

CORPORATE RESOURCES OVERVIEW AND SCRUTINY COMMITTEE AGENDA

Monday, 4 March 2019 at 10.00 am in the Bridges Room - Civic Centre

From the Chief Executive, Sheena Ramsey

Item	Business
1	Apologies
2	Minutes (Pages 3 - 8) The Committee is asked to approve as a correct record the minutes of the meeting held on 21 January 2019 (attached).
3	Review on Helping to Increase Support/Capacity of the Voluntary Sector : Evidence Gathering Session No 3 - Financial Assistance (Pages 9 - 18) Report of the Acting Strategic Director, Communities and Environment
4	Annual Report - Information Governance and the Council's use of Powers under the Regulation of Investigatory Powers Act 2000 (Pages 19 - 28) Report of the Strategic Director, Corporate Services and Governance
5	Annual Work Programme (Pages 29 - 32) Report of the Chief Executive and the Strategic Director, Corporate Services and Governance.

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Date: Friday, 22 February 2019

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GATESHEAD METROPOLITAN BOROUGH COUNCIL

CORPORATE RESOURCES OVERVIEW AND SCRUTINY COMMITTEE MEETING

Monday, 21 January 2019

- PRESENT:** Councillor John Eagle (Chair)
- Councillor(s): W Dick, J Wallace, D Bradford, M Charlton, J Green, S Green, M Hall and B Oliphant
- IN ATTENDANCE:** Councillor(s): F Geddes, A Geddes
- APOLOGIES:** Councillor(s): L Caffrey, T Graham, M Henry, N Weatherley and K Wood

CR15 MINUTES

RESOLVED - that the minutes of the meeting held on 3 December 2018 be approved as a correct record.

CR16 REVIEW ON INCREASING SUPPORT/CAPACITY TO THE VOLUNTARY SECTOR - EVIDENCE GATHERING SESSION 2

This was the second evidence gathering session with regards to the Review on Helping to Increase Support / Capacity of the Voluntary Sector.

The Committee heard from Aidan Lawson on the work of the Brighton Ryton Local Environmental Group. Aidan explained that the group first got together on the back of another meeting which members of the group had been attending. The group's aim is to support Gateshead Council in improving the environment in Ryton. The group got charity registration in record time and have undertaken 3600 hours of work in the first year and 5300 in the second year. The group have carried out work in the cemetery and memorial gardens. The group got licences for some of their members and undertook training for grass strimming equipment. The license excludes from cutting within 12 inches of the headstones.

Aidan showed the Committee some examples of the work the group had undertaken. The work is undertaken at Heritage sites, memorial gardens and cemeteries as well as litter picks undertaken by the litter action groups.

The group undertakes their own fundraising and between January 2017 to December 2018 raised, £9650 from the Gateshead Fund, £15,00 from the Sir James Knott Trust, £1930, Land of Oak and Iron Grant, £2508 from donations, £8362 from fund raising activities, £5324 from supporting members and £950 from sponsors.

The organisation would like to carry out further work including, maintaining grass levels and hedging to a good standard, clean and paint railings of the old cemetery, level 'dipped' graves to ease grass cutting, clear pavement areas of composting

materials and weeds and maintain standards of cleanliness around the village, woods and walks.

The organisation hopes to form a group of residents with a genuine desire to work together to refurbish the park so that it is fully sustainable and returns to be appreciated and used by a significant proportion of the community.

The organisation also hopes to form a group of individual and sub-groups working together to provide a program of events to bring our community together.

The organisation also hopes to restore the Historic Drover's pond, to recover stones and rebuild Victoria monument, to prepare and publish various trails booklets, to revisit and complete Pinfold, to design and place info boards of Stella and Ryton trails, to remove tress threatening historic walls in conservation Area.

The organisation would like to establish with the Council and effective and efficient management process that delivers in a timely manner.

The organisation would like the Council to accept them as a free resource, they feel that in order to work together as a successful team there should be a recognition of each other's strengths, areas of responsibility should be co-ordinated and controlled and performance should be monitored and reported upon.

The organisation feel that the Council needed to take action to ensure that the organisation can retain the volunteers they have at present. The organisation would like to see improved processes and performance by the Council to create a better environment where people are prepared to volunteer. The organisation feel that there is on occasions blockages in the system which cause delays to work being carried out in a timely manner. It is understood that this could be because of following legislation requirements, however, it can be frustrating. The organisation feel that if possible a single point of contact within the council to facilitate work being able to be done in a timely manner. The organisation would like to introduce a process for working with the Council,

- BRLEG produces a plan of work
- The Council approves the plan and assigns a lead
- A timetable is agreed
- BRLEG proceed with the work
- Council approve the work.

BRLEG have 103 members, 57 of whom are active and are prepared to do anything to help to improve the environment in Ryton and surrounding areas.

