

**SCRUTINY PANEL - STRATEGY AND POLICY IMPLEMENTATION –
12 January 2005**

AGENDA ITEM No. **1**

Motherwell, 12 January 2005 at 10 am.

A Meeting of the **SCRUTINY PANEL - STRATEGY AND POLICY IMPLEMENTATION**

PRESENT

Councillor Hogg, Convener; Councillor Love, Vice-Convener; Councillors Cefferty, Gordon, Jones, J. McGuigan, McKeown, J. Martin, M. Murray and Saunders.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

Alastair Ashley, Committee Services Manager and Paul Corrigan, Solicitor, Department of Administration; Sandie MacKay, Community Regeneration Manager, Chief Executive's Office; Rob Stuart, External Funding Co-ordinator, Community Services Department; David Roderick, Trading Standards Manager and Kirsten Sams, European Manager, Department of Planning and Environment and Mary Fagan, Head of Social Work Services and David Carver, Service Co-ordinator (LACC), Department of Social Work.

APOLOGIES

Councillors Burns, Cassidy, Curran, McCabe and Valentine.

SCRUTINY PANEL - STRATEGY AND POLICY IMPLEMENTATION - MINUTE

1. There was submitted the Minute of the meeting of the Scrutiny Panel - Strategy and Policy Implementation held on 27 October 2004.

Councillor Hogg, Convener, referred to item 4 of the Minute in relation to the Review Group on Rent Arrears, Homelessness and Evictions Policy and referred to a number of issues which were outstanding in relation to the recommendations of the Group and requested that a further report be submitted to a future meeting of the Panel.

Decided:

- (1) that the Director of Housing and Property Services submit a further report to a future meeting of the Panel on the implementation of the recommendations of the Review Group, and
- (2) that the Minute of the meeting of the Panel held on 27 October 2004 be otherwise noted.

REVIEW GROUP ON INFORMATION AND ADVICE SERVICES

2. With reference to paragraph 2 of the Minute of the meeting of this Panel held on 27 October 2004 when the progress of the Review of Information and Advice Services in North Lanarkshire was noted, there was submitted a report dated 6 January 2004 by the Chief Executive regarding the progress of the Review of Information and Advice Services in North Lanarkshire.

Decided: that the progress of the review of the Provision of Information and Advice Services in North Lanarkshire be noted.

**SCRUTINY PANEL - STRATEGY AND POLICY IMPLEMENTATION –
12 January 2005**

DATA PROTECTION ACT

(1) SUMMARY OF THE DATA PROTECTION ISSUES ASSOCIATED WITH INFORMATION SHARING BETWEEN THE HOUSING ARREARS AND FINANCE COUNCIL TAX SYSTEMS

3. With reference to paragraph 4 of the Minute of the meeting of this Panel held on 27 October 2004 when, inter alia, it was agreed that a report be submitted to the next meeting of the Panel on the data protection issues affecting the sharing of information between the Housing and Property Services Department IT systems and the Finance Department IT systems, there was submitted a report (docketed) dated 5 January 2005 by the Head of IT Services (1) intimating that the Data Protection Act 1998 gives legally enforceable rights to individuals and places an obligation on the organisation who control and handle the processing of personal data; (2) intimating that for data sharing purposes it is necessary for individuals to be aware that the processing is taking place and they have to provide their consent; (3) indicating that the Local Government Finance Act 1992 does not allow personal data held for Council Tax purposes to be used as a resource for any other Local Authority purposes even with the individual's consent, and (4) advising that whilst strict interpretation of the Act prevents Council Tax information for being used for other purposes the Council may wish to explore extending its use as an information source in controlled areas of processing that would ensure and guarantee compliance with the data protection principles.

Decided: that the terms of the report be noted.

(2) SHARING OF INFORMATION BETWEEN THE DEPARTMENT OF HOUSING AND PROPERTY SERVICES AND DEPARTMENT OF FINANCE

4. With reference to paragraph 4 of the Minute of the meeting of this Panel held on 27 October 2004 when, inter alia, it was agreed that the Head of Legal Services provide a report to the next meeting of the Panel on the data protection issues affecting the sharing of information between the Housing and Property Services Department IT systems and the Finance Department IT systems, there was submitted a report (docketed) dated 5 January 2005 by the Head of Legal Services setting out the issues surrounding the sharing of information between the Department of Housing and Property Services' rent arrears database and the Department of Finance's Council Tax database (1) intimating that Council Tax legislation states that information obtained for collection of Council Tax cannot be used for any other purpose; (2) advising that the sharing of information between rent arrears and housing benefits IT systems would generally be lawful as the information is for a similar purpose, and (3) indicating that the Benefits Agency are reluctant to share information about individuals with local authorities.

In response to a number of questions from Members of the Panel, Paul Corrigan, Solicitor,

- intimated that there was no legal basis for using information held within the Council's Council Tax database for any other purposes other than of Child Protection matters, and
- it would require a change of legislation for the Council to use information contained within the Council Tax budget to assist with the recovery of rent arrears.

Decided: that the Head of Legal Services prepare a report for a future meeting of the Panel seeking a change to relevant legislation affecting the sharing of information between the Department of Finance in respect of Council Tax information, the Benefits Agency and the Department of Housing and Property Services in respect of rent arrears

**SCRUTINY PANEL - STRATEGY AND POLICY IMPLEMENTATION –
12 January 2005**

The Convener exercised his discretion to vary the order of business as hereinafter Minuted.

