



Questions from the Opposition and Other Non-Cabinet Members

Full Council – 8 July 2019

1. Question from Cllr Daniel Kennelly to Cllr Amer Agha, Lead Member for Schools, Employment and Skills:

Can the Lead Member for Schools, Employment and Skills set out the measures that the Department for Education published in its statutory guidance on the teaching of Relationships Education?

Response:

The Department for Education has announced that from 2020, relationships education will be compulsory for all primary school children and relationships and sex education will be compulsory for all secondary school children. The Department for Education published on the 25th February 2019 draft regulations and statutory guidance on Relationships Education, Relationships and Sex Education and Health Education, setting out what the requirements will be from 2020. This statutory guidance sets out what schools should do and sets out the legal duties with which schools must comply when teaching Relationships Education, Relationships and Sex Education (RSE) and Health Education.

This comes 20 years after the government last made changes to health, relationships and sex education and is in the context of a world that looks significantly different to children from 20 years ago, with significant changes for how children develop their relationships, including understanding the risks for children online and the development of social media as a key feature in the majority of children's lives.

The guidance states that from September 2020 all schools must have in place a written policy for Relationships Education and Relationships and Sex Education. Schools must consult parents in developing and reviewing their policy. Schools should ensure that the policy meets the needs of pupils and parents and reflects the community they serve. The policy should set out the subject content, how it is taught, who is responsible for teaching it and how the subject is monitored and evaluated.

For primary education, the Policy should define Relationships Education and include information to clarify why parents do not have a right to withdraw their child. For secondary education, the policy should define Relationships and Sex Education and include information about a parent's right to request that their child be excused from sex education within RSE only.

The guidance sets out what by the end of primary school pupils should know about under the headings “families and people who care for me”, “caring friendships”, “respectful relationships”, “online relationships” and “being safe.” The guidance also sets out what in addition pupils should know by the end of secondary school under the headings “families”, “respectful relationships”, “online and media”, “being safe” and “intimate and sexual relationships including sexual health”.

There are a number of myths being circulated regarding the 2020 changes. The first is that schools will from 2020 be required to teach concepts and values that are contradictory to some religious beliefs. This is not the case. Schools are required to comply with relevant requirements of the Equality Act 2010 and the Public Sector Equality Duty, which means, in making decisions, having due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act, and to advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and people who do not share it. The guidance states that “the religious background of all pupils must be taken into account when planning teaching.”

A second myth is that these changes will conflict or compromise parents’ ability to educate their children according to their own religious or philosophical beliefs. How this curriculum will be taught will be a matter for individual schools, who will consult with parents before the introduction of the new relationships education and will listen to their views. Governing Boards, which will include parent Governors as members, will then work with their teaching staff to deliver the most age appropriate elements of the new curriculum to the pupils. Schools will have the ability to amend their approach if they believe it is necessary to support pupils and families at the school.

Brent is home to one of the most diverse communities in the UK and this is one of our strengths. We strive to be an inclusive society and to ensure that everyone in the borough feels welcome and included. This means embracing the modern world we live in, and understanding and celebrating our various differences and addressing the context in which our children are growing up.

2. Question from Cllr Faduma Hassan to Cllr Krupa Sheth, Lead Member for Environment:

With the borough-wide roll-out of LED street-lights nearing completion, can the Lead Member for the Environment enlighten Council on the scale of carbon reduction across the lifetime of the project?

Response:

The LED and CMS programme will save the borough £850,000 a year on energy costs, the highest saving achieved from LED street lighting in any of London's 32 boroughs.

It will also address the climate emergency by reducing our carbon emissions from street lighting by 60%.

3. Question from Cllr Saqib Butt to Cllr Margaret McLennan, Deputy Leader of the Council:

Can the Lead Member for Resources set out the amount of annual council-tax arrears and others debts that are non-recoverable and what measures this council and partner agencies have taken to help early-intervention and support for residents struggling with payments and charges?

Response:

The table below reflects the breakdown of outstanding debt amounting to c£139m as at the end of 2018/19. It is assumed that a proportion of this debt would be recovered and a bad debt provision to fund write-offs for debts which are unrecoverable and this provision is estimated at c£65m and is set aside in the accounts.