The Committee heard from Ed Nichols from Dunston Family Church. Ed advised the Committee that Dunston Family Church is an all age, international, evangelical church. The Church were hiring rooms on a regular basis and then the church undertook an asset transfer of the facility from the Council. The Churches own members support a lot of the work in the community. The Church members love Dunston and Teams. They church have undertaken a lot of work and have provided

residential for the children and young people and have done a lot of work to improve the wellbeing of the community. Taking over the centre was a steep learning curve, the organisation had to learn about implementing the vision. The new centre began with a Board of Trustees, they have had to learn about Governance, Due diligence, health and safety, financial forecasting, developing capacity and resourcing the community café.

The Neighbourhood Management Team have been very good and helpful in getting this off the ground and the support of the local ward councillors was also invaluable. The organisation has received various amounts of funding and have had residents complete questionnaires on how they would like to see the centre developed.

The organisation has looked at 8 building blocks in making the organisation better and they are a bunch of newbies and have worked with Ian and the team to help with their learning.

The centre have replaced the Council's gymnastics programme and have trained their own staff and bought new gymnastics equipment.

The centre employs 6 people all who have been previously unemployed. They have enlisted lots of volunteers and get lots of help from volunteers. The relationships between the customers and staff is developing into friendships and this helps to identify the needs of local residents.

The books have been balanced for the last three years and the organisation has a modest annual surplus and a growing contingency fund. The organisation had to undertake some work to retain the library, this is staffed fully by volunteers and hosts a suite of computers, and is available for local residents to use for job searches, benefit claims etc. A meeting takes place with the manager of Gateshead Library Service on a regular basis.

The centre now delivers a range of activities in response to local needs, including the community café, a toddlers soft play and an ever growing gym membership.

The Ethos of the centre is that everyone who comes in is made to feel special and welcome, the staff are warm and courteous and helpful.

Toddler times is renowned in the area and has been commended for sessions and reasonable admission charges, the group encourages story-telling, music and movement and family time.

The sports hall / multi-purpose room hosts five-a-side football, ballroom dancing, Zumba, and more recently Canny K-9s. The centre hosts pirate, princess, unicorn and super hero parties and have holiday family fun days over half term.

The centre hosts NHS services, including regular all day blood banks and cardio rehab groups. They hold film buffets, tea dances, 3 course meal parties.

The centre is currently applying for funding to become a listening centre and feel that this would supplement the work of the Council and Health services. The intention is

to have 6 men and 6 women trained.

Whilst the centre is doing well, financial sustainability is a challenge as they are always looking to offer services at a lower cost or for free. The centre has a rebate on rates which is helpful, the council has in their power a discretionary rate of 20% which would be helpful if possible. It would also be helpful to be commissioned to provide services and the centre are looking at expanding their programme of meeting needs.

- RESOLVED -
- (i) That the needs of the groups are investigated and responded to where practical.
 - (ii) That the presentation be noted and the findings incorporated into the final report.

CR17 ANNUAL COMPLAINTS AND COMPLIMENTS PROCEDURE 2017/18

A report was presented to Committee providing an analysis of complaints and compliments recorded by the Council and the Gateshead Housing Company in the year ended 31 March 2018.

Cabinet has referred the report to the Overview and Scrutiny Committee as part of the performance management process.

The complaints procedure has three steps, the first of which 'problem solving', relies on the quick resolution of complaints by employees and their managers and does not require the complaint to be recorded. At the second step the complaint is recorded, there is a formal investigation into the complaint and a written response is given by a Senior Manager. If the complainant is still unhappy they can request the Chief Executive (or Managing Director of the Gateshead Housing Company) to carry out an independent review of their complaint.

In the year 1 April 2017 to 31 March 2018:

- 258 complaints were recorded
- 466 compliments were recorded
- 27 complaints were the subject of an independent review by the Chief Executive of the Council and the Managing Director of the Gateshead Housing Company undertook 14 reviews.

The number of complaints recorded has reduced from 307 in 2016/17 to 258 in 2017/18, a decrease of 49.

466 compliments were recorded in 2017/18 compared to 754 in 2016/17, a decrease of 288.

The number of complainants requesting a review of their complaint by the Chief Executive has increase by 9 to 27 in 2017/18. The Managing Director of the Housing Company carried out 14 reviews in 2017/18 compared to 20 in 2016/17.

The proportion of complaints found to be fully justified decreased from 36.9% in

2016/17 to 36.6% in 2017/18. The proportion of complaints found to be partially justified increased from 15.6% in 2016/17 to 24.7% in 2017/18.

The Council's managers used the information gained through the monitoring of complaints to improve the provision of services.

The current computerised corporate complaints recording system had made it easy to record and track and respond to complaints. However, the system is now outdated and is to be replaced. A new corporate complaints system is currently being developed using the case management features of the Council's Digital Platform. .