REVIEW GROUP ON RENT ARREARS, HOMELESSNESS AND EVICTIONS POLICY

(1) UPDATE ON RECOMMENDATIONS IN RESPECT OF THE COUNCIL'S MONEY ADVICE SERVICE

5. With reference to paragraph 3 of the Minute of the meeting of this Panel held on 19 May 2004 when, *inter alia*, the recommendations of the Review Group on Rent Arrears, Homelessness and Evictions Policy were approved and remitted to the Policy and Resources Committee for consideration, there was submitted a report by the Director of Planning and Environment providing an update on the implementation of the recommendations of the Review Group relating to the Council's Money Advice Service (1) intimating that a new service level agreement was in the process of being negotiated with the Citizens Advice Bureaux for a three year period from 2005-2008 and the opportunity would be taken to incorporate the required provision relating to the services for Council tenants; (2) advising that a number of presentations had been provided by debt counselling staff to staff in Area Housing Offices in order to ensure that referral of tenants to Money Advice Services were made in appropriate rent arrears cases and a specific leaflet on money advice had been produced for Council tenants; (3) indicating that the number of referrals by Housing staff to the Money Advice Service had increased from 58 in 2001/2002 to 226 in 2003/2004; (4) informing that the amount of housing related debt had increased from £71,411 in 2001/2002 to £674,910 in 2003/2004, and (5) intimating that the Council's Review Group on Advice and Information Services was looking at the extent and availability of financial advice services throughout North Lanarkshire provided by statutory and independent sector providers.

Decided: that the terms of the presentation be noted.

(2) REVIEW OF THROUGH-CARE AND AFTERCARE SERVICE

6. With reference to paragraph 3 of the Minute of the meeting of this Panel held on 19 May 2004 when, *inter alia*, the recommendations of the Review Group on Rent Arrears, Homelessness and Evictions Policy were approved and remitted to the Policy and Resources Committee for consideration, there was submitted a report (docketed) dated 30 December 2004 by the Director of Social Work regarding the implementation of the recommendations of the Review Group on Rent Arrears, Homelessness and Evictions Policy in respect of the Review of Throughcare and Aftercare Services (1) indicating that central to the delivery of Throughcare Services was a pathway assessment and planning that considered care leavers need under seven headings: Family, Accommodation, Health, Finance, Education and Employment, Justice and Lifestyle; (2) intimating that the Regulation of Care Act stipulates that young people cannot leave care without a pathway plan and that since 1 April 2004 that target had been met by the Council (3) indicating that the Council's preferred strategy for young people leaving care was that they should be afforded the most secure form of tenancy available and that this model of housing support was being outlined in detail in the joint Social Work and Housing and Property Services protocol which would be considered and presented to the Children's Services Strategy Group for consideration; (4) providing details of the Muirhead Project, Sustayn Project and Supported Carers Project which provide support to young people leaving care, and (5) detailing the main areas which will shape the action plan for the Throughcare Services in 2005.

Decided: that the terms of the report be noted.

**SCRUTINY PANEL - STRATEGY AND POLICY IMPLEMENTATION –
12 January 2005**

THE DEVELOPMENT OF EXTERNAL FUNDING OPPORTUNITIES

7. There was submitted a report (docketed) dated 6 January 2005 by the Chief Executive outlining the work undertaken to provide opportunities to plan and deliver improvements and to ensure that the Council reaches its full potential and maximises external funding opportunities from various sources.

Thereon, Sandie MacKay, Community Regeneration Manager advised that:-

- there were a number of reasons why the Council was not always successful in accessing external funding, some of which were lack of co-ordination across Council Departments, lack of available match funding and lack of a strategic framework;
- in order to maximise funding the Council established an External Funding Group (EFG) to plan and deliver improvements to ensure the Council maximises its full potential for external funding opportunities;
- the EFG had developed a strategic framework for all external funding and co-ordinated bids to ensure evaluation against corporate priorities;
- as part of its budgetary process the Council created a match funding budget for 2004/2005 with a capital budget contribution of £1,375,000 and revenue funding of £663,000;
- a European team was established in the Council's Planning and Environment Department which has three members of staff and there is one officer based within the Community Services Department with responsibility for external funding;
- the performance in accessing European funding had substantially improved since the establishment of the European Funding Team;
- in order to improve staff understanding of external funding the EFG has developed a training and development programme that allows officers involved in all aspects of external funding to develop skills on project management and application writing;
- the Council was considering a number of staff changes in order to maximise funding potential within the Community Services, Housing and Property Services and Planning and Environment Departments;
- the total funding secured by the Council since the inception of the EFG was:-

£

2001/2002	12,134,751
2002/2003	19,050,434
2003/2004	13,773,966
2004/2005	decision awaited

- whilst the Council performance has improved considerably there is still a significant gap between the amount of funding secured by the Council and other Local Authorities in the West of Scotland, and
- the Council were considering a number of measures to improve the amount of funding secured by the Council.

**SCRUTINY PANEL - STRATEGY AND POLICY IMPLEMENTATION –
12 January 2005**

In response to a number of questions from members of the Panel, Sandie MacKay, Kirsten Sams and Rob Stuart advised that:-

- the new IT system J4B was more user friendly and would assist organisations and individuals who were applying to funding:-
- presentations would be provided to community voluntary sector organisations on the new system;
- training could also be provided to Elected Members if required, and
- at the moment there was no Elected Member involvement in the External Funding Group.

Decided:

- (1) that the terms of the report be noted.
- (2) that the Chief Executive prepare a report for a future meeting of the Panel setting out options for Elected Member involvement within the European Funding Group, and
- (3) that the Chief Executive prepare a report for a future meeting of the Panel on the options for assisting Community Groups to secure external funding.