TOTAL DEBT		
Categories	Outstanding debt 31/03/2019	Bad Debt Provision 31/03/2019
	£m	£m
Council Tax	47.5	(22.8)
Council Tax (court costs)	7.4	(5.5)
Business Rates	8.6	(2.0)
Business Rates (court costs)	0.2	(0.1)
Housing Benefits Overpayment	42.4	(18.9)
Sundry Debt	14.3	(2.3)
Adult Social Care	10.4	(5.1)
Temporary Accommodation (BDL properties)	0.9	(0.9)
Temporary Accommodation (Housing Needs Service)	2.6	(2.6)
Council Properties Rent Collection	4.2	(4.2)
Total	138.7	(64.6)

The details below reflect the measures that Council takes regarding early intervention and supporting residents.

Council Tax

There are 120,000 domestic properties and 8,500 non-domestic properties within Brent and the Revenues service is responsible for collecting Council Tax and Business Rates due for each of these properties.

The Revenue generated from Council Tax collection forms a significant proportion of the Authority's overall Revenue budget and as such we recognise our responsibility to maximise collection to protect the overall financial health of the Authority, particularly at a time when the Council is faced with substantial cuts in funding from central government. The diverse nature of Brent as a Borough, means there are pockets of affluence and large areas of deprivation. We take account of differing customer needs and circumstances and to reflect these in our policies for recovering Council Tax. In overall terms, we deal robustly with those who are willful non payers and deal sensitively with those who are willing to pay but are experiencing difficulties in doing so and to ensure that payment arrangements are fair. All recovery action is in line with the Revenues and Benefits Anti-Poverty policy, which seeks to ensure that entitlement to benefit is identified wherever possible and those with genuine hardship have the opportunity to discuss and review their payment arrangement.

Changes were introduced in 2013/14 which enabled council taxpayers to pay their Council Tax by 12 instalments should they opt to do so. The default continues to be 10 instalments; however, accounts in receipt of Council Tax Support (CTS) have been given 12 instalments in order to spread the amount due over the full year.

The following documents are currently used for Council Tax Recovery up to bailiff stage:

- Reminder (s)
- Pre Summons Letter for CTS accounts
- Summons for a Liability Order Hearing
- Pre Enforcement Letter including a means enquiry form and debt leaflet giving help and advice if customers are in debt

All of the above notices have been reviewed during 2015 after consulting with focus groups and voluntary organisations in order to make them clearer and easier to understand.

Reminder letters are issued immediately after 14 days of an instalment becoming due where full payment of the instalment has not been received. If the instalment is not paid within 10 days, then the right to pay by instalments is lost and the full unpaid balance for the year becomes due. At the start of the financial year when volumes of reminders are highest, the issue of reminders will be prioritised with those not in receipt of Council Tax support having highest priority.

The pre-summons process has been established to ensure that Taxpayers are not summonsed whilst they have genuine outstanding matters with us. A pre summons list is produced containing the names and addresses of potential summons cases. The list is then cross checked against the items of work appearing in workflow including outstanding benefit claims, benefit appeals, complaints and Council Tax correspondence. Where appropriate a summons is not issued giving the Benefits Department/Capita time to resolve the enquiry.

This process does not mean that a summons cannot be issued to a taxpayer that has an outstanding matter with us. A summons will still be issued in the following circumstances:

- there has been a delay by the taxpayer in providing the necessary supporting documentation with their benefit or Council tax discount application or information required to assess the claim
- the taxpayer is late in making an application and therefore all the arrears would not be cleared by an award of benefit
- where it appears that there will not be any or full entitlement to benefits
- the issue raised is vexatious with the intention of delaying the payment of Council Tax
- the issue raised is not connected to the Council Tax liability.

In accordance with the Anti-Poverty strategy any accounts where the tax payer has been identified as vulnerable will usually be excluded from summons action. Where appropriate a summons will be issued to enable recovery by attachment of earnings or benefits, for which a Liability Order is required. Summons costs will be reviewed in these cases.

Potentially vulnerable customers include but are not limited to:

- Customers who are 80 years or more in age
- Customers with physical disabilities that significantly impair their mobility
- Customers who may find it difficult to manage their own affairs because of mental health difficulties or substantial literacy difficulties.
- Homeless customers
- Customers with severe/registered sensory impairments

Housing Benefits Overpayment

Overpayment notifications issued to advise customers of overpaid entitlement encourages immediate contact with the Council for engagement as well as immediate signposting to varied advice agencies including CAB, local clinics, Brent Community Law Centre and Age Concern.

