



Notice of Non-key Executive Decision

Subject Heading:	Outcome of the Consultation on proposed changes to the Community Warden Service
Cabinet Member:	Councillor Joshua Chapman
SLT Lead:	Barry Francis, Director for Neighbourhoods
Report Author and contact details:	Dipti Patel Assistant Director Environment Dipti.patel@havering.gov.uk
Policy context:	The delivery of the proposed restructure of the Enforcement services within Neighbourhoods to create an integrated Enforcement and Safety service for Havering
Financial summary:	The financial implications are in line with the Approval and Implementation of Organisational Restructure 2019 report and Addendum Report 2019.
Relevant OSC:	Crime and Disorder Overview and Scrutiny
Is this decision exempt from being called-in?	Yes It is a non-key decision by a Cabinet Lead Member

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering

[x]
[x]

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Recommendations

That the Cabinet Lead Member for Housing agrees the outcome of consultation findings report on the proposed changes to the Community Warden Service;

Background

A review of all enforcement commenced in early 2017, with the creation of the Environment Group within Neighbourhoods, bringing together the majority of front facing public realm and enforcement based services, including management of Housing funded services: the Community Wardens, CCTV Control Room and anti-social behaviour Housing officers. The Council's approach to enforcement has been fragmented and inconsistent, emerging as a critical priority for both Councillors and local communities, particularly in terms of protecting the street scene, tackling anti-social behaviour (ASB), organised criminal activity associated with traveller incursions, and all aspects of environmental nuisance and noise.

The Enforcement and Safety Group was required to reduce its revenue budget by £0.329m (17% of salary budget) as part of Medium Term Financial Strategy savings and the restructure proposals were critical to delivery of £0.079m in Community safety and £0.25m in CCTV, whilst seeking to improve quality of service and maintaining 24/7 CCTV coverage.

The Council's ability to co-ordinate and direct enforcement resource is challenging with a limited number of officers that possess the appropriate enforcement capabilities and competencies. Hence the review of all enforcement and area based officer resource was essential to introduce and adopt a One-Council Approach for Havering that is both consistent, efficient and effective. The proposed enforcement model will result in the creation of a generic enforcement team and a tactical enforcement team. A strategic intelligence /policy team would support this with the inclusion of the community safety service. Thus enhancing the strategic policy and intelligence led approach, enabling resources to be re-prioritised and targeted to help drive down demand.

The Enforcement and Safety Model will:

- i. prioritise and allocate resources to tackle issues that need an immediate response, gather intelligence on offenders and take positive, relevant action, be agile and responsive to emerging issues, seeking compliance/resolution and then move on whilst monitoring to prevent reoccurrence.
- ii. Improve the quality of the competency base for the officers to ensure the right legislative 'tools' are used proportionately to promote acceptable

- behaviour in public realm areas whilst tackling the minority who have no respect for their local environment.
- iii. Enable 'upskilling' of staff to raise the competency level and standardise the enforcement response without losing the balance between education/encouragement and robust enforcement action where needed.
 - iv. Maximise the availability/ flexibility of officers within the available budget and deliver services when and where they are needed.
 - v. Ensure a 'level playing field' for residents and business to enable compliance with relevant legislation, providing support, advice and education to minimise the need for enforcement.
 - vi. Establish strong cross service working with other key stakeholders i.e. Police and enforcement services within the Council to ensure efficiency is maximised. I.e. tasks are completed by appropriately graded staff, supporting, assisting and sharing intelligence and information to reduce borough visits and maximising the hours of service provision

The new Enforcement and safety Model is attached at **Appendix C**.

Through the seamless deployment of Enforcement Officers across both the councils housing stock and the wider public realm the council will be able to ensure a more flexible and responsive service.

The Service Level Agreement will ensure a minimum service provision to housing estates which will deliver a significant uplift in patrolling hours – a 60% increase in the annual baseline patrol hours currently provided by the Community Warden Service with the added value of an enforcement capability to directly tackle public nuisance and environmental crime offences.

The enhanced level of Enforcement and Safety services to all Havering's tenants and leaseholders will consist of a tiered service approach in line with ASB Housing and Met Police ASB call demand data. The operational commitment to be delivered primarily by the Area-Based Enforcement Teams, with support from the Daytime and Tactical Enforcement Teams will comprise the following frequency of patrol:

Priority 1 - 5 days patrol per week;

Priority 2 - weekly patrol;

Priority 3 – monthly patrol.

The Operational Deployment Plan is attached at **Appendix D**.

Enforcement and Safety Review – Consultation Outcomes

The formal consultation on the Enforcement and Safety Review proposals with staff and Union representatives concluded on 31st May 2019.

The Trade Unions (Unison, GMB & Unite) raised a number of general concerns from their members which were addressed these included specific concerns around the job profiles, patterns of work and the changes impacted up to housing funded roles however a formal dispute was lodged concerning a perceived lack of meaningful consultation with tenants and leaseholders on which the Council sought legal advice. The management response taking on

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board legal advice it would be appropriate to engage tenants and leaseholders in a formal consultation process (even though not a statutory requirement). This was presented and discussed at the Housing Participation Panel in July 2019.

