

MEETING:	Cabinet
DATE:	Wednesday, 28 June 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 14th June, 2017 (Cab.28.6.2017/3)
(Pages 3 - 6)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.28.6.2017/4) (Pages 7 - 8)

Petitions

5. Petitions received under Standing Order 44 (Cab.28.6.2017/5)

Items for Decision/Recommendation to Council

Leader

6. Revision to Health and Wellbeing Board Terms of Reference - Public Questions
(Cab.28.6.2017/6) (Pages 9 - 12)

Communities Spokesperson

7. Selective Licensing of Private Rented Properties - Consultation Methodology and Timeline (Cab.28.6.2017/7) (Pages 13 - 28)
8. Barnsley Council Annual Customer Feedback Report, Complaints, Compliments and Comments - April 2016 to March 2017 (Cab.28.6.2017/8) (Pages 29 - 54)
9. Exclusion of Public and Press
It is likely that the public and press will be excluded from this meeting during consideration of the items so marked because of the likely disclosure of exempt information as defined by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, subject to the public interest test.

Communities Spokesperson

10. Independent Living at Home Service - Progress Report (Cab.28.6.2017/10)
(Pages 55 - 88)
Reason restricted:
Paragraph (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Place Spokesperson

11. Housing Property Repairs and Improvement Partnership (PRIP) Procurement Strategy (Cab.28.6.2017/11) (Pages 89 - 122)
Reason restricted:
Paragraph (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Cabinet Support Members:

Councillors Franklin, Frost, David Griffin, Lamb, Pourali and Saunders

Chair of Overview and Scrutiny Committee
Chair of Audit Committee

Diana Terris, Chief Executive
Rachel Dickinson, Executive Director People
Matt Gladstone, Executive Director Place
Wendy Lowder, Executive Director Communities
Julia Burrows, Director Public Health
Andrew Frosdick, Executive Director Core Services
Alison Brown, Service Director Human Resources
Neil Copley, Service Director Finance
Katie Rogers, Communications and Marketing Business Partner
Anna Marshall, Scrutiny Officer
Ian Turner, Service Director, Council Governance

Corporate Communications and Marketing
Labour Group Room – 1 copy

Please contact Ian Turner on 01226 773421 or email governance@barnsley.gov.uk

Tuesday, 20 June 2017



MEETING:	Cabinet
DATE:	Wednesday, 14 June 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Cheetham, Franklin (for Gardiner), Miller, Platts and Saunders (for Bruff)

Members in Attendance: Councillors Frost, Pourali and Sheard

13. Declaration of pecuniary and non-pecuniary interests

Councillor Pourali declared a non-pecuniary interest in Minute 23 relating to the Housing Revenue Account in her capacity as a Berneslai Homes Board Member.

14. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 31st May, 2017 had been called in.

15. Minutes of the previous meeting held on 31st May, 2017 (Cab.14.6.2017/3)

The minutes of the meeting held on 31st May, 2017 were taken as read and signed by the Chair as a correct record.

16. Decisions of Cabinet Spokespersons (Cab.14.6.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 9th June, 2017 were noted.

17. Petitions received under Standing Order 44 (Cab.14.6.2017/5)

It was reported that no petitions had been received under Standing Order 44.

Core Services Spokesperson

18. Revision of Smoking and Vaping at Work Policy (Cab.14.6.2017/6)

RESOLVED:-

- (i) that the proposed revisions to the Council's Smoking and Vaping at Work Policy, detailed in Appendix B of the report now submitted, be approved to the use of electronic or e-cigarettes; make further clarification on smoking/vaping breaks; and offer support for employees for smoking cessation;
- (ii) that those areas where smoking/vaping will continue to not be permitted to be used by any employee, Member or member of the public set out in Section 3.1 of the Policy be noted; and

- iii) that the effect that, in addition, employees will not be permitted to smoke and/or vape anywhere whilst at work, and the associated requirements/restrictions set out in Section 3.2 of the Policy be noted.

19. Corporate Performance Report - Quarter 4 Ending 31st March, 2017 and 2016/17 Year End (Cab.14.6.2017/7)

RESOLVED:-

- (i) that the Corporate Plan Performance Report for Quarter 4 (January to March 2017) and the 2016/17 Year-End, as detailed in the report now submitted, be noted;
- (ii) that the follow-up reports arising from the Quarter 4 report on:-
- Areas for Improvement:
- Adult Social Care – delivering to the Medium Term Financial Strategy and revising the performance framework
 - Phase 1 town centre
 - Energy derived from renewable sources
- Areas of Achievement:
- Inward investment
 - Quality of early years settings;
- (iii) that the report be shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme; and
- (iv) that Cabinet place on record its thanks to the staff involved in the achievements recorded in the report, and in bringing together the performance information.

20. Corporate Finance Summary for the 2016/17 Financial Year (Cab.14.6.2017/8)

RESOLVED:-

- (i) that the 2016/17 draft revenue final accounts position, as set out in the report now submitted, be noted;
- (ii) that the service operational overspend of £9.847m be a call on the Authority's strategic reserves;
- (iii) that the additional net 'one off' resources received during the year and savings on capital financing costs of £30.790m leaving a balance of £20.943m to be transferred into the Authority's strategic reserves;
- (iv) that it be noted that the total strategic reserves available for investment/budget support have increased by £2.2m since December 2016, and the Medium Term Financial Strategy and reserves strategy be refreshed over the summer to take this into account;

- (v) that agreement be given to earmark the carry forward revenue resources as identified in Sections 1 and 8 and Appendices 1, 2 and 3, subject to further reports being submitted for individual approvals where necessary;
- (vi) that approval be given to write off historical bad debt totalling £3.061m as detailed in Section 8;
- (viii) that approval be given to the further Invest to Grow schemes totalling £0.166m outlined in Section 8 and it be noted that the £3m fund is now fully committed; and
- (ix) that the Executive Director Core Services submit a further report on the overall outturn position if any significant adjustments arise following external audit scrutiny.

**21. Capital Programme Performance - Year ended 31st March, 2017
(Cab.14.6.2017/9)**

RESOLVED:-

- (i) that the final position of the 2016/17 Capital Programme, as set out in the report now submitted, be noted; and
- (ii) that the updated 2017/18 Capital Programme position, as part of the Quarter 1 monitoring report, be noted.

22. Treasury Management and Leasing Activities and Actual Prudential Indicators - Annual Report 2016/17 (Cab.14.6.2017/10)

RESOLVED:-

- (i) that the Treasury Management and Leasing Activities undertaken for the period 2016/17, as detailed in the report now submitted, be noted; and
- (ii) that the actual 2016/17 Prudential Indicators detailed within the report be approved.

Core Services/Place Spokespersons

**23. Housing Revenue Account - Provisional Revenue Final Accounts 2016/17
(Cab.14.6.2017/11)**

RESOLVED:-

- (i) that the Housing Revenue Account final accounts for 2016/17, as detailed in the report submitted, be noted;
- (ii) that the Executive Director Core Services submit a further report on the overall outturn position if there are significant adjustments to the accounts arising from External Audit or other factors; and

- (iii) that any unallocated working balance be earmarked to support the Council's strategic objectives particularly around housing growth.

Place Spokesperson

24. The Glassworks - Appointment and Delivery of RIBA Stage 4 Design and Associated Project Management/Cost Consultancy Service (Cab.14.6.2017/12)

RESOLVED:-

- (i) that the procurement options considered for services required for the delivery of RIBA Stage 4 design work, associated project management and cost consultancy services for the Glass Works development, as set out in the report submitted, be noted;
- (ii) that the appointment of Turner and Townsend be approved, via a direct call-off from the Land Solve framework for project management and cost consultancy services;
- (iii) that the commissioning of NPS Barnsley for the delivery of RIBA Stage 4 architectural and mechanical engineering services, with Mott Macdonald commissioned directly for civil and structural engineering and associated services via a procurement framework, be approved;
- (iv) that the Executive Director Core Services and Executive Director Place, in consultation with the Place Cabinet Spokesperson, be authorised to make variations to these appointments if required to progress the contract in a timely way; and
- (v) that the release of up to £1.7m (subject to final confirmation following the tender process) included as part of the Better Barnsley Phase 2 scheme, to be funded via prudential borrowing, be approved.

25. Flooding - Response to Scrutiny Task and Finish Group (Cab.14.6.2017/13)

RESOLVED that the responses to each of the recommendations made by the Scrutiny Task and Finish Group into 'Flooding', as set out in the report submitted, be endorsed.

Communities Spokesperson

26. The Safer Neighbourhood Services Project (Cab.14.6.2017/14)

RESOLVED that the project scope and approach for the initiation of Phase 2 for the Safer Neighbourhood Services Project, as set out in the report submitted, be endorsed.

.....
Chair

BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET SPOKESPERSONS' DECISIONS

Schedule of Decisions taken for weeks ending 16th and 23rd June, 2017

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>	<u>Contact Officer</u>
1. Place	Section 106 Allocations – Carlton Park Car Park Improvements	that £30,000 of Section 106 monies be allocated in order to resurface the car park at Carlton Park.	A. Shorthouse Tel. 773419
2. Place	Energy Company Obligation Policy – Flexible ECO Eligibility Proposal	(i) that Barnsley MBC participate in the recently introduced Flexible Energy Companies Obligation scheme (Flexible ECO); and (ii) that approval be granted for the adoption of the Flexible Eligibility Policy (Appendix B), Statement of Intent (Appendix C) and Eligibility Declaration (Appendix D), all required in order to implement the Scheme.	R. Kershaw Tel. 772534
3. Leader	LGA Annual Conference 2017	that Councillor Sharon Howard, Councillor Jim Andrews and Councillor Alice Cave be authorised to attend the LGA Annual Conference 2017 in Bournemouth on 4 th to 6 th July, 2017.	L. Glanville Tel. 773078

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BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan.

REPORT OF THE EXECUTIVE DIRECTOR CORE SERVICES TO CABINET ON 28 JUNE 2017

REVISION TO HEALTH AND WELLBEING BOARD TERMS OF REFERENCE – PUBLIC QUESTIONS

1. PURPOSE OF REPORT

- 1.1 To seek approval to revision of the Health and Wellbeing Board Terms of Reference to incorporate procedural arrangements for the public to ask questions at Board meetings.

2. RECOMMENDATIONS

- 2.1 **That the revision of the Terms of Reference for the Health and Wellbeing Board to incorporate procedural arrangements for the public to ask questions at the Board's meetings, as set out in the appendix to this report, be approved.**

3. BACKGROUND

- 3.1 The Health and Wellbeing Board has been giving consideration to the principle of allowing the public to ask questions at its meetings. This is in the context of the adoption of these arrangements by many other Health and Wellbeing Boards and NHS Trust Boards, particularly as the health and social care goes through a period of change associated with the Sustainability and Transformation Plan process.
- 3.2 The Health and Wellbeing Board agreed to the principle of allowing public questions at its meetings on 4th April, 2017 and on 6th June, 2017 approved a report on procedural arrangements for this. As this procedure needs to be incorporated within the Board's Terms of Reference, this change requires Cabinet approval.

4. KEY PRINCIPLES AND PROPOSED PROCEDURE FOR PUBLIC QUESTIONS

- 4.1 The proposed procedural arrangements adopted by the Health and Wellbeing Board are set out in the appendix to this report. The main principles considered in drafting this process are:-
 - Providing clarity about the question being asked and arrangements for its submission;
 - Identifying how the question will be considered at Board meetings;

- Establishing boundaries in relation to the questions that might be asked.