During 2017/18, the Local Government and Social Care Ombudsman investigated 24 complaints. Of these 13 were closed after initial enquiries, 4 were not upheld and 7 were upheld partially or fully. A summary of the cases which were upheld have been presented to Cabinet. Each case has provided learning opportunities in terms of reviewing policy, maintenance of records, the operation of systems and the provision of guidance and training to staff. The Council maintains a good working relationship with the Local Government and Social Care Ombudsman and all cases have now been settled to their satisfaction. .

From 1 April 2013, the Localism Act 2011 extended the jurisdiction of the Housing Ombudsman to cover all social landlords, including Councils. The Housing Ombudsman is able to consider complaints in so far as they relate to the provision or management of housing. The Local Government and Social Care Ombudsman continues to investigate complaints about allocations and the lettings policy.

During 2017/18 the Council has been contacted by the Housing Ombudsman in respect of 4 cases. Of these, three cases had not exhausted the Housing Company's complaints procedure and one case, the Housing Ombudsman determined that there was service failure and ordered compensation of £200 to be paid for the complainant's distress and inconvenience.

RESOLVED - That the information contained within the report be endorsed.

CR18 ANNUAL HEALTH AND SAFETY REPORT

The Committee were updated on the performance of occupational health and safety matters for 2017/18.

Gateshead Council is committed to providing its employees with safe conditions of work as far as is reasonably practicable and has structured arrangements in place to ensure the safety and wellbeing of staff and others who may be affected by our activities. Our aim is to minimise the adverse impacts to individuals and the business from ill health and injury.

The annual report provides an overview of key performance statistics, including the number of lost working days and reportable accidents, along with information on key aspect of health and safety during the year 1 April 2017 to 31 March 2018.

All Council premises have had at least one FRA carried out. The FRA programme is an ongoing process with annual reviews and re-assessments. During the reporting

period the Council's Health & Safety Officers completed 71 (as opposed to 68 the previous year) fire risk assessments and reviews. This has met the target set out on the planned programme of fire risk assessments and reviews. Officers work regularly and closely with Tyne and Wear Fire and Risk Services (TWFRS) continues and has proven to be an effective way of dealing with issues which arise from their audits of Council premises and schools.

The occupational health unit is running at full capacity at the moment. The number of counsellors has been increased to work with employees. One third of employees who are seen are suffering with work related stress. Two thirds are relating to family and financial issues. Some of those who have been seen who are suicidal it is a stop gap until they can be seen through GP referrals as the waiting time can be up to 6 months via the GP.

If employees meet certain criteria they can be referred into Go Gateshead at Gateshead, Heworth and Blaydon Leisure centres. There have been 21 Domiciliary Care referrals since October mainly to Heworth.

There are a number of potentially high-risk areas which are managed, including Contractor Management, Asbestos Management, Educational Visits and Legionella Management. The management in these areas is working really well at present.

RIDDOR is if an employee is involved in a certain accident or incident this needs to be reported to the Health and Safety Executive (HSE).

The HSE have not taken any prosecutions against the Council, have not issued an prohibition notices or improvements notices.

RESOLVED - That the Committee is satisfied that the actions taken are appropriate and effective in maintaining and improving the health and safety management system.

CR19 WORK PROGRAMME 2018-19 AND DEVELOPMENT OF WORK PROGRAMME FOR 2019-20

The Work programme was submitted to the Committee for information. The Committee were also asked if they had any additional views on the emerging themes for the 2019/20 work programme. The developing work programme will be taken to partners and stakeholders for further consultation prior to Cabinet and Council for final approval.

It was suggested that we look at, based on the themes within the Thrive Agenda, "How this Authority can help communities to help themselves.

RESOLVED - (i) that the work programme for 2018/19 be noted.
(ii) that the comments of the Committee on the development of the 2019/20 be noted.

Chair

4 March 2019

TITLE OF REPORT: **Review on Helping to Increase Support / Capacity of the Voluntary Sector: Evidence Gathering Session No. 3 – Financial Assistance**

REPORT OF: **Anthony Alder, Acting Strategic Director Communities and Environment**

Summary

Committee will receive brief presentations from representatives of three, prominent local funding organisations at this evidence gathering session. The session will help committee to understand the variety of funding programmes that are available and range of financial assistance available to community and voluntary groups in Gateshead.

The funders presenting are Community Foundation Tyne and Wear and Northumberland, The Ballinger Charitable Trust and the National Lottery Community Fund.

Each will cover how they support Gateshead's VCS (financially or otherwise) and how the Council be able may help to increase the success of community and voluntary organisations secure additional funding to support their activities, particularly within the context of the Council's "Thrive" agenda.

