



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 8 January 2024

To: Members of the
**EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND
SCRUTINY COMMITTEE**

Councillor Simon Fawthrop (Chairman)
Councillor Robert Evans (Vice-Chairman)
Councillors Jeremy Adams, Mark Brock, David Cartwright QFSM, Kira Gabbert,
Adam Jude Grant, Julie Ireland, Simon Jeal, Ruth McGregor, Tony Owen,
Shaun Slator, Mark Smith, Melanie Stevens and Michael Tickner

A meeting of the Executive, Resources and Contracts Policy Development and
Scrutiny Committee will be held Bromley Civic Centre, Stockwell Close, Bromley,
BR1 3UH on **TUESDAY 16 JANUARY 2024 AT 7.00 PM**

TASNIM SHAWKAT

Director of Corporate Services & Governance

*Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>*

PART 1 AGENDA

Note for Members: Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

STANDARD ITEMS

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

In accordance with the Council's Constitution, members of the public may submit one question each on matters relating to the work of the Committee. Questions must have been received in writing 10 working days before the date of the meeting - by 5pm on: Tuesday 2 January 2024.

Questions seeking clarification of the details of a report on the agenda may be accepted within two working days of the normal publication date of the agenda – by 5pm on Wednesday 10 January 2024.

a **QUESTIONS FOR THE CHAIRMAN OF EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE**

b **QUESTIONS FOR THE RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT PORTFOLIO HOLDER**

4 **MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 27 NOVEMBER 2023 (EXCLUDING EXEMPT ITEMS)** (Pages 5 - 22)

5 **MATTERS OUTSTANDING AND WORK PROGRAMME** (Pages 23 - 26)

6 **FORWARD PLAN OF KEY DECISIONS** (Pages 27 - 36)

HOLDING THE EXECUTIVE TO ACCOUNT

7 **PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

Members of the Committee are requested to bring their copy of the agenda for the Executive meeting on 17 January 2024..

The Executive, Resources and Contracts PDS Committee will be looking at the following items on the Executive Agenda:

- Draft Budget 2024/25 and Update on the Council's Financial Strategy
- Outcome of Ofsted Inspection of Children's Services
- Academy Information System and Aspien Corporate Debt Management System Software Licence And Maintenance Arrangements

HOLDING THE RESOURCES, COMMISSIONING AND CONTRACTS PORTFOLIO HOLDER TO ACCOUNT

8 **SCRUTINY OF THE PORTFOLIO HOLDER FOR RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT**

9 **RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT PORTFOLIO - PRE-DECISION SCRUTINY**

Portfolio Holder decisions for pre-decision scrutiny.

a **REVENUES SERVICE MONITORING REPORT** (Pages 37 - 58)

10 **POLICY DEVELOPMENT AND OTHER ITEMS**

a **BENEFITS SERVICE MONITORING REPORT** (Pages 59 - 84)

b **EXCHEQUER SERVICE CONTRACT PERFORMANCE REPORT** (Pages 85 - 108)

PART 2 AGENDA

11 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Items of Business

Schedule 12A Description

12 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES, COMMISSIONING AND CONTRACTS PORTFOLIO HOLDER REPORTS

a REVENUES SERVICE MONITORING REPORT PART 2 APPENDIX (Pages 121 - 124)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

13 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS (IF ANY)

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EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 27 November 2023

Present:

Councillor Simon Fawthrop (Chairman)

Councillors Jeremy Adams, Felicity Bainbridge,
Mark Brock, David Cartwright QFSM, Adam Jude Grant,
Julie Ireland, Simon Jeal, Tony Owen, Shaun Slator,
Mark Smith, Melanie Stevens, Ryan Thomson,
Michael Tickner and Pauline Tunncliffe

Also Present:

Councillor Christopher Marlow, Portfolio Holder for Resources,
Commissioning and Contracts Management

49 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Evans, Councillor Gabbert and Councillor McGregor. Councillors Tunncliffe, Bainbridge and Thomson attended the meeting as their respective substitutes.

The Committee welcomed Councillor Grant to his first meeting in his capacity as Chairman of the Environment and Community Services PDS Committee.

50 DECLARATIONS OF INTEREST

Councillor Julie Ireland confirmed that she was still hosting a Ukrainian family.

The Chairman, Councillor Fawthrop, declared that he was a Member of the Free Speech Union.

51 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

52 MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 17 OCTOBER 2023 (EXCLUDING EXEMPT ITEMS)

27 November 2023

The minutes of the Executive, Resources and Contracts PDS Committee meeting held on 18 October 2023 (excluding exempt information), were agreed and signed as a correct record.

53 MATTERS OUTSTANDING AND WORK PROGRAMME

Report CSD23138

The report dealt with the Committee's business management including matters outstanding from previous meetings and the proposed work plan for the remainder of the year.

The Committee requested that the Leader be invited to the meeting in February 2024, for a further "Scrutiny of the Leader" session.

RESOLVED: That the report be noted and the Work Programme Updated.

54 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period October 2023 to January 2024.

Members noted that the Investment Strategy Annual Report would be presented in June/July 2024.

55 RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT PORTFOLIO - PRE-DECISION SCRUTINY

The Committee considered the following reports where the Resources, Contracts and Commissioning Portfolio Holder was recommended to take a decision.

A INSURANCE FUND - ANNUAL REPORT 2022/23

Report FSD23066

The report advised Members of the Insurance Fund position as at 31st March 2023 and presented statistics relating to insurance claims for the last two years. In 2022/23, the total Fund value increased from £4.002m to £4.159m. A mid-year review of the Fund had also been carried out and at this stage, it was estimated that the final Fund value as at 31st March 2024 would increase to approximately £4.298m. The position would continue to be monitored throughout the year.

In response to a question, the Director of Finance confirmed that it continued to be very difficult to secure policies in respect of cyber security.

Members noted that whilst there was not a large number of claims, it would be helpful to have some performance measures set out in the report. The

Director of Finance agreed to follow this up, noting that there had been some challenges with highways claims and discussions had taken place with Sutton who managed the claims process.

RESOLVED: That the Portfolio Holder be recommended to note the contents of the report.

B CAPITAL PROGRAMME MONITORING Q2.

Report FSD23075

On 29 November 2023, the Executive would be receiving a report summarising the current position on capital expenditure and receipts following the second quarter of 2023/24 and would be asked to agree a revised capital programme for the five-year period 2023/24 to 2027/28. The report for the Executive, Resources and Contracts PDS Committee highlighted changes to be put to the Executive and the Leader in respect of the capital programme for the Resources, Commissioning and Contract Management portfolio. The revised programme for this portfolio was set out in Appendix A and detailed comments on individual schemes were shown in Appendix B of the report.

In response to a question concerning the provision of £3m for the additional costs associated with reinforced autoclaved aerated concrete (RAAC), the Director of Finance confirmed that whilst to some extent Officers had been required to estimate any demands on the Capital Programme until surveys had been completed, the view that had been taken was that it was better to make some provision than none at all. Officers had estimated that following surveys (which cost £300k) the cost of any remedial work was likely to be in the region of £2.7m. Any funds set aside would continue to earn interest whilst unspent and if the funds remained unspent, they would return to the general fund.

In response to a question concerning borrowing for housing, the Director of Finance confirmed that there were no restrictions on borrowing to fund an advantageous housing scheme. Any business case for such a scheme would be presented to Members for consideration however, rates of interest were currently high and it was therefore in the Council's interest to wait before embarking on any borrowing for housing, bearing in mind the 40 year term for such borrowing. The general consensus was that interest rates would begin to fall in the next two years and the Council could afford to wait in order to reduce the cost of any borrowing.

RESOLVED: That the Portfolio Holder be recommended to note and acknowledge the changes to be put to the Executive on 29 November 2023.

C TREASURY MANAGEMENT - QUARTER 2 PERFORMANCE 2022/23 & MID-YEAR REVIEW

Report FSD23079

The report summarised treasury management activity during the second quarter of 2023/24. The report also included a mid-year review of the treasury management strategy statement and annual investment strategy (Appendix 4 of the report). The report ensured that the Council was implementing best practice in accordance with the CIPFA Code of Practice for Treasury Management. Investments as at 30 September 2023 totalled £379.6m (£390.6m at 30 September 2022) and there was no outstanding external borrowing.

In response to a question, the Director of Finance confirmed that an asset management review would be undertaken at the same time as the review of the pension fund.

RESOLVED: That the Portfolio Holder be recommended to

- 1. Note the treasury management performance for the second quarter of 2023/24;**
- 2. Recommend that Council approve the 2023/24 prudential indicators as set out in Appendix 4**

D MODERN.GOV SYSTEM: ANNUAL SUPPORT CONTRACT

Report CSD23107

The Modern.gov system enabled the Council to publish meeting details, committee agendas, reports and minutes, and information about councillors. The system was purchased in 2009, becoming operational in 2010, and is supported via an annual maintenance contract with Civica. The support contract had been in place for nearly fifteen years and authority to renew the annual support contract for a further five years was being sought. Although the annual value of the contract was small at £13K, its long-term nature meant that the cumulative value required Portfolio Holder decision.

Members requested that future reports set out statistics relating to the number of users and frequency of use.

In response to a question, the Democratic Services Officer confirmed that the system would be migrating to the new Azure cloud environment in December 2023.

RESOLVED: That the Portfolio Holder be recommended to approve the annual renewal of the support contract for the Modern.gov system for a further five years, at an estimated cost of £13,800 per annum (£69k over period of authorisation for renewal).

56 SCRUTINY OF THE LEADER OF THE COUNCIL

The Chairman thanked the Leader for the written update that had been provided along with the Leader's apologies for not being able to attend the meeting. Members noted that any questions arising from the update could be sent to the Leader separately and appended to the minutes.

The Leader was invited to attend the Committee meeting in February 2024 to provide a further update.

57 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 29 November 2023:

(5) BUDGET MONITORING Q2 Report FSD23080

The report provided the second budget monitoring position for 2023/24 based on expenditure and activity levels up to the end of September 2023. The report also highlighted any significant variations which would impact on future years as well as any early warnings that could impact on the final year end position.

In opening the discussion, the chairman noted the overspend and the action being taken to achieve a balanced budget.

In response to a question, the Director of Finance confirmed that Officers only accounted for known income and as such conversations would take place with the property division concerning the impact of rent increases on income.

The Director of Finance highlighted that the Committee would be considering the draft budget at its next meeting in January 2024 and that report would detail a number of issues with any departmental overspends being factored in to the budget.

Stressing the need for rigor in the management of budgets, a Member highlighted that Directors should keep within their departmental budgets and, where there were overspends, savings and cut backs should be found in other areas of the department. If it was not possible to identify savings and mitigations, Members should be approached for supplementary estimates.

Another Member highlighted that in previous years it had been possible for Directors and their Officers to identify in-year savings resulting in balanced budgets, although it was acknowledged that this was becoming increasingly difficult. It was also recognised that the Council often faced pressures

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financial pressures that were difficult to predict and control such as homelessness.

The Director of Finance stressed that the role of the PDS Committees in budget monitoring was going to become increasingly important. Budget pressures were being addressed through mitigations and it was inevitable that the Council was moving towards a position where overspends in budgets would need to come from depleting reserves where they had previously been managed through the contingency. All costs would need to be scrutinised as this level of overspend was not sustainable.

Members of the Committee recognised that difficult decisions would be required in the next couple of years. A Member suggested that there was a need for the government to address the structural issues that existed in financing local government. Another Member stressed the need to consider all options, including insourcing, for some services such as SEN Transport and Foster Care, with there being a need for Member to carefully consider business cases.

RESOLVED: That Executive be recommended to

- 1. Note the latest financial position.**
 - 2. Note the projected net overspend on services of £12,585k is forecast based on information as at September 2023.**
 - 3. Note the comments from Chief Officers detailed in Appendix 2 of the report.**
 - 4. Note the projected reduction to the General Fund balance of £1,393k as detailed in section 3.3 of the report.**
 - 5. Note the full year cost pressures of £18.208m as detailed in section 3.4 of the report.**
 - 6. Agree the release of funding from the 2023/24 central contingency as detailed in paragraphs 3.2.2 to 3.2.6 of the report.**
 - 7. Note the drawdown of £250k from the Infrastructure Investment Fund earmarked reserve for works at the Hill Multi-Storey car Park as detailed in section 3.8 of the report.**
 - 8. Identify any issues that should be referred to individual Portfolio Holders for further action.**
- (6) CAPITAL PROGRAMME MONITORING Q2
Report FSD23078**

The report summarised the current position on capital expenditure and receipts following the first quarter of 2023/24 and sought the Executive's approval to a revised capital programme.

A Member queried whether there had been any pre-decision scrutiny of the proposed depot works and if there had been, by which Committee. It was agreed a response would be provided following the meeting.

RESOLVED: That the Executive be recommended to

- (a) Note the report, including a total re-phasing of £25,375k from 2023/24 into future years, and agree a revised capital programme.**
 - (b) Note the need going forward, given the full utilisation of capital receipts by 2026/27 forecast in the report and the limited options to replenish this resource in the future, to consider funding options for all new schemes, including external borrowing where appropriate.**
 - (c) Recommend that Council approve the following amendments to the capital programme (set out in paragraph 3.3 of the report)**
 - (i) increase of £3,000k in relation to reinforced autoclaved aerated concrete (RAAC)**
 - (ii) increase of £1,893k in relation to depots**
 - (iii) increase of £700k in relation to increased costs on the social care case management system**
 - (d) Note that a report elsewhere on the agenda requests a supplementary capital estimate of £3,000k for additional costs associated with reinforced autoclaved aerated concrete (RAAC).**
- (7) LONDON BOROUGHS LEGAL ALLIANCE FRAMEWORK AGREEMENT FOR BARRISTERS
Report CSD23139**

The report sought authority to join the London Boroughs Legal Alliance (LBLA) Framework Agreement for Barristers.

In response to a question, the Assistant Director for Legal Services confirmed that the proposed framework had been deemed the most suitable and under the framework the Council had discretion over the Chambers it used and the barristers instructed.

RESOLVED: That

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- 1. It be agreed that LB Bromley join the new London Boroughs Legal Alliance (LBLA) Framework Agreement for barristers for a period of 3 years with the option to extend for a further year.**
- 2. In the event the LBLA Framework Agreement is extended for a further year, authority be delegated to the Director of Corporate Services and Governance to extend access to the LBLA Framework for a further year after the initial 3-year term.**

**(8) OPERATIONAL PROPERTY REPAIR PROGRAMME UPDATE
Report HPR2023/065**

In March 2023 the Executive approved the award of construction consultancy services to commence the delivery of the OPR Programme. This report is seeking approval to commence procurement of further design led multidisciplinary consultancy services and to progress the surface car parks works tender.

In opening the discussion, the Chairman noted that some supplementary Part 2 (exempt from publication) information had been circulated to Members of the Committee in advance of the meeting.

In respect of the request to set aside £3m for investigations into possible Reinforced Autoclaved Aerated Concrete (RAAC) within the Council's estate, the Committee were informed that of the £3m, £300k was for surveys and a provision of £2.7m had been made for any remedial work arising from the surveys being undertaken. Members noted that once the surveys had been completed a report on the full impact would be presented to Members.

A Member highlighted that as this was a national issue, pressure should be put on the Government to support Local Authorities with the response to the issue of RAAC.

In response to a question concerning the remedial works that could be undertaken, the Interim Head of Special Projects explained that any remedial works would be dependent on the location and severity of any steel corrosion in the concrete and that it was not so much the RAAC that was the issue but the bearing itself.

Members were informed that desktop surveys were underway and following those surveys, where necessary, site surveys would be undertaken. It was estimated that any non-intrusive surveys would be completed by Summer 2024 and Officers anticipated providing an update to Members prior to the summer. Surveys were being undertaken on the basis of risk and to date there had been no reports of issues requiring immediate action.

The Committee requested that that the Programme for Surveys setting out key milestone dates be made available to Members to enable robust monitoring.

RESOLVED: That Executive be recommended to

- 1) Note the contents of the report and agree the following recommendations:**
 - a) To note that up to £1.046m of the OPR budget as planned will be used for the essential repair of surface car parks required to maintain statutory service.**
 - b) To proceed to procurement for the works contract for the essential repair of surface car parks at an estimated value of up to £1m as set out in paragraphs 3.13, with delegated authority to the Director of Housing, Planning, Property and Regeneration to approve the detailed procurement strategy and contract award.**
 - c) To approve the procurement of Construction Consultancy Services via a competitive tender process utilising the NHS SBS framework for consultants that can provide a Building Surveying led multidisciplinary team to design and deliver the Strategic Property OPR Workstreams, with delegated authority to the Error! Unknown document property name. to approve the detailed procurement strategy.**
 - d) To note that up to an additional £0.95M of the OPR budget as planned will be used for Building Surveying led multidisciplinary teams to design and deliver the Strategic Property Workstreams. The total budget value of the appointment(s) is estimated to be £2.4m.**
 - e) To agree to delegate authority to the Director of Corporate Services and Governance to enter and manage legal matters relating to these services and works to allow matters to progress.**
- 2. To recommend to Full Council a supplementary capital estimate of £3.0m for surveys and potential remedial works associated with Reinforced Autoclaved Aerated Concrete (RAAC).**

**(9) LOCAL AUTHORITY & VOLUNTARY SECTOR LEASES
Report HPR2023/066**

A Member request had been received for a report on the Council's policy on rental subsidies for Voluntary Sector Council tenants providing community benefits. This report provided an initial overview of the property portfolio held

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by the Council as it related to its leasing arrangements with Voluntary Sector Organisations. Further detailed investigations would be required to confirm the assumptions presented in this report.

On behalf of the Chairman, the Interim Assistant Director for Property proposed the following additional recommendation:

2.6 Authorise the Director of Housing, Planning and Regeneration in consultation with the Director of Finance and the Portfolio Holder for Resources, Commissioning and Contract Management to negotiate a revised lease term; where the tenant takes responsibility for repair and insurance of the property and it is at a revised rental that reflects these amendments within the lease.

The Chairman queried whether the possibility of longer-term leases should be being explored. In response the Director for housing, Planning, Property and Regeneration suggested that legal advice would be required as such a change would require a further Member decision.

A Member of the Committee, who had initially requested the report, highlighted that the Council did not have a consistent policy around supporting charities through peppercorn rents. Consequently there was a wide disparity. If charities were forced to cease operation as a result of rental increases, the Council would lose the income and would also lose valuable services across the Borough. On that basis it was felt that it was reasonable for consideration to be given to offering a non-market rent.

Councillor Jeal therefore proposed the following amendment to replaced the recommendations in the report, seconded by Councillor Adams:

2.1 In recognition of the significant contribution voluntary sector organisations make to the London Borough of Bromley, members recognise that Open Market Rent is not necessarily the most appropriate benchmarking for lease renewals or rental reviews on Council owned properties let to a voluntary sector organisation.

2.2. Officers are asked to review and suggest alternative benchmarks to be considered for such rent/lease reviews going forwards , including policy provision to allow for discounted rental rates for agreements with voluntary sector tenants, taking into account the social value they provide to residents, support of statutory services and contribution towards the Council's objectives.

In response to Councillor Jeal's proposed amendments, the Director of Housing, Planning, Property and Regeneration explained that Officers would have to review the budget impact of an increase in subsidy, and this would be a large piece of work. The Director reported that the Churchill Court Letting Strategy would be presented to Committee in February 2024.

The Portfolio Holder for Resources, Commissioning and Contracts Management highlighted that the Council owned assets in order to provide services to residents. The current administration had consistently made clear that statutory services would be prioritised over non-statutory services. In respect of the issue of longer leases, it was not possible to have a one-size-fits-all approach and the Portfolio Holder urged Members to consider the possible implications to the Council of longer leases. The Portfolio Holder further noted that there had been a period of high inflation and as rents had not been increased during this period, the Council had effectively provided a subsidy. The Portfolio Holder concluded that the issues was one of how the Council chose to manage its assets however, it was important to note that the Council's capacity to subsidise non-statutory services was severely limited.

Another Member stressed that it was important to conflate rents with giving backdoor grants and it was important that rents were not used as a subsidy.

The Portfolio Holder further reported that to avoid this issues arising in the future, CPI increases would be built into all future leases.

The Chairman put the following amendment, proposed by Councillor Jeal and seconded by Councillor Adams to the vote:

2.1 In recognition of the significant contribution voluntary sector organisations make to the London Borough of Bromley, members recognise that Open Market Rent is not necessarily the most appropriate benchmarking for lease renewals or rental reviews on Council owned properties let to a voluntary sector organisation.

2.2. Officers are asked to review and suggest alternative benchmarks to be considered for such rent/lease reviews going forwards , including policy provision to allow for discounted rental rates for agreements with voluntary sector tenants, taking into account the social value they provide to residents, support of statutory services and contribution towards the Council's objectives.

Upon the vote, 5 were in favour, 10 against, 0 abstentions. The amendment was therefore LOST.

The Chairman proposed that the following additional recommendation be agreed:

2.6 Authorise the Director of Housing, Planning and Regeneration in consultation with the Director of Finance and the Portfolio Holder for Resources, Commissioning and Contract Management to negotiate a revised lease term; where the tenant takes responsibility for repair and insurance of the property and it is at a revised rental that reflects these amendments within the lease.

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Upon the vote, 9 were in favour, 4 against, 1 abstention. The additional recommendation was therefore CARRIED.

RESOLVED: That the Executive be recommended to

- 1. Authorise the Director of Housing, Planning and Regeneration, in consultation with the Director of Finance and the Portfolio Holder for Resources, Commissioning and Contract Management, to negotiate Payment Management Plans with Voluntary Sector Organisations whose financial integrity may be significantly impacted by rental increases.**
- 2. Authorise that a Payment Management Plan be considered where a rental increase of over 30% has occurred following a lease renewal or rent review on a Council owned property let to a Voluntary Sector Organisation.**
- 3. Authorise that Payment Management Plans provide a stepped rental increase over a period of up to 3 three years with the rent payable on the third anniversary of the lease renewal or rent review being the Open Market Rent as determined at the prior (increased rent) lease event and with all future rents to be increased annually in line with CPI (Consumer Price Index).**
- 4. Authorise that a Payment Management Plan is a one-off transitional arrangement to allow a Voluntary Sector Organisation to adjust to the new increased rent.**
- 5. Authorise the Director of Housing, Planning and Regeneration, in consultation with the Director of Finance and the Portfolio Holder for Resources, Commissioning and Contract Management, to negotiate repayment plans or other suitable financial arrangements with Voluntary Sector Organisations outside of the parameters of a Payment Management Plans as set out in paragraphs 2.2 and 2.3 of the report. These arrangements may be up to a maximum sum of £50,000 or if higher only with of the approval of the Executive.**
- 6. Authorise the Director of Housing, Planning and Regeneration in consultation with the Director of Finance and the Portfolio Holder for Resources, Commissioning and Contract Management to negotiate a revised lease term; where the tenant takes responsibility for repair and insurance of the property and it is at a revised rental that reflects these amendments within the lease.**

58 POLICY DEVELOPMENT AND OTHER ITEMS

A BT ICT CONTRACT MONITORING REPORT

Report CSD23146

The Committee considered the BT ICT contract performance report, utilising the Pan London Framework, covering the period 1st September 2022 – 31st August 2023.

The Chairman welcomed representatives from BT (Ian Withycombe - Services Delivery Manager for LBB, and Andy Taylor – Head of Local Government for London) to the meeting.

In opening the discussion, the Chairman noted that a few months previously, there had been an outage that had impacted Members' ability to access email over a weekend, otherwise performance had been very good. In response to the Chairman's comments, the Services Delivery Manager for LBB explained that the Team had been undertaking planned works to emails, this had caused an outage which had affected outlook. Assistance from Microsoft had been required and it had taken considerably longer to resolve the issue than had been hoped. However, throughout the outage access to email had been available through Webmail and Apps. The Services Delivery Manager for LBB highlighted that BT were continuously trying to improve environments. The Assistant Director for IT also reported that in response to the issues that had arisen changes had been made to the process for testing.

In response to a question, the Assistant Director for IT conformed that the costs for additional licenses had been built into the budget however, within IT Services budget forecasts could be affected by unforeseen factors such as a higher than anticipated turnover of staff.

The Chairman thanked the Head of Local Government for London (BT), Services Delivery Manager for LBB (BT) and the Assistant Director for IT (LBB) for attending the meeting.

RESOLVED: That the report be noted.

B SECTION 106 AGREEMENTS - UPDATE

The Committee received an update on Section 106 Agreements.

Members noted that there were no set time limits for the use of Section 106 funds and limits varied from agreement to agreement. A Member highlighted that there could often be a time lag between receipt of funds and it becoming clear where the funds could be best utilised for the benefit of the community.

It was noted that there was a Team of Officers who were responsible for oversight of Section 106 funds, this team included the Assistant Director for Planning as well as officers from each of the key service departments. This was to ensure that funds were utilised in the best possible way.

The Chairman noted that in the previous municipal year, the Executive, Resources and Contracts PDS Committee had set up a Task and Finish

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Group to review processes around Section 106 funds. The Group had concluded that less than 1% of funds received by the Council remained unspent.

RESOLVED: That the report be noted.