4.2 The Board intends reviewing the operation of these arrangements after six months and annually thereafter. The opportunity to ask questions will be publicised on the Health and Wellbeing Board meeting page of the Barnsley MBC website. Notwithstanding the procedure, the Chair of the Health and Wellbeing Board will retain discretion to limit the number of questions asked at any meeting should there be so many as to affect the proper discharge of other business or to allow questions to be asked outside the procedure if they are so urgent that they could not comply with the deadlines.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this matter. The staff time required to operate the arrangements will be contained within the Council Governance Unit's existing resources as part of general meeting administration for the Health and Wellbeing Board.

6. CONSULTATION WITH STAKEHOLDERS

6.1 Council services and partners involved in the Health and Wellbeing Board have been consulted on the arrangements through the normal arrangements.

7. APPENDICES

Appendix 1 – Proposed Procedure/Arrangements for Public Questions.

8. BACKGROUND PAPERS

8.1 Published Works – Barnsley MBC Constitution and associated Local Government legislation.

Officer Contact: Ian Turner **Telephone No:** 773421 **Date:** 7 June 2017

PROPOSED PROCEDURE/ARRANGEMENTS FOR PUBLIC QUESTIONS

1. A member of the public may ask a question at a meeting of the Health and Wellbeing Board that, in the opinion of the Council's Executive Director, Core Services, is relevant to the business of the Board and has been notified to the Council Governance Unit in writing by email no less than 10 clear days in advance of the meeting in question.
2. No question shall exceed 100 words in length.
3. An item shall be included as the first substantive item on the agenda for each Board meeting for the purpose of reporting public questions received. Details of questions received will be made available to the Board by inclusion with the agenda papers, if necessary as a supplementary document. Questions will not generally be read out at the meeting, but the person who has submitted the question may attend for the item in question.
4. Up to 15 minutes be allowed at each meeting to consider public questions, subject to the Chair having discretion to allow more time if necessary.
5. All questions shall be answered by the relevant Board member, who may reserve the right to indicate that the answer is given within a specific paper on the Board's agenda or reply in writing after the meeting.
6. The Executive Director, Core Services reserves the right to reject questions that are libellous or vexatious, or simply repeat questions answered at previous meetings.

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BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan.

Report of the Executive Director Communities

SELECTIVE LICENCING CONSULTATION METHODOLOGY AND TIMELINE

1. PURPOSE OF REPORT

The purpose of the report is to provide Cabinet with the consultation methodology and rationale for the scheme/s together with an outline licence fee and discounts and an outline progression of the scheme/s to approval or decline in the specified areas of the borough.

To agree to a minimum **ten week** consultation process with those affected in each area and to provide Cabinet with the final outcomes of the consultation via a further report. To allow Cabinet to reflect the outcome results and members to make a decision regarding implementation or decline the scheme/s

2. RECOMMENDATIONS

- 2.1 To approve the Selective licensing consultation methodology and outline fees attached.
- 2.2 To implement the consultation process with a minimum ten week period to bring a report to cabinet with the consultation outcomes for a final cabinet decision to implement / decline all or area specific designations.
- 2.3 To hold the consideration of an Additional Licensing scheme/s in abeyance until further research can be undertaken and current proposed legislative changes have been enacted. (October 2017). This report will be brought to cabinet separately pending further consideration regarding smaller HMO's. (Those not covered by Mandatory Licensing).

3. INTRODUCTION

3.1 The schemes considered within this report are as follows:

- **Selective Licensing: relates to single let properties (let to a single family or individuals) and aims to drive up standards in four proposed areas of the borough.** Namely; Goldthorpe, Wombwell, Elsecar and Measbrough Dyke. For comparison; Mandatory Licensing of Houses in Multiple Occupation (HMO's) relates to properties of 3 or more storeys occupied by 5 or more unrelated people in 2 or more household. This does not apply to self-contained flats. This scheme is not included in the report.

- 3.2 The aim of Selective licensing schemes are to address the impact of low demand housing or Anti-social behaviour (ASB), primarily; although not exclusively in areas of low demand. The Housing Act 2004, Part 3 Section 79; Sets out initial criteria to establish Selective Licensing schemes. With effect from the 1st April 2015, one of the following added criteria must also be satisfied to determine a designated area:
- Crime;
 - Poor property conditions
 - Deprivation; and
 - Migrant concentrations
- 3.3 The former Cabinet report ‘ *Advanced notification to consult with Tenants, Residents, Landlords and Stakeholders regarding the proposal to implement a pilot Selective licensing Scheme/s*’; was approved at full cabinet on the 11th January 2017. The report detailed the rationale for the implementation of a Selective Licensing scheme/s in four areas of the borough. The report also included data to support the area designations in accordance with Government guidance ‘ *Approval steps for additional and selective licensing designations in England*’. And ‘ *The Selective Licensing of Houses (Additional Conditions)(England) Order 2015*’.
- 3.4 This report moves forward as stated and includes a consultation methodology, timelines, Charges for administrating the scheme/s and discounts available to landlords. Finally, this report sets out the action required after the consultation period has been completed to either approve or decline the scheme/s subject to approval of a final cabinet report with submitted consultation outcomes.
- 3.5 Consideration has been given to current changes to licensing of Houses in Multiple Occupation HMO’s. To that end; consideration has been given to the implementation of an Additional licensing scheme, which affects smaller HMOs not covered by mandatory licensing. This has may be the subject of a future report pending the outcome of the government consultation into this particular piece of legislation.

4. PROPOSAL AND JUSTIFICATION

- 4.1 It is important to note the Council acknowledges the valuable offer provided by many private landlords. The areas under consideration combined, make up less than 5% of all private rented properties in the sector. This report sets out the criteria and details the rationale and outcomes of implementing the specified schemes.
- 4.2 By implementing Licensing Scheme/s in the areas identified, it will assist the Council to meet its objectives of improving the private rented sector (PRS), standards and general community standards within the designated areas indicated above. It is anticipated the scheme/s if introduced post consultation, will impact upon many key issues of ASB, crime and assisting with housing improvements leading to a reduction in issues of deprivation. The above are often associated with areas of high density private rented (PR) housing.
- 4.3 The implementation of licence specific conditions regarding tenant and visitor behaviour and implementing robust timeframes for dealing with complaints; will assist with the reduction of Anti-social behaviour (ASB) and crime and improve the housing offer and the link to deprivation in those areas through a programme of inspections and empty property engagement. It has been acknowledged by other authorities that

specific licensing conditions, have stabilised designated areas and assisted in reducing transient tenancies, giving tenants who have previously had little or no affiliation to the area, the ability to stay and improved tenant engagement in the PRS. Thus building successful communities where people want to live and work.

- 4.4 It is widely acknowledged that selective licensing schemes are not regarded as a tool for Landlords to manage tenant behaviour but as a tool to educate managers, landlords and tenants regarding how they conduct themselves in the PRS with agreed conditions to effect changes. It has been shown by many authorities where the schemes have implemented that such schemes have worked towards improving issues of area decline and offered support to inexperienced landlords through referral to the Accreditation scheme. For example: Doncaster have completed their annual evaluation of their scheme implemented in January 2015. They have reported 20% reduction in ASB / unkempt properties, a 25% reduction in housing complaints and a 44% reduction in Nuisance complaints. By comparison, Western Super-Mare (August 2016) consulted upon selective licensing and decided in favour of an accreditation scheme, as they previously did not offer this option. Barnsley, however already have two accreditation schemes available.
- 4.5 The Safer Neighbourhoods Team and the Police consider the primary condition of ASB and secondary conditions of crime and deprivation have been satisfied. The consultation is being consulted upon the aforementioned conditions. However, it should also be noted that the areas satisfy low demand criteria. This also adds merit in satisfying the criteria to consult upon implementing a Selective Licensing scheme/s.

HOW WILL THE SCHEME/S BE INTRODUCED AND WHAT HAPPENS NEXT?

- 4.6 Consultation: The Act provides that before making a designation a local authority must take reasonable steps to consult persons which are likely to be affected by the designation and consider any representations made in accordance with the consultation. An Equality Impact Assessment and Due Regard statement have been undertaken (See section 12).
- 4.7 Once the consultation process is approved by Cabinet. The following consultation will be undertaken by the most economic means possible.
- Members will be briefed.
 - Letters and details of how to access an online questionnaire will be sent to all Residents, Tenants, Landlords and Managing Agents in the locality.
 - In addition, all properties within a 250m radius of the designations will also be invited to comment.
 - A press release will be issued to advise details of the scheme/s and consultation.
 - Two separate consultation events will be arranged for landlords, the RLA and BMBC Accredited landlord members.
 - A separate drop in event will be held for Residents and Tenants in each location.
 - Web pages will outline the consultation and scheme details:-
 - Frequently Asked Questions.
 - Lists of fees and discounts.
 - Event dates.

- Maps of the designated areas
- The Proposal document
- Time line outlining the process.
- Online questionnaire.

- 4.8 The scheme/s must be consulted upon for a minimum **ten week period** prior to a decision being taken by Cabinet. All tenants, residents and landlords will be written to at the start of the consultation asking them to complete a questionnaire online. This includes all other properties within a 250m radius of the centre of each designation. This will ensure views are captured from residents surrounding each designation. At each drop in event and landlord events. BMBC digital council staff will be available to assist with completion of online questionnaires. This is to ensure those without access or those who are unsure of how to access the internet to complete a questionnaire. These devices will be made available to the department should there be a further need to complete questionnaires in each designation.
- 4.9 Once the consultation has completed, views /information will be collated and presented to Cabinet for members consideration. The consultation methodology does not refer directly to numbers of those 'for' and 'against'. The decision to implement will require cabinet members to assess the merits of the proposal as the basis for public policy and to decide upon whether or not to implement all or parts of the scheme or to re-consult on specific areas of the proposal. If approved, a three month notice period (statutory requirement) will be given prior to implementation of the scheme/s.
- 4.10 **Cost of a Licence.**
The cost and duration of a licence is set at the discretion of the local housing authority. The authority is entitled to charge a reasonable fee to reflect the cost of running the scheme. However it cannot profit from the scheme. In setting the fee the council has demonstrated that the fee income is solely recycled into administering the licensing arrangement such as managing and monitoring compliance. (See appendix 1 attached)
- 4.11 The licence fee of (£530) per property, is a single fee which covers the five year scheme. This must be paid within 6 months of the designation starting. Discounts of £100 are available for formerly BMBC accredited landlords. There is also a £20 discount available for early applications. A late payment fee of £60 will be levied for applications received after the 6 month deadline. To note: where this fee is applied, all other discounts will be withdrawn. (Fees and Discounts section 7). By comparison; Doncaster's fee is £515 and Rotherham 's fee is set at £592 per property, both also offer discounts. The discount criteria varies between Authorities.
- 4.12 Within the six month deadline date for obtaining a licence; a programme of inspections will begin. Where properties do not meet the licence conditions or standards required, Landlords will be given time to effect those repairs in accordance with statutory guidance, to ensure PR standards are met and ensure an absence of category 1 hazards (The most serious).
- 4.13 Inspections will be undertaken by area locality officers from the Safer Neighbourhoods Service. It should be noted that; notices may be required for non-compliant landlords. For example: - Housing Act notices to remedy category 1 or 2 hazards, Temporary Exemption Notices (TEN) for empty properties in each