1. Introduction

1.1 At its meeting in October 2018, Corporate Resources Overview and Scrutiny Committee agreed the scope for a review to help develop the understanding of the type of support required by Gateshead's Voluntary and Community Sector (VCS), where it is needed the most and why, and in the light of this, where the Council's role, support and resources may best be focussed to maximise impact. The aims of the Review were agreed as:

- establish the extent and nature of the types of support the Council currently provides to the VCS across a spectrum of service areas
- how this activity is resourced and coordinated
- assess the effectiveness of this Council support in helping the VCS address the needs of Gateshead residents.

This will be facilitated through a series of Evidence Gathering sessions.

2. A summary of the first two Evidence Gathering Sessions

2.1 Session 1 (held 3 December 2018) provided Committee with a summary of Gateshead VCS infrastructure and the Council support still available to the sector. The information provided highlighted the estimated number of charities (876

registered with the Charity Commission) and other similar organisations (750-1000 other VCS organisations) operating in Gateshead's communities. It outlined the Council's significant financial support available for organisations through grants, contracts and commissions and Non-Domestic Rate relief. It also highlighted the Services offering Information, Support and Guidance and the Council's role in promoting, co-ordinating and brokering over 8,000 volunteer roles and volunteers.

Dr Jo Price, Chair of Trustees at the Comfrey Project, also presented to Committee offering an insight into the work of her charity in Gateshead, and how working together with the Council is making a difference to the lives of Gateshead's refugees and asylum seekers.

- 2.2 Session 2 (held 21 January 2019) included presentations from Brighten Ryton and Dunston Activity Centre highlighting the excellent work that both organisations undertake in their respective localities. Committee discussed how the organisations could work better with the Council and other partners.

Aiden Lawson, Chair of Brighten Ryton, informed Committee of its role in supporting the Council to improve the local environment in Ryton, highlighting examples of work in local cemeteries, parks and improvements for some local heritage sites. The Group has provided almost 9,000 volunteer hours and fund raised more than £30,000 in its first two years of operation. It aims to expand its scope and increase its impact in future years and highlighted some areas where its efficiency could be enhanced through an improved interface with the Council.

Ed Nicholls, Chair of Dunston Family Church, talked about the Church's steep learning curve after taking on the responsibility for Dunston Activity Centre (and volunteer library) following a recent Asset Transfer from the Council. The Church through its volunteers and employees aims to improve the well-being of the local community through local activities and the provision of community space. Ed talked about how the organisation has had to learn about Governance, due diligence, health and safety, financial and business planning, developing capacity and operating a community café. Whilst the Centre is doing well, financial sustainability remains a challenge as the Church always looks to offer services at lower cost or free.

3. The context for Evidence Gathering Session 3

- 3.1 This evidence gathering session will include presentations from three key local funders (Community Foundation Tyne & Wear and Northumberland, The Ballinger Charitable Trust and the National Lottery Community Fund). The funders will aim to cover:
- What they do and the opportunities they provide
 - How they currently support the sector
 - What outcomes/priorities they would like to see
 - How Gateshead compares regionally/nationally regarding their funding programmes
 - How could their impact in Gateshead be increased?
 - What can partners (like the Council) do to maximize take up/increase effectiveness of their resources in Gateshead
 - What can/should VCS organisations do themselves/collectively to increase take up/effectiveness - highlighting any common failings that restrict local take up.

3.2 The presentations will be followed by a short Q&A discussion, an opportunity to discuss some of the collective learning and recommendations to maximize our combined potential for working with Gateshead's communities. This part of the session should aim to cover:

- What synergy there is to work more strategically together
- What would help us deliver more effectively with/in Gateshead's communities
- Any emerging priorities and ways of working (agreed and/or desired)
- What additional support we feel our communities may require (to maximize financial assistance)
- Where the gaps are/may be

Appendix 1 provides supplementary case studies that demonstrate examples of how funding has been accessed for the benefit of Gateshead's communities

4. Recommendation

Corporate Resources Overview and Scrutiny Committee is requested to:

- Consider and comment on the information provided in the case studies and by representatives from Community Foundation Tyne and Wear and Northumberland, The Ballinger Charitable Trust and the National Lottery Community Fund in the context of the review of Council support.

Contact: Anthony Alder ext. 3880

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Corporate Resources OSC - Review on Helping to Increase Support and Capacity of the Voluntary Sector - Evidence Gathering Session No. 3 Financial Assistance Case Studies



Jewish Community Council of Gateshead

The Council's Relationship Manager for the JCCG is based within the Commissioning & Neighbourhoods Service. The role includes identifying and supporting the development of funding bids with the JCCG, and in recent years this has included attempts to secure significant grant aid from the **Big Lottery Fund** (now renamed the National Lottery Community Fund). In November 2018, the JCCG was awarded **£319,000** for their project "Breaking Down Barriers – Bridging Gaps" which will help provide much needed capital investment into their Bewick Centre, core costs to help run the charity and support the delivery of initiatives to support the wellbeing of the Orthodox Community.