C RISK MANAGEMENT

Report FSD23072

The report provided the Executive, Resources and Contracts Policy, Development and Scrutiny Committee with the current iteration of the Corporate Risk Register, together with those for the Corporate Services, Finance, and Human Resources and Customer Services departments.

RESOLVED: That the Risk Registers be noted.

D CORPORATE CONTRACTS REGISTER

This report presented November's Corporate Contracts Register for consideration.

Detailed scrutiny of individual contracts was the responsibility of the six PDS Committees but ER&C PDS took an overview of the Council's larger value (£200k+) contracts to ensure that commissioning and procurement activity was progressed in a consistent manner. The report provided both the Council wide £200k+ register together with the £50k+ register specific to the ER&C Portfolio.

A full report was provided twice a year (May and November) including a detailed Part 2 report which included a commentary on each relevant contract to inform Members of any issues or developments. Otherwise, a Part 1 Register only would be provided as a 'For Information' item with an accompanying Part 2 report only for any contracts RAG rated Red by the Corporate Procurement Team.

The full report was not being provided this November cycle due to server migration of the Contracts Database. The next full report would be May 2024. No contracts had been RAG rated as Red by the Corporate Procurement Team so there was no accompanying Part 2 report.

RESOLVED: That the report be noted.

E REVIEW OF THE COUNCIL'S MEASURES ON FREEDOM OF SPEECH FOR EMPLOYEES

Report CSD22020

The Chairman of ERC PDS committee had requested a report to review the Council's process, policy and procedure to protect and defend freedom of speech for Council staff and for those who work for the Council's contactors. The report looked at the process, policy, and procedure to protect and defend

freedom of speech for Council staff and considers the measures available to staff who work for the Council's contractors.

The Committee noted the following amendments (in italics) to the recommendation and report had been proposed by the Chairman:

Paragraph 2.1 (recommendation): Members are asked to note the following:

- 2.1.1 *the fundamental importance of the right to freedom of speech to the Council's activities, and the narrow scope for interfering with political expression; and*
- 2.1.2 *the potential liabilities faced by the council if it fails to protect that right, either in relation to Councillors or Council employees.*
- 2.2 *Officers are asked to take the following actions in support of the recommendations under paragraph **Error! Reference source not found.** above:*
 - 2.2.1 *to review the Council's policies, procedures and Constitution with a view to ensuring that they reflect the fundamental importance of the right to freedom of speech; and*
 - 2.2.2 *to report to the Executive and Constitutional Working Party on progress with the review recommended at paragraph 2.2.1 above.*
- 2.3 *GP&L and the Constitutional Improvement Working Party is recommended to note this report and update the code of conduct for Officers and Members, and inform members of the Standards Committee to reflect the above recommendations.*
- 2.4 *Note the additional text added to the body of the report.*

Body of the report

4.6 Doing so risks discrimination unless an employer has also considered whether the action is both a necessary and proportionate *interference with the right to freedom of expression*. Any objective justification of a restriction is always dependent on context and is employment-specific.

4.9 ... Freedom of expression and the protection of these individual characteristics have been tested in the employment tribunal due to the potential conflict that arises between competing rights, *particularly as damages for discrimination are uncapped*.

5.2 ... A public interest disclosure must be made to certain people (e.g. the employer) in order to attract statutory protection. *An employee complaining about suppression of certain beliefs is also likely to have whistleblower protection under the Employment Rights Act and the*

27 November 2023

Equality Act.

Members sought clarification around whether the report author had agreed to the changes made to the body of the report and the Assistant Director for Legal Services (the report) confirmed that the changes were the Chairman's. A Member highlighted that during his five years serving on the Council he had never seen the body of an Officer report amended in this way. In response the Assistant Director of Legal Services confirmed that it was unusual for any Member to amend an officer report in this way and the changes has been neither approved nor disapproved by the report author.

Seeking a clarification regarding the Chairman's intention in proposing the amendment to paragraph 5.2, a Member queried whether the Chairman was expressing a desire which could be phrased as "*where possible, an employee complaining about suppression of certain beliefs should receive whistleblower protection under the Employment Rights Act...etc.*"

Paraphrasing Voltaire, the Chairman explained that the right to respectfully dissent from other points of view and give voice to that via free speech formed the basis of an enlightened society. As such, the basis of the report was to strengthen the fundamental human right to free speech within the Council, the Chairman highlighted that within the 1948 Declaration of human Rights Freedom of Speech was a right under Article 19 yet there was no right to equality. The right set out in Article 19 established that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." Much of the declaration was enshrined in UK law under Article 10 of the Human rights Act, which established that "The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society..." The Chairman highlighted the importance of recognising as a Council, through processes and procedures, that everyone needed to be protected from excessive restrictions or attempts to infringe freedoms, either through incorrectly applied "Groupthink" or societal bullying against reasonably held beliefs. The Chairman highlighted that there was no right to not be offended, because being offended was a choice an individual made. Freedom of speech was not democratic but was at the core of upholding fundamental democratic values. It was also understood that freedom of speech was necessarily constrained by the law however, in the free speech case of *Redmond-Bate v Director of Public Prosecutions* [1999] Lord Justice Sedley set out that this freedom encompassed "the irritating, the contentious, the eccentric, the heretical, the unwelcome and provocative". Invoking the classical Greek philosopher Socrates, he warned against state attempts to control unofficial ideas by saying "Freedom only to speak inoffensively is not worth having."

The amendments set out above were proposed by the Chairman and seconded by Councillor Slator. Upon being put to the vote 12 were in favour, 3 were against. The amendments were therefore CARRIED.

(In voting against the motion, Councillor Jeal and the Labour Members on the Committee clarified that there were not opposed to free speech but were fundamentally opposed to the principle of editing a report written by a Legal Officer.)

RESOLVED: That

- 1. The fundamental importance of the right to freedom of speech to the Council's activities, and the narrow scope for interfering with political expression be noted;**
 - 2. The potential liabilities faced by the council if it fails to protect that right, either in relation to Councillors or Council employees be noted;**
 - 3. Officers are asked to take the following actions in support of the resolutions (1) and (2) above:**
 - (a) to review the Council's policies, procedures and Constitution with a view to ensuring that they reflect the fundamental importance of the right to freedom of speech; and**
 - (b) to report to the Executive and Constitutional Working Party on progress with the review recommended at paragraph 3 (a) above.**
 - 4. GP&L and the Constitutional Improvement Working Party be recommended to note this report and update the Code of Conduct for Officers and Members and inform members of the Standards Committee to reflect the above recommendations.**
 - 5. Note the additional text added to the body of the report.**
- 59 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000**

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

27 November 2023

**The following summaries
refer to matters involving exempt information**

**60 EXEMPT MINUTES OF THE MEETING HELD ON 17 OCTOBER
2023**

The Part 2 (exempt) minutes of the meeting held on XXX were agreed, and signed as a correct record.

**61 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE
REPORTS (IF ANY)**

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 29 November 2023:

(17) CAPITAL PROGRAMME MONITORING Q 2 PART 2 APPENDIX E

The Committee noted the Part 2 appendix and in response to a question, received updates on specific sites listed in the appendix.

The Meeting ended at 9.15 pm

Chairman

Agenda Item 5

Report No.
CSD24007

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 16 January 2023

Decision Type: Non-Urgent Non-Executive Non-Key

Title: MATTERS OUTSTANDING AND WORK PROGRAMME

Contact Officer: Philippa Gibbs, Democratic Services Officer
Tel: 020 8461 7638 E-mail: Philippa.Gibbs@bromley.gov.uk

Chief Officer: Director of Corporate Services and Governance

Ward: All Wards

1. Reason for decision/report and options

This report deals with the Committee's business management including:

- Monitoring progress against actions arising from previous meetings; and
- Developing the 2023/24 Forward Work Programme.

2. **RECOMMENDATION(S)**

That PDS Committee reviews and comments on:

1. Progress on matters arising from previous meetings; and
2. The 2023/24 work programme, indicating any changes or particular issues that it wishes to scrutinise for the year ahead.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Transformation Policy

1. Policy Status: Not Applicable:
 2. Making Bromley Even Better Priority (delete as appropriate): Not Applicable:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £366k
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 6
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: Non-Executive reports are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (current and projected): This report is intended primarily for the benefit of Committee Members.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

Matters Outstanding from Previous Meetings

3.1. There are no matters outstanding from previous meetings.

Work Programme

3.2 Each PDS Committee determines its own work programme, balancing the roles of (i) pre-decision scrutiny and holding the Executive to account, (ii) policy development and review and (iii) external scrutiny. ERC PDS Committee has the additional role of providing a lead on scrutiny issues and co-ordinating PDS work.

3.3 PDS Committees need to prioritise their key issues. The work programme also needs to allow room for items that arise through the year, including Member requests, call-ins and referrals from other Committees. Committees need to ensure that their workloads are realistic and balanced, allowing sufficient time for important issues to be properly scrutinised. Members also need to consider the most appropriate means to pursue each issue – the current overview and scrutiny arrangements offer a variety of approaches, whether through a report to a meeting, a time-limited working group review, a presentation, a select committee style meeting focused on a single key issue, or another method.

3.4 **Appendix 1** sets out the ERC PDS Committee Work Programme for 2023/24, including: the provisional report title (or activity); the lead division; and Committee's role. Committee is invited to comment on the proposed schedule and suggest any changes it considers appropriate. Other reports will be added to the 2023/24 Work Programme as items arise. In addition, there may also be references from other committees, the Resources, Contracts and Commissioning Portfolio Holder, or the Executive.

Sub-Committees and Working Groups

3.5 The Policy Development and Scrutiny Toolkit suggests that each Committee should aim to carry out no more than two or three full scale reviews each year, and it offers guidance and techniques for prioritising reviews. At a time of pressure on Member and officer resources it is important that any additional work is carefully targeted at priority issues where improvements can be achieved. In recent years, this Committee has examined a number of issues through its Working Groups - part of the Committee's workload may include follow-up work on some of these reviews.

Non-Applicable Headings:	Impact on Vulnerable Adults and Children, Transformation/Policy Implications, Financial Implications, Personnel Implications, Legal Implications, Procurement Implications, Property Implications, Carbon Reduction/Social Value Implications, Customer Impact, Ward Councillor Views
Background Documents: (Access via Contact Officer)	Minutes of previous meetings

**EXECUTIVE, RESOURCES & CONTRACTS PDS COMMITTEE
WORK PROGRAMME 2023/24**

Meeting Date: 5 February 2024		
Meeting Date: 5 February 2024	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Capital Programme Monitoring Q.3	Finance	PH Pre-Decision Scrutiny
Annual Investment Strategy 2023/24 and Quarter 3 Treasury Management Performance	Finance	PH Decision/Council
Contracts Register and Contracts Database Update	Governance and Contracts	PDS Committee
Scrutiny of The Leader (including short written summary)	N/A	PDS Committee
Property Investment Update	Property	PDS Committee
Risk Register (Red Risks)	Audit	Information Briefing
Meeting Date: 25 March 2024		
Meeting Date: 25 March 2024	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Post-Completion Review of Oracle Fusion Implementation	Finance.	PDS Committee.
Scrutiny of the Chief Executive (including short written summary)	N/A	PDS Committee
Councillor Emails and Data Protection	IT/Legal/Information Management	PDS Committee
Annual PDS Report 2022/23	Democratic Services	PDS Committee

*Part 2 (Exempt) Report

LONDON BOROUGH OF BROMLEY

FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS PUBLISHED ON: 12 DECEMBER 2023

PERIOD COVERED: November 2023 - February 2024

DATE FOR PUBLISHING NEXT FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS: 9 JANUARY 2024

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
COUNCIL						
COUNCIL TAX LEVEL 2024/25	Council	26 February 2024 Executive, PDS Committees, business community & local residents	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
REVENUE BUDGET 2024/25	Council	26 February 2024 Executive, PDS Committees, business community and local residents	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
CAPITAL STRATEGY 2024 TO 2028	Council	26 February 2024 Executive, PDS Committees and key stakeholders	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meetings in public</u>	Reports and relevant background documents.

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
ANNUAL INVESTMENT STRATEGY 2024/25	Council Council	26 February 2024 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
TREASURY MANAGEMENT STRATEGY 2024/25	Council	26 February 2024 Executive, Resources and Contracts PDS Committee	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meeting in public</u>	Reports and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
ACADEMY INFORMATION SYSTEM AND ASPIEN CORPORATE DEBT MANAGEMENT SYSTEM SOFTWARE LICENCE AND MAINTENANCE ARRANGEMENTS	Executive	17 January 2024 Executive, Resources and Contracts PDS Committee	Meeting	Contact Officer: Claudine Douglas-Brown Tel: 020 8461 7479 Claudine.Douglas-Brown@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background information
BIGGIN HILL UPDATE	Executive	07 February 2024 Executive, Resources and Contracts PDS Committee	Meetings	Contact Officer: James George james.george@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
HOUSING IT SYSTEMS	Executive	07 February 2024 Renewal Recreation and Housing PDS Committee	Meeting	Contact Officer: Tracey Wilson Tel: 020 8313 4515 tracey.wilson@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
ADOPTION OF LEISURE STRATEGY	Executive	07 February 2024 Renewal, Recreation and Housing PDS Committee	Meetings	Contact Officer: Alicia Egan Tel: 020 8313 4559 Alicia.Egan@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
FACILITIES MANAGEMENT REPAIR & MAINTENANCE BUDGET	Executive	07 February 2024 Executive, Resources and Contracts PDS Committee	Meetings	Contact Officer: Michael Jarman michael.jarman@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
ASTLEY CENTRE	Executive	07 February 2024 Adult Care and Health PDS Committee	Meetings	Contact Officer: Christian Markandu christian.markandu@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
HOUSING ALLOCATION SCHEME AND CHOICE BASED LETTINGS POLICY	Executive	07 February 2024 Renewal, Recreation and Housing PDS Committee	Meetings	Contact Officer: Lynnette Chamielec Tel: 020 8313 4009 Lynnette.Chamielec@bromley.gov.uk	<u>Meeting in public</u>	report and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
OLDER PEOPLE'S BLOCK BEDS	Executive	27 March 2024 Adult Care and Health PDS Committee	Meetings	Contact Officer: Sean Rafferty sean.rafferty@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
ADULT SOCIAL CARE TRANSFORMATION - WORKFORCE STRATEGY 2023-28 & DIGITAL STRATEGY 2024-2034	Executive	07 February 2024 Adult Care and Health PDS Committee	Meetings	Contact Officer: Heather Sinclair-Constance heather.sinclair-constance@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
CRM REPLACEMENT CAPITAL PROJECT - WEBSITE REDESIGN UPDATE REPORT	Executive	27 March 2024 Executive, Resources and Contracts PDS Committee	Meetings	Contact Officer: Duncan Bridgewater Tel: 0208 461 7676 Duncan.Bridgewater@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
GATEWAY 2 AWARD - ADULT MENTAL HEALTH RECOVERY AND REHABILITATION SUPPORT @ HOME SERVICE	Executive	27 March 2024 Adult Care and Health PDS Committee	Meetings	Contact Officer: Kelly Sylvester Tel: 020 8461 7653 kelly.sylvester@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background papers

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
AWARD OF CONTRACT - CAPITAL WORKS AT RED HILL PRIMARY SCHOOL	Executive	27 March 2024 Children, Education & Families PDS Committee	Meetings	Contact Officer: Robert Bollen Tel: 020 8313 4697 Robert.Bollen@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
OPERATIONAL BUILDING REPAIR AND MAINTENANCE BUDGET 2024/25	Executive	27 March 2024	Meetings	Contact Officer: Michael Jarman michael.jarman@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
OPR AWARD OF CONTRACTS FOR MULTIDISCIPLINARY SERVICES	Executive	27 March 2024 Executive, Resources and Contracts PDS Committee	Meetings	Contact Officer: Graham Soars Graham.Soars@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
CHURCHILL COURT - LETTING STRATEGY	Executive	Between 01 May 2024 and 31 May 2024 Executive Resources and Contracts PDS Committee	Meetings	Contact Officer: Darren Essex darren.essex@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
PROPOSED NEW BROMLEY HEALTH AND WELLBEING CENTRE - PROJECT UPDATE AND CONSTRUCTION CONTRACT AWARD	Executive	May 2024 Executive, Resources and Contracts PDS Committee	Meetings	Contact Officer: Simon Goodburn Simon.Goodburn@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
TRANSPORT GATEWAY REPORT	Executive	June 2024 Adult Care and Health PDS Committee and Children, Education and Families PDS Committee	Meetings	Contact Officer: Maya Vadgama Tel: 0208 313 4740 Maya.Vadgama@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
DEPOT IMPROVEMENT WORKS UPDATE	Executive	July 2024 Environment and Community Services PDS Committee	Meetings	Contact Officer: Peter McCready Tel: 020 8313 4942 peter.mccready@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
ADULT CARE & HEALTH PORTFOLIO						

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
TRANSPORT GATEWAY REPORT	Director of Adult Social Care	Between 01 January 2024 and 31 January 2024 Portfolio Holder for Adult Care and Health and Portfolio Holder for Children, Education and Families	Email	Contact Officer: Kelly Sylvester Tel: 020 8461 7653 kelly.sylvester@bromley.gov.uk	<u>Part 1 Decision Statement</u>	Report and relevant background documents
CHILDREN, EDUCATION & FAMILIES PORTFOLIO						
TRANSPORT GATEWAY REPORT	Director of Children's Services	Between 01 January 2024 and 31 January 2024 Portfolio Holder for Children, Education and Families and Portfolio Holder for Adult Care and Health	Email	Contact Officer: Kelly Sylvester Tel: 020 8461 7653 kelly.sylvester@bromley.gov.uk	<u>Part 1 Decision Sheet</u>	Report and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
ENVIRONMENT						
PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO						
RENEWAL, RECREATION & HOUSING PORTFOLIO						
RESOURCES, COMMISSIONING & CONTRACT MANAGEMENT PORTFOLIO						
TRANSPORT, HIGHWAYS AND OPEN SPACES						

London Borough of Bromley: 020 8464 3333 www.bromley.gov.uk

Contact Officer: Philippa Gibbs, Chief Executive's Department: 020 8461 7638, philippa.gibbs@bromley.gov.uk

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Report No.
FSD24003

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PORTFOLIO HOLDER FOR RESOURCES, COMMISSIONING AND CONTRACT MANAGEMENT

Date: Tuesday 16 January 2024

Decision Type: Non-Urgent Non-Executive Non-Key

Title: REVENUES SERVICE MONITORING REPORT

Contact Officer: Jayne Carpenter, Revenues and Benefits Manager
Tel: 020 8461 7996 E-mail: Jayne.Carpenter@bromley.gov.uk

Chief Officer: Peter Turner, Director of Finance

Ward: (All Wards);

1. Reason for report

- 1.1 This report provides information regarding the performance of the Revenues Services provided by Liberata for the period 1 April to 30 November 2023. A letter from Bola Odunsi, Liberata's Regional Director (London and the Southeast), provides an update on each of the individual services and is attached at Appendix 1 with statistical data relating to the Revenues Service attached at Appendix 2.

2. RECOMMENDATION(S)

The PDS is requested to:

- note the information contained within the report and the letter provided by Liberata detailed in Appendices 1 & 2

The Portfolio Holder is asked to:

- agree a temporary revision to the Council Tax Arrears Incentive Scheme for years 2024/25 and 2025/26 with a review at the beginning of 2026/27. The details of the proposal are set out in the accompanying Part 2 Appendix.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Revenues Service impacts on all residents in the Authority including vulnerable adults/and those with children.
-

Corporate Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority
 - (5) To manage our resources well, providing value for money, and efficient and effective for Bromley's residents
-

Financial

1. Cost of proposal: Not applicable
 2. Ongoing costs: Not applicable
 3. Budget head/performance centre: Exchequer - Revenues
 4. Total current budget for this head: £3.9m
 5. Source of funding: Existing Revenue Budget for 2023/24
-

Personnel

1. Number of staff (current and additional): 3 plus Liberata staff
 2. If from existing staff resources, number of staff hours: Existing Revenue budget for 2023/24
-

Legal

1. Legal Requirement:
Local Government Finance Act 1988
The Council Tax (Administration and Enforcement) Regulations 1992
The Local Government Finance Act 2012
Rating Law and Practice; England and Wales
LGPS Regulations 2013
 2. Call-in: Not applicable
-

Procurement

1. Summary of Procurement Implications: The Revenues Service forms part of the Exchequer Services contract
-

Property

1. Summary of Property implications: Not applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability implications: Not applicable
-

Impact on the Local Economy

1. Summary of Local Economy implications: Not applicable
-

Impact on the Health and Wellbeing

1. Summary of Health and Wellbeing implications: Not applicable
-

Customer Impact

1. Summary of Health and Wellbeing implications: The Services covered in this report affect all the Council Tax payers, Business rates payer, Members and Pensioners, this could be estimated to 150,000 households.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
 2. Summary of Ward Councillors comments: Not applicable
-

3. COMMENTARY

3.1 The Exchequer Services Team monitors the contract, sets targets and performance standards. Liaises with partners, progresses the development and improvement of services through leadership on specific improvement initiatives. The team also ensures the services comply with current legislation, financial regulations, contractual obligations and audit requirements.

3.2 To maintain the drive for improved service performance, monthly service review meetings are held with operational and senior Liberata management. The Heads of Service of Liberata and Bromley meet regularly to deal with escalated issues, review policies and develop new ideas.

3.3 Council Tax

Collection

The in-year collection for the period ending 30 November 2023 was 74.90% which is 0.45% down on that achieved in the same period last year.

The collection rate for the current year and arrears for the period ending 30 November 2023 was 72.52% which is 1.08% lower than the same period last year.

All previous measures to maximise collection remain in place, but we have recently added a separate team to focus solely on trying to collect the arrears of Council Tax across previous years.

Liberata are also looking to introduce the following:

- focused efforts on potentially more achievable debt cases (propensity to pay).
- Voicescape, which is an automated outbound messaging service to prompt customers for payments or to make contact to make appropriate arrangements.
- a specialist Inspection team to visit all customers in receipt of a final notice to ensure they are still resident and offer appropriate support and guidance for those struggling to make payments.

The all-years collection figure achieved was 74.48% which is 1.08% lower than the same period last year and further reinforces the difficulties many residents are facing.

Recovery of Council Tax

The collection and recovery of both in year and arrears are proving more challenging this year. This is mainly attributed to the economic pressures that many residents may be facing, arrears accrued during the pandemic, the change in the Council Tax Support scheme and the increase in the Empty Home Premiums from 1 April 2023.

Whilst there is no statistical data available to support, it's evident during discussions with the London Revenues Group, that the majority of Local Authorities are finding it more difficult to collect Council Tax since the pandemic as many residents are now facing the challenge of paying current years charge in addition to the accumulated arrears.

This is demonstrated by the number of summonses issued and cases referred for enforcement when compared to previous years.

The table below details how many summonses have issued and accounts referred to enforcement agent since 2017/18. It highlights that at no Court recovery action took place in 2020/21 (pandemic restrictions applied) which delayed the recovery processes and at 30 November 2023 we have already issued more summonses and referred more accounts to the Enforcement agents that last year.

Financial Year	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24 at 30.11.23
Number of Summonses Issued	10,755	9,375	9,561	0	21,132	12,421	11,221
Number of accounts passed to Enforcement agent	8,647	10,074	9,129	0	10,518	9,491	9,759

The Exchequer Services Team is, whilst monitoring performance, are ensuring that all methods of recovery are effectively being adopted.

The contract for the Provision of Exchequer Services commenced on 1st April 2020 and includes a Council Tax arrears incentive scheme whereby Liberata can receive an incentive payment based on the level of arrears collected.

Given the exceptional circumstances arising from the pandemic, its impact on collections and the ongoing economic impacts being experienced in the UK which are also adversely affecting our ability to collect outstanding arrears, it is proposed that there is a variation to the terms of the incentive scheme for years 2024/25 and 2025/26.

The details of the proposed changes are set out in the Part 2 Appendix.

Number of properties on the Council Tax register

At the 30 November 2023, the number of properties registered for Council Tax was 143,201. The table below shows the number of properties by Council Tax “band” and the number in receipt of Single Person Discount (SPD):

Band	A	B	C	D	E	F	G	H	Total
Number of properties	2,186	10,488	30,338	36,414	29,515	18,521	14,018	1,721	143,201
Number of properties with SPD	1,286	6,282	13,894	11,453	6,858	3,516	2,068	1164	45,521

In comparison to last year, the number of registered properties has increased by 419 and the number receiving SPD has increased by 334.

Single Person Discount review

The accounts in receipt of SPD are reviewed annually and is being done in partnership with a credit reference agency using a “residency checker service” that allows us to undertake a data matching exercise on our live SPD accounts. This year’s review has commenced.

Direct Debit

Council Tax can be paid by direct debit on either 1st or 15th of the month and over 10 or 12 months. At the 30 November 2023, 73.57% of the accounts were being paid by direct debit compared to 71.2% at end of 22/23. The increase is attributed to the direct debit campaign.

The winner of the £5000 prize draw will be announced once the final direct debit payment is taken for 2023/24.

Empty Homes Premium (EHP)

From 1 April 2023, the EHP was increased to 100% for properties over 2 years, 200% for properties over 5 year and 300% after 10 years.