designation and where appropriate, Interim Management Orders (IMO) relating to landlords deemed not 'fit and property' to operate a licence. Those landlords will be given the opportunity to appoint a managing agent (subject to approval) and prior to BMBC taking further action.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 Mandatory licensing was introduced for larger HMOs, in 2004 to effectively manage amenity and room standards in larger HMO's. These were considered the most 'at risk' properties. However this alone does not address the emerging issues in respect of smaller HMO's or PR properties and therefore this approach in isolation has been discounted.
- 5.2 Self- regulation: As the enforcing authority we have a legal duty to enforce to ensure standards are maintained and category 1 hazards (the most serious) are removed. It is acknowledge that the BMBC Landlords Accreditation scheme establishes a good standard of property inspection and management and reflects those landlords who are willing to engage. Another Accreditation scheme is available through the Barnsley Residential Landlords Association. It is anticipated that the BMBC accreditation scheme will still have a part to play within the PRS licencing schemes and promote further landlord engagement within a prescribed mandate for standards to engage and provide better housing conditions. However, in isolation it can only garner support from those landlords who are willing. Therefore, to adopt this scheme in isolation or others available which have lesser inspection and monitoring standards have been discounted.
- 5.3 Re-engage the 'Our Streets project' - introduced as a pilot in 2014 for one year. It addressed issues of ASB, housing issues and environmental issues as a combined approach with the Police and the Safer Neighbourhood Services. Operationally, the project successfully demonstrated the benefits of the proactive "estate management" of areas of high density low demand accommodation. This project was undertaken where typically crime and antisocial behaviour were much higher than the borough average. However, it was an extremely resource intensive project and therefore has been discontinued. As a result of this, the area Councils commissioned officers to pick up many of the activities previously supported by the 'Our streets' project. This supported the framework for a proactive approach to area work. .
- 5.4 The Accreditation scheme, Empty property grants, the Green doctor scheme, housing advice and specifically produced leaflets in different languages are currently ongoing interventions to assist as part of the framework towards supporting a formal approach of licensing in the PRS. Crucially, whilst there are real improvements with the above interventions, the take up varies in each area, but still has a considerable part to play in supporting the scheme. The Dearne area bin scheme was trialled in Goldthorpe to abate arson of bins which were not being presented correctly or collected after waste collection. Whilst initially it yielded good results, this scheme can't be sustained. It is considered that landlords should provide information to their tenants regarding presentation of waste and collection.
- 5.5 **Conclusion:** The above schemes and projects have yielded results, but lack the means to act when non engagement and non-compliance occurs. Implementation of Selective Licensing scheme/s (*the preferred option*), sets out a robust set of licence conditions that will meet statutory obligations for the landlord with derived management conditions. It also places tenancy conduct standards upon the tenants.

This affirms a key emphasis on those using and those offering accommodation in the sector. This is seen to be a more effective way of addressing ownership of the issues and problems raised. In addition, many tenants fear reprisals when reporting disrepair. Therefore a programme of internal property inspections will ensure properties offered for rental are offered with an absence of category 1 hazards. Thus ensuring the most vulnerable persons in PRS are living in properties which achieve the required government standard.

OTHER INTERVENTIONS BEING REVIEWED

Goldthorpe Landlord and Residents (GLR) Group

- 5.6 Barnsley MBC wants to continue to foster good relations it has built up with PRS landlords and has therefore considered the legislation surrounding implementation and has taken into consideration action currently being undertaken. Further consideration was also being given to delaying implementation of a scheme in a selected area pending consideration of a proposal offered to address the issues which prevail in the selected area.
- 5.7 The GLR group based in Goldthorpe, contacted the Council in October 2016, when the initial appetite for a selective licensing scheme was being considered. Prior to cabinet approval January 2017, the group stated they were in the process of offering an intervention with all landlords in the Goldthorpe area, but more specifically the streets under consideration. The legislation implies that interventions should be considered if they would provide an effective method of achieving the objectives of the designation. The Safer Neighbourhood Service (SNS) have met with this group on several occasions and attended meetings with the Rt Hon John Healey MP and Councillor Noble, to discuss issues raised, including standards which all landlords in the proposed designation are required to achieve. (See Section 5.10 listed dates of meetings).
- 5.8 We consider that landlords must effect the same standards as a Selective Licensing scheme garners; adopt the criteria and conditions set by legislation: use a formal systems for tenants to make / raise legitimate complaints; tenancy checks and adhere to formal licence conditions set. More importantly, properties must be inspected by suitably qualified persons, in accordance with guidance set out in the Housing Act 2004 (Housing Health and Safety Rating System [HHSRS]). This will achieve an absence of category 1 hazards and maintain housing conditions on a continual basis and not just at the outset.
- 5.9 Where approval for consultation is given, Goldthorpe residents, tenants and landlords will be consulted with as previously stated in section (4.7-4.9). It is considered that the Council must also allow and consider views of those who may be directly affected by the issues which have led to considering a Selective Licensing scheme.
- 5.10 A list of consultation events attended by BMBC to discuss the proposed Selective Licensing scheme with GLR group and Councillors, and their proposals to effect the same standards as the proposed Selective licensing scheme are listed:
- 18/10/16 Discussion with GLR group.
 - 23/12/16 Discussion meeting with GLR group.
 - 31/01/17 FOI given re Housing/ ASB complaints in Goldthorpe.
 - 10/02/17 General community meeting Goldthorpe library.
 - 16/02/17 Goldthorpe landlord group meeting Goldthorpe Library.

- 17/03/17 Letter sent to GLR group requesting their outline proposals for a co regulation scheme to include all landlords in Goldthorpe.
- 29/03/2017 Meeting with GLR group-Final proposal date 30/04/2017.
- 11/04/2017 meeting with GLR group, NLCE member. Proposal offered.

5.11 Consideration has been given to an offer put forward by the GLR group as an alternate scheme which would achieve the same standards as those proposed in the Selective licensing scheme. The scheme offered by the National Landlords Code of Excellence (NLCE), the preferred provider of the GLR group proposal has been evaluated. It is considered that the scheme had much in common with the current Accreditation schemes offered by BMBC and the RLA; It offered a formal tenant referencing scheme, monitoring system for complaints, set standards for housing conditions and offered initial educational training for landlords to achieve an accredited standard set by the scheme. However, it did not offer a formal system for inspecting properties against the Housing Act , (HHSRS). The proposal did not offer a facility for inspections or a guaranteed of an absence of category 1 hazards. It allowed landlords to become accredited without passing over the threshold of their property. Conditions in those landlord properties may well not have category 1 hazards. However, without a formal system of inspections or staff qualified to undertake the inspections. It was felt that the requirements of the proposal were not met.

5.12 Additionally, consideration was given to the merits of another accreditation scheme being introduced, where take up of the existing schemes offered by the BMBC and the RLA have been extremely low among Goldthorpe landlords.

5.13 In conclusion the GLR group have been actively involved in improving the position of some of Goldthorpe's PR properties and the aesthetics of the area. However, the scheme proposal mandate was clear. The offer must deliver the same as a Selective licensing scheme. It is considered that the scheme offered was an accreditation scheme without a formal inspection process to ensure the absence of category 1 hazards. Therefore this proposal has been discounted in favour of the current proposed Selective licensing scheme.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 Unless the private rented sector in Barnsley can regulate itself in a satisfactory manner. BMBC will look to impose regulation through legislation in certain areas where the legal criteria to do so is evidenced and applies. Barnsley MBC is of the opinion that the legal tests have been met to continue to consultation for the areas identified.

7. FINANCIAL IMPLICATIONS

7.1 There are no specific financial implications for Cabinet to consider in this report - this report seeks agreement to approve the consultation methodology for the Selective Licensing scheme rather than providing options for implementation.

7.2 A further report detailing the financial implications associated with scheme options/implementation will be submitted to Cabinet for consideration following the conclusion of the consultation.

8. EMPLOYEE IMPLICATIONS

- 8.1 If approved, the Consultation will be resourced internally by officers from the Safer Neighbourhoods Service. This will include delivering letters and attending drop in events. Future consideration will be required to cover the implementation and management of the scheme through its duration. The current post of Private Sector Housing Licensing Officer is funded until September 2017 from the Safer Neighbourhoods Service budget. Further consideration is required pending the outcome of the consultation regarding staffing requirements.

9. COMMUNICATION IMPLICATIONS

- 9.1 See sections above and the Communications plan in addition to (4.7- 4.9) of this report

10. CONSULTATION

- 10.1 See Sections 5.10 and Timeline.

Timeline for the Implementation of a Selective Licensing scheme.		
Dates	Details	Additional information
January 2017	Go to Cabinet with outline proposal to undertake a consultation regarding pilot areas for Selective.	<i>During which time scheme proposals will be underway</i>
November 2016-January 2017	In conjunction with Cabinet report – work up scheme proposals, Comms plan, EIA/due diligence statement.	<i>Scheme proposals and data completed</i>
February 2017	Set up web pages and consultation information and mediums.	
April 2017	Update AD/ HOS cabinet with scheme proposals-	<i>Outlines full scheme areas, charges and data to support scheme proposals.</i>
May 2017		<i>Make any changes to scheme proposal.</i>
July 2017	Minimum 10 weeks consultation process begins	<i>Letters webpages information set up on-line applications and printed applications available.</i>
September - October 2017	Lead in to report to Cabinet to approve / decline the scheme .	<i>Outcomes reported. Once approved publish notice of the designation within the requisite timescales. Following a 3 month calling in period before the scheme can begin..</i>
December 2017	Set up online payment scheme via portal	<i>This will reduce officer time spent chasing applications.</i>
Jan / February 2018	Implementation of scheme/s.	<i>Early applications anticipated to reduce officer foot fall.</i>
February 2019	Annual evaluation of 1 st anniversary of scheme. Consideration to continue with SL scheme or revoke based on a review of data	<i>Briefing note to AD.</i>
February 2023	Scheme closes.	<i>Evaluation of the scheme- approval to close. Re-implement for a further 5 years? Subject to data. .</i>

11. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE ANAGEMENT FRAMEWORK

- 11.1 It is anticipated that this scheme or combined schemes will address issues of poor housing predominantly in the PRS by putting in place safeguards for the vulnerable in terms of their health, safety and wellbeing. The background to the licence is area specific to address ASB, crime, drive up housing standards in the PRS through the use of the Housing Health and Safety Rating System (HHSRS) and reduce associated deprivation issues. This will assist to help to shape safer communities consistent with Barnsley's Corporate Plan priorities.
- 11.2 In order to ensure a seamless approach to addressing issues, The Safer Neighbourhoods Manager has restructured the department to meet community needs and drive a task based approach to community housing, and environment issues, including addressing those at most risk of eviction by integrating Housing Options team with the SNS (An integration of partner agencies (Police); With core council teams to address cohesion in the community and PRS).