Gateshead Clubhouse The Neighbourhood Management & Volunteering Team has a long-standing relationship with the Clubhouse, a user-led mental health charity that operates out of premises in Worcester Green. As their capacity has developed, they have moved through successfully securing small grants, including the Council's Local Community Fund, through to securing **£98,000** in November 2018 from the **National Community Fund**, which will help secure the core operation of the charity for 5 years.



Chopwell Community Association is the charity that manages Chopwell Community Centre and acts as an umbrella organisation for many smaller local community groups. Although the Centre is largely self-sustaining it relies on grant aid to supplement its operation for additional activities/provision and to help with building and equipment improvements. Recent successful funding applications to **Gateshead Thrive Fund (£9,554)** and **Awards for All will (£9,544)** enable the Centre to offer independent community led and delivered Youth Work in the village over the next 1-2 years. The Charity will work with other local organisations (Chopwell Primary School and Friends of Chopwell Park) to engage as wide an audience as possible and to offer the provision across multiple venues. The Association, working with Friends of Chopwell Park, was also successful in securing funding from the I will Social Action Fund for a young person's Graffiti Art Project within Chopwell Park.



BALLINGER

CHARITABLE TRUST

The Ballinger Charitable Trust – micro grants pilots in Chopwell, Blackhall Mill & Highfield and Bensham & Saltwell.

The Ballinger Charitable Trust (BCT) gives approximately £1.5m to charitable causes across the north east of England each year. Most of these grants are to registered charities helping young and/or old people, and many grants go towards revenue costs. The Trustees recognise the increasing challenges surrounding sustainability/viability for small local charities and wanted to explore new ways of working with communities to help enable them to help themselves. This reinforces the Council's Thrive pledge with a similar ethos.

The Trust decided to pilot a community level micro grant approach in the Chopwell and Highfield and Bensham and Saltwell areas, working with Neighbourhood Management and Volunteering Team, to invite local groups and organisations to attend an event and pitch for small amounts of funding. The Trust chose these locations because of their contrasting demographics and community fabric. One being an urban, densely populated area, with large Jewish and BME communities and established community infrastructure. The other a rural location in the West of Gateshead with very little, if any, community infrastructure and operating community organisations.

The pilots were very successful, and awards were made to:

- 8 organisations in Chopwell and Highfield totalling **£6,072** including projects to provide indoor equipment, consumable materials, website improvements and localised environmental improvements
- 10 organisations were supported in Bensham and Saltwell totalling **£5,500**, including projects providing musical instruments for a group of refugees, a young people's local history project, and a commercial oven for a lunch club.



BLAYDON YOUTH AND
COMMUNITY CENTRE

Blaydon Youth Club is an important local charity that has provided valuable early years, youth club and wider community provision in the centre of Blaydon for over 40 years. The Charity is unincorporated, managed by a volunteer Management Committee, employs 15 staff and benefits from additional 13 volunteers.

The Centre is open 7 days/week and benefits the whole community through the provision of regular weekly sessions, drop ins and hireable space for a wide range of sporting and leisure activities. It also offers a very successful and comprehensive childcare provision. Its main activities include:

- Inclusive Youth Club (13+) – 3 hrs per week for young people with disabilities and/or additional learning needs in partnership with NE Youth.
- A junior youth club (ages 7-11) run for 2 ½ hrs per week in partnership with the Salvation Army.
- Early years childcare provision – including a breakfast club (3-11), increased provision for 3-4 year olds and an after school club (3-11).
- “Fill the Holiday Gap” which offers targeted school holiday activities and a healthy meal for families on low income during the school summer holidays
- Mother and Toddler Group

- Open access hireable Sports Hall and meeting/activity rooms – open up to 7 days per week

Whilst most of the charity's income is self-generated through bookings and childcare provision it has been successful (with support from the Council's NMVT Team) in grant applications to increase the organisations capacity and support its core running costs. Grants have been secured over the last 1-2 years for the following:

- **Sir James Knott Trust £5,000** towards the cost of the Centre's Inclusive Youth Club
- **Hadrian Trust £1,000** towards its Youth Club provision
- **Gateshead Thrive Fund £9,598** towards enhanced business planning and leadership, improved ICT equipment/ security provision and enhanced storage for the Centre.



Salvation Army and Birkheads Wild

Birkheads Wild is a social enterprise based in the Lamesley Ward offering forest school and outdoor activities.

In 2018, Birkheads Wild were taking nominations of young people who had maybe had a tough time at school and who would benefit from a memorable outdoor experience. Salvation Army, Gateshead nominated some children to attend. The children visited and took part in games and wild play, campfire cooking, woodland crafts, nature walks and den building. The feedback received from the children and volunteers who attended was very positive. The Council's Neighbourhood Management & Volunteering Team supported the Salvation Army to secure **£560** from the Council's Local Community Fund to enable more children they support (from Bridges Ward) to attend Birkheads Wild in the Summer of 2019.

