

MUNICIPAL YEAR 2018/2019 REPORT NO.

**ACTION TAKEN UNDER
DELEGATED AUTHORITY**

**Operational Decision of the
Director of Finance**

REPORT OF:
Executive Director of
Resources – Fay
Hammond

Agenda – Part:	Item:
Subject: Fixed Term Contracts – Temporary Accommodation (TA) Procurement Team	
Wards: N/A	
Key Decision No: KD3258	
Cabinet Member consulted: N/A	

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1 EXECUTIVE SUMMARY

- 1.1 This report seeks approval to create an additional 7 FTE posts for one-year fixed term contracts to work within the TA Procurement Team to provide a range of procurement, inspection, and fraud check duties to support the reduction in use of temporary accommodation.
- 1.2 By offering fixed term contracts for these key roles, this will reduce the potential overheads of agency staff, provide stability within the TA Procurement team, ensure continuity and reduce the risk of losing key officer knowledge and skills.
- 1.3 It is recommended that the recruitment will be completed in accordance with Council Principles.

2 RECOMMENDATIONS

- 2.1 That 7 FTE posts for one-year fixed contracts are created to work within TA Procurement Team to provide a range of procurement, inspection, and fraud check duties to support the reduction in use of temporary accommodation.

3 BACKGROUND

- 3.1 This report seeks approval to create an additional 7 FTE posts for one-year fixed term contracts to work within the TA Procurement Team to

provide a range of procurement, inspection, and fraud check duties to support the reduction in use of temporary accommodation. This additional resource will be reporting directly to the 2 Property Negotiation Managers with the TA Procurement Team. The option to extend the appointments for a further fixed term is to be delegated to the Director of Commercial and Director of Housing and Regeneration.

3.2 The Property Negotiators will be responsible (but not limited) to:

- Carrying out suitability assessments for current TA clients
- Procurement of private rented accommodation (PRS)
- Matching clients with procured PRS accommodation
- Property inspections conforming to HHSRS and Decent Homes standards
- Preparation of repair request reports and liaise with our emergency suppliers to ensure compliance
- Raising of payments subject to property compliance/successful let
- Issue of contracts/assistance with Assured Shorthold Tenancies and benefit claims (Universal Credit/Housing and Council Tax benefit)
- Notifying agents of cancelled TA

3.3 The Fraud Visiting Officer (Counter Fraud Investigator) will carry out (but not limited to) unannounced inspections both in and out of borough acting on intelligence received. This role involves detailed report writing and liaison with Fraud, Housing Options & Advice, and Income Recovery departments. There will also be a responsibility to carry out quick response property inspections further to complaints and MEQ's regarding repairs issues

3.4 There are no posts at risk as a result of this restructure. It is recommended that the posts are advertised, and ring fenced to permanent staff and temporary agency staff already working within the TA Procurement Team.

4 ALTERNATIVE OPTIONS CONSIDERED

4.1 The reliance on potential use of agency staff in a key area represents a financial, operational and reputational risk to the council. By creating fixed term contracts for this work the council will introduce stability, knowledge management and lower costs.

5 REASONS FOR RECOMMENDATIONS

5.1 By offering fixed term contracts for these key roles, this will reduce the potential overheads of agency staff, provide stability within the TA Procurement Team, ensure continuity and reduce the risk of losing key officer knowledge and skills.

6 COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

6.1 Financial Implications

This report proposes to create 7 fixed term posts at a total cost of £299k per annum. These posts will form part of the TA Procurement Team – Procurement & Commissioning Hub staff establishment (IN0002) and will be funded entirely from Flexible Homeless Support Grant (FHSG).

Post	Grade	FTE	FY19/20
Property Negotiator	SO1	6	£249k
Counter Fraud Investigator	PO1	1	£50k
TOTAL		7	£299k

Since these are fixed term contracts there will be no redundancy or early retirement cost implications.

The current cost of this team via Matrix is £356k per annum. The creation of fixed term contracts for these posts will create a saving of £57k per annum (16%).

These posts are currently already funded from the FHSG at the previous higher rate, moving the staff to fixed term contracts will therefore free up some of these funds to use elsewhere in the Homelessness Service if necessary.

Enfield's FHSG allocation for 2019/20 is £7.1m however after this there is no guarantee the funding will continue to be available. It is therefore important to note the service needs to develop a contingency plan in the longer term in case these posts can no longer be funded after this financial year.

6.2 Legal Implications

6.2.1 Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions, including their housing functions. Furthermore, the Council has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided it is not prohibited by legislation and subject to Public Law principles. The recommendations in this report are consistent with these powers.

6.2.2 The Council has a duty to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

6.2.3 Staff on a fixed term contract have a right not to be treated less favourably than permanent employees and their right not to be unfairly

dismissed on expiry of the fixed term provided they meet the necessary qualifying period.

6.2.4 The Fixed-term Employees Regulations mean that fixed-term employees cannot be excluded from the contractual benefits and facilities offered to permanent staff since they are entitled to complain of less favourable treatment.

6.2.5 Under regulation 8 of the Fixed-term Employees Regulations, staff who have been continuously employed for four years or more on a series of successive fixed-term contracts are automatically deemed to be permanent employees (that is, employed on an indefinite contract) unless the continued use of a fixed-term contract can be objectively justified.

6.2.6 Any recruitment of staff and termination of contracts must be in accordance with employment legislation, HR policies and practices.

6.3 Property Implications

N/A

7 KEY RISKS

Current contract staff may leave the organisation due to job insecurity and this may prove difficult in delivering the reduction in use of temporary accommodation.

By offering fixed term contracts for these key roles, this will reduce the overheads of agency staff, provide stability within the TA Procurement Team, ensure continuity and reduce the risk of losing key officer knowledge and skills.

A review will be carried out 6 months through the initial fixed term contracts in order to ascertain whether sufficient funding will be in place to continue with the TA reduction project and issue further fixed term contracts to appropriate staff.

8 IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

8.1 Good homes in well-connected neighbourhoods

This structure will support the council's aspirations of reducing the use of temporary accommodation, by facilitating the use of more sustainable private rented housing solutions for those threatened with homelessness.

8.2 Sustain strong and healthy communities

The proposed additional staff will support the council objective of 'protecting those most in need by continuing to deliver the services and safeguarding measures they rely on'.

8.3 Build our local economy to create a thriving place

The team will contribute to this Council objective by helping to support those most in need and facilitating the use of more sustainable and consistent housing solutions, thereby helping to build community cohesion and sense of belonging.

9 EQUALITIES IMPACT IMPLICATIONS

Corporate advice has been sought regarding equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report.

10 PERFORMANCE AND DATA IMPLICATIONS

The success of this initiative will be monitored by looking at the impact on the TA caseload and wider TA measures that will feature on the new TA dashboard that is in development.

11 HEALTH AND SAFETY IMPLICATIONS

N/A

12 HR IMPLICATIONS

This restructure seeks to create 7 additional posts in TA Procurement Team to support the reduction in use of temporary accommodation.

These posts will use already evaluated JDs:

- 6 x SO1 Property Negotiators,
- 1 x PO1 Fraud Visiting Officer

There are no posts at risk because of this restructure. Recruitment to these posts should be completed in accordance with the relevant Council Principles.

13 PUBLIC HEALTH IMPLICATIONS

The proposed additional staff will support the delivery of the reduction in use of temporary accommodation. This will also facilitate the use of more sustainable private rented housing solutions for households at threat of homelessness. This will in turn help to prevent the continual churn/movement of accommodation providing more stability for households in the private rented market.