12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 12.1 The EIA assessment and due diligence statement is a working document. It's aim; to ensure all sectors of the community are recognised and issues raised are addressed. We acknowledge the full impact of the scheme/s are not yet known. The scheme will be monitored throughout the consultation. Consideration has been given to the vulnerable, disabled, older persons, those with small children and BME may be affected by the implementation of the scheme, as landlords have openly voiced they may pass on the scheme charge to their tenants.
- 12.2 The EIA acknowledges this as a risk and, although information is anecdotal and demographic information is not available, facilities are available through the Housing Options service to assist with this.
- 12.3 The Public Sector Equality Duty PSED, was created by the Equality Act 2010 section 149 and replaces the race, disability and gender equalities duties. The duty came into force in April 2011 and places a duty on public bodies and others carrying out public functions. The aim is to embed equality considerations into the day to day work of public authorities, so that they tackle discrimination and equality and contribute to making society fairer.
- 12.4 The Equality duty covers the following protected characteristics. Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion or belief, Sex, Sexual orientation. This duty also covers marriage and civil partnership but only in respect of eliminating unlawful discrimination.
- 12.5 The duty requires public bodies to have due regard to the need to:
- eliminate discrimination, harassment and victimization and other conduct prohibited by the Equality Act 2010;
 - advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 12.6 The general duty will depend on how that area of work affects discrimination, equality of opportunity and good relations. For example, decisions relating to social care or community safety are likely to have more impact on equality than those of waste disposal.
- 12.7 This scheme seeks to address issues which affect the PRS and private sector landlords irrespective of their personal including any protected characteristics. Similarly, the improved standards of property and tenancy management with the intention of reducing ASB, through compliance with licence conditions, apply to all PR properties and tenants in the designated areas irrespective of their personal, including any protected characteristics. Furthermore this has been reflected in the proposed licence conditions which will be an integral part of any scheme, if approved.

13. TACKLING THE IMPACT OF POVERTY

- 13.1 See para 12.1: Consideration has been given to landlords passing the Selective licensing fee onto tenants, thus creating financial issues. The SNS has an integrated team which includes housing options to deal with this. In addition they offer advice and assistance regarding this issue; deal with retaliatory evictions ('No fault evictions') possibly as a result of complaints related to housing disrepair issues. The integrated SNS will assist tenants with support packages to sustain tenancies via the Housing options team.

14. TACKLING HEALTH INEQUALITIES

- 14.1 The threshold test of the Housing Act is to ensure the absence of category 1 hazards (the most serious). Properties are safe and professional standards are achieved within the PRS. By implementing a selective licensing scheme/s and implementing licence conditions, properties will be inspected to ensure an absence of category 1 hazards and offer possible benefits towards reducing deprivation in terms of fuel poverty.

15. REDUCTION OF CRIME AND DISORDER

- 15.1 The aim of the scheme is to reduce ASB and crime, drive up housing standards and mitigate the issues surrounding PR and empty properties in area designations. It is anticipated that by having an integrated approach to tackle the worst areas for reported crime and ASB, combined with management standards, the areas will yield a reduction in the above.

16. RISK MANAGEMENT ISSUES

16.1

Risk Title	Current Assessment	Mitigations	Target Assessment.
RSL & Landlords threaten a Judicial Review (JR) of the proposed scheme.	HIGH /MEDIUM	This has been threatened in various other boroughs who have tried to implement a scheme. A consultation and EIA plan has been added to the report to outline issues raised.	MEDIUM

Risk Title	Current Assessment	Mitigations	Target Assessment.
Landlords may choose to leave their properties empty thus reducing confidence in the area.	MEDIUM	Whilst properties are empty they must be granted a Temporary Exemption Notice (TEN) to ensure they are not charged for a license. These allow 3 months subject to inspections and cat 1 hazards being present. A final TEN may be granted.	MEDIUM/ Low
Imposing a license scheme may result in tenants being forced into poverty as costs are passed onto them from the landlord. Thus, leading to further sub-letting without knowledge of the landlord = overcrowding issues. Tenants may be subject to a top up fee or risk eviction for rent arrears.	HIGH /Medium	Landlord management duties are to ensure properties are not overcrowded. They also sign self cert forms as part of the application. Housing Options have been aligned with the Community safety team as part of an ongoing restructure. They now offer housing and tenancy advice in terms of landlord liaison, unfair rents, unfair contract terms and money management advice.	MEDIUM
Landlord reverts property to self-contained flats.	MEDIUM/ Low	Landlords must obtain planning approval which is more costly than license. Planning to highlight. £395 per unit of accommodation. (Example: Change a three bed property to 3 self-contained flats = £395 x 3 = £1185). Assuming suitable to do so!	LOW
Many landlords change their properties to smaller HMO's seizing the gap in the market.	HIGH/ MEDIUM	Current possible changes to legislation will address many HMO issues. In addition the Council will consider the outcomes of the legislation. Consideration is being given to implementing an Additional Licensing scheme universally across the borough. Smaller HMO's are currently being considered in anticipation of the proposed changes to current HMO legislation due (Oct 2017).	MEDIUM / low

17. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

17.1 None

18. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

18.1 Equality Impact Assessment (EIA) and Public Sector Equality Duty. See Section 12

19. CONSERVATION OF BIODIVERSITY

19.1 None

20. GLOSSARY

PRS – Private Rented Sector

ASB – Anti-social Behaviour

IMO - Interim Management Order. Confidence in the landlord and his ability to run a property effectively allows the Council to take over the property.

PR - Private Rented.

LA – Local Authority.

RLA – Residential Landlords Association

TEN – Temporary Exemption Notice

LL – Landlord

EIA – Equalities Impact Assessment

MA - Managing Agent

NLA - National Landlords Association

DCLG - Department for Communities and Local Government.

Comms Plan – Communications Plan

NLCE - National Landlords Code of Excellence

BRLA – Barnsley Residential Landlords Association

PSED - Public Sector Equality Duty

SNS – Safer Neighbourhood Services

21. LIST OF APPENDICES

Appendix 1: Fees and Discounts.

22. BACKGROUND PAPERS

Thanet Council - Selective licensing scheme.

Scarborough Council - Selective licensing scheme.

Newham Borough Council - Additional Licensing Scheme.

House of Commons – Standard note SN/SP/4634 Selective Licensing of PR Housing (England and Wales)[17.02.2015]

Officer Contact: Gail Hancock for Paul Brannon

Telephone No: 01226 774103

Date: 10th May 2017

Financial Implications/Consultation

A handwritten signature in black ink, appearing to be 'NR', is written over a horizontal line.

*(To be signed by senior Financial Services officer where
no financial implications)*

Barnsley Selective Licensing - Index of Fees and Discounts

Time Sheets - How times for individual jobs have been calculated
Wage Costs - These are identified at technical officer level.
Disbursements – The on costs for completion of the licensing process
The Fee Calculation
Discounts
Late Payment Fee

	Action	Licensing Officer Time In Hours and Minutes
1	Application received Via online system. Printed documents scanned onto the computer system.	0:30 *
2	Examine gas safe certificates, Electrical certificates, and property declaration form. Add to system.	0:30
3	Application acknowledgement letter generated - sent to applicant outlining any further information required. Including date and time for proposed property inspection.	1:00 *
4	Complete a full inspection of the property. Confirm the property declaration information and where appropriate collect any information.	2:00
5	Confirmed all signed information from other documents required under the terms of the licence conditions. Ensure no overcrowding issues. Details added to system.	0:30 *
6	Prepare information outlining any hazards including remedies .and schedule of licence conditions.	2:00 *

7	Post inspection -Send out letters to all relevant parties, to advise the property is being considered for a licence.	1:30 *
8	Prepare the licence document information pack and licence conditions - send out	2:00 *
9	Periodic/ Re- visit the property to ensure compliance with Licensing conditions in accordance with HHSRS guidance during scheme term.	2:30 *
	Total	12:30
Disbursements and preparation costs per application		
Land Registry search	Undertaken on each application	£4.00
Transport costs	Average taken to be eight miles	£3.00
Postage costs	Average 5x first class postage @ 37p	£1.85
Chasing application	2x letters and/or phone call.	£3.00
Total disbursements/ application costs		£11.85

Selective Licence Fee Breakdown Calculations Per Property	
Total time charged to complete a standard application	12 hrs 30 minutes
Officer Rate	£39.11
General charge to complete and administer a standard application (12.5 Hrs * £39.11)	£488.87
Disbursement – fees	£11.85
Total cost of completed application	£500.72
Total 6% inflation over the 5 year application life (2% Equates to 0.5% increase per year at current inflation rate + 4% staff pay increase @ 1% per year).	£30.04
Total	£530.76
Selective Licence fee (Rounded down to the nearest £5)	£530.00

Late Payment Fees Breakdown		
1.	Check ownership details C tax / land regs	£4.00
2.	Prepare a letter to all persons with a financial interest in the property to follow up property inspection. Where Temporary Exemption Notice (TEN) required. Refer to TEN for guidance.	1:30
Total	£4.00 charge for land registry details <u>plus</u> 1:30 hours officer time charged at £39.11 =£58.66 = £62.66 rounded down to nearest £5.00	£60.00
Late payment fee – To Note: Where this fee is applicable. <u>NO</u> discounts will be given.		£60.00

Discounts Available:

For landlords who are formerly accredited via BMBC landlord accreditation scheme.

- Discount for an early, valid and completed application form.

Discount applied for an Early Application		
Discount for a valid and correctly completed application form with all the relevant documentation present. Presented via the online portal at the beginning of the declaration. (Early application are summarised as applications received before the initial start date of the designation and up to and including, application rec'd by the 28th working day at close of business 4pm).		£20.00
Discounts applied to each licence fee for landlords who are formerly accredited via the BMBC landlord accreditation scheme		
BMBC Accredited Landlords Discount		£100.00
Temporary Exemption Notices. (TEN)		
1.	Initial TEN is issues for three months pending property work.	£0.00
2.	Second TEN can be issued following property inspection and proposed timeline for completion. 3 months maximum.	£0.00

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

Report of the Executive
Director - Communities

Barnsley Council Annual Customer Feedback Report, Complaints, Compliments and Comments – April 2016 to March 2017

1. Purpose of report

- 1.1 The purpose of the report is to provide Cabinet with an analysis and overview of the complaints handled under the council's complaints procedures in line with our statutory obligations under the Local Authority Social Services and National Health Services Complaints (England) Regulations 2009, the Children Act 1989 Representations Procedure (England) Regulations 2006 and the Management of Customer Feedback Procedure during the period 1st April 2016 to 31st March 2017. It is also to advise on the compliments received by the council and the improvements to service delivery that have arisen as a result of complaints made within this period.

2. Recommendations

- 2.1 It is recommended that Members' receive and discuss the information contained in this report as required under the complaints legislation.

3. Introduction

- 3.1 The data contained in this report was correct at the time of creation. However, there is a risk to some variation in future reported data due to updates.
- 3.2 The submission of feedback (compliments, complaints, and comments) is an important means by which people can let the Council know about their experiences. The aim is to ensure that each item of feedback is recorded, acknowledged and appropriately responded to.
- 3.3 It is vital to continuous service improvement to know when things have gone right and people are happy with the services they receive. However, on those occasions when things go wrong complaints are equally valuable because they provide a chance to identify errors and to ensure the same mistake is not repeated in the future.
- 3.4 The complaints process aims to investigate a person's concerns thoroughly and fairly in partnership with the complainant, to reach a swift resolution and to ensure, where appropriate, that a proper apology is given and that a form of redress is provided.
- 3.5 Compliments received are acknowledged with the customer and shared with the service area concerned.

