1.6 These arrangements are interim for the next to 12-18 months and will remain under review until the regulatory and legislative landscape begins to settle.

## **7. Implications for the Council**

- 7.1 Working with People - the Council has worked closely with KNH.
- 7.2 Working with Partners - as above.
- 7.3 Place Based Working - the good management of its housing and its alignment to place based working in the communities where the Council owns and manages stock has been one of the central aims of the review.
- 7.4 Improving outcomes for children - by greater alignment of KNH's operations and the Council's strategic priorities children and their families will benefit.
- 7.5 Other (eg Legal/Financial or Human Resources) - it is important the Council, the new Board and senior staff recognise the uncertainty staff have experienced over the course of the last few months and work with them to ensure there is clarity and focus on how the interim arrangements will work.

## **8. Consultees and their opinions**

- 8.1 The KNH Board, elected members and senior staff have been engaged and all parties agree the primary objective should be to implement arrangements that ensure tenants have and excellent service that represents value for money where governance and lines of accountability are clear and transparent.

## **9. Next steps and timelines**

- |   |               |
|---|---------------|
| 9.1 Communicate Cabinet Decision and next steps   | December 2018 |
| 9.2 Amendment to the Memorandum of Articles   | January 2019  |
| 9.3 EGM to appoint new Board  | January 2019  |
| 9.4 Appointment of Chief Operating Officer  | January 2019  |
| 9.5 Agree Terms of Reference for the Cross-Party Housing Strategy Steering Group and agree and appoint membership | January 2019  |
| 9.6 New arrangements take effect  | February 2019 |

## **10. Cabinet portfolio holder's recommendations**

- 10.1 Having carefully considered the outcome of the Council's independent review of KNH and the KNH Board's recommendation, I fully support the recommendations of this report.

## **11. Contact officer**

Naz Parkar - Service Director for Growth and Housing  
[naz.parkar@kirklees.gov.uk](mailto:naz.parkar@kirklees.gov.uk)  
(01484) 221000


## 12. Service Director responsible

Naz Parkar - Service Director for Growth and Housing  
[naz.parkar@kirklees.gov.uk](mailto:naz.parkar@kirklees.gov.uk)  
(01484) 221000



## APPENDIX 1

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++++	Report to:	Item No:
	<b>BOARD</b> <b>3<sup>rd</sup> DECEMBER 2018</b>	

<b>Report Title:</b>	<b>KNH GOVERNANCE ARRANGEMENTS</b>		
	<b>Name</b>	<b>Title</b>	<b>Phone No</b>
<b>Author:</b>	Paul Webley	Chair	

**CONFIDENTIAL**

**DECISION**

### Executive Summary

The aftermath of the Grenfell tragedy and resignation of ALMO's Chief Executive and Chair resulted in the Council as the parent company conducting a review to consider what arrangements are appropriate for the future of KNH.

The landscape post Grenfell and the detail within the recent Social Housing Green paper means that it is imperative that KNH's governance processes are fit for the new operating environment and provide the Council with assurance.

The relationship with the Council as the parent company and KNH as its wholly owned subsidiary needs to be realigned so that there is closer connectivity and greater transparency.

### Recommendations

- The Board approves the changes to KNH governance processes and Memorandum and Articles of Association as set out in appendix 1 and recommends these to the Council Member for adoption.
- The Board set the XX January 2019 as the date for the Extraordinary General Meeting (EGM) to formally enact the changes.
- Board Members agreed to sign the resignation letter attached as appendix 2 to be enacted at the date of the EGM.
- Board approve the new role of Chief Operating Officer and that the Council and new Board will jointly appoint.

## APPENDIX 1

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### 1. Report

#### Background

- 1.1 The subsequent findings of the Hackitt Review and the implications arising from the Social Housing Green Paper require greater clarity around decision making, governance and accountability arrangements due to the heightened risk profile presented by the changing landscape. The Council needs assurance that governance arrangements within KNH meet regulatory requirements, provide value for money and tenants are safe and their voice is heard.
- 1.2 Back in May 2017 Altair conducted a review of governance arrangements in KNH and made a number of recommendations. As the Board we adopted some of those recommendations immediately (including the adoption of the National Housing Federation Code of Governance) and chose to phase in others over a period of time. However in light of the above it is now pressing that we reflect back on the Altair recommendations and the content within the NHF Code and look to have in place governance arrangements that strengthen the relationship with the Council and provide the required assurance as outlined above.