<https://birkheadswild.org.uk/> www.salvationarmy.org.uk/gateshead-community-church

TW Skills Birtley

TW Skills Birtley is a small independent Charity working operating out of Birtley. It works with young people with low to mild learning disabilities in Gateshead that no longer receive support from mainstream providers. It focuses on Employment support, enabling young people to access employment through a range of training opportunities including: ICT, Health & Safety, First Aid, Maths and English. Working with Gateshead Council's Public Health Team it has been actively delivering the Making Every Contact Count model in Birtley. It has also been successful in securing the following funding:

- Awards for All. **£10,000** - Employment Support
- Co-op Foundation - **£3,000** – Employment Support
- Community Foundation - **£5,000** Health & Wellbeing and **£4,000** Youth Social Action
- Greggs Foundation - **£3,000** Social Action
- Tesco – **£2,000** Social Action
- Gateshead Council – **£4,892** Make Every Contact Count
- Thrive Fund - **£1,280** Summer Programme and **£485** Volunteer Month



Birtley Hub is a Resource Centre for the local community working with and supporting small organisations across Birtley. It has been open for about 12 years now and is a valued local resource and meeting point. It has recently been successful in securing the following funding:

- Thrive Fund (18/19) – **£10,000** Running Costs -
- The Gateshead Housing Company Community Fund (18/19) – **£4,700** Community digital Art project



In the heart of your community
Tel: 0191 4785003 email: teamslifecentre@gmail.com

Teams Life Centre – the former Teams Community Centre is operated by Dunston Family Church, a faith-based charity. The church has operated in Dunston since the early 1990's. For over two decades they raised money and provided resources to other local and overseas charities to do good works. Five years ago, the Council transferred the community to the church as part of the review of community centres. The Teams Life Centre is now a bustling hub of activity. The centre is host to several organisations delivering services including Gateshead councils' guidepost project supporting people with learning disabilities. This project is a self-sustaining with funds raised from the congregation and trading. Over the last 12 months, the centre has been supported through the Making Every Contact Count (MECC) programme. The programme has invested **£7320** into training and support for TLC and the Advance Men's Group who were supported by room hire costs for the year. The centre has also benefitted from an award from TGHC of **£5000** to replace the heating boiler.

BIG LOCAL



LOTTERY FUNDED

Big Local - Racecourse and Teams in a community partnership that has been bestowed with (£1 million of lottery resources) to deliver projects in the Teams and Racecourse estates. The original application to be part of the programme was submitted by the Neighbourhood Management and Volunteering Team in 2009. The independently run partnership (which must maintain 51% local resident representation) determines its own funding priorities, therefore This is a slightly different example of project support in that it is less about the money, instead it is about how the Council can help Big Local develop projects using their own resources to help deliver good outcomes for the people of Gateshead. The Neighbourhood Management and Volunteering Team have been supporting big local to develop ideas around the development of business incubator units. Emerging drawings and outline plans illustrate a capital project in the region of £400,000. Potentially this could be matched against CLLD (ERDF and ESF Funding). This is at the earliest stages of development and still requires permissions and negotiation with Gateshead Council.



**Edberts House is a registered charity No: 1127388
and a company limited by guarantee No: 6756641**

Edberts House is a place-based community development charity initially located in East Gateshead. Since its creation 10 years ago the charity has been supported by the Neighbourhood Management Team to develop a range of community based projects and has raised over £2 million pounds which has been invested into projects in the statistically deprived East area. Based on the evidenced social impact of the first hub – Edberts House - the charity has been working in partnership with NMT and Peoples Health Trust to develop a second hub: Pattinson House on the Old Fold/Nest estates in Felling.

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TITLE OF REPORT: Annual Report –Information Governance and the Council’s use of powers under the Regulation of Investigatory Powers Act 2000

REPORT OF: Mike Barker, Strategic Director, Corporate Services and Governance

Summary

This report provides the Committee with an overview of arrangements for Information Governance across the Council. It also provides details of the Council’s use of covert surveillance and offers assurance that when authorising covert surveillance the Council is compliant with the requirements of the Regulation of Investigatory Powers Act 2000 (RIPA).

Information Governance

Introduction

1. This is the fourth annual report to the Committee regarding the Council’s Information Governance framework. It aims to provide the Committee with the legislative context within which the Council manages a range of sensitive information and personal data, compliance with relevant guidance and good practice, and the Council’s performance in this area over the last twelve months. It is therefore intended to form an important part of the Council’s Overview & Scrutiny Framework, alongside other annual performance reporting.