3.6 Comments received are acknowledged with the customer and shared with the service area concerned. In some cases a response is provided to the customer within 10 working days.

4. Proposal and justification

4.1 A total number of 458 customer compliments have been received by the council, the highest number of these were received in the Customer Services Business Unit. This is a decrease in number from the total reported last year (541), however work is ongoing to ensure that customers and all staff know how they can share their positive experiences with us.

4.2 Where our customers would like to share their thoughts and suggestions the Customer Feedback and Improvement Team logs these as comments. 2016-17 saw 310 comments from our customers being recorded, this is an increase on the total number received last year (171).

4.3 504 customer complaints were logged in 2016-17. This is an increase on last year's total of 384. It is important to note that not all customer concerns need to be processed as a complaint. Where a customer has contacted the service direct and their concerns are sorted out by the service there is often no need to escalate these through the council's complaints procedures. It is important that we make sure the customer is always informed of their right to make a complaint if their concern is not resolved or they remain unhappy.

4.4 It is positive to report that the majority of our complaints are being made online and directly to the Customer Feedback and Improvement Team.

4.5 The majority of the complaints received are being resolved quickly through early resolution, 397 of the total number of complaints received were resolved this way, and 107 required a formal investigation. However, there is still some improvement to be made to resolving complaints within timescale and work is on-going to address this.

4.6 Investigations into our customers complaints resulted in us upholding 266 cases, we partially upheld 154 and 64 of them were not upheld. Unfortunately, 3 of our customer withdrew their complaints during 2016-17. We are working with services to strengthen how we learn from customer complaints and this year will see the introduction of a new process on how we capture and embed learning from the complaints we receive.

4.7 No complaints received progressed onto the review stage. However, that's not to say that all customers were happy after their investigation. Those customers who did remain unhappy were supported by the Customer Feedback and Improvement Team without the need to progress their complaint onto the next stage of the process.

4.8 Our records indicate that we have received 36 contacts from the Local Government Ombudsman in 2016-17. 12 of these required the Ombudsman to undertake a formal investigation. Fault was found in 2 of these cases, one resulting in injustice for the customer. The Council agreed with the Investigator's recommendation to address this and paid £100 to the customer

with a letter of apology.

We expect to receive the Local Government Ombudsman annual review letter over the summer period. This review provides a summary of the statistics on the complaints made to them for the council.

4.9 Work is continuing to embed the role of the Customer Feedback and Improvement Team and during 2016-17 the following work was undertaken:

- Implementation of a new management system for customer feedback and information request during quarter 4. The benefits of this new system are hoped to be realised during 2017-18.
- We promoted, encouraged and supported our customers to contact us online, whilst also offering a telephone service too. We have worked to ensure the information we provide to customers both online and via telephone is clear to ensure that their concern is handled appropriately and proportionately. The benefits of this are that most of our customers accessed our service directly online. However, we are still working to reduce the number of contacts that reach the team which are not complaints.
- We encouraged our customers, who have made a complaint, to share their experiences of using the complaints process with us. We do this during our contact with the customers, generally over the telephone, but also within our letters. We use the information from this to improve our service delivery. One of the changes we have made to our practice, as a result of this dialogue is to better explain who we are on our webpage this ensures are customers know who their complaints are received by within the council.
- We have explored how we capture customer complaints and what we could do to strengthen this arrangement. Therefore a new approach to learning from complaints is to be trialled this year. The complaints investigation process will focus upon identifying the issues which led to the complaint and will in turn make recommendations on what needs to be done to prevent a reoccurrence. This information will be presented at Directorate Management Meetings on a quarterly basis for attention and action in the creation of a directorate learning plan. It is hoped that this new approach will enable us to see the wider issues in our service delivery being raised by customers through the complaints process, and identify what action needs to be undertaken in order to address this.

4.10 During 2017-18 we plan to undertake the following:

- Explore how we ensure our most vulnerable customers know how to make a complaint if they are unhappy with our services. This includes customers who are receiving services paid for by the council but delivered by a third party.
- Explore how we can capture and report on compliments and complaints made directly to other organisations that provide services on our behalf.
- Embed and develop the new learning from the complaints process.

5. Consideration of alternative approaches

Not applicable.

6. Implications for local people / service users

The attached report demonstrates which areas of service provision that service users are currently providing feedback on, in the form of complaints and compliments.

7. Financial implications

As part of the complaints process a number of formal resolution methods may have financial charges associated with them such as external investigations and appointment of mediators. However, effective resolution of complaints can lead to service improvements and complainant satisfaction.

Any financial charges incurred will be contained within existing budgetary provision.

8. Employee implications

8.1 All staff should be aware of the complaints procedures covering their area of work so that they can advise service users of the options available to them.

8.2 Staff resources are needed in order to carry out investigations follow a complaint. On rare occasions other procedures such as management investigations may be required following a complaint investigation.

9. Communications implications

The report will be published online.

10. Consultations

a) Circulated to the Communities Directorate Management meeting on 5th May 2017.

b) Discussed at Senior Management Team on 16th May 2017.

c) Circulated to the Barnsley Leadership Team on 17th May 2017.

11. The Corporate Plan and the Council's Performance Management Framework

The Customer Feedback and Improvement Team had four performance measurements during 2016-17 on the management of customer complaints, compliments and comments. The progress on these will be outlined in the council corporate performance report.

12. Promoting equality, diversity, and social inclusion

The capturing of equality information will be reviewed for this service. Focusing on how customer information can be effectively captured and used to ensure accessibility of the council's complaints procedure. The equality impact assessment for this area of service will be reviewed during 2017-18 to inform this review.

13. Tackling the Impact of Poverty

Not applicable.

14. Tackling health inequalities

Not applicable.

15. Reduction of crime and disorder

Not applicable.

16. Risk management issues

Services fail to recognise or escalate complaints and compliments that need to be considered through the Council's management of complaints process which is managed by the Customer Feedback and Improvement Team.

Escalation of complaints to the Ombudsman without the Customer Feedback and Improvement Team having had sight of the complaint and it by passing the complaints management process.

These risks are mitigated by the use of regular visits to DMT and team meetings to raise awareness of the feedback processes.

17. Health, safety, and emergency resilience issues

Not applicable.

18. Compatibility with the European Convention on Human Rights

Not applicable.

19. Conservation of biodiversity

Not applicable.

20. Glossary

Not applicable.

21. List of appendices

a) Barnsley Council Annual Customer Feedback Report – Complaints, Compliments, Comments and learning, 1st April 2016 to 31st March 2017


22. Background papers

- a) Management of Customer Feedback Procedure - background papers can be obtained by contacting Claire Dobby, Complaints Manager, Feedback and Improvement Team, Gateway Plaza, Level 8.
- b) Complaints and Representations Procedure for Children and Young Peoples Services

Officer Contact: Claire Dobby

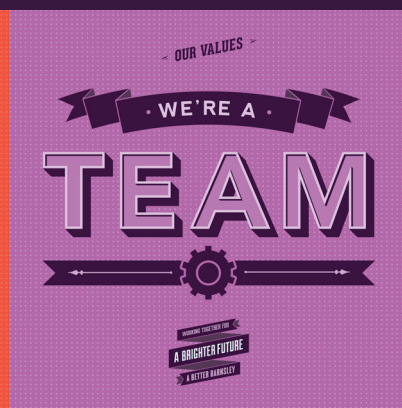
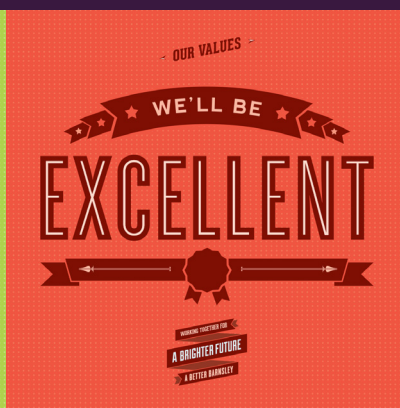
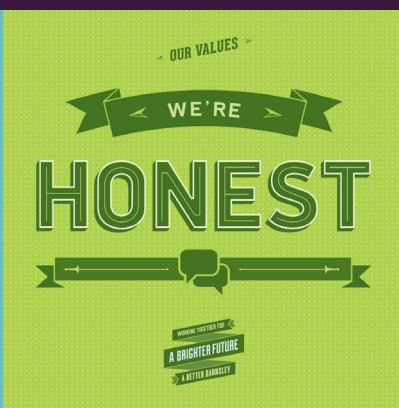
Telephone No: 01226 772433

Date: 11th May 2017

Financial Implications / 
Consultation <i>(To be signed by senior Financial Services officer</i>

ANNUAL CUSTOMER FEEDBACK REPORT

2016 - 2017



COMPLAINTS | COMPLIMENTS
LEARNING | COMMENTS

2016-17 ANNUAL CUSTOMER FEEDBACK REPORT

INTRODUCTION

Welcome to Barnsley Council's Annual Customer Feedback Report. This gives our partners and residents important information on the expectations and experiences of the services you've received during 2016-17.

This report looks at complaints, compliments and comments recorded by the council from 1 April 2016 to 31 March 2017. This includes complaints received about adult and children's social care services.

We've achieved so many great things this year however, it's one of our challenges to make sure that we respond to and manage rising customer expectations and demands, but also recognise the opportunities this presents.

To achieve this we need to listen to your feedback, manage expectations and continuously improve our services. This is why customer feedback (compliments, complaints, and comments) is important, and why it's our aim to make sure that you feel able to provide us with feedback. We're working hard to make sure you know how to do this and that we respond fairly and in partnership with you. We'll aim to reach a swift resolution because putting you at the heart of our services is something we always consider.

It's vital to continuous service improvement to know when things have gone right and when people are happy with the services they receive. However, on those occasions when things go wrong, complaints are equally valuable. They provide a chance to identify errors and to make sure the same mistake is not repeated in the future.

Not all customer concerns need to be processed as a complaint. When a customer has contacted the service direct and their concerns are resolved by the service there is no need to escalate these to the council's complaints procedures. Therefore the information reported on below does not include these concerns unless the customer remained unhappy and pursued their concerns further. It's important that we make sure the customer is always informed of their right to make a complaint if their concern is not resolved or they remain unhappy.

The Customer Feedback and Improvement team, who are part of Customer Services, are responsible for the management, facilitation and collation of all customer feedback received for the council.

WE VALUE YOUR FEEDBACK

Customer feedback is a great way for us to understand and manage how you experience the services we provide. It lets us monitor our performance against the values that are really important to us.

WE'RE
PROUD

We've received a total of **458** compliments

This infographic features a teal background with a dark teal banner at the top containing the text 'WE'RE' and two stars. Below the banner, the word 'PROUD' is written in large, bold, dark teal letters. A decorative horizontal line with a star in the center and arrows at both ends is positioned below the word. The bottom of the graphic tapers into a pointed shape.

WE'RE
HONEST

504 customer complaints have been received

This infographic features a lime green background with a dark green banner at the top containing the text 'WE'RE' and two arrows. Below the banner, the word 'HONEST' is written in large, bold, dark green letters. A decorative horizontal line with a speech bubble icon in the center and arrows at both ends is positioned below the word. The bottom of the graphic tapers into a pointed shape.

WE'LL BE
EXCELLENT

We want to listen to what you have to say and learn from when things go wrong. See our learning from feedback on page 12.