At the 30 November 2023 the EHP was applied to 388 properties, an increase of 41 since November 2022. The table below shows the long-term empty properties by Council Tax band and by the number of years they have been empty for:

Band	A	B	C	D	E	F	G	H	Total
Number of properties to which an EHP is being applied	12	51	162	87	37	21	15	3	388
Number of properties Empty between 2 and 5 years (100% premium)	10	37	124	51	31	16	11	1	281
Number of properties Empty between 5 and 10 years (200% premium)	2	9	28	25	4	2	3	1	74
Number of properties empty over 10 years (300% premium)	0	5	10	11	2	3	1	1	33

Business Rates

Collection

The in-year Business rates collection rate for the period ending 30 November 2023 was 72.82% which is down by 1.72% on the previous year's figure.

The reduction is partly being attributed to Covid Additional Relief Fund (CARF) payments that were granted last year, as a significant number of businesses wanted the award offset against their 2022/23 liabilities.

The collection rate for current year and arrears for the period ending 30 November 2023 was 71.16% which is an increase of 0.46% for the same period last year.

In order to maximise recovery, the following initiatives remain in place:-

- increased frequency of reminders and final notices
- telephoning businesses that have been issued with recovery notices
- an adjustment of the recovery process to enable debts to be moved through the billing and recovery cycle quicker

Whilst Liberata look to introduce:

- a specialist Inspection team to visit all businesses in receipt of a final notice to ensure they are still trading and offer appropriate support/guidance for those struggling to make payments.
- a team focused on arrears collection.

Number of properties on the Business Rates register

As at the 30 November 2023 there were 7,339 properties registered for Business Rates, this a reduction of 66 on the figure as at the 31 March 2023.

The table below shows the number of premises by their current rateable value:

Business size based on rateable value	Properties at 30.11.23	Properties at 31.3.23
Less than £15k (small)	4,425	4,324
Between £15k and £49,999 (medium)	2,858	3,024
Over £50,000 (large)	56	57
Total	7,339	7,405

Recovery of Business rates

Recovery of Business Rates has a prescribed recovery process set out in the Local Finance Act 1988 and is adopted by all Local Authorities.

Ultimately, when the account remains unpaid, after obtaining a Liability order at the Magistrates court the debt is referred to an enforcement agent for collection.

Historically, Bromley had been able to collect the majority of the Business Rates owed without the need to refer accounts to the enforcement agents. However, since the pandemic, the number of accounts referred has increased. The table below shows the number of accounts referred to the enforcement agents since 2017/18:

Financial Year	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24 at 30.11.23
Number of accounts passed to Enforcement agent	159	203	369	0	545	1,015	668

Whilst there is currently no statistical data to support, other LA's are experiencing an increase in the referral to enforcement agents, this has been attributed to the financial struggle faced by businesses caused by the pandemic and the current economic pressures being experienced e.g. increased energy costs and increasing rents.

At the 30 November 2023, there were 186 current year debts with the enforcement agents which related to the following types of property/business:

Property/Business Description	Number
Shops	82
Offices	55
Restaurant	15
Warehouse	6
Public House	4
Store and Premises	4
Workshop and Premises	4
Bus Station and Premises	2
Surgery and Premises	2
Vehicle Repair Workshop	2
Advertising Right and Premises	1
Automatic Teller Machine	1
Betting Shop	1
Café	1
Car Park	1
Car Park and Premises	1
Club and Premises	1
Gymnasium	1
Land used for storage	1
Petrol Filling Station	1

3.4 Cashiers

The number of payments received, including amounts received via either of the payment kiosks, or by post is shown in the table below:-

Period	Number of transactions	Amount
1.4.22 – 30.11.22	6,826	£3,008,770

1.4.23 – 30.11.23	4,920	£1,973,441
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The value of the amounts being received via either of the payment kiosks, or by post continues to reduce. This has been attributed to residents and businesses preferring to pay by BACS, automated or on-line method rather than sending cheques by post or using the kiosks.

3.6 **Payroll**

The number of payments made in November 2023 was as follows:

LBB General/Schools	2,483
Pensions	5,605

For the period April to November 2023, Liberata achieved 99.94% accuracy.

3.7 **Pensions**

Membership numbers recorded on the pension administration system at the 30 November 2023 were 6,207 actives, 8019 deferred and 6,097 pensioners.

The number of pensioners recorded on the Pension system is different to the number of pensions paid because pensioners only have one record on the Payroll system but they may have more than one pension record in the pension system e.g. a person may have worked for different departments or left Bromley then returned at a later date

Liberata have provided assurance that all pension entitlement and benefits are calculated and paid in accordance with Legislation and the Local Government Pension Scheme Regulations.

4. **FINANCIAL IMPLICATIONS**

4.1 This report refers to significant income collection undertaken through the Exchequer Service contract with Liberata. For 2023/24 the key financial elements of the Revenues Service are:

- £254.8m - annual Council Tax raised
- £90m – annual Business Rates raised
- £50.6m – gross amount paid in staff salaries (inclusive of Schools but excluding Academies) for the period 1 April to 30 November 2023
- £23.23m – gross amount paid in Pensions for the period 1 April to 30 November 2023
- £1.97m - revenue on 4,920 transactions for the period 1 April to 30 November 2023 (including kiosks)

5. **TRANSFORMATION/POLICY IMPLICATIONS**

5.1 One of the “Making Bromley Even Better” ambitions is to manage our resources well, providing value for money, efficient and effective services for Bromley’s residents. To achieve this, we will ensure robust contract management with a focus on efficiency and innovation to improve services for Bromley residents.

6. LEGAL IMPLICATIONS

6.1 This is a contract monitoring report pursuant to CPR23. There are no specific legal implications raising from this report.

7. CUSTOMER IMPACT

7.1 The Revenues Services impacts of a wide variety of customers which include residents, staff and pensioners.

8. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

8.1 Liberata exclusively uses Ark data centres which are committed to the European Green Deal, achieving the ambitious greenhouse gas reductions of the climate law, and leveraging technology and digitalisation to achieve the goal of making Europe climate neutral by 2050. For the last 7 years, all Ark facilities have been powered by 100% renewable energy. To improve sustainability further Ark has developed innovative direct air evaporative cooling capability that dramatically lowers energy consumption and cost, capable of providing compressor free cooling for 100% of every year. The My Bromley account software supports 46,177 subscribers to e-billing, reducing paper production and postal service reliance. Officers continue to work with Liberata on projects to increase back-office automation and further reduce paper volumes.

Liberata also supports staff to volunteer for local organisations, such as Age Concern's befriending scheme.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children, Personnel, Procurement, Property, Impact on the Economy, Impact of Health and Wellbeing and Ward Councillors views
Background Documents: (Access via Contact Officer)	

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Claudine Douglas-Brown
Assistant Director of Exchequer Services
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley BR1 3UH

13th December 2023

Dear Claudine,

As we approach the January 2024 Executive, Resources and Contracts Policy Development and Scrutiny Committee where we consider and review the Exchequer Service, I take this opportunity to write to you with Liberata's assessment of the performance that we have provided to London Borough of Bromley (LBB) and its citizens. This summary covers performance for the 8-month period from 1st April 2022 to 30th November 2023.

Council Tax

The in-year collection for the period ended 30th November 2023 was 74.90% which was 0.46% lower than for the previous year. Recovery is proving far more challenging this year due to the economic pressures which many residents are facing. This can clearly be seen in the number of summonses issued and cases referred for enforcement, where we have already met and exceeded the volumes for the whole of last year.

In Year collection

	30/11/2023	30/11/2022	Variance
In Year	£m	£m	£m
Net collectable debt	£257.31	£241.33	£15.98
Amount collected	-£192.71	-£181.85	-£10.86
Debt remaining	£64.59	£59.48	
Collection rate	74.90%	75.35%	-0.46%

The all-years collection figure achieved was 74.48% which was a decrease of 1.08% compared to the previous year.

	30/11/2023	30/11/2022	Variance
All Years	£m	£m	£m
Net collectable debt	£263.04	£246.99	£16.05
Amount collected	-£195.90	-£186.61	-£9.29
Debt remaining	£67.14	£60.38	
Collection rate	74.48%	75.55%	-1.08%

Liberata is a trading name of Liberata UK Limited

(Registered in England and Wales - No 1238274)

Registered Office: 2nd Floor Front, 60 Cheapside, London, EC2V 6AX

Liberata UK Limited is a subsidiary of Outsourcing UK Limited (Registered in England and Wales - No 10280945)

Registered Office: Floor 9, Peninsular House, 30-36 Monument Street, London, EC3R 8UJ

All previous measures to maximise collection remain in place, but we have recently added a separate team to focus solely on trying to collect the arrears of Council Tax across previous years.

We are also looking to introduce the following.

- Propensity to Pay, to allow us to focus our efforts on potentially more achievable debt cases.
- Voicescape, an automated outbound messaging service to prompt customers for payments or to make contact to make appropriate arrangements.
- Specialist Inspection team to visit all customers in receipt of a final notice to ensure they are still resident and offer appropriate support and guidance for those struggling to make payments.

The all-years collection figure achieved was 74.48% which is 1.08% lower than the same period last year and this further reinforces the difficulties many residents are facing. There is no benchmarking data available on this indicator. On the 30th of November 2023 the number of households registered for Council Tax was 142,950.

Business Rates

The in-year collection rate to 30th November 2023 was 72.52% which is down by 1.72% compared to the previous year's figure. This is partly due to the CARF payments allocated last year which will have allowed some businesses to pay even if they did not have the income to do so. As detailed in the Council Tax comments, recovery levels are much higher than previous years and based on current trends will generate the most activity in the last decade.

In Year collection

	30/11/2023	30/11/2022	Variance
In Year	£m	£m	£m
Net collectable debt	£82.90	£90.35	-\$7.45
Amount collected	-£60.12	-£67.08	£6.96
Debt remaining	22.78	23.27	
Collection rate	72.52%	74.24%	-1.72%

The all-year's collection rate for the period was 71.16%, which is an increase of 0.46% on the previous year

	30/11/2023	30/11/2022	Variance
All Years	£m	£m	£m
Net collectable debt	£86.21	£90.89	-\$4.68
Amount collected	-£61.35	-£64.26	£2.91
Debt remaining	£24.86	£26.63	
Collection rate	71.16%	70.70%	0.46%

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As with Council Tax all previous measures to maximise collection remain in place, but we are also looking to introduce the following.

- Specialist Inspection team to visit all customers in receipt of a final notice to ensure they are still resident and offer appropriate support and guidance for those struggling to make payments.
- Specialist Team to focus on arrears collection.

As of the 30th of November 2023, there were 7,399 properties registered for Business Rates.

Cashiers

During the period we collected £1.97m which related to 4,920 transactions and included amounts taken via the kiosks, post and central income. This figure is down on the previous year of £3.01m and highlights the continuing trend of residents moving to use online methods of payments.

Payroll

The HR and Payroll licence with Zellis was due to expire in May 2023, therefore the Council agreed to procure with Oracle for their HRP solution with the business case acknowledging the benefits of the connection with their Oracle financial solution.

After twelve months of data cleansing the database the corporate staff and pensioners were migrated to the new HRP solution with the first Payroll processed in April 2023. This was not only high volume of data but also consisted of complex terms and conditions so after the first Payroll went live there were some “snagging” issues, but the Council, their migration partner and Liberata worked in partnership to resolve these and continue to address and implement further improvements.

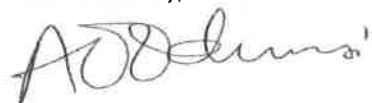
During this time BACS files were all processed on time and any adjustments to pay were arranged by the Faster Payment process ensuring Staff or Pensioners were not ever in a position of hardship. The Payroll Team also continued to provide a valued service with an average accuracy rate of 99.94% across the Council’s Corporate, Schools and Pensions payrolls.

Pensions

The Pension Team achieved an average of 97.10% service level compliance over the year to 30th November 2023.

I conclude by reassuring you that Liberata remains firmly committed to delivering an outstanding service to the London Borough of Bromley and its citizens.

Yours sincerely,



Bola Odunsi
Regional Director (London & The Southeast)

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The key elements of the Revenues Service includes (2023/24 figures):

- **£254.8 million** – Annual amount of Council Tax raised.
- **£90 million** – Annual amount of Business Rates raised.
- **£13.9 million** – Annual payment of Council Tax Support
- **£75.8 million** - Annual payment of Housing Benefit
- **£50.6 million** – Gross payment of staff salaries (through the LBB payroll service, including schools, excluding Academies) for the period from 1st April 2023 to 30th November 2023
- **£23.2 million** – Payment of Pensions from 1st April 2023 to 30th November 2023
- **£1.97 million** – 1st April 2023 to 30th November 2023 revenue on 4,920 transactions, this includes Kiosk
- (326 Loomis cash collections during the eight months to 30th November 2023)

Council Tax Data:

In year collection performance by Liberata is shown below:

Best Value PI's	Actual 13/14	Actual 14/15	Actual 15/16	Actual 16/17	Actual 17/18	Actual 18/19	Actual 19/20	Actual 20/21	Actual 21/22	Actual 22/23	Actual 01/04/23 to 30/11/23
BV9:CTAX Collected	97.50%	97.70%	97.79%	97.93%	98.04%	98.00%	97.86%	96.51%	96.82%	97.12%	74.90%

Actual 30th November 2023 – 74.90%

The amount of collectable debt raised for the year 2023/24 was **£254.8m** in respect of **142,950** properties.

33 Cheque refunds and **4905** BACs refunds totalling **£1,875,753.34** have been issued from 1st April 2023 to 30th November 2023.

The following Council Tax recovery notices were issued:

	31/03/14	31/03/15	31/03/16	31/03/17	31/03/18	31/03/19	31/03/20	31/03/21	31/03/22	31/03/23	Actual 01/04/23 to 30/11/23
Reminders	56,256	54,745	52,125	55,553	78,657	63,387	57,196	54,201	63,769	52,036	25,178
Summonses	19,267	13,158	9,543	14,052	10,755	9,375	9,561	0	21,132	12,421	11,221
Liability Orders	9,999	8,645	8,337	10,338	9,115	8,105	8,606	0	10,010	10,065	9,877
14 day letters – Enforcement Agent warning	15,816	10,103	12,214	8,24794	8,647	10,074	9,129	0	10,518	9,491	9,759

The 2022/23 debt carried forward at the 1st April 2023 was £7,361,027.70

Council Tax - Summoned Debt	
Summonses / costs	£620,126.98
Arrangement	£483,844.76
Bailiff /14 DAY	£3,547,476.01
Attachment	£3,670.90
Bankruptcy	£0.00
Liability	£751,506.33
Un-summoused Debt	
Finals	£293,050.35
Un-summoused	£1,661,352.37
Total	£7,361,027.70

The breakdown analysis of the total 2022/23 debt outstanding at the 1st April 2023 of £7,361,027.70 is shown above.

The balance of the total 2022/23 debt outstanding as at the 30th November 2023 is £5,287,209.29 a reduction of £2,073,817.78.

Council Tax Arrears Breakdown as at 30th November 2023

ct6223a	Arrears B/F 31.03.2023	Arrears carried forward	Net reduction
2000	£1,923.05	£1,846.35	£76.70
2001	£5,134.12	£4,932.75	£201.37
2002	£12,841.32	£12,378.17	£463.15
2003	£21,944.79	£21,351.06	£593.73
2004	£25,542.24	£24,990.80	£551.44
2005	£42,233.44	£38,703.74	£3,529.70
2006	£64,109.66	£61,512.84	£2,596.82
2007	£90,337.70	£86,229.66	£4,108.04
2008	£111,380.16	£104,767.86	£6,612.30
TOTAL	£375,446.48	£356,713.23	£18,733.25
2009	£132,984.37	£128,514.70	£4,469.67
2010	£165,396.94	£157,516.72	£7,880.22
2011	£213,104.82	£202,604.20	£10,500.62
2012	£289,607.07	£274,742.11	£14,864.96
2013	£441,887.34	£425,547.71	£16,339.63
2014	£568,939.76	£542,760.87	£26,178.89
2015	£748,167.43	£705,512.54	£42,654.89
2016	£968,040.81	£917,031.82	£51,008.99
2017	£1,290,782.76	£1,219,332.51	£71,450.25
2018	£1,814,145.48	£1,690,097.24	£124,048.24
2019	£2,529,254.70	£2,334,770.66	£194,484.04
2020	£3,398,599.56	£3,054,926.54	£343,673.02
2021	£4,859,928.76	£4,237,598.81	£622,329.95
2022	£7,361,027.07	£5,287,209.29	£2,073,817.78
TOTAL	£25,157,313.35	£21,534,878.95	£3,622,434.40

Business Rates Data:

In year collection performance by Liberata is shown below:

Best Value PI's	Actual 13/14	Actual 14/15	Actual 15/16	Actual 16/17	Actual 17/18	Actual 18/19	Actual 19/20	Actual 20/21	Actual 21/22	Actual 22/23	Actual 01/04/23 to 30/11/23
BV10:Rates Collected	98.70%	98.80%	99.05%	98.87%	98.53%	98.53%	98.03%	91.89%	95.47%	97.21%	72.52%

The amount of collectable debt raised for the year 2023/24 is **£90 million** in respect of 7,399 properties.

There have been **550** refunds actioned from the 1st April 2023 to the 30th November 2023 amounting to **£3,009,665.77** in respect of vacation and rateable value reductions.

The following recovery notices were issued -

	31/03/14	31/03/15	31/3/16	31/3/17	31/3/18	31/03/19	31/03/20	31/03/21	31/03/22	31/03/23	Actual 01/04/23 to 30/11/23
Reminders Issued	3,545	4,445	4,263	4,288	3,525	3,245	3,447	1,803	5,350	4,198	3903
Final Notices Issued	2,472	2,353	1,560	1,960	1,985	1,312	2,201	0	2,874	2,496	2380
Summonses Issued	1,091	1,053	535	1,123	768	601	429	0	612	1,020	762
Liability Orders	771	734	411	525	522	550	438	0	584	900	652
Accounts passed to Enforcement Agent	650	444	283	184	159	203	369	0	545	1,015	668

The **2022/23** debt carried forward at 1st April 2023 was **£2,527,963.50**

Movement in arrears for reporting period –

Arrears total 2001 - 2022/23 as at **01/04/23** **£5,701,711.85**

Arrears total 2001 - 2022/23 as at **30/11/23** **£3,702,391.41**

Reduction in Overall arrears **£1,999,320.44**

Business Rates Arrears breakdown as at **30th November 2023**

	Arrears B/F 31.03.2023	Arrears carried forward	Net reduction
2001	137.94	137.94	0.00
2008	1,143.35	1,143.35	0.00
2009	938.03	938.03	0.00
2010	0.00	569.71	569.71
2011	1,576.41	2,605.27	1,028.86
2012	10,879.38	11,886.71	1,007.33
2013	17,513.98	18,636.67	1,122.69
2014	26,518.72	28,280.61	1,761.89
2015	26,246.67	35,282.98	9,036.31
2016	86,821.81	91,865.70	5,043.89
2017	211,717.60	151,971.10	-59,746.50
2018	360,513.57	272,037.40	-88,476.17
2019	647,969.19	530,922.28	-117,046.91
2020	622,057.55	417,171.70	-204,885.85
2021	1,159,714.15	738,468.76	-421,245.39
2022	2,527,963.50	1,400,473.20	-1,127,490.30
	5,701,711.85	3,702,391.41	-1,999,320.44

Backdated revaluations and the removal of discounts and exemptions can result in a backdated increase in arrears

Cashiers Data

The cashiering service dealt with the following transactions in the period 1st April 2023 to 30th November 2023:

Civic Centre Total	Transactions including Kiosk
£1,973,441	4,920

Payroll Data:

The average number of payments made each month/annually is shown below:

	Monthly	Annually
Non-Teaching/Teaching	2,691	32,286
Pensions	5,578	66,938

Appendix 2

Complaints Data:

Service	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Actual 01/04/23 to 30/11/23
Council Tax	540 (446 unfounded)	427 (378 unfounded)	348 (274 unfounded)	373 (309 unfounded)	344 (299 unfounded)	337 (260 unfounded)	170 (114 unfounded)	212 (152 unfounded)	223 (187 unfounded)	74 (66 unfounded)
NNDR	21 (7 unfounded)	10 (9 unfounded)	6 (3 unfounded)	3 (2 unfounded)	4 (3 unfounded)	3 (1 unfounded)	4 (0 unfounded)	7 (6 unfounded)	12 (10 unfounded)	10 (3 unfounded)
Pensions	4 (1 unfounded)	2	4 (2 unfounded)	2 (1 unfounded)	4 (2 unfounded)	8 (5 unfounded)	9 (4 unfounded)	5 (3 unfounded)	12 (7 unfounded)	2 (1 unfounded)
Payroll	9 (7 unfounded)	4 (2 unfounded)	1 (1 unfounded)	0	3 (2 unfounded)	3 (3 unfounded)	0	0	0	0
Cashiers	0	0	0	0	0	0	0	0	0	0

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Report No.
FSD24004

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 16 January 2024

Decision Type: Non-Urgent Non-Executive Non-Key

Title: BENEFITS SERVICE MONITORING REPORT

Contact Officer: Jayne Carpenter, Revenue and Benefits Manager
Tel: 020 8461 7996 E-mail: Jayne.Carpenter@bromley.gov.uk

Chief Officer: Peter Turner, Director of Finance

Ward: (All Wards);

1. Reason for report

- 1.1 This report provides information regarding the performance of the Benefits Service provided by Liberata for the period 1 April to 30 November 2023. A letter from Bola Odunsi Liberata's Regional Contract Director (London and Southeast) is attached as Appendix 1. This communication provides Liberata's perspective of performance, together with an update on initiatives to be introduced in the coming months.

2. RECOMMENDATION(S)

2.1 The PDS is requested to:

- note the information contained with the report and the letter provided by Liberata detailed in Appendix 1

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Benefits Service impacts on all benefit recipients including vulnerable adults and/or those with children.
-

Transformation Policy

1. Policy Status: Not applicable
 2. Making Bromley Even Better Priority:
(5) to Manage our resources well, providing value for money, and efficient and effective services for Bromley residents
-

Financial

1. Cost of proposal: Not applicable
 2. Ongoing costs: Not applicable
 3. Budget head/performance centre: Exchequer – Benefits and Admin
 4. Total current budget for this head: £3.5m
 5. Source of funding: Existing revenue budget 2023/24 including Government Grants and Subsidy
-

Personnel

1. Number of staff (current and additional): 3 plus Liberata staff
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement
The main pieces of legislation covering the Service are:
Housing Benefit Regulations 2006
The Council Tax Reduction\Support Schemes Regulations 2012
The Local Government Finance Act 2012
 2. Call-in: Not applicable
-

Procurement

1. Summary of Procurement Implications: The Benefits Service is provided by Liberata as part of the Exchequer Services contract.
-

Property

1. Summary of Property Implications: Not applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not applicable
-

Impact on the Local Economy

1. Summary of Local implications: Not applicable
-

Impact on Health and Wellbeing

1. Summary of Carbon Reduction/Sustainability Implications: Not applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):16,052
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not applicable

3. COMMENTARY

- 3.1 The Exchequer Services Team monitors the contract, sets targets and performance standards, liaises with partners, progresses the development and improvement of services through leadership on specific initiatives. The team also ensures the services comply with current legislation, financial regulations, contractual obligations and audit requirements. Graphical illustrations as to the level of performance being achieved are attached as appendices to this report.
- 3.2 To maintain the drive for improved service performance, monthly service review meetings are held with operational and senior Liberata management. Regular meetings take place between senior managers in both organisations to discuss escalated items, technological advances and further development opportunities.
- 3.3 The Exchequer Service specification effective from 1 April 2020 introduced key performance indicators for the processing of new claims and change in circumstances as well reducing the tolerance level for errors to 4% (previously 5%).
- 3.4 During this reporting period there continues to be a significant increase in directly reported change in circumstances. The number Universal Credit notifications being received has reduced to pre-pandemic levels.

3.5 Outstanding work

The target in the specification requires that the level of outstanding work is less than 5,700 documents of which 2,200 are in pending. At the 30 November 2023 there were 1560 outstanding documents. Of the 1967 documents, 687 were in pending awaiting further information. A graph showing the level of outstanding work since April 2021 is attached at Appendix 2.

A graph illustrating the number of Housing Benefit and Council Tax Support new claims, change in circumstance and Universal Credit notifications (new, changes and stops) since April 2021 is attached at Appendix 3

3.6 Claim Processing

The speed of processing indicator is a combination of the time taken to assess new claims and change of circumstances.

The below table shows the Benefits Sections performance under the Right Time Indicator, the annual target for which is 13 days:

Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24
5.59	9.54	14.90	34.01	17.85	9.28	5.81	14.47				

Average 2021/22 **6.32 days**
Average 2022/23 **5.68 days**
Average 2023/24 **12.14 days (to date)**

Performance under the Right Time Indicator is illustrated as Appendix 4

3.7 Tabled below are the performance figures in respect of the 2 components, new claims and change of circumstances:

New claims – target for 2023/24 is 19 days

Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24
9.68	14.14	14.96	25.69	19.93	21.72	15.02	14.94				

Average 2021/22 **13 days**
Average 2022/23 **11.13 days**
Average 2023/24 **17.01 days (to date)**

3.8 **Change in circumstances – target for 2023/24 is 9 days**

Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24
5.37	9.54	14.89	34.62	17.64	8.74	5.37	14.40				

Average 2021/22 **7 days**
Average 2022/23 **6.81 days**
Average 2023/24 **13.82 days (to date)**

3.9 The average processing days covers a wide variance amongst claims. Appendix 5 and 5a show the “spread” in respect of new claims and change of circumstances.

