

Poverty and Deprivation: Overview and Scrutiny TFG Recommendations to Cabinet

For Cabinet on 2 December 2021

Summary

Lead Member: Councillor Hugo Pound, Chairman of the Poverty and Deprivation Task and Finish Group

Lead Director: Lee Colyer, Director of Finance, Policy and Development

Head of Service: Jane Clarke, Head of Policy and Governance

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Classification: Public document

Wards Affected: Broadwater; Benenden & Cranbrook; Paddock Wood West; Rusthall; Sherwood; Southborough & High Brooms

Approval Timetable	Date
Management Board	3 November 2021
Portfolio Holder	4 November 2021
Communities and Economic Development CAB	17 November 2021
Cabinet	2 December 2021

Recommendations

1. That Cabinet considers the report from the Overview and Scrutiny Committee Poverty and Deprivation Task and Finish Group and considers the proposed response from the Portfolio Holder for Communities and Wellbeing at appendix B.
2. That Cabinet adopts any one of the options out in paragraph 3 of this report.

The Overview and Scrutiny Committee recommendations are:

1. That a senior officer be designated to co-ordinate the Council's responses across all departments for those functions whose actions have an impact on income, education & training and access to housing and services.
2. That the Cabinet determine and publicise metrics relating to these three elements of the Indices of Multiple Deprivation with clear accountabilities to officers for their delivery.
3. That the Council initiates community-based surveys, group discussions and public displays in each of the six wards listed in the original motion to ascertain our residents' expectations and needs and their ability to access services currently.
4. That the Working Group continues to meet and gather evidence which will lead to a discrete number of multi-agency Community Action Plans, co-ordinated and facilitated by TWBC in 2022.

1. Introduction and Background

- 1.1 The Overview and Scrutiny Committee has responsibility for discharging certain functions on behalf of the Council. It is an essential part of local democracy; contributing to the development of policy and holding Cabinet to account when necessary.
- 1.2 The Committee's work should be carried out in a constructive way which aims to contribute to the delivery of efficient and effective services that meet the needs of local people. The Overview and Scrutiny Committee will at times need to challenge and question policy and service delivery however, and make constructive criticisms.
- 1.3 One of the ways in which the Committee achieves this aim is to conduct topical reviews in the form of Task and Finish Groups (TFGs). These TFGs are established for a limited period of time to investigate a specific issue, policy, project or service, and are limited in their scope by the terms of reference agreed at the main Overview and Scrutiny Committee. The TFGs draw their membership from a smaller number of Councillors from the Overview and Scrutiny Committee, but may also co-opt other Members from across the Council, representatives from other bodies delivering services within the Borough area, or local residents who have specialist knowledge in the particular area they are investigating.
- 1.4 The TFGs typically conduct desk based research initially, and/or receive presentations from Council Officers with expertise in the subject area, and then follow this up with interviews with a range of stakeholders and/or specialists who can provide a more local perspective.
- 1.5 Finally the TFG will discuss the issues and options, and form recommendations to present to the main Overview and Scrutiny Committee for discussion and potential agreement. Should the main Overview and Scrutiny Committee agree with the recommendations of the TFG, it is able to make a report to Cabinet or Full Council regarding those recommendations. It is then for Cabinet or Full Council to decide how to respond to those recommendations.
- 1.6 The Cabinet or Full Council may:
 - Agree in principle with some or all of the recommendations, and request Officers to bring forward a report that considers how the recommendations can be implemented, including the relevant cross-cutting issues.
 - Agree in principle with some or all of the recommendations, and refer them on to another body that may be responsible for implementation of the recommendations.
 - Refer the matter to Full Council, with or without agreement in principle.
 - Disagree with the recommendations, in which case Cabinet should inform the Committee of its decision and reasons for its decision, via the Chairman of the Overview and Scrutiny Committee in a timely manner.

2. Poverty and Deprivation Task and Finish Group

- 2.1 At its meeting on 23 November 2020 the Overview and Scrutiny Committee agreed terms of reference for a TFG to look into the issue of poverty and deprivation in the ten most deprived Lower Layer Super Output Areas (LSOAs) in the Borough, located in the wards of Broadwater; Benenden & Cranbrook; Paddock Wood West; Rusthall; Sherwood; and Southborough & High Brooms.
- 2.2 Deprivation was defined by the TFG using the definitions in the English Indices of Multiple Deprivation (IMD) but limited to three main areas: Income; Education and Training; and Access to Housing and Services.
- 2.3 The TFG met eight times, and heard evidence from a range of witnesses, including the then Portfolio Holder for Communities and Wellbeing; the Head of Housing, and the Head of Revenues and Benefits; and the Corporate Director of Finance from Kent County Council.
- 2.4 The Overview and Scrutiny Committee The findings of the TFG, and its interim recommendations are available at appendix A. It should be noted that the TFG considers there is more to consider regarding this issue, and the Overview and Scrutiny Committee may decide to allow the TFG to continue to operate independently of any Cabinet decision.
- 2.5 The Portfolio Holder for Communities and Wellbeing has provided a response to the recommendations of the TFG which is at appendix B. Cabinet are asked to consider this response.