The Consultation commenced on the 4th and 31st October 2019, co-ordinated by the Housing Engagement Team which involved:

- over **11,500** letters sent to Council tenants and leaseholders;
- all **54** borough elected members supplied with consultation information;
- **3** face-to-face consultation events held covering the North, Centre and South of the borough;
- presentations delivered to **3** housing community panels;
- social media campaign via Twitter comprising **16** online posts and engagement reach of around **5300** recipients;
- Living in Havering e-newsletter features with mailing list of **55,759**; poster campaign incorporating general housing, sheltered housing and library sites;
- Article in "At The Heart" print newsletter.

A summary report is attached at **Appendix A and Appendix B**.

Highlights from the Summary of Consultation Findings

- **84** Tenants & Leaseholders and **144** non-housing respondents completed surveys. *NB* only housing residents' responses were taken into account for the purpose of the consultation findings;
- the analysis of consultation findings is attached at **Appendix B**, the responses received were overwhelmingly in favour of the proposals to transform the Enforcement and Safety service (**69%**);
- notable highest approval ratings were for proposals to :
- increase visible enforcement patrolling presence across the borough (**79%**);
- train and empower officers to undertake additional duties (e.g. taking direct action in response to ASB issues);
- agree they would be more confident reporting crime or ASB in their local area (**64%**);
- agree the proposals would have a positive impact on their local area (**60%**).

The outcome of the consultation was presented to the Housing Demand and Tenancy Sustainment Panel meeting held on 12th November and agreed by the membership.

The Organisational Change Addendum Report for the Enforcement and Safety Review proposals was subsequently agreed on 20th December 2019 and shared with all staff affected and Trade Unions.

The draft operational deployment plan for the Environmental and Tactical Enforcement Teams is shown in Appendix D and further iterations will be based

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on ensuring successful delivery of services to tenants. Service Level Agreements are due to be finalised with Housing Services to ensure openness and transparency around service delivery. These will be managed in partnership. The respective Cabinet Lead Members for Housing and Community Safety will be briefed on performance through their portfolio holder meetings and the Crime and Disorder Overview and Scrutiny Committee will also receive periodic SLA performance updates.

AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution, Part 3, Section 2.5 (i) and (j) – functions delegated to individual Cabinet Member

(i) To review customer satisfaction, results of consultation with stakeholders and the efficiency of service provision generally and to agree arrangements for continuous improvements to be made.

(j) To consider and recommend plans in respect of the portfolio allocated.

STATEMENT OF THE REASONS FOR THE DECISION

To progress the implementation of the Enforcement and Safety restructure and fully deliver Medium Term Financial strategy savings of £0.329m. The outcome results of the Housing tenant & leaseholder consultation undertaken in October 2019, are attached at Appendix A and B. The results will be published on the Council website in due course.

OTHER OPTIONS CONSIDERED AND REJECTED

No alternatives to the Enforcement and Safety Review proposals were proposed as part of organisation change consultation process with employees and Trade Unions, or subsequently through the formal consultation with Housing tenants and leaseholders.

Whilst it was the view of the Crime & Disorder Committee that it had not received assurances regarding the operational deployment of the enforcement officers and that leaseholders interests had been safeguarded, there were no alternative proposals submitted.

PRE-DECISION CONSULTATION

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Discussion have taken place between Housing and Neighbourhoods management on progressing the programme and implementation of the proposed structure. In addition with relevant business partners for Finance, Legal and HR.

The Crime & Disorder Committee met on 27 February to review the consultation findings following a councillor call for action. The committee concluded that had not received assurances that leaseholders interests would be safeguarded under new enforcement model if the warden service was removed. Furthermore, members of the committee considered there was insufficient detail regarding the operational deployment of the enforcement officers, and comparison with deployment patterns under the community warden model. The committee agreed to monitor the situation and requested that officers attend future meetings of the committee to provide Members with details of the operational deployment of the enforcement officers.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Dipti Patel

Designation: Assistant Director Environment

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. The decision can be made as a non-key executive decision of the lead Cabinet Member for Housing pursuant to 2.5(i) and (j) of the Constitution.
2. The Council has various statutory enforcement obligations and pursuant section 218A Housing Act 1996 must have a policy and strategy dealing with Anti Social Behaviour. How those enforcement and anti social behaviour services are delivered are operational and at the discretion of the Council.
3. With regard to the changes to the Community Warden Service and changes to roles, it is understood that this has been done in accordance with the Council's Organisational Change and Redundancy Policy, with full consultation of the Trade Unions, and so risk to challenge on employment matters would appear to be limited.
4. Legal advice was provided that it would be prudent to consult tenants and leaseholder, although the statutory consultation requirement of section 105 Housing Act 1985 were arguable not engaged, the service still being provided so tenants were not substantially affected by the change to the delivery of the service. Consultation has been properly undertaken with the majority being in support of the proposals, and the responses fully considered, which again reduces the risk of challenge to the changes.
5. Given that this is now a borough wide service, care will need to be taken when recharging the cost of the service to leaseholders, to ensure that only charges which are recoverable under individual leases (which are likely to relate to the estate only) are levied.

FINANCIAL IMPLICATIONS AND RISKS

To agree the proposed changes to the Community Warden service will enable the implementation of the Enforcement and safety Restructure and fully deliver Medium Term Financial strategy savings of £0.329m.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

No direct Human Resources implications arising out of this report.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

No equalities and social implications arising from this proposed decision.

A full Equalities and Health Impact Assessment (EHIA) was completed as part of the Enforcement and Safety Review proposals.

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed



Name: Cllr Chapman

Cabinet Portfolio Housing

Date:

12/3/20

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on

17/3/20

Signed