For the period 1 April to 30 November 2023, 1340 new claims were processed, with 20 new claims (1.49%) taking over 80 days to process. Of the 19,987 changes in circumstances processed, 979 changes (4.89%) took more than 80 days to process. The reasons why are detailed below:

New claims

Reason why the change was processed in excess of 80 days	Number of claims
Incorrect receipt dates input	0
Additional time given for the claimant to provide information	20
Administration delay	0
Retrospective changes advised by DWP report (Atlas)	0
Total	20

Due to the number of changes that exceed 80 days during this reporting period a 10% random sample was undertaken. Of the 97 changes sampled the reasons for the delay were:

Change in circumstances

Reason why the change was processed in excess of 80 days	Number of claims
Incorrect receipt dates input	3
Additional time given for the claimant to provide information	11
Administration delay	75

Retrospective changes advised by DWP report (Atlas)	8
Total	97

All the 75 changes that have been recorded as administration delay were caused by notified rent increases not being applied at the correct time or by the Housing Benefit Accuracy Award initiative (HBAAI) full case reviews not being dealt with upon receipt.

During this reporting period claim processing times have exceeded the contractual targets. The deterioration in performance has been escalated and an improvement plan agreed. Liberata 's explanation is contained in Appendix 1.

DWP Benchmarking - processing times for new claims and changes

The table below shows the latest benchmarking figures released by the DWP in respect of new claims and change of circumstances processing for the 19 Outer London authorities:

Local Authority	Quarter 4 2022/23	Changes	Quarter 1 2023/24	Changes
	New Claims		New Claims	
Barking and Dagenham	19	3	18	9
Barnet	18	4	21	5
Bexley	17	5	13	8
Brent	20	4	19	6
Bromley	8	4	12	10
Croydon	39	3	48	7
Ealing	24	3	24	6
Enfield	25	4	27	7
Greenwich	20	4	22	8
Harrow	18	3	22	6
Havering	27	3	31	6
Hillingdon	24	3	28	5
Hounslow	8	2	8	4
Kingston upon Thames	18	3	24	6
Merton	24	9	32	18
Redbridge	19	2	26	5
Richmond upon Thames	19	7	21	10
Sutton	14	3	15	6
Waltham Forest	14	3	15	4

Based on Quarter 4 (January - March), 2022/23 data Bromley's performance for new claims was joint 1st and joint 12th for changes.

Bromley's performance in Quarter 1, 2023/24 is higher in relation to new claims and changes (2nd for new claims and joint 17th for changes) and it is expected that Quarter 2, 2023/24 will reflect a deterioration in performance.

Attached as Appendix 6 and 6a are graphical illustrations of Quarter 4 (2022/23) and Quarter 1, 2023/24 performance against our contractual target.

DWP are due to publish Quarter 2 (July to September) 2023/24 benchmarking statistics on the

3.10 Error rate

From 1 April 2020 the Exchequer Services specification requires the contractor to ensure that financial errors are found in less than 4% of the cases checked by the Authority’s monitoring team. The level of tolerance for errors is strict compared to many other authorities; with DWP statistics indicating that the average error rate nationally is in excess of this figure. However, the tolerance was set in the knowledge that errors result in poor customer service and waste of resources through reworking.

The contractor remained within the 4% tolerance contained in the specification and the 3% “soft target” for the 12 months covered in this reporting period as shown in the table below. A graphical illustration is entered as Appendix 7.

Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24
1.2%	2.5%	1.9%	1.9%	0.5%	1.2%	1.7%					

3.11 Complaints

Considerable changes have occurred in both Housing Benefit legislation and Council Tax Support since April 2013, with many experiencing a reduction in entitlement. In many cases this has led to a complaint and/or an appeal as a result of the claimant not comprehending the revised entitlement is due to changes in the scheme. There were no “Stage 2” complaints during the period April to November 2023 which is an indication that a good service is being provided and that the customer’s areas of discontent are being resolved therefore preventing unnecessary complaints.

3.12 Housing Benefit Overpayments

The Housing Benefit overpayment recovery rate percentage is based on the amount of debt raised in month against amount of debt recovered in month. Using this formula, the percentage recovered often exceeds the amount created and is referred to as the underlying trend.

Appendix 8 shows the monthly recovery rates since April 2021.

3.13 Call Centre (Help line)

The graph at Appendix 9 details the performance of the Call Centre from April 2020.

The number of calls received for the period April to 30 November 2023 was 67,449 this is a reduction of 2% when compared to the same period in 2021/22. The reduction in call volumes has been attributed to the natural and managed migration of residents moving to Universal Credit.

The average abandonment rate for the period April to November 2023 was 3.4 % which is within the 5% tolerance allowed for under the specification.

3.14 Caseload

A graph showing the overall number of claims in payment and the Council Tax Support caseload is attached as Appendix 10. Prior to Covid-19 the overall caseload had been consistently reducing due to the natural migration of working age Housing Benefit claimants to Universal Credit.

At the end of November 2023, the combined caseload was 16,052 (16,593 in November 2022) and the Council Tax Support was 13,286 (13,861 in November 2022).

3.15 Discretionary Housing Payments (DHP's)

The DWP allocation for 2023/24 was £512,968, the same amount as allocated in 2022/23. From 1 April 2020 the DHP fund has been administered by Liberata and monitored by Bromley.

It is envisaged that the fund will be fully utilised.

3.16 Council Tax Support (CTS)

The Council Tax Support scheme for 2023/24 increased the minimum contribution of working-age claimants to 30% of the household's Council Tax liability and introduced a "band D" eligibility restriction.

At the end of November 2023 there were 13,268 households in receipt of Council Tax Support of which 8,228 were of working age of which 733 households are affected by the "band D" eligibility restriction and 5,040 were elderly.

The working age and elderly caseload split by Council Tax band is shown below:

Council Tax Band	A	B	C	D	E	F	G	H	Total
Number of working-age claims	357	1734	3257	2147	551	138	44	0	8228
Number of elderly claims	285	980	1737	1385	455	142	54	2	5040

The working age caseload has reduced by 309 claims since March 2023.

For 2023/24, the Government provided Bromley £365,066 to help all Council Tax Support claimants. So far we have assisted 10,882 households from this fund with a maximum award of £32 (£25 mandatory and £7 discretionary).

3.17 Service Development

We committed to improving and enhancing the service by implementing initiatives that will allow us to automate our “back office” processes. It is envisaged that these will eventually lead to a significant reduction in processing times.

We have introduced on-line applications forms for Housing and Council Tax Support with the majority of the claims received now being made electronically.

Our focus remains on increasing the percentage of Universal Credit notifications that can be processed without any manual intervention. Although, significant process has been made and we have managed to automate the processing of 84% of the notifications being received there is still more than can be done.

In addition to our internal service improvements, we continue to work on the DWP’s mandatory Housing Benefit Award Initiative (HBAAI) which requires LA’s to conduct full case reviews on a percentage of their high-risk cases to ensure that the amount of benefit being awarded is accurate.

In 2023/24 Bromley are required to review 2760 high risk-cases, the risk scores for the individual cases having been provided by the DWP.

At the end of November 2023, 1097 of these reviews had been completed and we identified that 24% have had a change that directly affected the amount of benefit they were awarded.

3.18 **Universal Credit (UC) update**

Universal Credit in Bromley moved into the ‘managed migration’ of residents on old style benefits such as working tax and child tax credit in August 2023. We currently have very little details on who is being contacted by the DWP and how quickly the migration will take place. The aim is for the migration of working age residents to be completed by the end of 2025.

According to our caseload data, in August 2023 there were 1700 households in receipt of Housing Benefit and/or Council Tax Support with entitlement based on working tax and/or child tax credit. From our own caseload monitoring it appears that 20 households per week are currently migrating with more being directly affected over the coming months.

The impact of this will be significant and it is anticipated that from 2025 the only working age residents in Bromley on Housing Benefit will be those in temporary or supported/exempt accommodation

The Department of Works and Pensions (DWP) statistics show 17,393 households in Bromley were on Universal Credit (latest provisional figures from August 2023, increase from 15,567 in August 2022) with 21,652 (previously 20,448) people in total on UC of which 8178 are in employment.

The latest constituency data for Universal Credit is based on August 2023 statistics and can be found in detail on the following link [Constituency data: Universal Credit rollout \(parliament.uk\)](https://www.parliament.uk/constituencies/universal-credit) but for information the headline figures for Bromley are:

Constituency	Households on UC	Households on Legacy Benefits	% Caseload complete
Bromley & Chislehurst	6298	2014	76
Orpington	4548	1531	75
Beckenham	3871	1217	76

Lewisham West & Penge	12127	3710	77
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The Citizens Advice Bureau (CAB) have been contracted to deliver both assistance in claiming UC and follow that through with budgeting support via a national help-line.

4 FINANCIAL IMPLICATIONS

Housing Benefit and Council Tax Support present significant “business”. The 2023/24 budget includes payments in excess of £75m for Housing Benefit and £14m (net) for Council Tax Support. Any deterioration in performance could result in, for example:

- Increase in “Local Authority Error” overpayments, leading to receipt of reduced subsidy from Central Government
- Potential increase in overpayments which may not be recoverable.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 One of the “Making Bromley Even Better” ambitions is to manage our resources well, providing value for money, efficient and effective services for Bromley’s residents. To achieve this, we will ensure robust contract management with a focus on efficiency and innovation to improve services for Bromley residents.

6. LEGAL IMPLICATIONS

- 6.1 This is a contract monitoring report pursuant to CPR23. There are no specific legal implications raising from this report.

7. CUSTOMER IMPACT

- 7.1 The Benefits Service directly impacts 16,052 customers.

8. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 8.1 Liberata exclusively uses Ark data centres which are committed to the European Green Deal, achieving the ambitious greenhouse gas reductions of the climate law, and leveraging technology and digitalisation to achieve the goal of making Europe climate neutral by 2050. For the last 7 years, all Ark facilities have been powered by 100% renewable energy. To improve sustainability further Ark has developed innovative direct air evaporative cooling capability that dramatically lowers energy consumption and cost, capable of providing compressor free cooling for 100% of every year.

The My Bromley account software supports 46,177 subscribers to e-billing, reducing paper production and postal service reliance. Officers continue to work with Liberata on projects to increase back-office automation and further reduce paper volumes.

Liberata also supports staff to volunteer for local organisations, such as Age Concern befriending scheme.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children, Personnel, Procurement, Property, Impact of Local Economy, Impact on Health and Wellbeing and Ward Councillors views
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Claudine Douglas-Brown
Assistant Director of Exchequer Services
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley
BR1 3UH

Date: 30th November 2023
Our Ref: BO/DK

Dear Claudine,

As we approach the January 2024 Executive, Resources & Contracts PDS meeting where we consider and review the performance of the Benefits service, we take this opportunity to write to you with Liberata's assessment of the performance of this critical, high-profile service that we provide to London Borough of Bromley (LBB) and its customers.

Liberata's Business Continuity plans remain in place and now the majority of employees are working on a hybrid basis where they work one or two days in the office with the remainder from home.

This summary covers performance for the period: 1st April 2023 to 31st March 2024.

1. Current Status of the Benefits Service

As at the end of November 2023, the Benefits caseload was 16,052, which was down by 541 on the same period last year. This caseload measures all households receiving Housing Benefit (HB) and/or Council Tax Support (CTS).

The average performance for the period on New Claims was 16.97 days compared to the previous year of 11.12 days. The average time for Changes was 11.82 days against 5.35 days for last year. Both of these are much higher than our usual standards of service delivery and whilst New Claims remains within our contractual target of 19 days, performance to date on Changes is currently exceeding our annual contractual target of 9 days. The drop in performance has been primarily caused by the turnover of several staff at the beginning of the year, replacing and training the new team has had an inevitable impact on our work outputs as the new staff bed in.

I am pleased to say that the team are now producing performance in line with previous expectations and that we expect to achieve all contractual obligations by the end of the year. By quarter 1 of the new financial year, we will be back to exceeding contractual targets and achieving the historical excellent service standards that LB Bromley is used to. Indeed, as you will see below, the outstanding work is now in a much healthier position than in previous years.

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(Registered in England and Wales - No 1238274)

Registered Office: 2nd Floor Front, 60 Cheapside, London, EC2V 6AX

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Registered Office: Floor 9, Peninsular House, 30-36 Monument Street, London, EC3R 8UJ

Outstanding work items at the period end totalled 873 with 687 items pending i.e. cases where we were awaiting information from the claimant and/or third-party. The totals for the previous year were 1,247 items and 720 items respectively.

1.1 Temporary Accommodation

We have continued to maintain our strong relationships with the various LBB Housing Teams, Orchard & Shipman and the Mears Group. We hold regular operational meetings to quickly identify and resolve any benefit issues which arise. We are also able to fast track cases where there is a risk of arrears accumulating which helps to sustain tenancies and prevent homelessness.

We have in place a dedicated Temporary Accommodation Benefit Team who work closely with LBB's Housing staff and stakeholders to ensure that benefit claims are paid as quickly and efficiently as possible.

1.2 Verify Earnings and Pensions (VEP) Alerts Service

We receive and process the Verify Earnings and Pensions (VEP) alerts, from the DWP. These provide a valuable tool for updating and ensuring the accuracy of the earnings and pension information which is held within the Academy benefits system. These VEP alerts extract and consolidate information held by various external organisations including HMRC and the Pension Service to provide 'real time' information which is essential in the administration of Benefits. Our specialised VEP Team then ensure that the VEP files, which are received daily, are processed in a timely manner.

The effective and timely processing of these alerts helps maintain the accuracy of the Academy database and helps reduce the likelihood of overpayments which would typically occur where a claimant delays or fails to advise the Council of any changes in their household income.

1.3 ATLAS

ATLAS is a process of transferring data from the DWP systems to the Local Authority systems. This includes state benefit changes which may not have been previously notified to us by the customer. We currently automate the transfer of the majority of the ATLAS files received directly into the Academy database. This not only improves the processing speed but also removes the risk of any manual re-keying errors. We have continued to see an ongoing reduction in the number of ATLAS files received as a number of these cases now come through the Universal Credit (UC) channels.

1.4 Quality

As always our focus has remained fixed on maintaining our quality levels for the service with a continual review of our processes with the aim of eradicating errors. The average financial error rate for the period April 2023

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to September 2023 (Oct and Nov are not yet verified) was 1.53% which is slightly higher than the same reporting period last year, but this is to be expected given the number of new members on the team. Our contractual target is 4% and we have an agreed 'soft' target of 3%.

Our quality assurance checking is carried out on a continual basis throughout the year on our Assessment Officers work. This helps ensure that we continue to deliver a high-quality service to customers and mitigating the risk of financial error. In addition, the on-going checking helps feed into the training program for our new recruits and the upskilling of existing employees. This quality checking forms part of the on-going monitoring and mentoring of our Officers to ensure accuracy rates remain at a high level. It also allows for any errors to be quickly identified and then immediately addressed either by refresher training or mentoring. This then helps maintain our high standard of quality in the assessments that are undertaken.

The DWP accept that a certain level of error will be made in the administration of Benefits. As such, an upper and lower threshold of Local Authority error is outlined by the DWP. I am pleased to point out that Liberata's performance continues to remain well below the lower threshold, thereby attracting maximum subsidy for the Authority.

1.5 Overpayment Strategy

The creation of overpayments is a natural byproduct of the administration of Housing Benefit & Council Tax Support, with recovery needing to be sought from some of the most vulnerable members of the community.

As at the period end our recovery rate, known as the underlying trend, was 83.67%. This underlying trend includes the recovery of current year and previous year debts. In order to maximise recover we have continued to use a range of different techniques including Blameless Tenant recovery, Direct Earnings Attachment and Debt Collection Agencies. These recovery techniques have proven effective tools in securing the repayment of these debts.

1.6 Universal Credit (UC)

The volumes of UC notifications received has continued to be high as more customers are moved over to the new benefit. In order to deal with this, and speed up processing, we have utilised automation which means that 84.2% of UC change notifications were automatically uploaded through the system without the need of any manual intervention. This has underpinned our ability to deliver an efficient benefit service to our customers.

Increasing numbers of customers are using the online smart forms for new claims and changes, which were implemented last year. We have also continued to provide support for vulnerable customers who are not able to transact with the service online from our Customer Services team.

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1.7 Discretionary Housing Payments (DHP)

We have continued to administer DHP on behalf of the Council, which allows for assistance to be provided to some of the most vulnerable customers within borough. In this way, residents who may be experiencing problems with rent arrears can be supported to help avoid the risk of eviction. We work closely with the Council to ensure that assistance from the discretionary fund is targeted at people that are in genuine need of support.

2. Corporate Visiting Team (CVT)

Following the removal of restrictions that were put in place as a result of the pandemic, the Visiting Officers resumed their face-to-face visits to verify customer information on income and capital levels or to assist them in accessing the service.

3. Call Centre & Customer Services

During the period under review the Revenues & Benefits Call Centre received 67,449 call which was 2% lower in comparison to the same reporting period last year. Our Call Centre answered 96.36% of calls with an average speed to answer of 1 minutes and 48 seconds. The average overall service level for this reporting period was 69.95% with an average abandonment rate being 3.4%. In 2023, the service introduced a VoiceBot to assist in directing customers to the most appropriate contact channel and this has allowed 1,985 customers to resolve their enquiries without the need to talk to an operator.

We continued with a predominantly appointment-only service for the Customer Services front facing team. However, we ensured that vulnerable customers who presented without an appointment were still seen. During this reporting period, the team saw 1,033 Revenues & Benefits customers compared to 1,029 during the same period in 2022.

4. Service Developments

One of Liberata's goals has always been to continually improve and enhance the services provided to the Council and its citizens either through the application of new or existing technology or through process improvements. Examples of current year new and ongoing initiatives include:

- **Electronic Notification Letters:** As part of our ongoing digital transformation programme to channel shift customers to online services, the service is currently reviewing the introduction of electronic notification letters to be sent to working age customers and the use of summary notification letters to simplify the information for ease of understanding for most customers.
- **Housing Benefit Award Accuracy Initiative (HBAAI):** Liberata commenced processing HBAAI workloads and will have reviewed just under 2,800 cases. All forms will have been issued by the end

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of December which is two months ahead of the DWP deadline. Cases identified by the DWP are reviewed to ensure that current awards of Benefits are accurate, and the Benefits database is up to date with current information.

- **Mass Recalculation Automation:** Whilst this is primarily a tool to ensure that assessments are not left uncalculated (majority with no change to entitlement), this should facilitate an improved automation levels for both UC and ATLAS changes.

Liberata remains firmly committed to delivering an outstanding service to the London Borough of Bromley and its citizens.

Yours sincerely,



Bola Odunsi
Regional Director (London & The Southeast)

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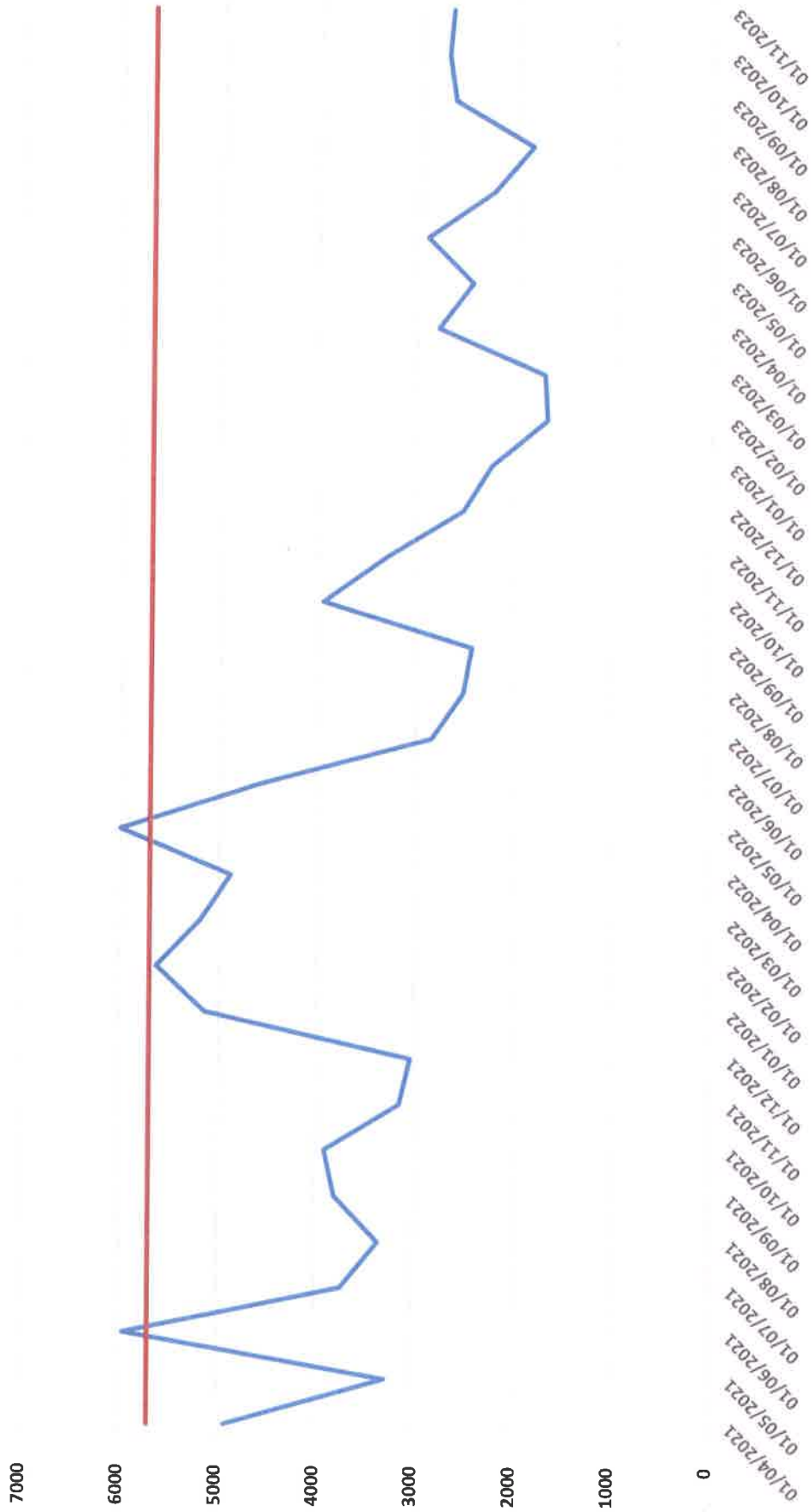
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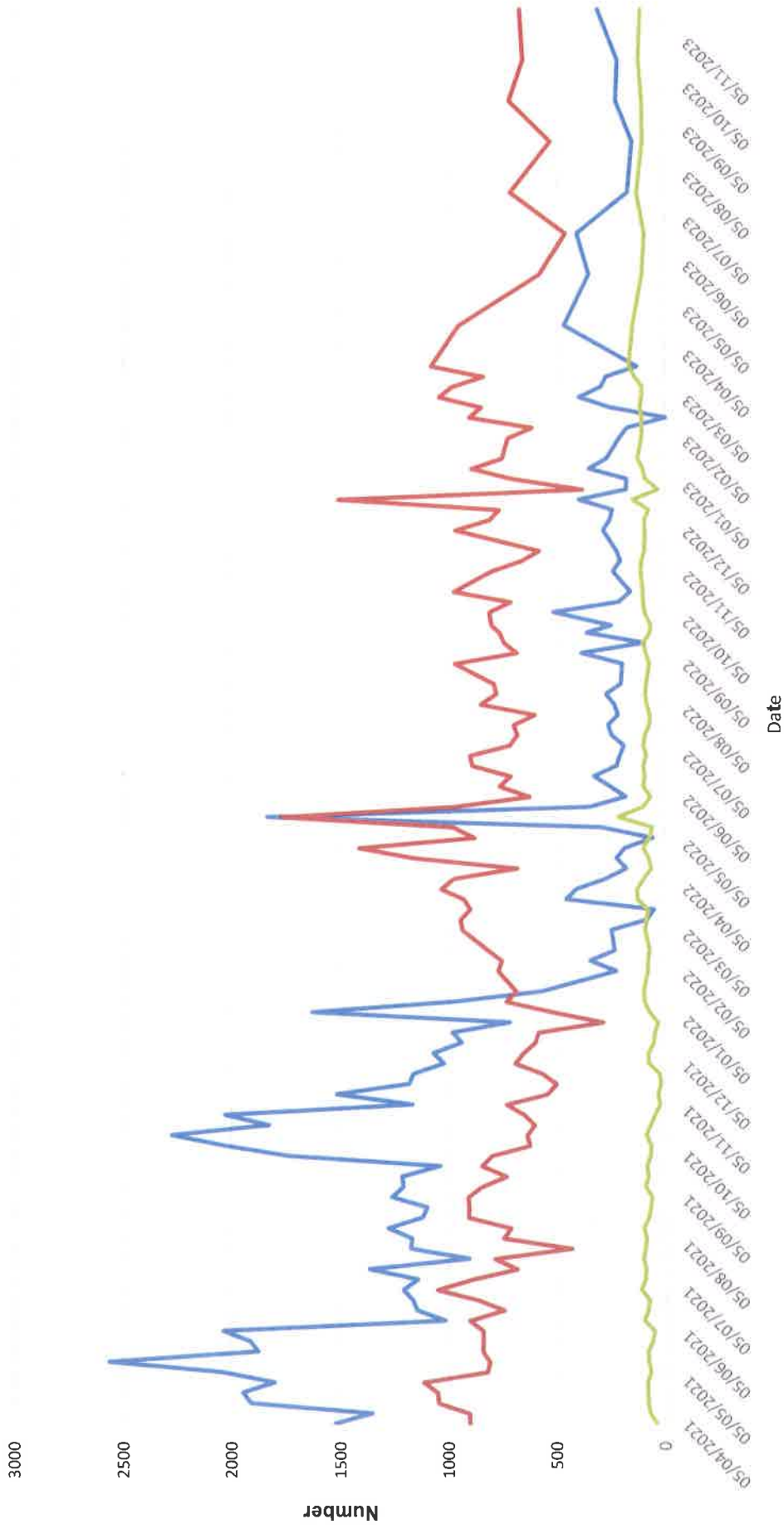
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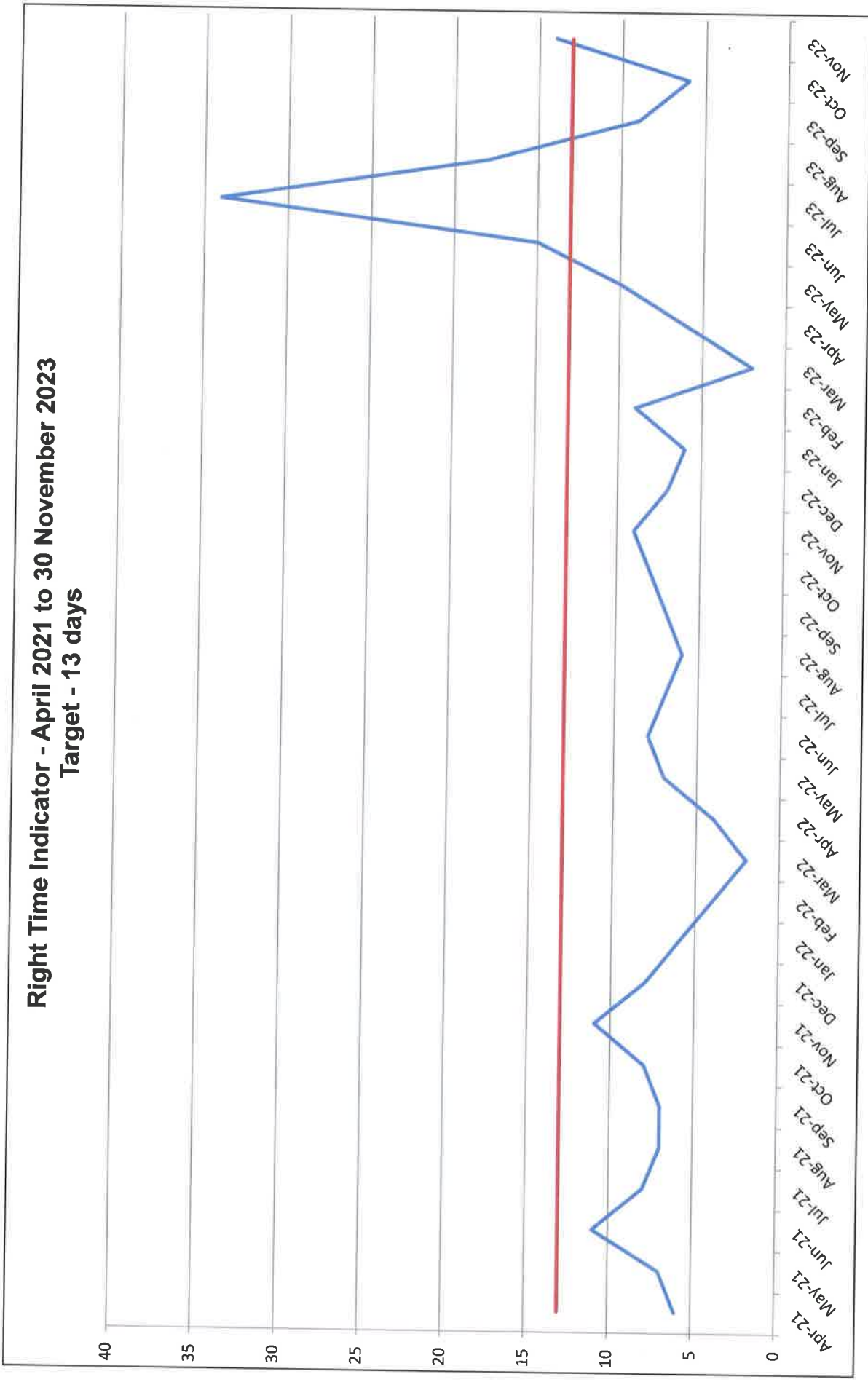
Registered Office: Floor 9, Peninsular House, 30-36 Monument Street, London, EC3R 8LJ