#### Altair Recommendations and NHF Code of Governance

- 1.3 In summary Altair recommended or observed that:
- The current KNH Board is too large (and recommends reduction from 15 to 12, 10 or 9) to comply with NHF Code
  - Larger committee structure than its peers, duplication in terms of activity, costs of servicing and the frequency of meetings is high
  - Membership of the Board should be for a maximum of 9 years (but reconsidered individually after 3 years)
  - The skill base of the Board is not strong enough- or there is insufficient evidence of its strength- particularly in areas of housing, property management and finance
  - Appointment should be made on the basis of skills required by the Board, related to all members; the Council, independent and tenant representatives, with Board members chosen by assessment
  - Regular appraisal of all Board Members and a Board renewal plan in place
  - Executive Board Members should be considered (but cannot be a majority or hold the Chair or be members of certain sub committees)
  - Tenants could be better represented by a separate sub-committee, Tenants Panel/Scrutiny Panel or a form of digital media engagement.
- 1.4 The NHF Code of Governance also outlines:
- The Board of a parent organisation in a group structure must ultimately have the responsibility and the clear powers to direct and if necessary intervene in the governance of its subsidiaries
  - That direct nominees ought to align with the skill requirements
  - ~~In terms of Committees, although it is good practice for large independent organisations to have a distinct risk and audit Committee, these are less common in subsidiaries of group~~

## APPENDIX 1

~~organisations, where services such as audit are governed controlled and procured through the main or Group Board.~~

~~In terms of Committees, although it is good practice for large independent organisations to have a distinct risk and audit Committee, these are less common in subsidiaries of group organisations, where services such as audit are governed controlled and procured through the main or Group Board.~~

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### **Proposed New Governance Arrangements**

1.5 It is proposed to recommend to the Council the following revisions to KNH's governance arrangements going forward:

- Reduce the size of the Board to 9 Non-Executive Directors
- Have in place a quorum of 3
- 3 Board Members will be Tenant Board Members
- 6 Board Members will be Council nominees [ It is likely that this will ] comprising no less than five party nominees and no more than one officer nominee]
- The Council as the parent company will have the power to remove from office any such Board Member
- The appointments will be based on skills needed for the Board
- Board Members would serve a 3 year term, (but it is recognised that the electoral process, or other aspects of democracy may on occasions lead to the need for directorships to be amended) if Board Members are consecutively re-elected this will not exceed a maximum of 9 years
- The Risk and Audit Committee will cease as the role would be handled by the Council's Corporate Governance & Audit Committee, although the risk and company accounts approval will fall to the main board.
- The remaining Committees will cease with the exception of the Property Committee which post Hackitt is currently required but this will be reviewed on annual basis.
- Ensure that the M&A's reflect that the Board of a parent organisation in a group structure must ultimately have the responsibility and the clear powers to direct and if necessary intervene in the governance of its subsidiaries.

1.6 In order to make way for this to happen I am proposing that the existing Board and Committee Members resign from office with the exception of the two Tenant Board Members.

### **Memorandum and Articles of Association Revisions**

1.7 The revisions to the Memorandum and Articles of Association (M&A's) to reflect the above changes are presented at Appendix 1.

### **Appointment of Chief Operating Officer**

1.8 It is proposed a new role of Chief Operating Officer is created which will replace the role of Chief Executive Officer and will be appointed by the Council in consultation with the Board and will support the KNH Board and report to the Strategic Director for Economy and Infrastructure in the Council.

### **EGM**

## APPENDIX 1

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1.9 The current M&As require that at least 21 days' notice is given to hold and Extraordinary General Meeting of the Association. The recommended date for the meeting has been agreed by the Council. The agenda for the meeting shall be:

- The adoption of the Memorandum and Articles of Association
- Appointment of Board Members

### 2. Link to Risk Register

2.1 Items within this report directly link to items in the Strategic Risk Register which includes Relationship with the Council, Effective Governance, Compliance, Kirklees Council Review of KNH and Failure to manage and Preserve Reputation.

### 3. Other Implications / Considerations

Value for Money	X	Corporate Strategy		Financial / Business Plan		Health and Wellbeing	
Diversity and Inclusion		Legal and Governance	X	Kirklees Council Outcomes		Tenant Consultation	

#### 3.1 Value for Money

Reducing the volume of Committees will reduce the servicing costs and provide a governance structure that is value for money.

#### 3.2 Legal and Governance

Advice on the governance arrangements have been provided by Martin Dearnley, Head of Risk at Kirklees Council.