This infographic features a red background with a dark red banner at the top containing the text 'WE'LL BE' and three stars. Below the banner, the word 'EXCELLENT' is written in large, bold, dark red letters. A decorative horizontal line with a gear icon in the center and arrows at both ends is positioned below the word. The bottom of the graphic tapers into a pointed shape.

WE'RE A
TEAM

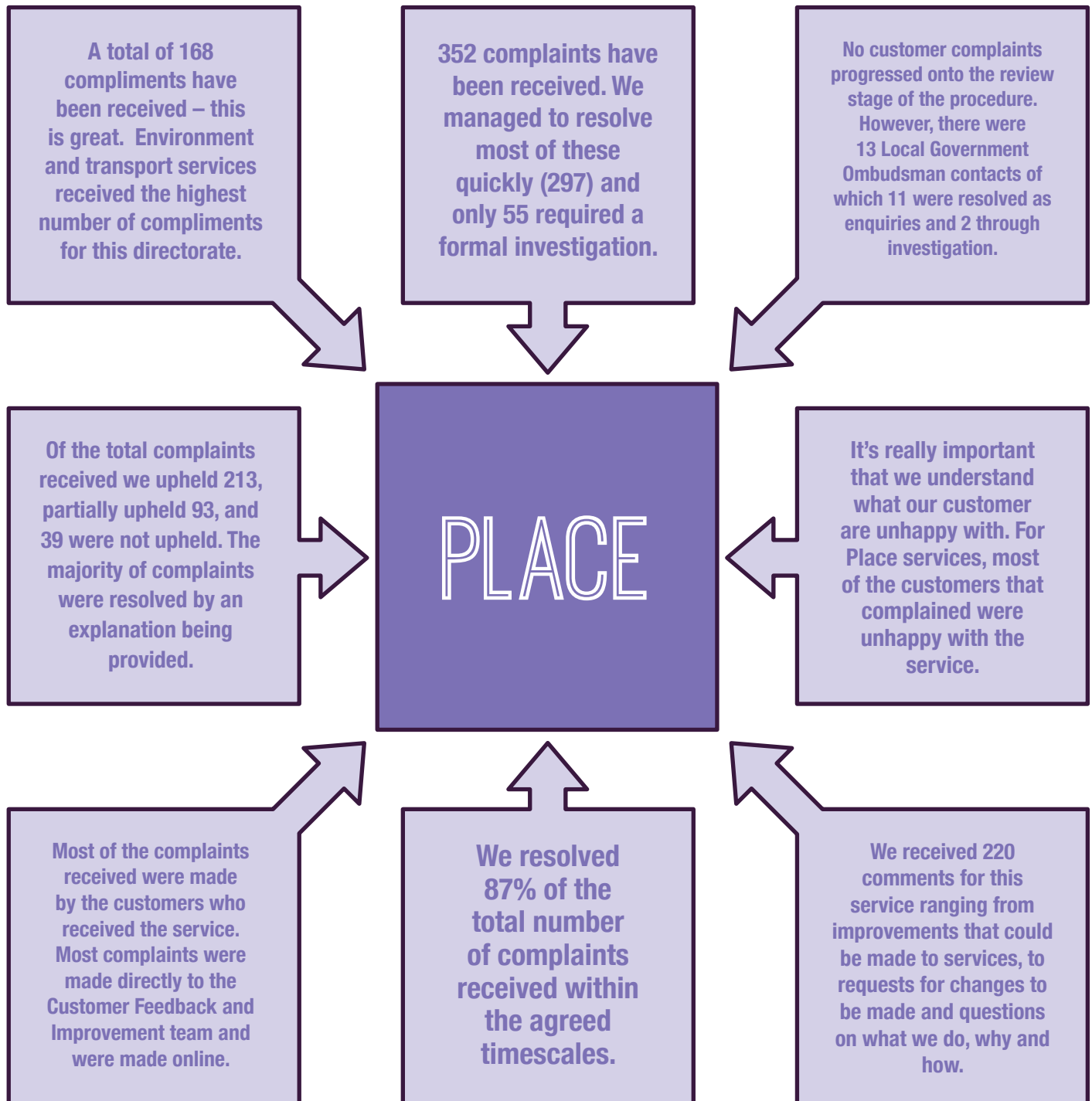
There's been **36** Local Government Ombudsman contacts received and **12** of these have been investigated.

This infographic features a purple background with a dark purple banner at the top containing the text 'WE'RE A' and two dots. Below the banner, the word 'TEAM' is written in large, bold, dark purple letters. A decorative horizontal line with a gear icon in the center and arrows at both ends is positioned below the word. The bottom of the graphic tapers into a pointed shape.

CUSTOMER FEEDBACK

PLACE DIRECTORATE

This part of the report takes a look at the customer feedback that has been received from customers about the services which form part of the council's Place directorate. **A directorate is what we call a group of services.** For Place, this includes environment and transport (such as waste management and highways), culture, housing and regulation (such as museum, housing, trading standards) and economic regeneration (such as planning, town centre redesign).



Here are some examples of the compliments we've received:

A member of the public wanted to thank the traffic warden who helped them carry some very heavy bags to the charity shop. They described them as **“an absolute diamond”**.

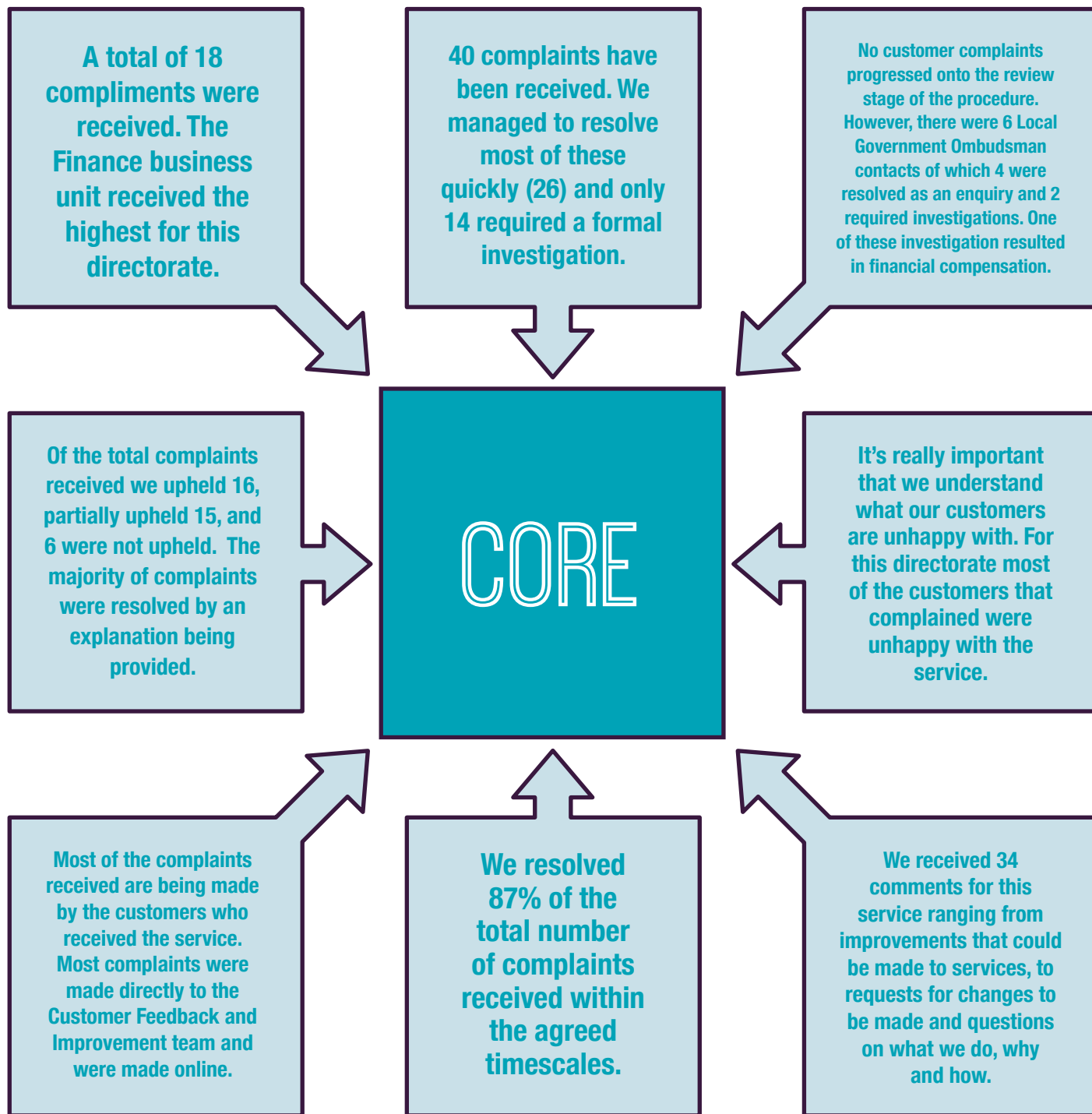
A member of the public who visited the Cooper Gallery told us:

“ I would just like to tell you how much we enjoyed our visit. We came mainly to see the linocuts. But the whole gallery is a joy. We had a very nice lunch in the café. It was very busy and the staff worked very hard to get everyone served quickly. Barnsley should be rightfully proud of this treasure. **”**

CUSTOMER FEEDBACK

CORE DIRECTORATE

This part of the report takes a look at the customer feedback that has been received from customers about the services which form part of the council's Core directorate. This includes finance (payments; council tax), assets (buildings), information services (technology), human resources (employees and health and safety), business support (administration), legal (audit and compliance) and governance (member support).