Outstanding Work - April 2021 to 30 November 2023
Target - 5700 documents



New claims, Changes in Circumstances and Universal Credit notifications received since April 2021

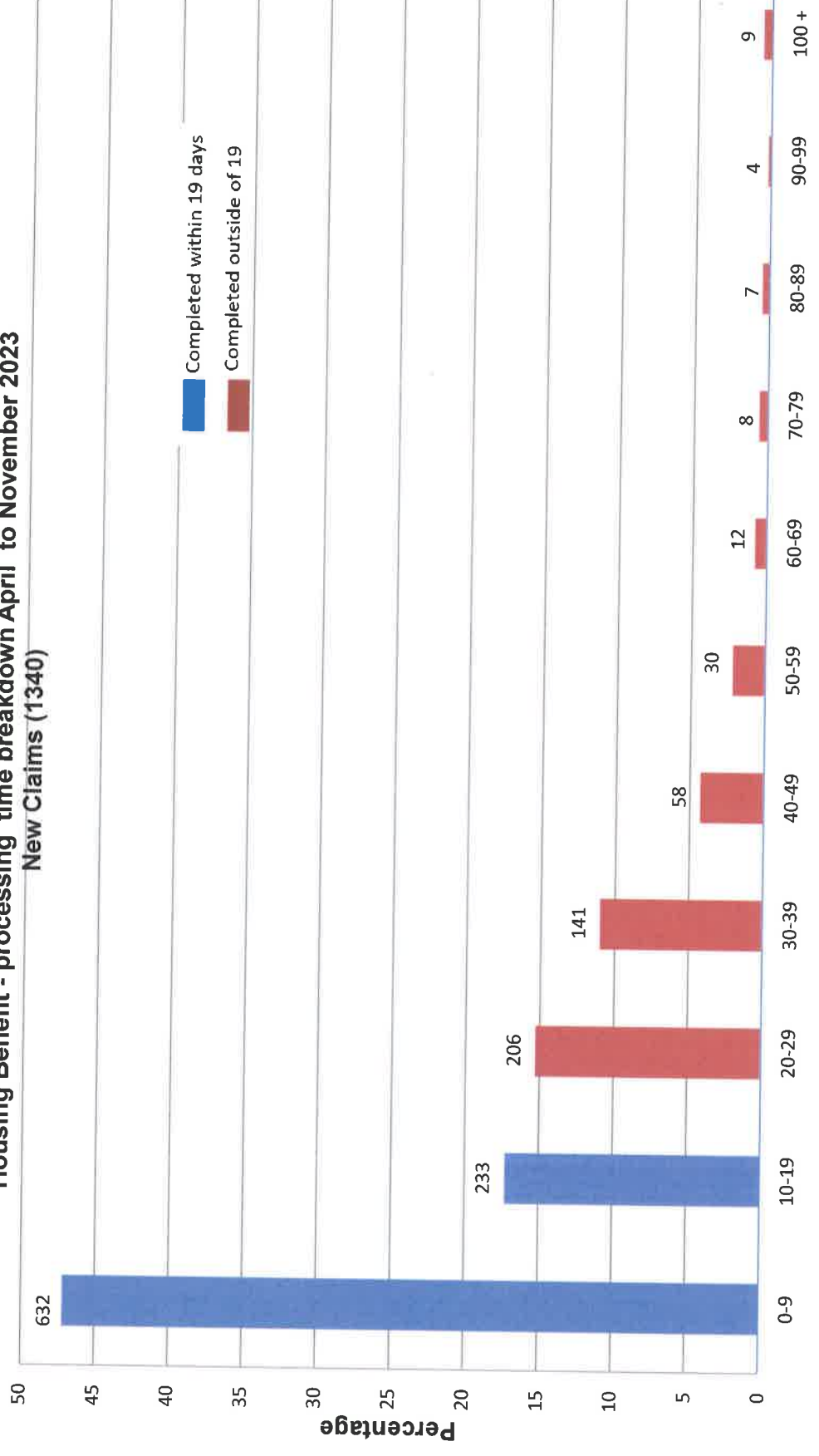




Target - 13 days

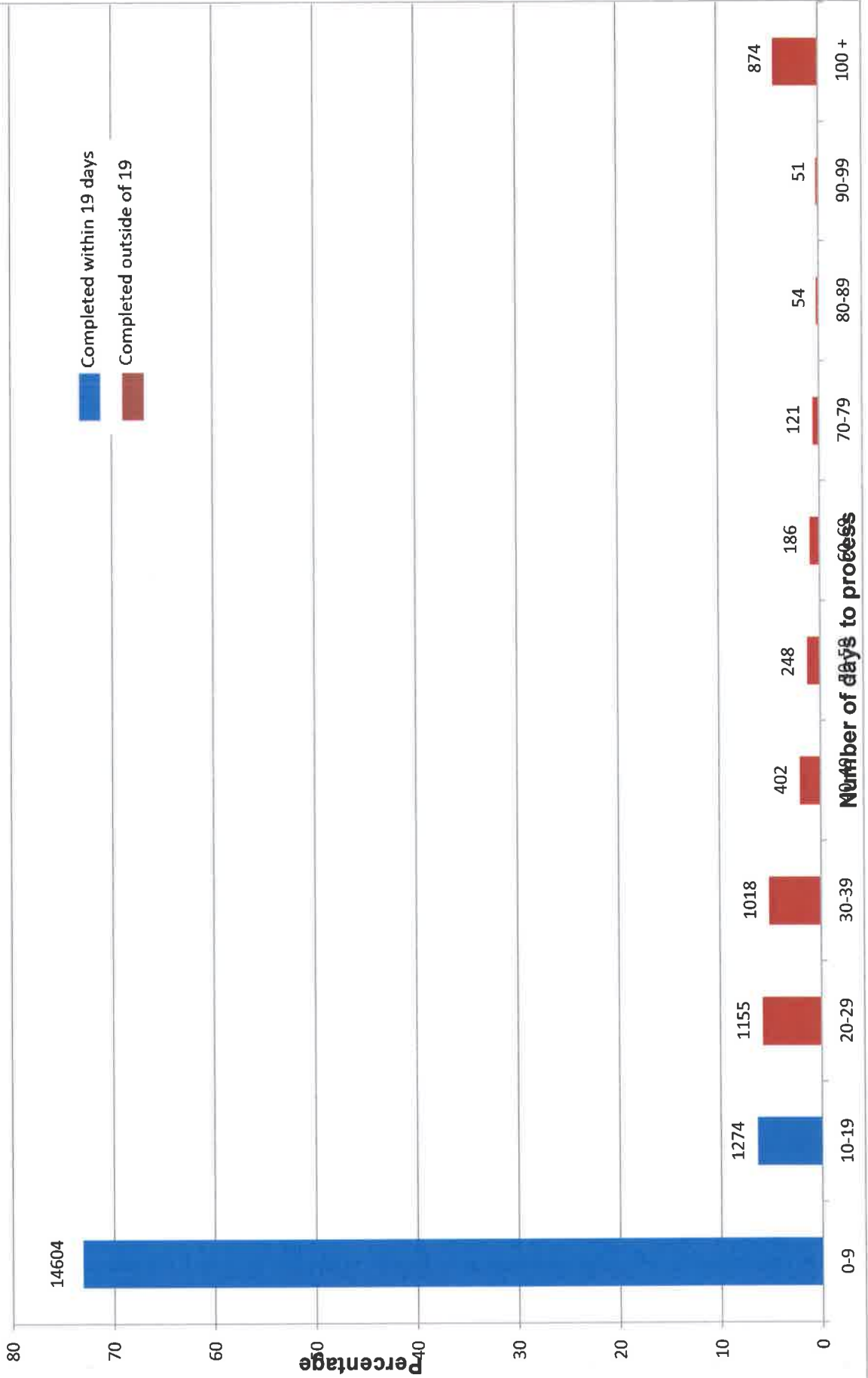
Housing Benefit - processing time breakdown April to November 2023

New Claims (1340)

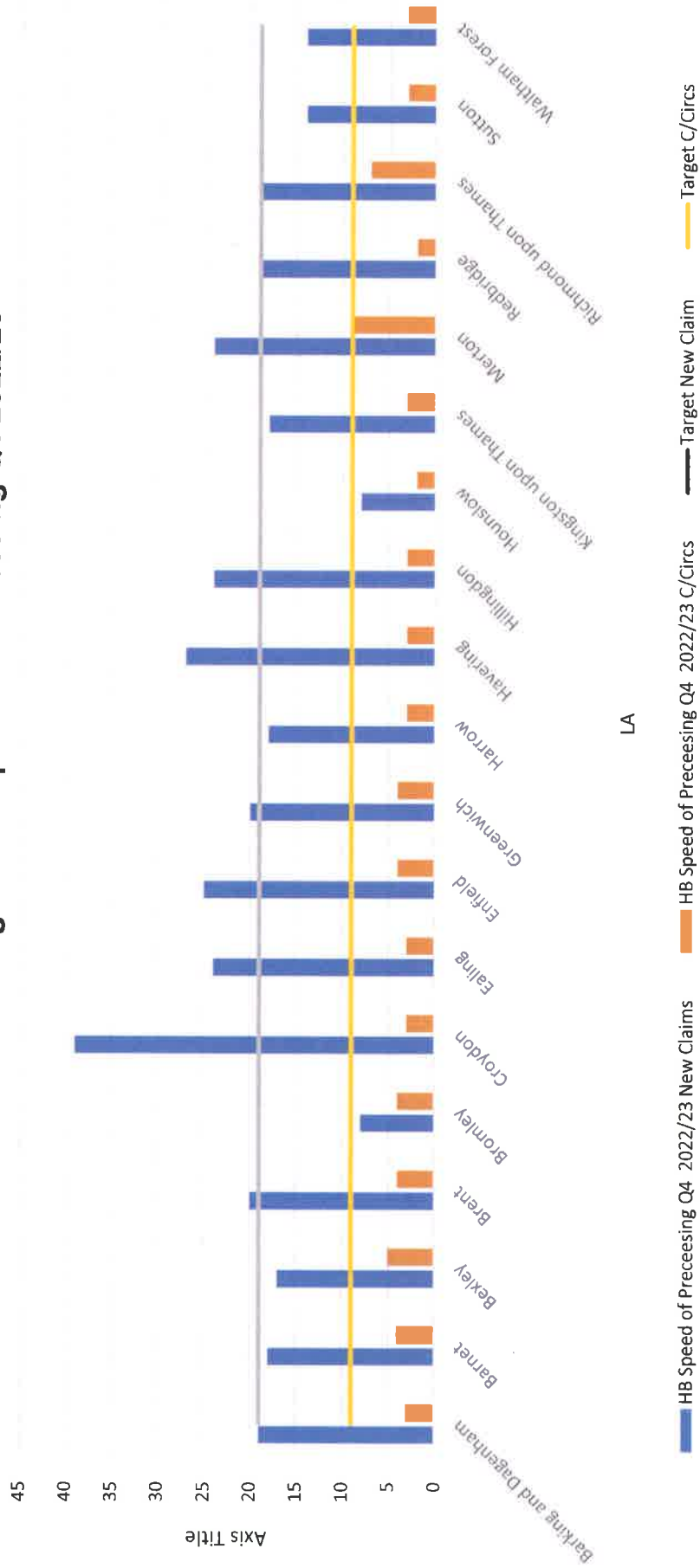


Number of days to process

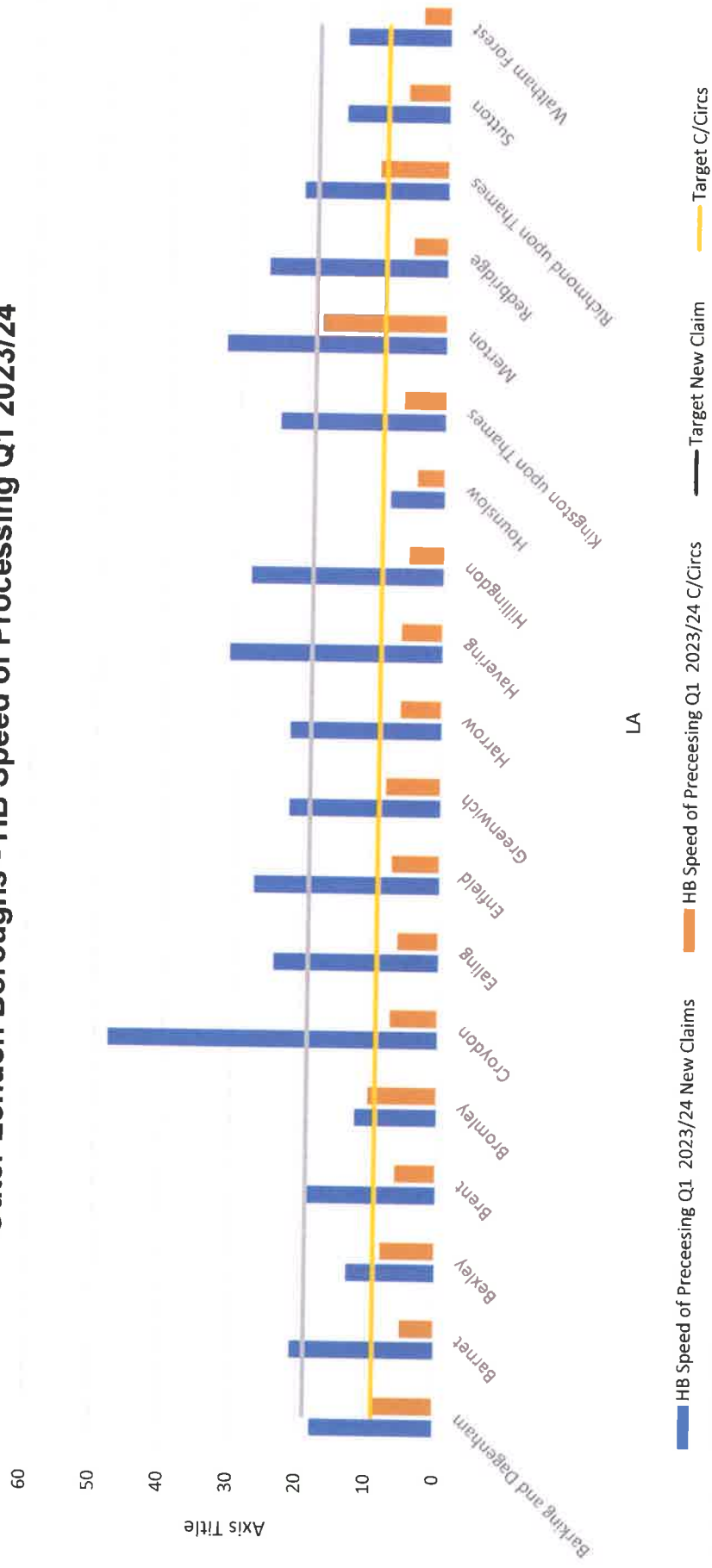
**Housing Benefit - processing time breakdown - April to November 2023
Change in Circumstances (19,987)**