Trowers LLP have reviewed the proposed Memorandum and Articles of Association (M&A's).

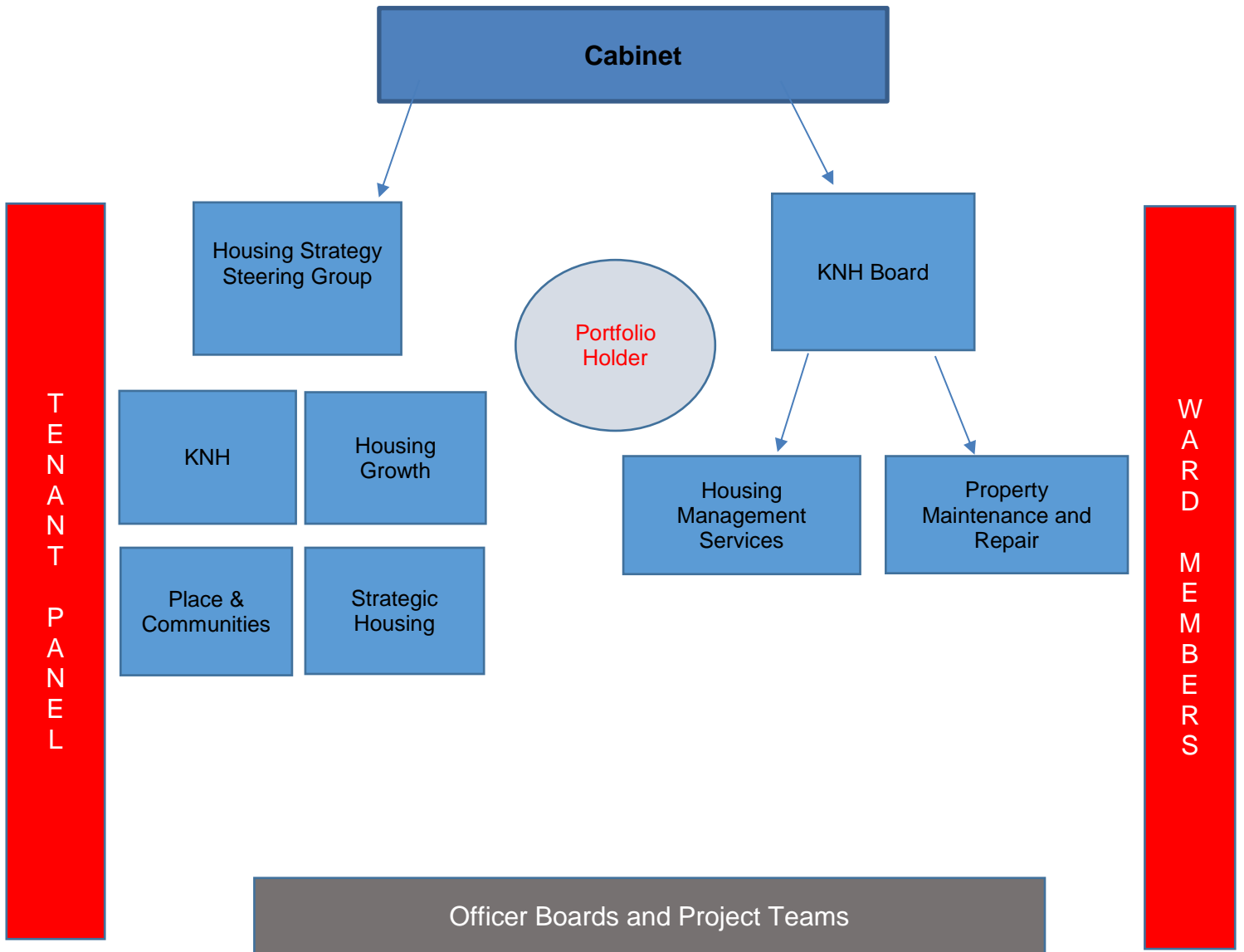
### 4. Appendices

- 4.1 Appendix 1 Memorandum and Articles of Association.
- 4.2 Appendix 2 Formal letter of resignation

### 5. Next Steps for the Board

- 5.1 For the Board to recommend to the Council the proposals detailed within the report and the revised M&A's.
- 5.2 For the Board to formally resign from office (with the exception of the two Tenant Board Members).
- 5.3 An Extraordinary General Meeting (EGM) be called to formally enact the changes.

## Appendix 2



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