The recovery team are committed to engaging with customers providing help and advice to those unable to repay or who may have fallen into arrears with an existing arrangement as experiencing financial difficulty. Officers will offer advice around

ways of potentially reducing the overpayment by submission of reconsideration or dispute if not in agreement with the calculation.

The officers encourage customers to determine whether they're able to increase their income through existing or new employment opportunities, often signposting to the local or partner employment advice services or agencies.

The Council's literature, notifications and digital pages encourages customers to promptly report changes of circumstances reducing the likelihood of inflated overpayments. Following the success of the Harlesden Hub, the recovery team will seek to participate in the boroughs hubs to work with and assist customers with overpayments providing financial advice and support.

The implementation of a corporate recovery system provides a single view of debt, enabling a holistic approach to the recovery of monies owed to the Council. Opportunities will arise to create resource and costs efficiencies by avoiding duplication of recovery attempts by multiple departments. Agreement of sustainable repayment arrangements will relieve pressures on customers, enabling Council focus on aged recoverable or non-compliant customers.

Adult Social Care (ASC)

Key stakeholders including ASC Commissioning, Client Affairs, Debt recovery and Legal have commenced dialogue and review of existing processes within each area. Our key objective is prevention of accrual of debt by identifying unnecessary procedural steps which may contribute to delays in the issue or determination of correct care package contributions.

Early intervention prevents debt from accumulating, the ASC service improvement team are currently working with the Client Affairs Team to implement earlier financial assessment during re-ablement; correct evaluation of the clients' contribution to care provision enables the Council to determine and implement appropriate system flags and timescales to identify, intervene and provide assistance to customers who may be falling into arrears with their care package contributions.

Sundry Debt

Dependent on the type of commercial debt, assistance is usually sought from customers experiencing economic or financial difficulty. Where customers engage with the Council to advise of financial difficulty, the recovery team will engage and provide flexible repayment arrangements or extension of instalment plans for example. Where appropriate, in support of business the Council may refrain from referring a particular debt to Legal for recovery, opting to seek alternative remedy to recover the debt.

Write Offs

Aged debt reports for each portfolio are produced for identification of amounts which are determined as non-recoverable. In respect of sundry debt, following dialogue, officers will recommend accounts for write-off where initial approval is sought from the service areas where the invoice was raised. Accounts proposed for write off will be actioned quarterly with an audit trail of approvals documentation and system amendment retained.

4. Question from Cllr Michael Maurice to Cllr Shama Tatler, Lead Member for Regeneration, Property & Planning:

We have been informed by traders who have stands at the Civic Centre that the charges are deemed to be excessive.

We understand that it costs £120 per day to exhibit and trade using two long tables outside the red lifts at The Civic Centre.

This equates to £720 per week (based on 6 days a week) or £37,440 per year.

This would be more than renting a small shop unit including business rates in the borough.

How can the Council justify these exorbitant charges to small traders when, as a council, we should be encouraging and supporting the entrepreneurs of the future like Sir Alan Sugar, who started as a market trader from a wheelbarrow.

Response:

The Civic Centre foyer is primarily used by council departments and partner organisations to promote initiatives or campaigns that are of benefit, or of interest, to Brent residents and are in-line with the council's objectives.

The foyer of the civic centre was not designed as a market and therefore we only have some businesses there. When we receive a request, we work with traders to identify when the building will be busiest to ensure best return for money invested. We make sure they understand terms and conditions including any charges. The rates charged have not increased over the past four years.

The council helps small traders in many ways for example we have recently launched our Brent for Business events programme, which started with a workshop for Small and Medium Enterprises (SMEs) on June 24. This is the start of a calendar of a dozen events across 2019 and 2020 including a Business Expo, Business Awards, Supply Chain business to business events, and other business support such as international trade and access to finance. Businesses can sign up to our *Brent for Business* e-newsletter, with over 1,000 SMEs currently registered and membership growing. This is monthly, updating businesses on news, events, and opportunities. Our Town Centres Managers are also supporting nine priority high streets across the borough, supporting local business partnerships and encouraging investment to deliver improvements in each town centre.