Outer London Boroughs - HB Speed of Processing Q4 2022/23

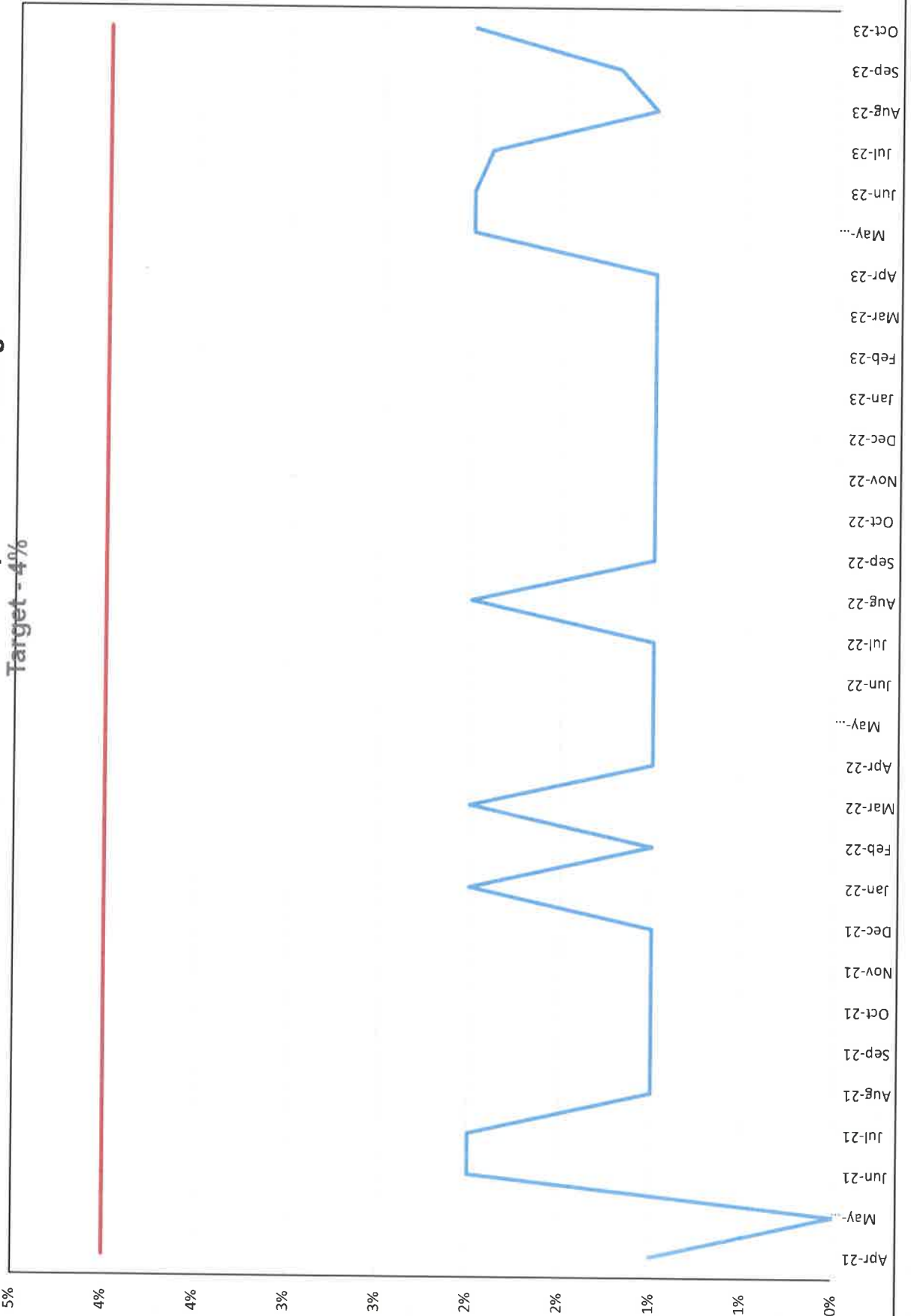


Outer London Boroughs - HB Speed of Processing Q1 2023/24

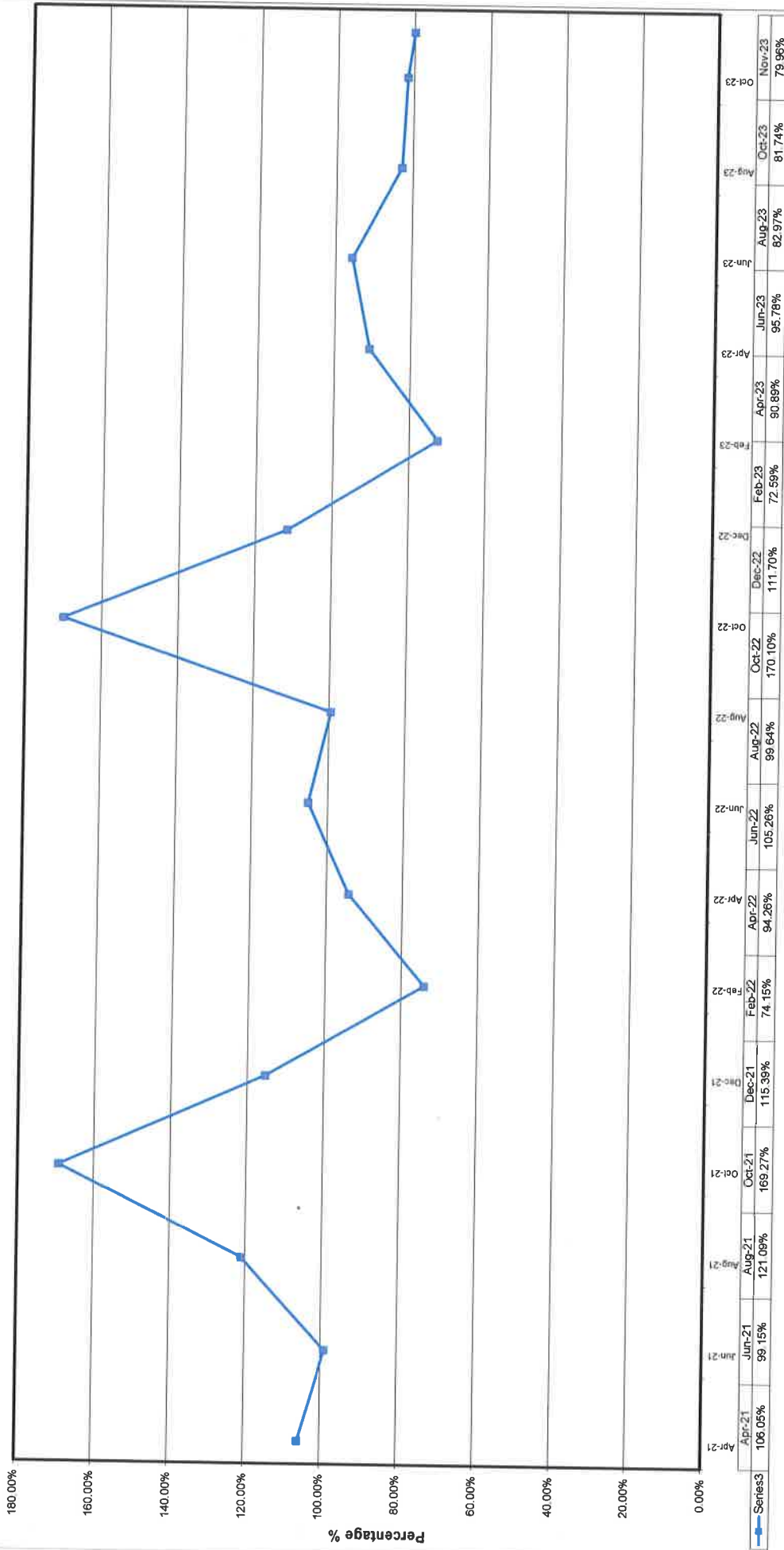


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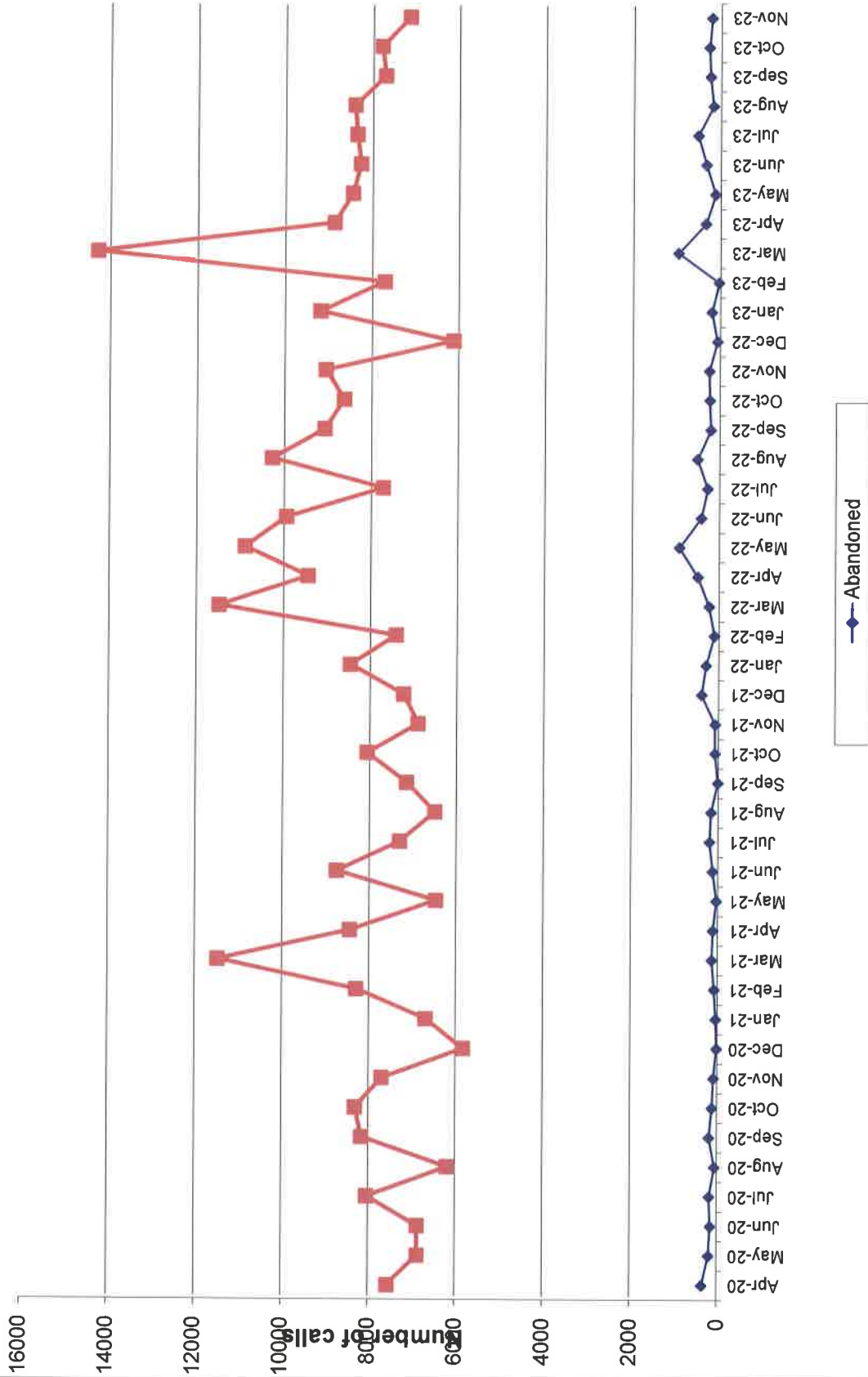
Monthly Error Rate from April 21 - Percentage



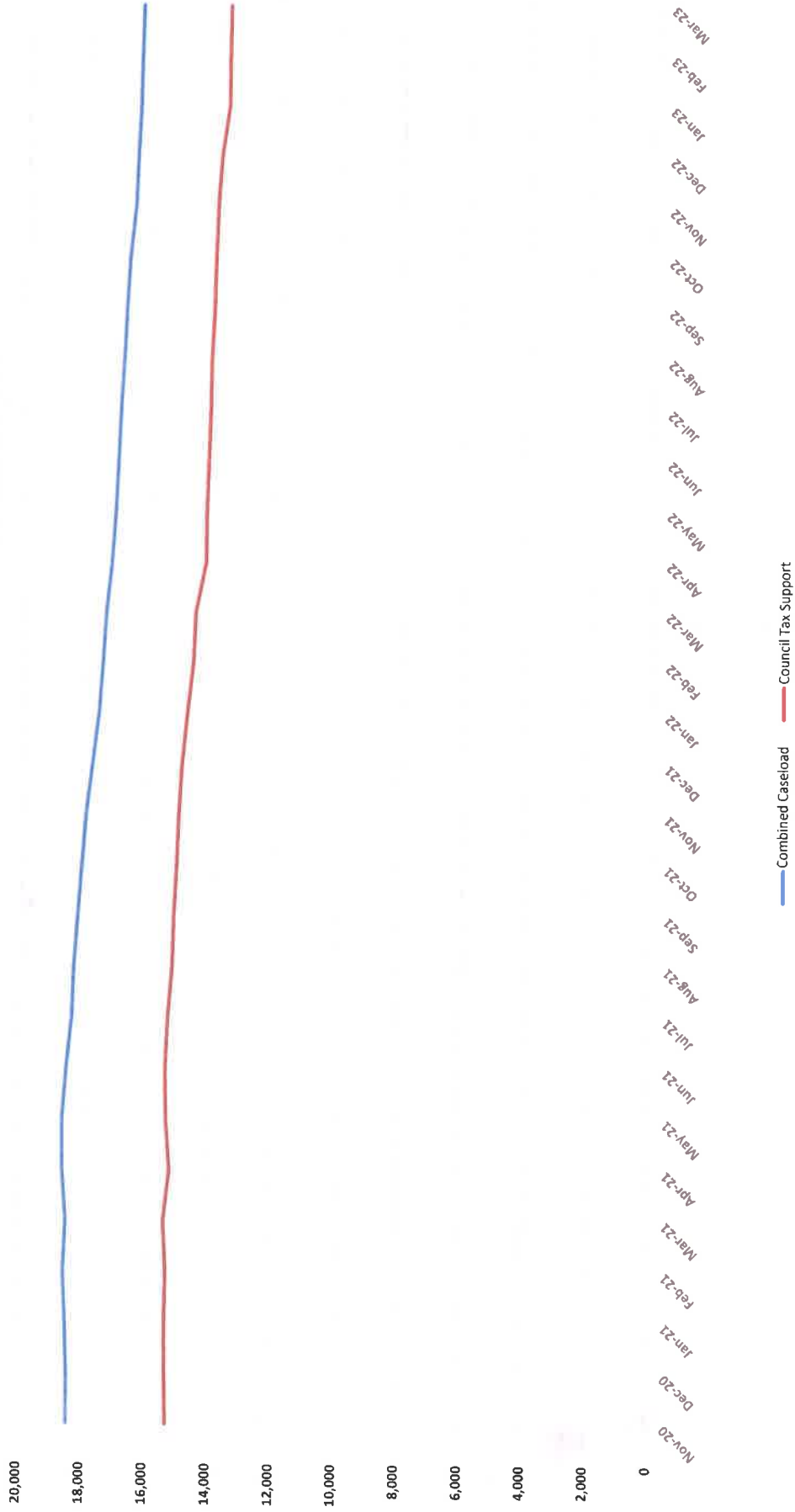
Monthly Overpayment % recovered against that created since April 2021



Revenues and Benefits Call Centre - number of telephone calls received and abandoned from April 2020 to November 2023



Caseload from November 2020 to 31 March 2023



Report No.
FSD24005

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 16 January 2024

Decision Type: Non-Urgent Non-Executive Non-Key

Title: EXCHEQUER SERVICE CONTRACT PERFORMANCE REPORT

Contact Officer: Claudine Douglas-Brown, Assistant Director: Exchequer Services
Tel: 020 8461 7479 E-mail: Claudine.Douglas-Brown@bromley.gov.uk

Chief Officer: Director of Finance

Ward: (All Wards);

1. Reason for decision/report and options

- 1.1 This report provides information regarding Liberata's performance in the provision of Exchequer Services for the period 1st April 2023 to 30th September 2023 with an updated position as at 30th November 2023.
- 1.2 A letter from Bola Odunsi, Liberata's Regional Contract Director, provides an update on each individual service and is attached at Appendix 1 with statistical data relating to the services shown in subsequent appendices.

2. **RECOMMENDATION(S)**

The Committee is requested to note the information contained within the report on Liberata's performance and the action taken to address any performance issues.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
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Transformation Policy

1. Policy Status: Existing Policy
2. Making Bromley Even Better Priority (*delete as appropriate*):

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Exchequer Service – Payment, Income and Charging
 4. Total current budget for this head: £2.25m
 5. Source of funding: General Fund Revenue Budget
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Personnel

1. Number of staff (*current and additional*): 5fte plus Liberata staff
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement Further Details

Public Health (Control of Disease) Act 1984

Late Payment of Commercial Debts (interest) Act 1998

The County Court Act 1984

The Civil Procedure Rules

Environmental Protection Act 1990

Housing Act 2004

The Care Act 2014

The Public Contracts regulations 2015

2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: None
-

Property

1. Summary of Property Implications: None
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: None

Impact on the Local Economy

1. Summary of Local Economy Implications: None
-

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: None
-

Customer Impact

1. Estimated number of users or customers (*current and projected*): The services covered in this report affect those who owe general income to the Council, all the Council's suppliers and all adult social care clients. This amounts to an estimated 40,000 people
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: None

3. COMMENTARY

- 3.1 This report provides information regarding the performance of the Exchequer Services provided by Liberata for the period 1st April 2023 to 30th September 2023 with an updated position as at 30th November 2023.
- 3.2 The Exchequer Client Unit monitor the contractor's compliance against the contract to ensure that services are provided to the required standard, meeting the agreed targets and performance standards. Where there are areas of concern or underperformance, the Assistant Director, Exchequer Services will agree an action plan with Liberata to address these issues. The team also ensures the services comply with current legislation, financial regulations, contractual obligations and audit requirements.
- 3.3 To maintain the drive for improved service performance, monthly service review meetings are held with operational and senior Liberata management. To further illustrate the commitment to the continuous improvement agenda the Contract Director and Finance Service Delivery Director meets with Bromley regularly to deal with escalated issues, review policies and develop new ideas.
- 3.4 The Exchequer Services covered in this report are:-
- Sundry Debtors, Mortgages and Corporate Debt
 - Accounts Payable
 - Financial Assessment and Charging
 - Appointee and Deputyship
- 3.5 Sundry Debtors, Mortgages & Corporate Debt
- 3.5.1 The Sundry Debts performance is measured on the amounts recovered at the end of each reporting period. At the 30th September 2023, there were 5,839 invoices outstanding totalling £17.14m. Although the number of invoices outstanding has increased when compared to September 2022, the level of debt outstanding has reduced by £1.25m.
- 3.5.2 The £17.14m outstanding includes £3.36m (19.61%) which had been outstanding for less than 30 days.
- 3.5.3 As at 30th September 2023, the amount recovered in respect of invoices raised between 1st April 2023 and 30th September 2023 was £15.95m or 66.74%. This is an increase of £4.62m when compared to the same period last year. The collection performance has since increased to 67.51% as at 30th November 2023.
- 3.5.4 However, there were several debts where Liberata were unable to undertake recovery action. A high number and value of invoices were raised during September so were not yet included in the recovery process, £3.36m of which remained outstanding at 30th September 2023. The unrecoverable debts adversely affecting in-year collection are shown in Table 1 below.

Table 1

Description	No. of Invoices	Value of Invoices
Invoices raised during September 2023	700	£3,362,654
Community Infrastructure Levy (CIL) invoices due after the 30th September 2023	12	£1,169,002
Disputed and Escalated debts	173	£1,188,112
Debts placed on hold by LBB Departments	9	£13,897
Debts referred for Write Off	9	£16,853
Debts with LBB's Legal Team	2	£288,409
Total	905	£6,038,927

3.5.5 Table 2 shows the in-year collection rate to reflect Liberata's recovery performance. It has been adjusted to take account of those debts where Liberata could not pursue payment (see Table 1). This gives a revised collection rate of 89.29% as at 30th September 2023 and 90.53% as at 30th November 2023.

Table 2

	As at 30/09/20	As at 30/09/21	As at 30/09/22	As at 30/09/23	As at 30/11/23
Unadjusted Collection Rate	49.70%	70.72%	52.86%	66.74%	67.51%
Adjusted Collection Rate	64.82%	88.69%	63.80%	89.29%	90.53%

3.5.6 **Appendix 2** shows the comparison between the levels of outstanding debt for each month from April to March for the years 2021-22 through to year to date for 2023-24.

3.5.7 **Appendix 3** shows the comparison between the numbers of invoices outstanding each month from April to March for the years 2021-22 through to year to date for 2023-24.

3.5.8 The number of outstanding invoices for 2023 is higher than in previous years. This is due to the increase in the number of invoices issued for residential care charges. Due to the nature of this debt and the vulnerability of the clients, recovery can take longer.

Aged Debt

3.5.9 The out-of-year collection rate across all financial years was 98.91% with over £8.66m collected up to the end of September 2023. The factors which continue to affect out-of-year collection are shown in Table 3 below. Once these were excluded the adjusted collection rate for September 2023 was 99.44% and 99.51% for November 2023

Table 3

Description	Value of Invoices
Disputed and Escalated debts	£1,316,783.57
Debts referred for Write Off & Awaiting Cancellation	£1,512,998.16
Debts placed on hold by LBB Departments	£81,283.14
Debts with LBB's Legal Team	£12,045.93
Debt for CIL invoices (due after 30th September 2023)	£165,345.42
Debts that are in administration	£1,163,895.01
Debts secured by Charging Order	£304,523.99
Total	£4,556,875.22

3.5.10 Table 4 shows the movement in the out-of-year debt for the year 1st April 2023 to 30th September 2023 along with the overall percentage reduction.

Fin Year	30-Sep-23	30-Sep-22	Reduction since 30/09/22
	£,000	£,000	%
Pre 2019	1,735	2,175	20%
2019/20	545	709	23%
2020/21	1,547	2,111	27%
2021/22	1,701	3,397	50%
2022/23	3,695	9,994	63%
Total	9,223	18,386	50%

3.5.11 **Appendix 4** shows the overall recovery position of debts in each financial year up to 30th September 2023.

3.5.12 The debts in dispute or under query with LBB Service Departments remain high at £3.17m however there has been a 15.74% reduction when compared with 30th September 2022.

3.5.13 Liberata continue to work with LBB officers to resolve queries and disputes as quickly as possible so that recovery action can continue. Cases are escalated by Liberata to the Exchequer Client Unit who liaise with senior LBB officers regarding pursuing the debt or writing it off if it is uncollectable.

3.5.14 There continues to be a low volume of county court claims being issued despite the implementation of an online claim process which enables Liberata to submit court claims faster and at a lower cost than under the old paper-based system. The Exchequer Client Unit will continue to monitor the position to ensure that claims are issued in a timely manner as unnecessary delays can increase the risk of non-recovery.

Utilities

3.5.15 Appendix 5 shows a summary of Utility debts as at 30th September 2023.

3.5.16 The total debt outstanding for Utilities as at 30th September 2023 was £395k which was £46k higher than the previous financial year. This was mainly due to almost two thirds of the total debt (£253k) being under 30 days old. The debt outstanding has since reduced to £151k as at 30th November 2023.

3.5.17 Liberata continue to pursue payment and liaise with the Service Department regarding any disputed sums.

Income

3.5.18 The Income Team raised 6,798 sundry invoices (excluding the Trade Refuse service) with a value of £26.08m from 1st April 2023 to 30th September 2023.

- 3.5.19 During the same period, 534 invoices relating to all financial years with a total value of £3.05m were subsequently cancelled. This includes invoices for charges raised in advance where the service was subsequently cancelled or where a business has changed hands.
- 3.5.20 **Appendix 6** shows the value of invoices raised month by month for the period from 1st April 2023 to 30th November 2023 compared to the same periods in the previous two financial years.
- 3.5.21 **Appendix 7** shows the number of invoices raised month by month for the period from 1st April 2023 to 30th November 2023 compared to the same periods in the previous two financial years.
- 3.5.22 The number of invoices raised has been higher than previous years due to the increase in the number of Residential Care invoices being issued following the change during the pandemic to the Council collecting the care charges.

Trade Waste

- 3.5.23 The outstanding debt for Trade Waste was £601k as at 30th September 2023 which was £88k (12.83%) lower than the previous year. The debt has further reduced to £361k as at 30th November 2023.
- 3.5.24 Table 5 provides an analysis of the outstanding debt and compares it to the position as at 30th September 2022.

Table 5

Age Analysis of Trade Balance	As at 30th September 2023	As at 30th September 2022	Variance	
			£	%
Under 30 days old	25,983	3,777	22,206	
Invoices 31-365 days old	450,440	561,155	-110,715	
Invoices over 1 year old	124,233	124,116	117	
Total	600,656	689,048	-88,393	-12.83%
Recovery Status of Trade Balance				
Payment arrangements/Direct Debits	358,564	374,166	-15,602	
Invoices in dispute	23,986	75,313	-51,327	
Awaiting cancellation	3,747	32,915	-29,168	
Awaiting write off	27,302	33,856	-6,554	
Active Recovery	187,057	172,799	14,257	
Total	600,656	689,048	-88,393	-12.83%

Nightly Paid Accommodation Charges

- 3.5.25 The outstanding debt for Nightly Paid Accommodation charges as at 30th September 2023 was £8.89m for current and former tenants. This was an increase of £421k (4.97%) on the previous year's balance and was driven by the ongoing year on year increase in tenant numbers. Table 6 gives a breakdown of the outstanding debt as at 30th September 2022 and 30th September 2023.
- 3.5.26 When tenants are initially placed, they are encouraged to apply for Housing Benefit and where assistance to complete forms is required Liberata refer them to the Support & Resettlement Team in Housing.

- 3.5.27 All correspondence issued to tenants highlights the importance of applying for Housing Benefit and claims are monitored to ensure that where there are any suspended claims these are followed up and discussed with the tenants.
- 3.5.28 It should be noted however that there are more people in temporary accommodation whose income is above the income thresholds for receiving Housing Benefit, also the feedback from recovery officers who liaise with tenants indicates that cost-of-living issues is cited as the reason for non-payment.
- 3.5.29 Issuing statements on a 4-weekly basis continues to form part of the process for current tenants which has increased the level of contact with tenants. A handout was designed by Liberata and is handed out by Housing Officers to all new tenants which includes important information regarding the tenancy, i.e. applying for housing benefit and the payment process. Tenants are also signposted towards advice and financial help via the Council's internal Debt Advice service or external bodies.

Table 6

	As at 30 September 2023	As at 30 September 2022	Variance %
Charges raised for current year and arrears brought forward for previous years	£13,654,166	£13,182,064	3.58%
Payments received from debtors	-£724,032	-£748,570	-3.28%
Housing Benefit awards	-£3,973,775	-£3,953,277	0.52%
Sub total	£8,956,359	£8,480,216	5.61%
Less combined total debts written on/off	-£65,165	-£9,996	551.88%
Total	£8,891,194	£8,470,220	4.97%

- 3.5.30 Table 7 below shows that the number of current and former tenants increased from 3,969 in September 2022 to 4,129 in September 2023.

Table 7

Month/Year	Tenant Numbers			Increase on Prior Year %
	Currents	Formers	Total	
Sep-20	932	2,050	2,982	-
Sep-21	1,159	2,528	3,687	23.64%
Sep-22	1,075	2,894	3,969	7.65%
Sep-23	1,099	3,030	4,129	4.03%

- 3.5.31 Although eviction notice periods returned to pre-COVID lengths from 1st October 2021, the impact of the Coronavirus Act 2020 is still evident; tenants often had larger debts at the start of the eviction process due to recovery action being prevented during the pandemic. This has led to an increase in the debt level for former tenants requiring tracing and/or further recovery action.
- 3.5.32 Former tenants are often difficult to trace, therefore Liberata continue to refer untraceable tenants for a 6-month tracing process. Where tenants are located, appropriate action is taken immediately.

3.5.33 Where Liberata can agree payment arrangements for former tenants they are frequently for very small instalments over long periods of time thereby affecting collection rates. Tenants often have issues with affordability and do not possess the assets needed for successful enforcement of legal action. Where payment arrangements are offered, it is preferable to accept low repayments rather than submitting the debt for write off.

3.5.34 Regular meetings take place between Liberata, the Exchequer Team and Housing to ensure any issues which may impact income collection are addressed at the earliest opportunity.

3.6 Accounts Payable

3.6.1 Under the Public Contracts Regulations 2015 the Council is required to publish prompt payment data showing the percentage of undisputed invoices paid within 30 days.

3.6.2 A performance summary covering the period from 1st April 2023 to 30th September 2023 is shown in the table below. This shows that the percentage of undisputed invoices paid within 30 days was 98%, against a target of 99%. The percentage of invoices paid within 20 days was 96%.

3.6.3 The performance has improved when compared to the same period last year due to the work carried out by Liberata and LBB to address issues caused by the transition to the new financial system and the bedding in of new processes.

3.6.4 Further improvement is expected as we continue to monitor and address the issues which impact the timely processing of invoices such as the prompt receipting of goods and services by LBB officers.

Table 8

Target: 99%	Invoices Over 30	Invoices Under 30	Total	%	Invoices Over 20	Invoices Under 20	Total	%
Manuals	157	10,355	10,512	99%	215	10,297	10,512	98%
I-Proc	320	6,554	6,874	95%	586	6,288	6,874	91%
Social Care	21	4,533	4,554	100%	38	4,516	4,554	99%
Total	498	21,442	21,940	98%	839	21,101	21,940	96%

3.6.5 Table 9 below shows the percentage split in the method of payments to suppliers. The percentage of suppliers paid by BACS from 1st April 2023 to 30th September 2023 was 99%. This is an increase in BACS payments of 1% when compared to the same period last year.