Background

2. Public trust in the way public services handle and share data is increasingly important, particularly in the context of greater digital storage and transfer of information. Service users expect easier access to services and a ‘one stop’ delivery experience. They want to be in control of their interactions with council services and for those services to be delivered at lower cost, more quickly and based on individual needs. This lies at the very core of what all local public services strive to do, and in Gateshead is captured within our policy objectives as set out in the Council Plan 2015-20 and our Digital Strategy.
3. Success in this area depends on many factors, but effective and secure exchange and management of information is vital for both good service delivery, and for compliance with an increasingly onerous and prescriptive legislative framework at both a national and European level. The public and regulatory bodies must have

confidence in the way that any data we hold is treated, taking privacy and confidentiality into account, and that it is kept safe from misuse. Without that assurance service users are unlikely to engage, services will be less efficient and much poorer as a result, and we face stiffer penalties if found to be failing to meet our legal responsibilities.

4. In 2010 the Local Government Association produced data handling guidelines for local authorities. Those guidelines, which were revised in 2014, set out the steps that every local authority should take to monitor and control the management of information and to mitigate the risk should personal information be lost, or data protection systems fail. The Council's approach to information governance is based on these guidelines.
5. The Council recognises that there must be a systematic and planned approach to the management of its information. This will ensure that from the time a record is created, until its disposal, standards and handling will be consistent across the organisation and that the record can be tracked throughout its lifecycle to ensure it serves the needs of the Council and its stakeholders and complies with relevant legislation.
6. The way the Council manages its information is also crucial to maintain effective and efficient business operations. Information management is about providing an integrated records and information system to ensure quick, efficient and consistent access to records across the organisation. Public sector organisations have more demands than ever before to be open and transparent. The introduction of the Freedom of Information Act 2000, on 1 January 2005 and the government's transparency agenda means anyone can request information from the Council. This can be achieved quickly and efficiently if effective information management systems are in place.
7. The Council has an Information Charter and an Information Strategy. The strategy provides a framework which enables the Council to manage its information efficiently, recognising its value as a corporate asset for the delivery of effective, appropriate and transparent services.
8. With the approval of the new General Data Protection Regulation (GDPR), which has been ratified by the European Parliament and came into effect in the UK on 25 May 2018. Alongside that was a new Data Protection Act 2018 which wholly repealed the Data Protection Act 1998. There is a move away from seeing the law as a box ticking exercise, and instead to work on a framework that can be used to build a culture of privacy that pervades an entire organisation.
9. The Council formed an information rights working party in March 2017 to start preparing for GDPR implementation. A lot of work has been done since then.
 - a. Information asset registers have been completed, these contain the information we are required to compile under Article 30
 - b. Privacy notices have been prepared
 - c. Web pages have been updated to include contact details of the Data Protection Officer and to advise people how they can exercise their new rights

- d. Consent forms have been revised to be GDPR compliant
- e. Data Collection forms and systems have been re-engineered to comply with data minimisation and privacy by design
- f. Over 300 contractual agreements have been reviewed
- g. Forms and procedures have been devised for privacy impact assessments
- h. All schools have received training
- i. Training for governors has taken place
- j. Training for Councillors has taken place, Councillors have been provided with an awareness leaflet
- k. Over 560 face to face training sessions have been delivered to Council, GHC, NEPO and school staff.
- l. This training was supplemented with a DVD which is on the intranet and a staff awareness leaflet
- m. Contract variation letters and data processing addendums have been sent to our suppliers. GDPR compliant clauses have been drafted for all new contracts
- n. Model data controller/processor agreements and data sharing agreements have been prepared.
- o. Data breach reporting procedures and privacy impact assessment procedures and forms have been devised.
- p. All information rights working party members have been trained on how to use them

10. **Internal Audit** are responsible for conducting an annual information audit. The aims of the audit are to ensure services are complying with the Information Governance framework that has been put in place.

11. An essential part of the information management role is protecting records from elements such as floods, fire, theft and loss. The Council follows the National Archives Records Management Recovery plans standard for the management of government records. This standard is a best practice benchmark for all organisations creating or holding public records.

Information Storage

12. Storage of the Council's paper-based records is reviewed annually in line with retention periods and records are destroyed or transferred to archive if required.

Risk Assessment

13. Information governance is included in the Council's Strategic Risk Register.

Data breach reporting

14. Data breaches can be reported to the Data Protection Officer via a new inbox DPO@gateshead.gov.uk.

The Siro is informed in the event of a data breach and the Information Rights Officer provides advice to the service concerned about what remedial action they need to take.

The Siro decides whether the incident must be reported to the Information Commissioner in line with the Information Commissioner's guidance on data breach reporting.

The DPO maintains a spreadsheet about data breaches and data breaches are reported to the Information security group, SIRO and relevant Service Director.