3. Options

- 3.1 Cabinet can:
 - Agree in principle with some or all of the recommendations, and request Officers to bring forward a report that considers how the recommendations can be implemented, including the relevant cross-cutting issues.
 - Agree in principle with some or all of the recommendations, and refer them on to another body that may be responsible for implementation of the recommendations.
 - Refer the matter to Full Council, with or without agreement in principle.
 - Disagree with the recommendations, in which case Cabinet should inform the Committee of its decision and reasons for its decision, via the Chairman of the Overview and Scrutiny Committee in a timely manner.

4. Preferred Option and Reason

4.1 It is for Cabinet to determine its preferred response.

Recommendation from Cabinet Advisory Board

4.2 The Communities and Economic Development Cabinet Advisory Board were consulted on 14 November 2021 and agreed the following:

That the proposed response to the Task and Finish Group's recommendations be supported subject to the issues identified in the debate being taken into account.

4.3 During the debate on the item, the following points were raised:

- Stephen McGinnes should be tasked with responsibility for co-ordinating education and training factors within his poverty remit.
- The council should undertake community-based surveys on the needs of residents (in the prescribed areas) rather than it being the responsibility of ward members.
- An all-member briefing explaining the county-wide tool and suite of measures available to indicate people in need used by Stephen McGinnes would be welcome.
- Response 3 should be expanded to further explain the reasons why the Cabinet was not proposing to undertake community-based surveys (i.e. cost, lack of effectiveness, existing measures, partnership working and better ways of targeting individuals).

5. Implementation

5.1 Any recommendations that have an impact on policy or resources will need to be considered as part of a separate report from the relevant officer, with cross cutting issues included.

5.2 The response of Cabinet will be reported at the next Overview and Scrutiny Committee on 17 January 2021.

6. Appendices and Background Documents

Appendices:

- Appendix A: Report of the Poverty and Deprivation Task and Finish Group
- Appendix B: Proposed Response from the Portfolio Holder for Communities and Wellbeing

7. Cross Cutting Issues

A. Legal (including the Human Rights Act)

The Overview and Scrutiny Committee has the power to establish a task and finish group on any matter that it feels is affecting residents of the borough, without Cabinet approval, but does not have decision making powers in terms of staffing or resources. As such any recommendations it makes will ultimately need to be referred to the relevant decision maker for potential approval.

There are no direct legal implications arising from this report, however further reports will be required to give effect to the option adopted by Cabinet and legal input will be provided at the appropriate time in respect of such reports.

Claudette Valmond, Interim Head of Legal Partnership, 1 November 2021

B. Finance and Other Resources

There are no financial or resource implications arising as a direct result of this report, however any decisions that Cabinet make may have an impact on finance or resources. As such a report from relevant officers considering these issues will need to be submitted before any decisions can be implemented.

Jane Fineman, Head of Finance, Parking and Procurement, 1 November 2021

C. Staffing

There are no staffing issues raised as a direct result of this report. Should Cabinet agree to identify an individual to lead on poverty and deprivation issues, this will need to be considered in terms of their job role and capacity to deliver.

Nicky Carter, Head of HR, Customers and Communities, 1 November 2021

D. Risk Management

There are no risk management issues to consider for this report.

Jane Clarke, Head of Policy and Governance, 29 October 2021

E. Environment and Sustainability

There are no environment and sustainability issues to consider for this report.

Section 40, National Environment and Rural Communities Act 2006

40(1) Every public authority must, in exercising its functions have regard so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Section 85, Countryside and Rights of Way Act 2000

85(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Jane Clarke, Head of Policy and Governance, 29 October 2021

F. Community Safety

There are no community safety issues to consider for this report.

Section 17, Crime and Disorder Act 1998

17(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Jane Clarke, Head of Policy and Governance, 29 October 2021

G. Equalities

There are no equalities issues to consider for this report.

Section 149, Equality Act 2010

149(1) A public authority must, in the exercise of its functions, have due regard to the need to –

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Jane Clarke, Head of Policy and Governance, 29 October 2021

H. Data Protection

There are no data protection issues to consider for this report.

Article 5, General Data Protection Regulation 2016

1. Personal data shall be:

(a) processed lawfully, fairly and in a transparent manner in relation to the data subject;

(b) collected for specific, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

(c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;

(d) accurate and, where necessary, kept up to date;

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Jane Clarke, Head of Policy and Governance, 29 October 2021

I. Health and Safety

There are no health and safety issues to consider for this report.

Jane Clarke, Head of Policy and Governance, 29 October 2021

J. Health and Wellbeing

The proposal will potentially have a positive impact on those living in deprivation as defined by the English Indices of Multiple Deprivation, by creating a greater amount of understanding of the issues affecting the lives of people in the borough who are living in poverty or with deprivation.

1. Areas of deprivation: Will the proposal have an impact (positive or negative) on those living in areas of deprivation within the borough (40% most deprived in the country). These are Sherwood, Southborough and High Brooms, Broadwater and Rusthall.

2. Healthier lifestyle opportunities: Will residents be more or less able to make healthier lifestyle choices such as physical activity (e.g. active travel, access to green spaces or access to leisure facilities), healthy eating (e.g. proximity or access to take away shops, allotments, food stores) and being smokefree

3. Social and Community networks: Will the proposal make it easier for people to interact with one another e.g. encouraging community engagement

4. Living and Working Conditions: does to proposal improve work or home environments, increase job, education or training opportunities, improve access to health services or housing

5. General Socioeconomic, cultural and environmental conditions: Are there any other factors that may impact the above

Jane Clarke, Head of Policy and Governance, 1 November 2021