3.6.6 The number of payments made by cheque continues to reduce year on year and officers will continue to work with Liberata to reduce this further.

Table 9

	2023/24				2022/23			
	BACS		Cheque		BACS		Cheque	
	No.	%	No.	%	No.	%	No.	%
April	3,500	98%	58	2%	2,418	97%	71	3%
May	4,181	99%	34	1%	3,404	99%	33	1%
June	3,745	98%	65	2%	3,456	99%	48	1%
July	3,369	99%	44	1%	3,508	98%	70	2%
Aug	4,101	99%	56	1%	3,821	98%	73	2%
Sept	3,459	99%	24	1%	3,293	98%	77	2%
	22,355	99%	281	1%	19,900	98%	372	2%

3.7 Financial Assessment and Charging

- 3.7.1 The Key Performance Indicator figures for the team covering the period from 1st April 2023 to 30th November 2023 are shown in table 10 below.
- 3.7.2 Performance remains stable by using the automated Workflow Manager on the Anite Document Management Systems (DMS). This has continued to support Liberata's ability to achieve the KPI month on month.
- 3.7.3 Since the implementation of the new Financial Assessment system, ContrOCC, in November 2021 Liberata and the Council have worked closely to resolve the majority of the issues that were impacting the service and are continuing to work together to resolve any remaining system issues.
- 3.7.4 However, there is further work to be done to reduce the amount of manual intervention that is required in some of the processes to make them more efficient. Plans for ongoing improvements are in place as part of the recent upgrade to ContrOCC Web.
- 3.7.5 Management continue to use Information@Work DMS for work allocation and managing volumes. This allows for a clear focus on the workload to ensure cases are completed in line with KPI's. Liberata continue to review individual's benchmarks and performance. These benchmarks feed into Liberata's performance management framework and have played a key role in further driving service performance.
- 3.7.6 The Social Care Reforms were delayed until October 2024 due to the current economic crisis. However, Liberata continue to work closely with LBB to improve processes and performance so that we are well placed to resume the work required when the reforms are introduced.
- 3.7.7 Customers continue to use the online facility to complete a financial assessment form, upload evidence and contact the team. The online channel is promoted on all correspondence to customers and their representatives which has resulted in 53% of financial assessment forms being completed online.

Table 10

Indicator	Target	Actual 2020/21	Actual 2021/22	Actual 2022/23	Apr-Sep 23	Oct 23	Nov 23
Complete Financial Assessments within 10 working days	100%	89%	97%	92%	100%	100%	100%
Produce the charging file from ContrOCC monthly	100%	100%	100%	100%	100%	100%	100%

3.8 Appointee and Deputyship

- 3.8.1 The Key Performance Indicator figures for the team, from April 2020 to date are shown in table 11 below which shows the service continues to perform well.
- 3.8.2 The migration to the new Caspar Cloud system offers improved functionalities, supporting the new Deputyship process and legal Court of Protection forms which aids the Appointee & Deputyship team in working effectively.
- 3.8.3 The automation of the bank reconciliations was successfully implemented in July 2023 which has streamlined the bank reconciliation process considerably.

Table 11

Indicator	Target	Actual 2020/21	Actual 2021/22	Actual 2022/23	Apr-Sep 23	Oct 23	Nov 23
Referral of applications to the Panel within 14 working days	100%	100%	100%	100%	100%	100%	100%
Raise invoices within 2 months of the anniversary of the court order	100%	100%	100%	100%	100%	100%	100%

3.9 User/Stakeholder Satisfaction

- 3.9.1 Complaints are used as a tool for improvement, with individual errors seen as an opportunity to put things right not just for the individual complainant but for the wider community.
- 3.9.2 The table below shows the number of complaints received since April 2020 split between justified and unjustified. For the range of services being provided the number of complaints remains relatively low, however an increase did occur during the transition to the new Care Management system.
- 3.9.3 Liberata have work closely with Council colleagues to resolve the issues raised by the complainants and strive to deal with cases with extra care and consideration, taking steps to improve processes based on feedback received, where appropriate. As a result, the number of complaints received during 2023 have reduced.

Table 12

	2020/21	2021/22	2022/23	Apr-Sep 23
Sundry Debtors/Income				
Justified	6	7	19	8
Unjustified	2	3	9	2
Total	8	10	28	10
Accounts Payable				
Justified	-	-	14	1
Unjustified	-	-	3	-
Total	-	-	17	1
Financial Assessment & Management				
Justified	7	13	22	10
Unjustified	6	12	22	6
Total	13	25	44	16
Appointee & Deputyship				
Justified	-	-	-	-
Unjustified	-	-	-	-
Total	-	-	-	-

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The Single Financial Assessment Unit are required to carry out timely and accurate financial assessments so that the adults receiving social care and support are informed as early as possible how much they are required to pay towards their care. When there are delays in completing financial assessments or providing information this can cause distress or anxiety for clients and their families.
- 4.2 The Accounts Payable Team are responsible for making direct payments to vulnerable adults, children with disabilities, foster carers and care homes. Making the correct payments on time ensures there is no impact on vulnerable adults or children.
- 4.3 The Appointee and Deputyship Team provide services to vulnerable adults who lack the capacity to manage their finances. Prompt submission of court and DWP applications ensures that the risk of financial abuse is removed as early as possible.
- 4.4 The Appointee and Deputyship Team also carries out protection of property to prevent or mitigate the loss or damage to property belonging to adults in Bromley who are receiving care and support from the Council or are in hospital and no suitable arrangements have been made.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 One of the "Making Bromley Even Better" ambitions is to manage our resources well, providing value for money, efficient and effective services for Bromley's residents. To achieve this, we will ensure robust contract management with a focus on efficiency and innovation to improve services for Bromley residents.

6. FINANCIAL IMPLICATIONS

- 6.1 The services provided through the Exchequer Services Contract referred to within this report deal with significant financial transactions with examples illustrated below:
- Accounts Payable - £500m per annum
 - Sundry debts (income) - £70m per annum
 - Financial Assessments - £14m per annum
 - Appointee and Deputyship - £3m per annum
- 6.2 The contract costs £2.25m per annum against a revenue budget of £2.44m for 2023/24.
- 6.3 There are no direct financial implications as a consequence of this report, however the report requests members to take note of the performance of Liberata (the contract provider) and agree any actions taken to improve performance.
- 6.4 This service is responsible for significant number of financial transactions (as illustrated above), for which poor performance or management of these duties can be significantly costly to the council and can affect our cashflow, liquidity and ability to meet our liabilities.

7. LEGAL IMPLICATIONS

- 7.1 This report is a contract performance report for Exchequer Services and is submitted in compliance with rule 23 of the Contract Procedure Rules which requires an annual update report to be submitted when the value of the contract is in excess of £1 million.

8. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 8.1 Liberata exclusively uses Ark data centres which are committed to the European Green Deal, achieving the ambitious greenhouse gas reductions of the climate law, and leveraging technology and digitalisation to achieve the goal of making Europe climate neutral by 2050. For the last 7 years, all Ark facilities have been powered by 100% renewable energy. To improve sustainability further Ark has developed innovative direct air evaporative cooling capability that dramatically lowers energy consumption and cost, capable of providing compressor free cooling for 100% of every year.
- 8.2 The MyBromley account software supports 46,177 subscribers to e-billing, reducing paper production and postal service reliance. Officers continue to work with Liberata on projects to increase back-office automation and further reduce paper volumes.
- 8.3 Liberata also supports staff to volunteer for local organisations, such as Age Concern befriending scheme.

9. CUSTOMER IMPACT

- 9.1 The services covered in this report affect those who owe general income to the Council, all of the Council's suppliers and all adult social care clients. This amounts to an estimated 40,000 people.

Non-Applicable Headings:	Personnel implications, Procurement implications, Property Implications, impact on the local economy. Impact on health and wellbeing, Ward councillor views
Background Documents: (Access via Contact Officer)	

Appendix 1

Claudine Douglas-Brown
Assistant Director of Exchequer Services
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley
BR1 3UH

13th December 2023
Our Ref: BO

Dear Claudine,

As we approach the January 2024 Executive, Resources and Contracts Policy Development and Scrutiny Committee where we consider and review the Exchequer service, we take this opportunity to write to you with Liberata's assessment of the performance that we have provided to London Borough of Bromley (LBB) and its citizens.

This summary covers performance for the six-month period up to 30th September 2023.

Debtors and Income

As at the period end of 30th September 2023 our unadjusted collection figure for in-year debt was 66.74%, which was equivalent to £15.95m of cash collected. As always, we have to adjust this headline figure in order to take account of invoices which we were unable to take any active recovery action on. Once these debts have been removed, our adjusted collection rate becomes 89.29% which is ahead of the proposed target of 78% and exceeds our collection for the last 3 years. A summary of the debts that are excluded from the adjusted rate are detailed below:

- Invoices that were less than 30 days old totalled £3.36m.
- Debts which were either in dispute or related to cases where we were awaiting further instructions from the Council equalled £1.49m.
- £1.17m of debt related to Community Infrastructure Levy (CIL) invoices which were raised during the period but were not actually due to be paid until after 30th September 2023.
- There was also a small balance of £0.02m relating to debts that were awaiting write off at the period end.

Liberata is a trading name of Liberata UK Limited

(Registered in England and Wales - No 1238274)

Registered Office: 2nd Floor Front, 60 Cheapside, London, EC2V 6AX

Liberata UK Limited is a subsidiary of Outsourcing UK Limited (Registered in England and Wales – No 10280945)

Registered Office: Floor 9, Peninsular House, 30-36 Monument Street, London, EC3R 8LJ

In Year Collection	30/09/2023	30/09/2022	Variance
	£m	£m	£m
Net Collectable Debt	£23.90	£21.43	£2.47
Amount Collected	£15.95	£11.33	£4.62
Unadjusted Collection Rate	66.74%	52.86%	13.88%

Adjustments to Net Collectable Debt:			
- Invoices less than 30 days old	-£3.36	-£2.73	-£0.63
- Disputed Debts	-£1.19	-£0.55	-£0.64
- CIL Debts	-£1.17	-£0.27	-£0.90
- Charging Orders	£0.00	-£0.09	£0.09
- With LBB	-£0.30	-£0.04	-£0.26
- Awaiting write off	-£0.02	£0.00	-£0.02

Adjusted Net Collectable Debt	£17.86	£17.75	£0.11
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Adjusted Collection Rate	89.29%	63.80%	25.49%
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Our collection rate on out of year debt was 98.91% as at the period end, and this represented £8.66m of cash collected. Once again, the outstanding debt figure includes a number of invoices where we were unable to take any recovery action. If we exclude these debts, then our adjusted collection rate increases to 99.44% for the period. A summary of these excluded debt types is shown below:

- A total of £1.41m of debts were either in dispute or had been placed on hold by Council departments at the period end.
- There were £1.51m of invoices awaiting write-off.
- Debts totalling £1.16m related to organisations that were in administration. The majority of this, £1.12m, relates to a high street retailer.
- £0.30m of debt was secured by charging orders on the debtors' properties.
- Community Infrastructure Levy (CIL) invoices totalling £0.17m related to debts that were not due to be paid until after the period end.

During this period, we implemented a number of process changes with the aim of improving the service that we deliver to residents and the Council. One of these changes was to implement an online claim process for our court claims. This allows us to submit court claims faster and at a lower cost than under the old paper-based system. We also discussed and agreed with the Council to change the way that we calculated our in-year collection rate on sundry debts. Previously we simply divided the amount of money we received by the

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Registered Office: Floor 9, Peninsular House, 30-36 Monument Street, London, EC3R 8LJ

total amount of in year invoices issued which gave a percentage collection rate. However, this ignored the fact that there will always be some delay between an invoice being issued and then being paid. The delay will cover the time taken for the invoice to be received by the debtor, checked and processed, for payment to be made and for the funds to be received in the Councils bank account. As a result, we agreed to amend the method of calculating the recovery rate to exclude outstanding invoices which were less than 30 days old. This now provides a more accurate assessment of our performance.

Accounts Payable

During the period we achieved a total of 98% of invoices paid within 30 days which was down against the target of 99%. This shortfall was mainly caused by delays arising from Council service departments not receipting purchase orders which then prevented the invoices from being paid on time.

In line with previous years, we have continued to drive down the use of cheque payments. As a result, during this period, we paid 99% of suppliers by BACS which was an improvement on the previous period's figure of 98%.

Financial Assessment and Management Team

As at the end of September 2023, we had 854 Residential Care cases and 2,352 Non-Residential Care cases. Liberata has continued to work closely with the Council to improve our current processes and performance so that we will be in the best position to manage any potential increased workloads when, or if, new reforms such as the Care Cap are introduced to Social Care. Skill sets and knowledge continue to increase within the team to provide increased resilience in all areas.

Appointee & Deputyship Team

As at 30th September 2023, the team had a portfolio of 302 clients of which 254 were for Appointeeship and 48 were for Deputyship.

The team use the newly migrated Caspar Cloud system for their case management. They have now utilised the new cloud-based system to automate the bank reconciliation work undertaken by the team. This has resulted in a reduction in the time taken to complete these reconciliations compared to the old manual process.

The team will continue to work effectively in identifying change within Caspar Cloud to improve work tasks and processes. Liberata remains firmly committed to delivering an outstanding service to the London Borough of Bromley and its citizens.

Yours sincerely



Bola Odunsi
Regional Director (London & The Southeast)

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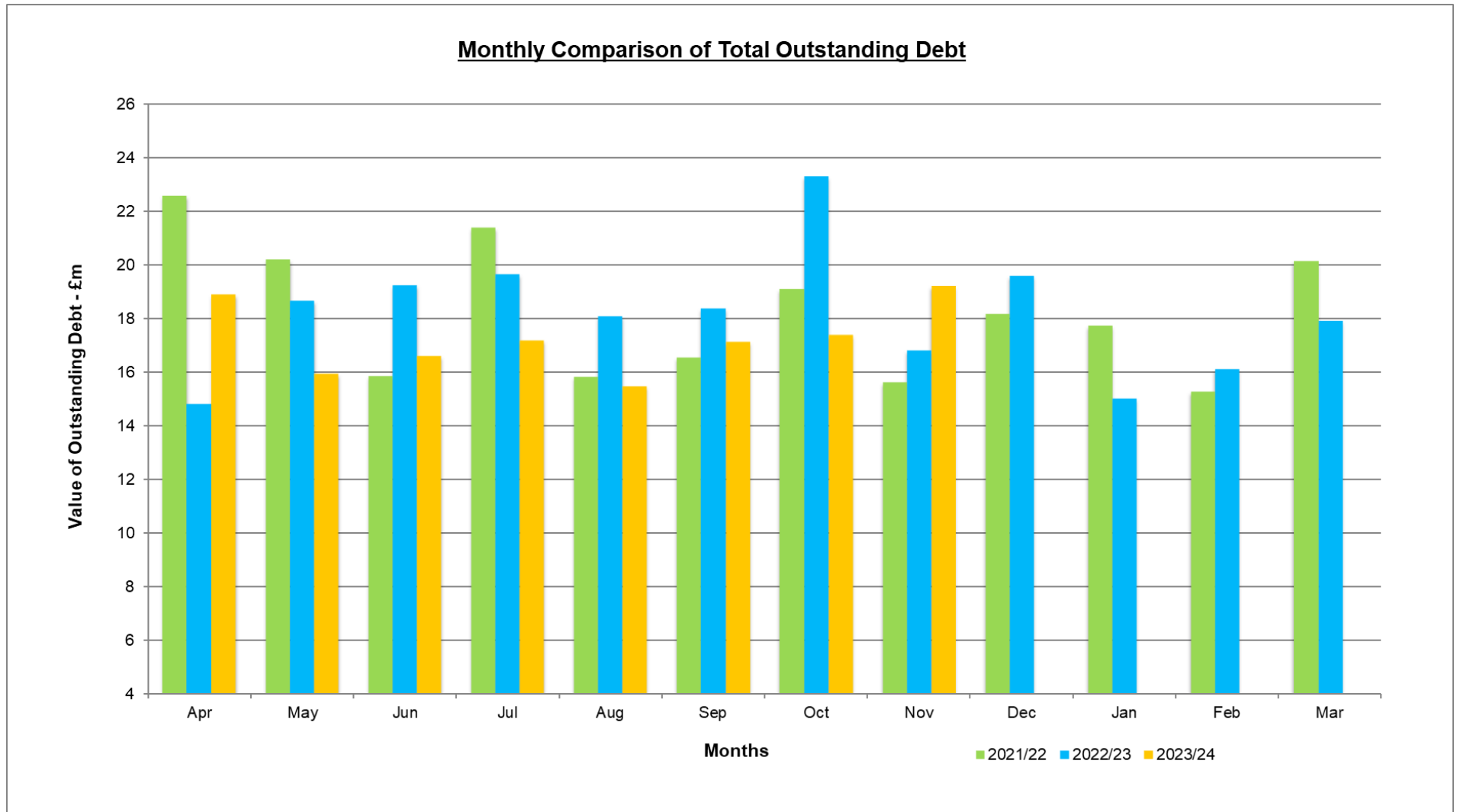
(Registered in England and Wales - No 1238274)

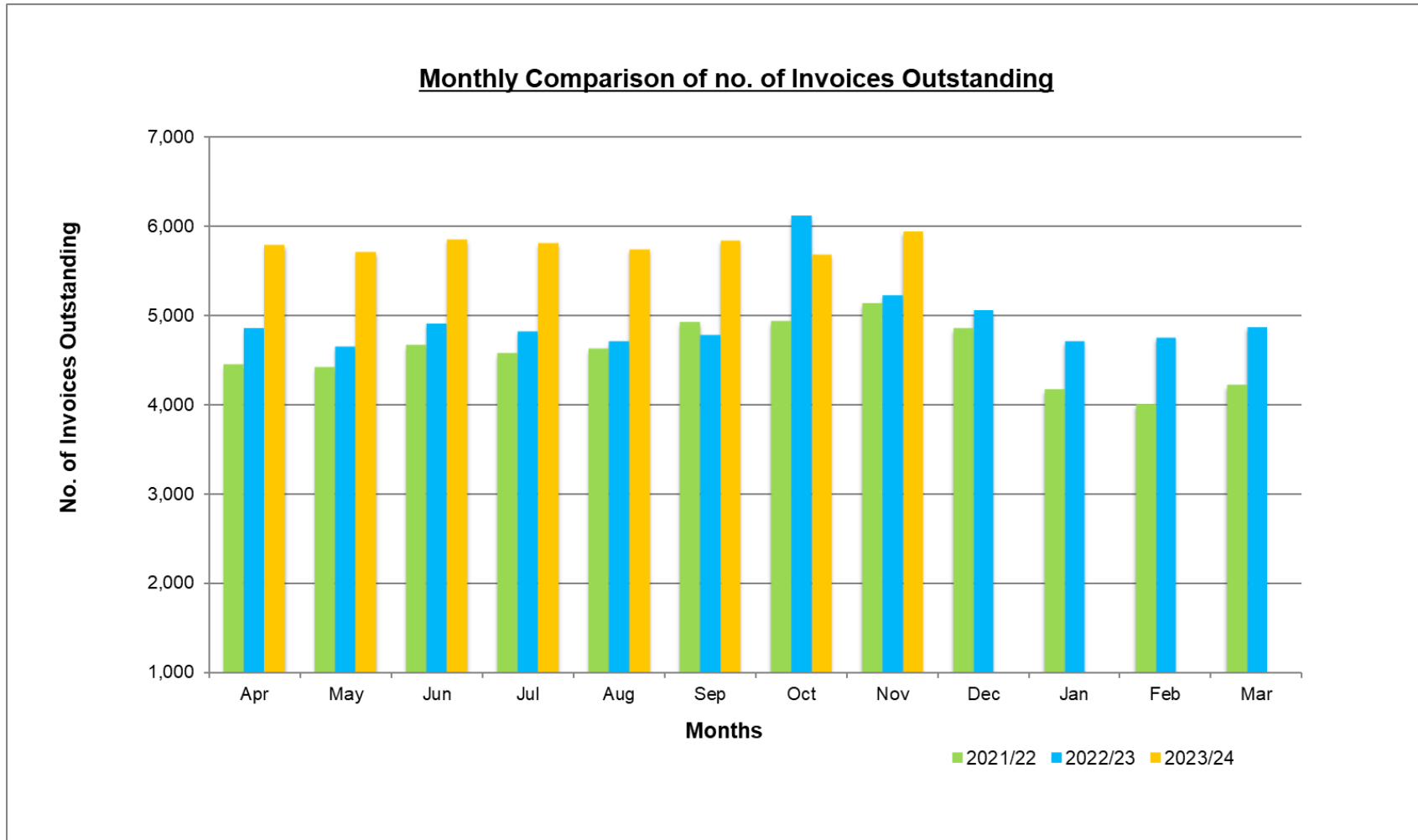
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Overall Recovery position of Debts raised in the financial years as at 30th September 2023

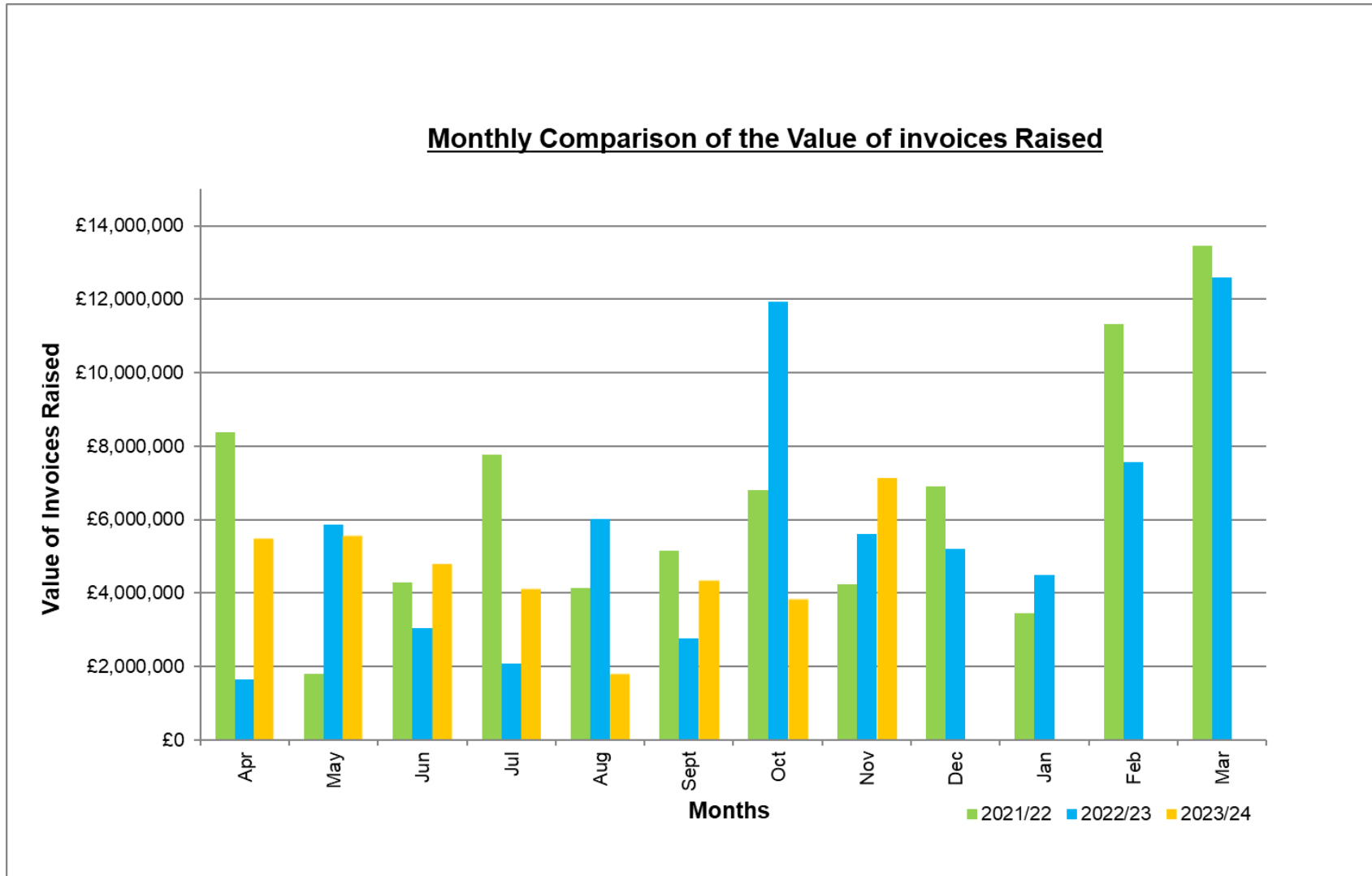
Outstanding balance and Recovery position of debts raised in the years below							
Fin Year in which the original debt was raised	Pre 2019	19-20	20-21	21-22	22-23	23-24	Grand Total
	£000	£000	£000	£000	£000	£000	£000
In reminder letter cycles (no pro-active recovery)						3,438	3,438
Recovery being actively pursued	35	80	85	161	1,126	2,279	3,766
In Recovery, paid by instalments	43	6	9	86	74	298	515
Appointee & Deputyship in place	7		99	36	264	142	548
Deceased Accounts	146	14	195	194	575	161	1,285
Searching for probate		8	19				27
Probate granted (in recovery)	1	16	5	25	68		114
With LBB for Instructions	12	41	9		20	13	94
Pre Debt Collector checks	5	7	8	4	11	6	41
With Debt Collector	67	25	10	12			114
Returned from Debt Collector	3	1	2				6
Court Action (pre-legal action review & application)	116	93	107	61	243	14	635
In Administration (Insolvency)			634	529	1		1,164
Judgement obtained - Enforcement options in review	36						36
Judgement obtained - Charging Order	209			15	80		305
Judgement obtained - Order For Information					10		10
Judgement obtained - Post CCJ Payment Arrangement	11						11
Judgement obtained - High Court Enforcement	15	1					16
Judgement obtained - Third Party Debt Order	1						1
With LBB Legal Dept for instructions	12					288	300
Awaiting cancellation	4	18	3		19	7	52
Recommended for Write Off	961	204	114	115	73	17	1,484
In dispute/under query with LBB Service Departments	51	31	248	462	1,127	1,256	3,175
Premises Licences					3	3	7
Grand Total	1,735	545	1,547	1,701	3,695	7,922	17,145