Here are some examples of the compliments we've received:

A customer who held an event at the Town Hall told us:

“ It was a great evening and it was great to have had such support from you and the team at the Town Hall. ”

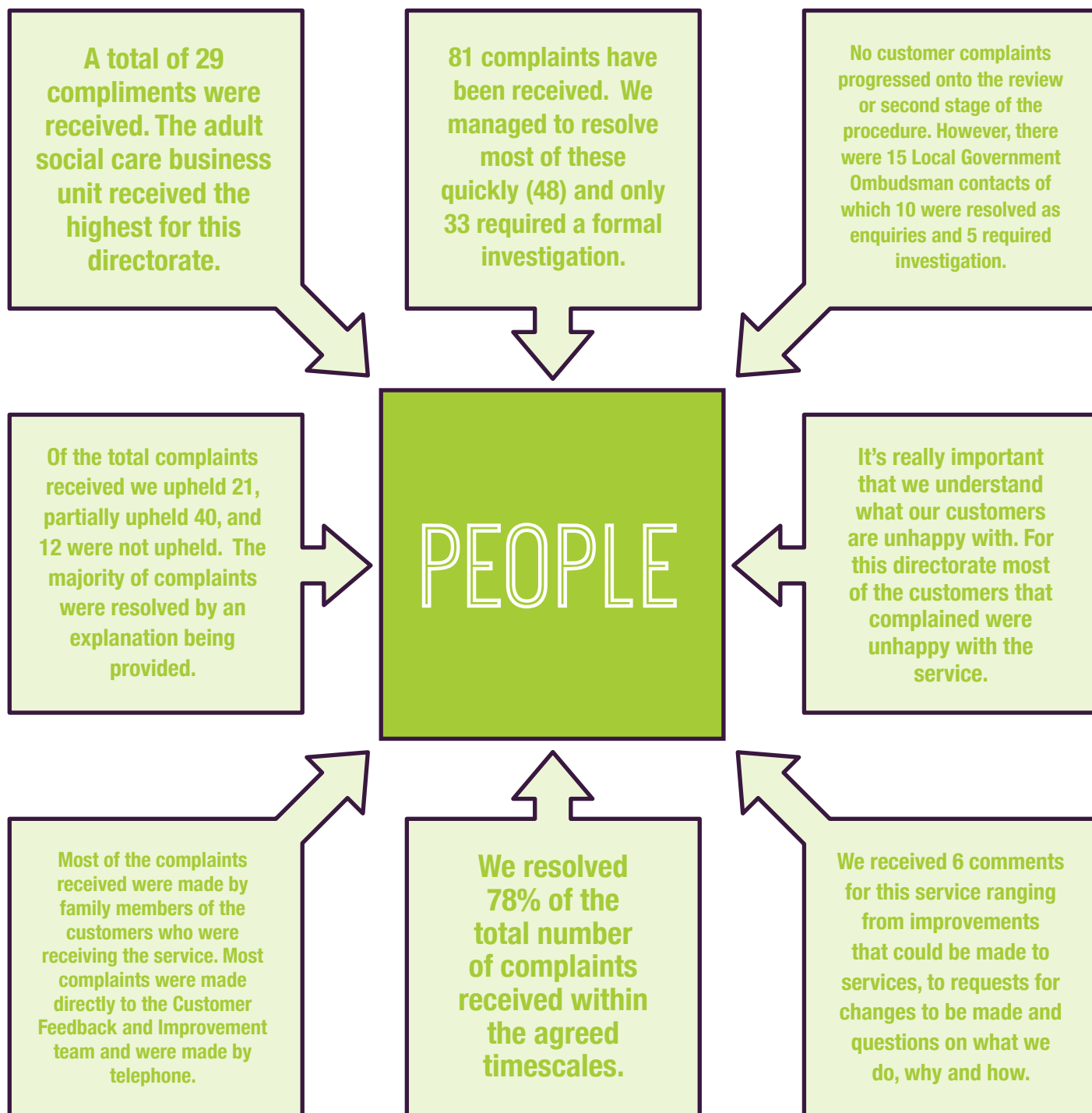
A vendor said the following about our commercial services:

“ She has been very helpful, very professional and has resolved an ongoing query for me quickly and competently. I think she has gone above and beyond. ”

CUSTOMER FEEDBACK

PEOPLE DIRECTORATE

This part of the report takes a look at the customer feedback that has been received from customers about the services which form part of the council's People directorate. This includes: education (education welfare), early start (child care) and prevention (family centres), adult social care and health, children social care and safeguarding.



Here are some examples of the compliments we've received:

A family member who was receiving support from the disability team wrote to us saying:

“ You're very nice, polite and straight to the point. Always putting other people first, especially children, yes I know it's your job but you excel your position. ”

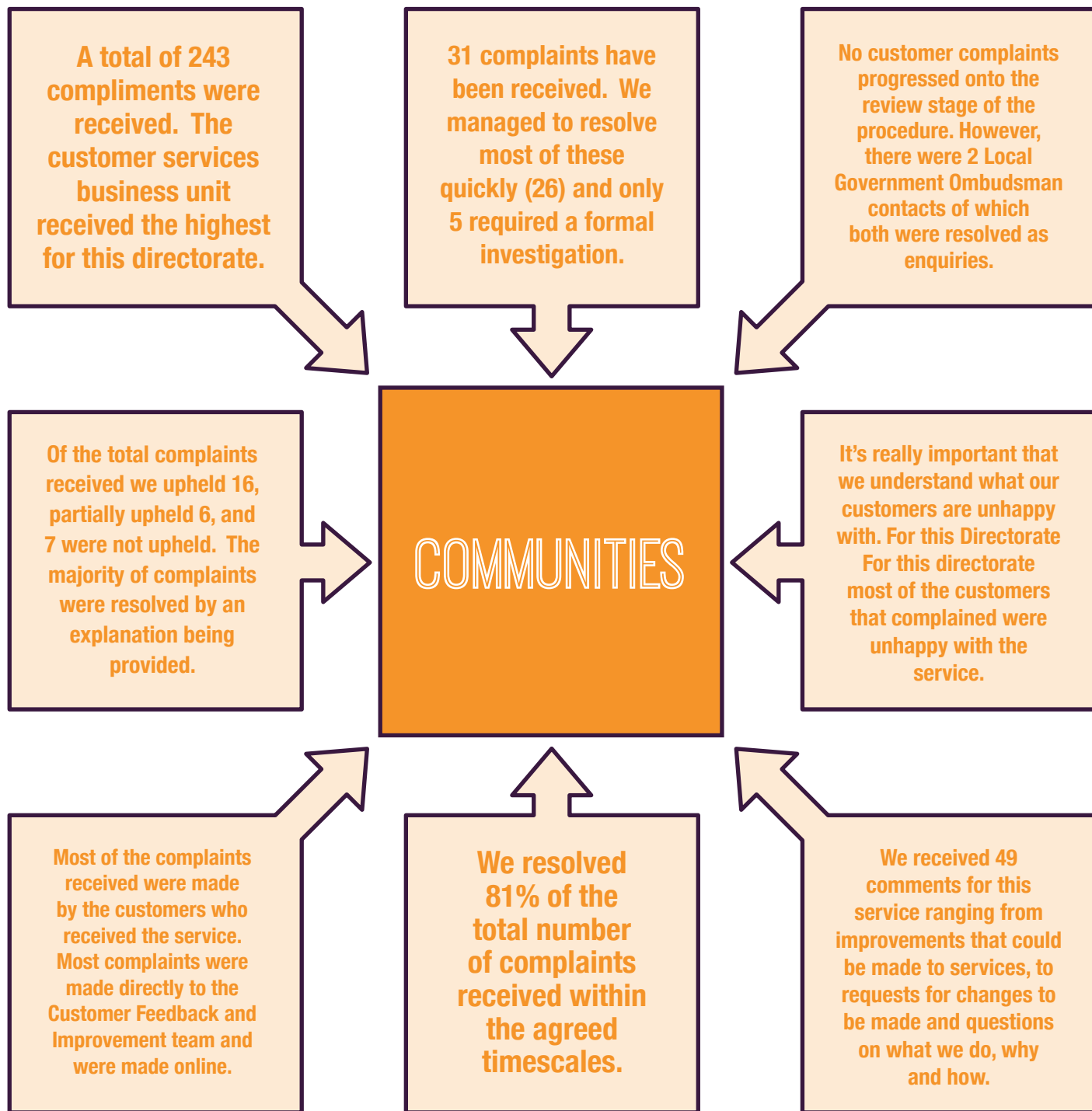
A family member whose parent received support from adult social care said:

“ Your support and genuine kindness turned around what had been a horrible isolating experience and you made such a difference. ”

CUSTOMER FEEDBACK

COMMUNITIES DIRECTORATE

This part of the report takes a look at the customer feedback that has been received from customers about the services which form part of the council's Communities directorate. This includes customer services (libraries, digital, day opportunities schools catering) and stronger, safer and healthier communities (parks, safer neighbourhoods and enforcement).



Here are some examples of the compliments we've received:

A customer who used our registrars
(celebratory services) told us:

“ You were so fantastic from the start of the process to the day itself. Your manner during the ceremony was absolutely lovely, warm and humorous and the ceremony felt very personal. You really made our special day even more memorable. ”

A partner organisation commented about
our Stronger Barnsley team:

“ We work with lots of organisations in partnership and the team we are working with at Barnsley Council definitely stand out as being the most innovative, enthusiastic, pragmatic and excellent at partnership working. ”

LEARNING FROM FEEDBACK

YOU SAID...

A customer told us that they were not happy with a change to their residency payments and that our process for assessing these did not take into consideration individual circumstances.

WE DID...

In response to this we said we would:

- Make sure that we clearly explained how we make our decisions.
- Change our procedure to ensure exceptional circumstances are considered.

YOU SAID...

A customer asked us to provide CCTV footage that they wished to use to support an insurance claim. Unfortunately, because there was a delay in how the contact was handled it resulted in the CCTV footage no longer being available.

WE DID...

We offered the customer our apologies and agreed to:

- Review our CCTV process for making a request.

YOU SAID...

A vulnerable customer tried to access our online services but had difficulty in being able to do this and when they sought help they still felt unsupported and had to seek assistance from a family member.

WE DID...

We agreed to:

- Explore how we identify vulnerable customers and make our services accessible to them.
- Explore the provision of training to staff in supporting vulnerable customers.
- Seek to improve our online systems so they are accessible to all customers – online videos

CUSTOMER FEEDBACK EQUALS AN OPPORTUNITY TO LEARN

CUSTOMER FEEDBACK DATA

One of the aims of the customer feedback and improvement team is to try and make the information we produce interesting and easy to read. We understand it's important to be clear and transparent so we've included the key data with an explanation on our performance. This data has helped us to produce this report.

1. NUMBER OF COMPLIMENTS

Directorate*	Business Unit**	Q1	Q2	Q3	Q4	Total	Directorate Total
Core	Finance, assets and information services	9	3	4	2	18	18
	Legal and governance	0	0	0	0	0	
	Human resources, communications and business support	0	0	0	0	0	
Place	Culture, housing and regulations	9	21	6	25	61	168
	Environment and transport	18	19	23	42	102	
	Economic regeneration	1	2	0	2	5	
Communities	Customer services	76	20	70	31	197	243
	Stronger, safer and healthier communities	6	11	5	24	46	
People	Education, early start and prevention	0	1	1	1	3	29
	Adult assessment and care management	0	2	3	14	19	
	Children's social care and safeguarding	2	2	1	2	7	
Total		121	81	113	143	458	

*Business Unit: what area the service falls under **Directorate: what we call a group of services

This year we have recorded fewer compliments than we did last year (541).

Whilst this is disappointing we are working to make sure that all our customers and staff know how they can share their positive experiences with us.

2. NUMBER OF COMPLAINTS AND RESOLUTION METHOD

Directorate	Business Unit	Q1	Q2	Q3	Q4	Total	Early Resolution
Core	Finance, assets and information services	4	3	7	10	24	26
	Legal and governance	1	0	0	0	1	
	Human resources, communications and business support	0	0	0	1	1	
Place	Culture, housing and regulations	0	0	2	1	3	297
	Environment and transport	56	141	49	42	288	
	Economic regeneration	5	1	0	0	6	
Communities	Customer services	8	1	5	4	18	26
	Stronger, safer and healthier communities	3	2	0	3	8	
People	Education, early start and prevention	0	2	1	1	4	48
	Adult assessment and care management	2	8	10	3	23	
	Children's social care and safeguarding	3	2	9	7	21	
Total		82	160	83	72	397	

Directorate	Business Unit	Q1	Q2	Q3	Q4	Total	Formal Complaints
Core	Finance, assets and information services	7	4	2	1	14	14
	Legal and governance	0	0	0	0	0	
	Human resources, communications and business support	0	0	0	0	0	
Place	Culture, housing and regulations	0	1	2	1	4	55
	Environment and transport	21	19	2	2	44	
	Economic regeneration	2	4	0	1	7	
Communities	Customer services	1	1	0	1	3	5
	Stronger, safer and healthier communities	0	1	1	0	2	
People	Education, early start and prevention	2	0	1	0	3	33
	Adult assessment and care management	7	1	2	3	13	
	Children's social care and safeguarding	7	3	4	3	17	
Total		47	34	14	12	107	

Overall Total						504
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We've received **120 more** complaints this year than we reported on last year (384)

This is really positive that our customers know that we want to listen to their experiences and learn from where things went wrong. It's also positive to report that we are resolving the complaints really quickly – we call these early resolutions.