Age Profile of outstanding Utility Debts as at 30th September 2023

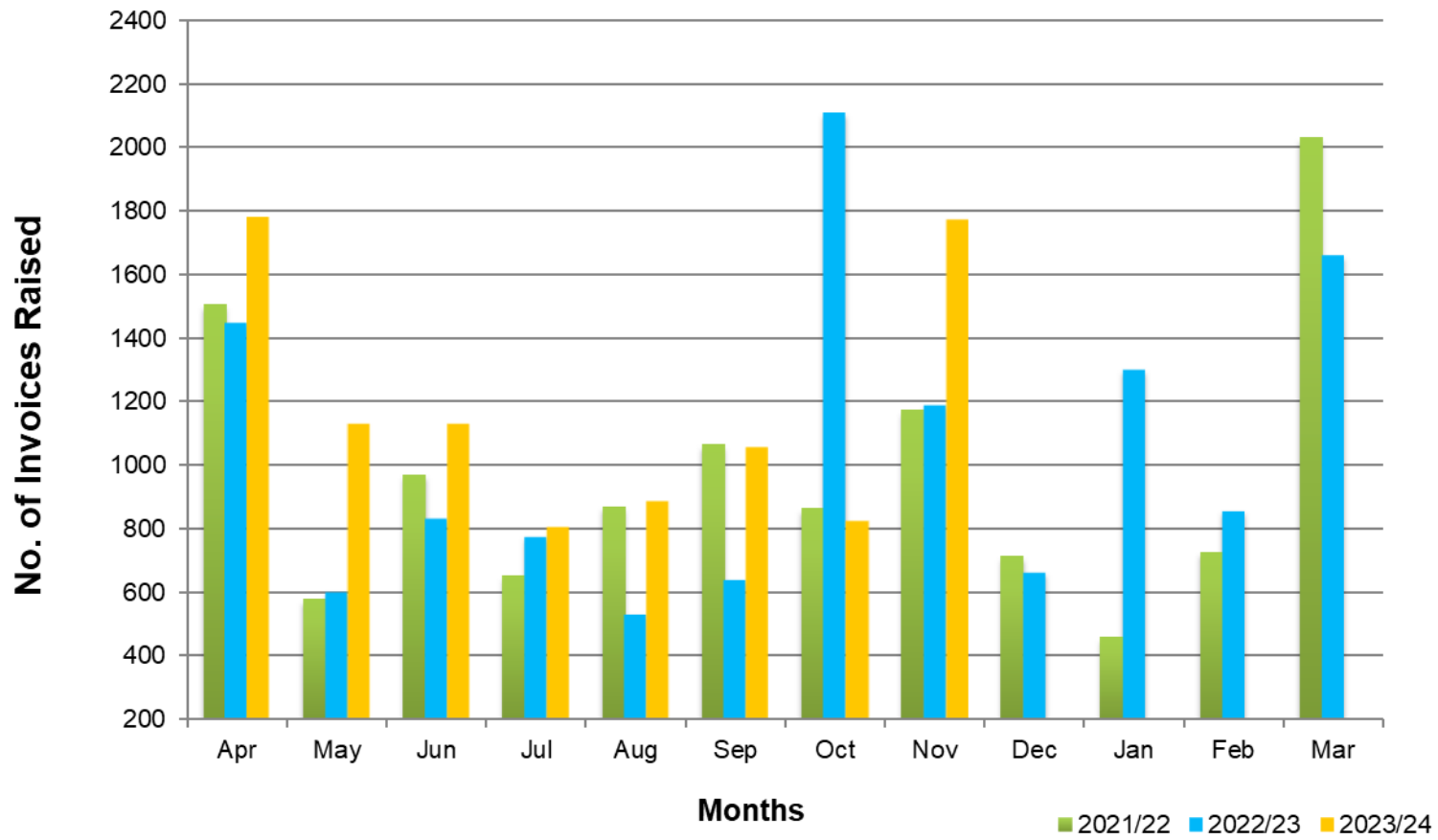
Utility	Pre 2019	2019-20	2020-21	2021-22	2022-23	2023-24	TOTAL BALANCE
Virgin Media	£0	£0	£0	£475	£95	£26,496	£27,066
British Telecom	£0	£0	£0	£0	£0	£0	£0
EDF	£0	£0	£0	£0	£0	£0	£0
UK Power Networks Ltd	£2,413	£0	£0	£0	£0	£11,890	£14,303
SGN PLC	£0	£0	£1,780	£3,360	£0	£9,540	£14,680
Thames Water	£0	£583	£5,985	£0	£1,558	£146,158	£154,283
Other Utilities	£9,717	£0	£8,645	£39,923	£13,153	£113,263	£184,700
TOTAL	£12,130	£583	£16,410	£43,758	£14,806	£307,347	£395,033

Overall Recovery Position of outstanding Utility Debts as at 30th September 2023

Utility	Total under 30 days old	Total over 30 days old	Total outstanding	No. of invoices in dispute	Amount of invoices in dispute	Amount marked for write off
Virgin Media	£25,879	£1,188	£27,066	0	£0	£0
British Telecom	£0	£0	£0	0	£0	£0
EDF	£0	£0	£0	0	£0	£0
UK Power Networks Ltd	£10,210	£4,093	£14,303	0	£0	£2,413
SGN PLC	£5,040	£9,640	£14,680	4	£5,140	£0
Thames Water	£126,408	£27,876	£154,283	3	£6,754	£0
Other Utilities	£85,308	£99,392	£184,700	12	£14,281	£10,909
TOTAL	£252,845	£142,188	£395,033	19	£26,175	£13,322



Monthly Comparison of No. of Invoices Raised



Report No.
CSD24006

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 16 January 2024

Decision Type: Non-Urgent Non-Executive Non-Key

Title: CUSTOMER SERVICES CONTRACT MONITORING REPORT

Contact Officer: Duncan Bridgewater, Assistant Director - Customer Services
Tel: 0208 461 7676 E-mail: Duncan.Bridgewater@bromley.gov.uk

Chief Officer: Director of Human Resources and Customer Services and Public Affairs

Ward: (All Wards);

1. Reason for decision/report and options

This report provides information on the performance of the Customer Service Contract provided by Liberata for the period 1st May 2023 to 30th November 2023.

A letter from Bola Odunsi Regional Director (London & The Southeast) for Liberata, provides his update on each individual element and is attached at Appendix 1.

2. **RECOMMENDATION(S)**

The Committee is requested to note and comment on the information contained within the report and the letter provided by Liberata detailed in Appendix 1.

Impact on Vulnerable Adults and Children

1. Summary of Impact: An Equality Impact Assessment indicates that ongoing support for vulnerable adults and children will be provided by Customer Services by phone and face to face for those unable to access digital services. For those unable to visit or phone us, the service supports the enhancement of self-service options.
-

Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority:

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Customer Service Centre
 4. Total current budget for this head: £1.3m
 5. Source of funding: General Fund Revenue Budget 2023-24
-

Personnel

1. Number of staff (*current and additional*): 1
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: Procurement comments are included in Section 9 of this report
-

Property

1. Summary of Property Implications: None
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: The contractor's initiatives are detailed in section 11 of this report.
-

Impact on the Local Economy

1. Summary of Local Economy Implications: Reception service is a town centre location therefore supports the local economy.
-

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Reception service supports promotion of Health & Wellbeing initiatives by printed publicity and electronic display boards.
-

Customer Impact

1. Estimated number of users or customers (*current and projected*): 2,000 visitors, 350,000 phone calls, 20,000 e-mails and 8 million web visits annually
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1** The Customer Services contract covers four key areas: Corporate Contact Centre, Reception Services, Web Team (Bromley Knowledge) and Blue Badge/Freedom Pass processing. The Corporate Contact Centre deals with telephone enquiries regarding Environmental Services, Electoral, Registrars, Parking, Blue Badges, Disabled Freedom Passes as well as the Switchboard.
- 3.2** The contractor deals with face to face enquiries from main reception, for most areas of the Council with the exception of Registrars and Children Services, who manage their own reception points. North Block reception deals with Housing and Leaving Care Team customers. Liberata are responsible for managing the reception in North Block. Customers are seen by appointment only with exception for emergencies and those that are vulnerable where individual service procedures are in place.
- 3.3** The Web Team (Bromley Knowledge) maintain the corporate website (www.bromley.gov.uk) in terms of its technical functionality, performance and accuracy of the content as provided by service experts, as well as working on the recent software upgrade. Administration of Blue Badge and Discretionary Disabled Freedom Passes applications and renewals is also carried out within the contract.
- 3.4** Overall the contractor has performed well throughout this monitoring period, with some occurrences of under-performance outlined in the report. Volumes of calls fluctuated as a result of the normal seasonal changes. Since the pandemic began there has been a consistent demand in customer contact via the website as customers were asked to use online services instead of traditional contact channels. Many web transactional services remain high over the reporting period with overall traffic to the website remaining increased compared to pre-covid volumes. Contractor performance is reviewed at monthly meetings.
- 3.5** Call Monitoring is completed every month. The contractor provides a sample of call recordings and feedback is given to the contractor at monthly review meetings. Spot checking is also done on a random sample of Blue Badge applications and Bromley Knowledge job requests to ensure they are completed within their key performance indicators.
- 3.6** Reception is an appointment only service, except for emergencies and vulnerable customers. Demand has been stable over the reporting period.

3.7 The top Key Performance Indicators for this contract are listed in the table below; they measure the headline activities within the contract in order that our customers get a quick response and access to our services efficiently and effectively.

	Measure	Definition	Target
1	Call Management	Number of calls answered by the agents within the specified timescales compared to total number of calls received	50% calls answered within 1 minute
2	Call Management	Number of days that the service dropped below 40%	Daily service level does not drop below 40% of call answered within 1 minute
3	Email Management	Number of emails responded to within 5 working days compared to total number of emails received	100% responded to within 5 working days
4	Face to Face Management	Number of customers entering the reception areas must be seen within 5 minutes of their arrival compared to total number of customers, remainder within 15 minutes	80% of customers seen within 5 minutes of arrival
5	Switchboard Management	% of calls bailed to operator or requesting operator	50% calls answered within 1 minute
6	Customer Satisfaction	% of randomly selected customers, across different channels are either satisfied or very satisfied	90%

3.8 Customer Services – Contact Centre: This area performed well in terms of the monthly service level agreement. The monthly service level target answering 50% of calls within 60 seconds was met for all of the months in the reporting period. The contact centre fell below the minimum daily service level of 40% on 5 occasions during the reporting period. Sickness in the team was the main reason, as well as some downtime in July for the Fix My Street reporting system.

Contact Centre Target – 50% within 60 secs	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Answered	9,157	9,736	8,685	8,611	8,173	8,242	8,167
% of calls ans. in 60 secs	63.67%	62.05%	56.97%	73.50%	69.48%	83.35%	71.59%
Average wait time (mm:ss)	01:16	01:20	01:51	00:57	01:11	00:38	01:01
Number of day's service fell below 40%	1	0	3	0	0	1	0

A VoiceBot is being developed to encourage residents to utilise the range of online services available and answer basic enquiries. The contractor will maintain support to our non-digital and vulnerable residents through the existing channels via the contact centre and face to face reception. This has been deployed for the Registration Service. This software is now managing some customer enquiries and providing signposting information. Many enquiries due to the subject and complexity will need to be handled by an advisor. A summary is in the table below of calls handled by the VoiceBot.

Calls offered to the VoiceBot (May - November 2023)	11,013
Number of calls completed by VoiceBot i.e not touched voice channel	2,461
Percentage of calls completed by VoiceBot i.e not touched voice channel	22.3%

This service is also live with Revenues, Benefits and Business Rates Services. The contractor is developing further VoiceBots for the other services within the contract which will go live during the next reporting period.

3.9 Switchboard: Performance was within service level. The majority of calls received through the switchboard are handled via automated technology and the table below shows the volumes requiring manual transfer.

Switchboard Target – 50% within 60 secs	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Answered	4,472	4,326	3,953	4,345	4,266	4,544	3,762
% of calls ans. in 60 secs	90%	87%	91%	93%	84%	95%	89%
Average wait time (mm:ss)	00:17	00:25	00:18	00:13	00:35	00:10	00:20

3.10 Reception: Reception is an appointment only service. Emergencies and vulnerable customers are seen without an appointment.

Main Reception	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Number of customers seen	190	162	139	139	196	161	134
80% within 5 minutes	100%	100%	100%	100%	100%	100%	100%
100% within 15 minutes	100%	100%	100%	100%	100%	100%	100%

The contractor is also responsible for managing the reception in North Block, where Housing and the Leaving Care Team hold appointments.

North Block Reception	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Number of customers seen	253	243	276	230	218	189	149

3.11 E-mail: E-mail handling targets were met for the reporting period.

Emails Target – 80% within 1 day and 100% within 5 days	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Number of emails received	2,810	2,888	2,603	2,453	2,323	2,130	1,944
% emails processed within 1 day	92%	96%	98%	99%	100%	99%	99%
% emails processed within 5 days	100%	100%	100%	100%	100%	100%	100%

3.12 Out of Hours Emergency Call Centre: Following reported underperformance in previous reports, a performance improvement plan was created. Since then, performance has been within service level agreement for the last 10 months.

Out of Hours (Appello) Target – 80% within 30 secs	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Answered	1,213	1,301	1,386	1,468	1,475	1,291	1,641
% of calls ans. in 30 secs	91.89%	88.77%	89.50%	84.24%	84.44%	82.51%	81.41%
Average wait time (mm:ss)	00:42	00:49	00:46	00:56	00:53	01:08	01:05

3.13 Web – Bromley Knowledge: The web team achieved 100% against all targets for updating web content as requested by services during this reporting period. The web team continue to run a rolling programme of content refresh and will engage services when their pages are due for review.

Web site – Target 100%	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Critical updates within 1 working hour	100%	100%	100%	100%	100%	100%	100%
Urgent updates within 1 working day	100%	100%	100%	100%	100%	100%	100%
Important updates within 2 working days	100%	100%	100%	100%	100%	100%	100%
Regular updates within 5 working days	100%	100%	100%	100%	100%	100%	100%

The Contractor has been developing proposals for further development of the corporate website and our digital customer experience. In particular how the ‘My Account’ technology could be utilised to provide a one touch digital access point for customers using on-line services.

As mentioned elsewhere, the website services over 8 million visitors each year, which is a sustained increase since the pandemic, as customer behaviours changed and confidence grew. In tandem, technologies have continued to develop and improve exponentially, and this has led to an expectation that these improvements are reflected in websites with excellent customer experience.

Other developments being considered are broadening the use of personalisation across services, to give customers the facility to opt into information relevant to them, their address or general interest. This could also include pre-filled forms, targeted reminders, geographical map based service information and council updates.

It is expected that the Contractor will finalise their proposals shortly and a full report to Members and Executive is planned for early Spring.

3.14 Blue Badge and Discretionary Freedom Pass: This area underperformed for both Blue Badges and Freedom Passes not achieving service level for 1 and 5 months respectively. This was due to a rise in applications received for Blue Badges averaging more than 50 a month compared with the previous reporting period. There also was an increase in the amount of administrative work which they have had to handle on behalf of the occupational therapists whose team had expanded to meet its own service. This was combined with a member of the team leaving. This meant there was a backlog of applications that built up and the period that applications were with the contractor went beyond agreed service level. Despite these delays the contractor has processes in place where if an urgent case was flagged by phone, these applications are prioritised.

The contractor and client have had regular meetings over the last few months to keep track of progress and plan to get back on track. The team have now secured additional resource to help clear the backlog and aim to get back and remain within service level over the next few months. The meetings will continue between the contractor and client until both are confident the service is running as it should and providing an efficient service for our residents.

The Council aims to process applications within 6-8 weeks of receipt of all requested information. The KPI and contractor performance is measured against the time taken for the activities required of the contractor. Time taken for any face to face assessments or further information requirements are not included in this calculation.

Blue Badges – target 80% within 4 weeks	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Volume	547	411	539	530	519	492	491
% processed within 4 weeks	100%	100%	92%	84%	88%	79%	81%

Freedom Pass – Target 100% within 4 weeks	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Volume	102	91	111	112	112	115	107
% processed within 4 weeks	100%	100%	95%	83%	85%	86%	95%

3.15 MyBromley Account: The table below outlines the volume usage for the services currently available to registered users, and volume of customers registering in this monitoring period. MyBromley Account continues to grow and as of the end of November 2023 the number of registrations had risen to 134,139.

MyBromley registrations	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Volume	1,421	1,229	1,249	1,219	1,221	1,280	1,092
Cumulative Volume	126,981	128,173	129,415	130,607	131,787	133,056	134,139

3.16 Customer Satisfaction: The number of customers surveyed, and responses are outlined below, satisfaction is above target for this service. To increase survey response, the contractor is looking at options to utilise the VoiceBot technology outlined in 3.8.

Customer Satisfaction Target – 90% Customer Satisfaction	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Number of surveys sent	9,171	10,146	10,170	9,444	11,510	10,346	11,593
Number of responses	36	20	27	30	27	31	26
% Customer Satisfaction	100%	100%	100%	93%	97%	99%	100%

3.17 Compliments and Complaints: During this period, 3 customers made contact to thank the staff and the compliments were associated to the service by the Contact Centre team, and Web Team (Bromley Knowledge). Bromley Knowledge received appreciation for their hard work and support when Bromley colleagues had to submit a high number of urgent job requests. The contractor also received 11 complaints for this period. These were mostly associated to the Blue Badge and Freedom Pass service where residents were unhappy with delays and occasions where customers were not happy with the service provided by the Contact Centre team.

Compliments & Complaints	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23
Complaints	2	1	0	2	3	1	2
Compliments	0	0	0	1	0	0	2

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

An Equality Impact Assessment indicates that ongoing support for vulnerable adults and children will be provided by Customer Service by phone and face to face for those unable to access digital services. For those unable to visit or phone us, the service supports the enhancement of self-service options.

5. TRANSFORMATION/POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications resulting from this report, this report provides information on the performance of the Customer Services Contract and requests members to take note of the key KPIs.

6.2 For information the Customer Services contract budget for 2023-24 stands at £1.056m with actual spend to date as of November 2023 of £704k. The forecasted spend for the year is £1.056m, which is in line with the budget allocated with no variation.

7. PERSONNEL IMPLICATIONS

None

8. LEGAL IMPLICATIONS

8.1 This Committee is requested to note and comment on the information contained within this report as to the performance of the Customer Service Contract provided by Liberata for the period 1st May 2023 to 30th November 2023 and also the letter provided by Liberata detailed in Appendix 1 as attached.

8.2 The Council's Constitution, at Part 4 – Rules of Procedure, provides the terms of reference for the Executive, Resources and Contracts Policy Development and Scrutiny Committee as it relates to the Executive and the Resources, Commissioning and Contract Management Portfolio. Under these terms of reference, the services provided by Liberata fall within the remit of this portfolio.

8.3 Contract Procedure Rule 23.2 provides that for all Contracts with a value higher than £500,000, or which are High Risk, an annual report must be submitted to the Portfolio Holder, the responsible Officers having submitted for consideration a formal Gateway Review, covering, as appropriate, the matters identified in the Council's standard Gateway Review, Template for consideration as part of Contract Monitoring/Management requirements.

9. PROCUREMENT IMPLICATIONS

9.1 In line with 23.2 of the Council's Contract Procedure Rules, an annual report must be submitted to the Portfolio Holder for all contracts with a value higher than £500k.

9.2 This report primarily concerns the performance of the Customer Service Contract provided by Liberata. Any procurement arising will be subject to the Council's Contract Procedure Rules and Public Contracts Regulations 2015.

9.3 The Corporate Procurement Team will be consulted on the specifics of any procurement arising.

10. PROPERTY IMPLICATIONS

None

11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

Liberata exclusively uses Ark data centres which are committed to the European Green Deal, achieving the ambitious greenhouse gas reductions of the climate law, and leveraging technology and digitalisation to achieve the goal of making Europe climate neutral by 2050. For the last 7 years, all Ark facilities have been powered by 100% renewable energy. To improve sustainability further Ark has developed innovative direct air evaporative cooling capability that dramatically lowers energy consumption and cost, capable of providing compressor free cooling for 100% of every year.

The My Bromley account software supports 46,177 subscribers to e-billing, reducing paper production and postal service reliance. Officers continue to work with Liberata on projects to increase back-office automation and further reduce paper volumes.

Liberata also supports staff to volunteer for local organisations, such as Age Concern befriending scheme.

12. IMPACT ON THE LOCAL ECONOMY

Reception service is a town centre location therefore supports the local economy.

13. IMPACT ON HEALTH AND WELLBEING

Reception service supports promotion of Health & Wellbeing initiatives by printed publicity and electronic display boards.

14. CUSTOMER IMPACT

Customers Services potentially impacts all residents and visitors in the borough.

15. WARD COUNCILLOR VIEWS

None

Non-Applicable Headings:	5, 7, 10, 15
Background Documents: (Access via Contact Officer)	Appendix 1 – Letter from Liberata (Corporate Customer Services - PDS Letter December 2023)

Duncan Bridgewater
Assistant Director – Customer Services
Chief Executive's Department,
Human Resources, Customer Services & Public Affairs
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley
BR1 3UH

Date: 14th December 2023

Dear Duncan,

As we approach the January Executive & Resources PDS meeting where we consider and review the performance of Corporate Customer Services, we take this opportunity to write to you with Liberata's assessment of the performance of this critical high-profile service that we provide to London Borough of Bromley (LBB) and its citizens.

During this reporting period, the team went live with a VoiceBot for the Bromley Revenues, Benefits and Business Rates Services. This has proved to be successful in managing customer enquiries and providing signposting information. We are now looking to develop additional VoiceBots for the additional Bromley Corporate Services.

This summary covers performance for the 1st May 2023 – 30th November 2023

Customer Services Performance

The Corporate Contact Centre delivered an average service level of calls being answered within 60 seconds of 68.66% against a target of 50% for this reporting period. There were 5 days when the service level dipped below 40%.

Call volumes were 60,771 for this reporting period which was an increase in comparison to the same period in 2022 which was 58,117.

During this period, the average service level for the switchboard was 89.86% against the target of 50% answered within 60 seconds. Call volumes totalled 29,668 for the reporting period which was a reduction to the same 7-month period in 2022 of 37,359 calls.

Service for the out of hours has been consistent for this reporting period. The out of hours team has achieved the required service levels for 10 consecutive months. Monthly service review meetings have been completed with the out of hours to ensure delivery is maintained.

Liberata is a trading name of Liberata UK Limited

(Registered in England and Wales - No 1238274)

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The Customer Services front facing team continued to operate an appointment only service, but vulnerable customers who presented without an appointment were seen. During this reporting period, the team saw 1,121 customers in comparison to 1,373 for the same period in 2022.

Website Performance

The performance of the website continues to remain strong and the team have managed to achieve 100% for all 4 of their main KPI's. These include;

- Critical updates completed within 1 hour (100%)
- Urgent updates completed within 1 working day (100%)
- Important updates completed within 2 working days (100%)
- Regular updates completed within 5 working days (100%)

Over the last reporting period the Bromley Knowledge team have continued to deliver an exemplar service on behalf of the London Borough of Bromley. The team have been continuing to work on reviewing the number of PDF documents on the website and working with the relevant service areas to convert PDFs to web content and develop online forms where possible.

The implementation of the new website platform last year provides additional functionality which is now being reviewed to enhance and expand the capability of the website further. These enhancements will improve the customer experience when visiting the website as well as ensuring our vulnerable customers have access to the services and information they require. We are currently waiting for a detailed programme of work to be supplied from our IT partner. Once received we will submit the report to be ratified by the relevant stakeholders.

MyBromley Account Developments

MyBromley Account registrations as at the end of April 2023 were 125,715. The number of new registrations during this period equated to 8,711 from May 2023 to November 2023.

Performance

Liberata remains firmly committed to delivering an outstanding service to the London Borough of Bromley and its citizens. We have increased our engagement in the various forums to ensure that the Council remains at the forefront of Digital engagement amongst its peers.

Yours sincerely,



Bola Odunsi
Regional Director (London & The South East)

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