3. NUMBER OF COMPLAINTS WHICH PROGRESSED

This year none of the complaints that required an investigation needed to pursue their complaint onto our next stage.

That's not to say that our customers were always happy after their investigation but when they let us know this we worked with them to establish why. We found that we could resolve their outstanding concerns through clarification and explanation of our original response to their complaint.

4. TYPES AND OUTCOMES

Types	Q1	Q2	Q3	Q4	Total
Workforce	22	131	15	32	200
Information	6	2	6	4	18
Service Provision	62	10	0	0	72
Communication and Consultation	22	34	20	16	92
Process and Procedure	13	17	55	32	117
Policy	4	0	1	0	5
Total	129	194	97	84	504

Most of our complaints were about our workforce and the way we do things.

We also upheld most of the complaints we received and in most occasions we provided an explanation as a resolution.

Types/Outcomes	Upheld	Partially Upheld	Not upheld	Withdrawn	Outstanding	Total
Workforce	147	30	19	0	2	198
Information	4	9	5	1	2	21
Service Provision	50	14	6	1	1	72
Communication and Consultation	30	39	15	0	8	92
Process and Procedure	33	60	18	1	4	116
Policy	2	2	1	0	0	5
Total	266	154	64	3	17	504

Types/Outcomes	Apology	Explanation	Reassurance	Change to Service	Financial Redress	Other	Total
Workforce	28	131	18	0	1	17	195
Information	2	12	0	1	1	2	18
Service Provision	3	54	9	2	0	2	70
Communication and Consultation	14	49	11	2	1	6	83
Process and Procedure	10	74	9	5	6	9	112
Policy	0	2	1	1	0	1	5
Total	57	322	48	11	9	37	484

5. TIMESCALES

Directorate	Business Unit	Total Complaints	Total Early Resolution	Exceeded Timescale	Total Formal Complaints	Exceeded Timescale
Core	Finance, assets and information services	38	24	2	14	2
	Legal and governance	1	1	1	0	0
	Human resources, communications and business support	1	1	0	0	0
Place	Culture, housing and regulations	7	3	0	4	2
	Environment and transport	332	288	20	44	19
	Economic regeneration	13	6	3	7	1
Communities	Customer services	21	18	2	3	1
	Stronger, safer and healthier communities	10	8	2	2	1
People	Education, early start and prevention	7	4	1	3	1
	Adult assessment and care management	36	23	3	13	2
	Children's social care and safeguarding	38	21	7	17	4
Total		504	397	41	107	33

Whilst we resolved most of our complaints early...

(within 2 working days) we failed to meet this timescale on 10% of the occasions. We also didn't always meet our agreed timescales for our formal investigations and on 31% of occasions we had to extend these. We will continue to work to improve meeting the timescales we agree with our customers as we know that this is important. However, sometimes due to availability, complexity of some complaints and work pressures these timescales are exceeded.

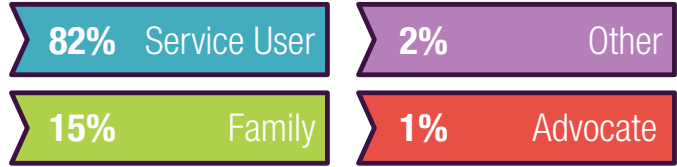
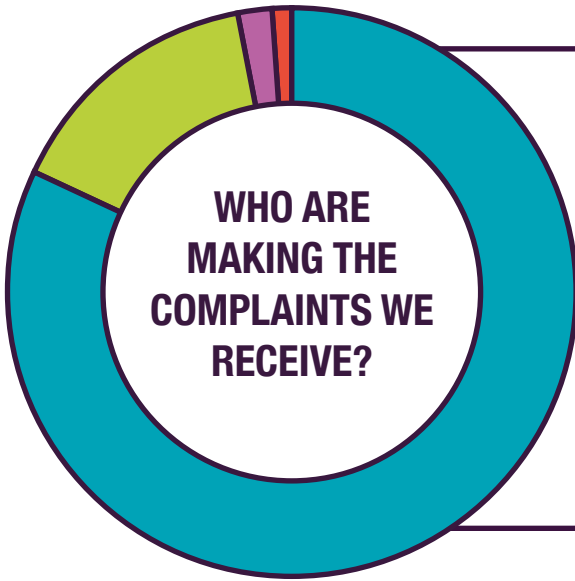
6. OMBUDSMAN

Directorate	Business Unit	No.	Enquiry	Decision	Investigation	Decision	Remedy
Core/Public Health	Finance, assets and information Services	3	2	1 Discontinued; 1 LA to pursue	1	Fault with injustice	£100 and letter of apology
	Legal and governance	1	0	0	1	Pending a decision	0
	Human resources and business support	0	0	0	0	0	0
	Culture, housing and regulations	0	0	0	0	0	0
Place	Environment and transport	3	3	1 not considering; 1 outside jurisdiction; 1 LA to pursue	0	0	0
	Economic regeneration	1	0	0	1	Discounted Investigation	0
	Customer services	7	6	3 LA to pursue; 2 not considering; 1 discontinued investigation	1	Fault with no injustice	0
Communities	Stronger, safer and healthier communities	1	1	LA to pursue	0	0	0
	Education, early Start and prevention	1	1	Outside jurisdiction	0	0	0
People	Adult assessment and care management	1	1	LA to pursue	0	0	0
	Children's social care and safeguarding	9	4	3 LA to pursue; 1 pending a decision	5	3 No Fault & no injustice; 2 pending a decision	0
	Children's Social Care and Safeguarding	0	0	0	0	2	0
Berneslai Homes		9	6	1 outside jurisdiction; 3 pending a decision; 1 LA to pursue	3	Pending a decision	0
Total		36	24		12		

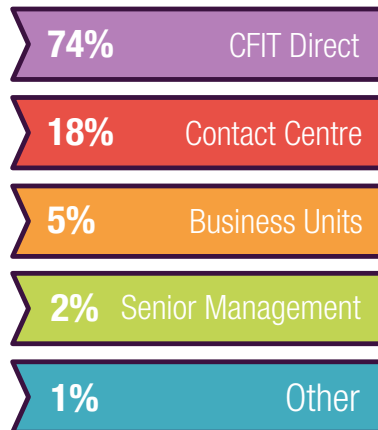
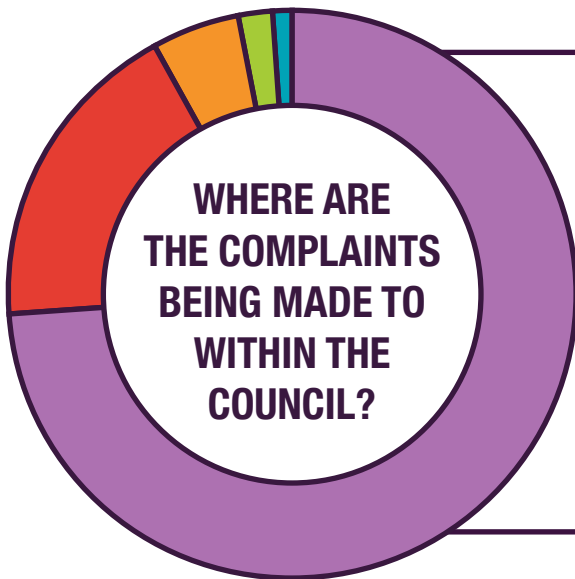
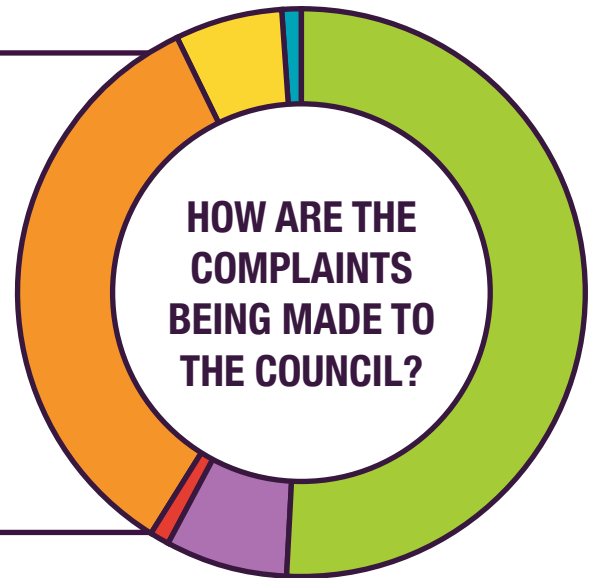
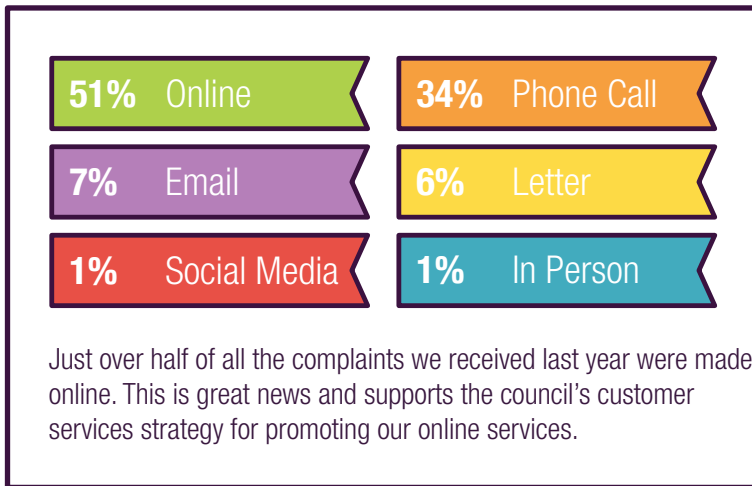
This year we have received fewer Local Government Ombudsman contacts than last year (44).

Last year also saw 6 cases resulting in a recommendation of financial redress, whereas this year we have only received 1. Of the 12 investigations which have been undertaken by the Ombudsman 2 found fault but only 1 with injustice.

Please note that this data only relates to the first three quarters of 2016-17. Quarter 4 data whilst captured was not available at the time of publication of the report.



It's great to report that most of the complaints we receive are being made by the person who is receiving the service. Unfortunately, not many people have used an advocate this year to support them. This could be because most of our complaints are resolved through early resolution the support of an advocate is not always needed.



It's pleasing to report that most of the customer who made a complaint raised their concerns directly with the Customer feedback and improvement team. This shows that the team are accessible to customers and that they are aware of their rights to complain. This is great news and we welcome all feedback from our customers.

CONTACT US

If you need help understanding this document:

Contact: Claire Dobby

Service: Customer feedback and improvement team

Email: customerfeedback@barnsley.gov.uk

Westgate Plaza One, Westgate, Barnsley, S70 2DR



BARNSLEY
Metropolitan Borough Council

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