There have been 19 data breaches reported

9	Have related to HB and C Tax correspondence being sent with correct data to the wrong recipient. Two letters in one envelope. One was sent by email to the incorrect email address	All revenues and benefits staff were required to have further GDPR/DP training in December A new system called Critiqom has been purchased which will automate the enveloping process to stop the issues which have occurred via humans enveloping correspondence
1	Notebook containing service user info lost	Commissioning worker re traced steps, provided with advice about secure methods of accessing service user data when offsite
1	Ed Psych report sent to wrong address	Retrieved address updated on our systems
1	Complaint from service user that data had been shared with her landlord without her consent	Complaint upheld – apology issued- staff member provided with advice about appropriate data sharing
1	Report uploaded to online mental health forum using nickname file facility – reported to the ICO	Decision from the ICO in January accepting data breach but not requiring us to take any action and not imposing any monetary penalty upon us
1	C tax liability schedule in debt case sent to a defendant without redacting the record- reported to the ICO awaiting a decision. The record was recovered from the debtor	Awaiting response from ICO
1	IPA report sent to a fostering agency about a child they were not caring for. They reported it to us destroyed the record and the correct record was sent to them	Staff reminded to ensure correct recipient
2	2 x letters re care cases sent to incorrect recipient because addresses on system were not up to date	Workers reminded to update addresses
1	1 report re case sent to wrong solicitor by email- record deleted	Worker reminded to double check email addresses

1	Building control invoice sent to a house numbered 273 instead of 237. Invoice retrieved, address details updated on the system	Worker reminded to check addresses
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Should a complaint be made to the Information Commissioner or a breach is reported to the Information Commissioner by the Council, the Information Rights Officer liaises with the Information Commissioner to reach a satisfactory outcome.

Regulation of Investigatory Powers Act 2000 (RIPA)

Background

15. This is the second report in relation to the Council's use of RIPA. It was recommended in the new codes of conduct produced by the Office of the Surveillance Commissioner at the end of last year, that Councils should report their use of RIPA to elected members at least annually.
16. RIPA provides a statutory mechanism (i.e. 'in accordance with the law') for authorising directed and covert surveillance and the use of Covert Human Intelligence Sources (CHIS). It also permits public authorities to compel telecommunications and postal companies to obtain and release communications data in certain circumstances. It seeks to ensure that any interference with an individual's rights under Article 8 of the European Convention is necessary and proportionate. In doing so, RIPA seeks to ensure that both the public interest and the human rights of individuals are suitably balanced.
17. Covert surveillance involves, monitoring, observing, listening to persons, watching or following their movements, and is carried out in such a way that the subject of the surveillance is unaware it is taking place.
18. There are two types of covert surveillance that the Council can use:
 - directed surveillance – this involves observing, following or watching the subject of the surveillance
 - CHIS – this involves using volunteer adults or children to attempt to make test purchases
19. Typically, this council uses RIPA in relation to benefit or council tax fraud when information is received that a claimant has someone living with them or is working and claiming benefits. Surveillance will be used to watch the property to see if there is any evidence of another person living there. If evidence is found the subject of the surveillance will be invited in for an interview under caution.
20. The Council uses CHIS (normally members of staff or child volunteers), when it receives information that, for example, a householder is selling illegal tobacco, or a shop is selling age restricted products such as alcohol, cigarettes or fireworks to underage children. The CHIS will be used to attempt to make a test purchase. If the test purchase succeeds, then the subject of the surveillance is invited in for an interview under caution.

21. The Protection of Freedoms Act 2012 amended RIPA to restrict when councils can use RIPA. An authorisation for directed surveillance or CHIS can only be made by councils now if certain conditions are met:

- that the authorisation is for preventing or detecting crime
- the criminal offence is or would be an offence which is punishable, whether on summary conviction or indictment, by a maximum term of at least 6 months imprisonment or
- is an offence under:
 - Section 146 of the Licensing Act 2003 (sale of alcohol to children)
 - Section 147 of the Licensing Act 2003 (allowing the sale of alcohol to children)
 - Section 147A of the Licensing Act 2003 (persistently selling alcohol to children)
 - Section 7 of the Children and Young Persons Act 1933 (sale of tobacco etc to persons under 18)

22. Covert surveillance should only be used in exceptional circumstances when necessary information cannot be uncovered by overt means – open CCTV or officers patrolling with visible body worn video cameras. The decision to use covert surveillance must consider the issue of proportionality - the surveillance must not be excessive in relation to the seriousness of the problem it seeks to address.

The Council must ensure that:

- all covert surveillance exercises conducted by the Council comply with the requirements of RIPA;
- all authorisations contain the detail of the surveillance which is to be permitted and why the authorising officer believes the surveillance to be necessary. To demonstrate the necessity of the covert surveillance all authorisations must mention all other possible means of discovering the desired information and the reason for their rejection.

23. Councils are not permitted to undertake intrusive surveillance i.e. tapping phone lines or any surveillance inside private property or placing tracking devices on a subject's vehicle or person.

24. Only authorising officers can be permitted to authorise a covert surveillance exercise.

Arrangements

25. The Council's compliance with RIPA is independently audited periodically by two Commissioners; the Office of the Surveillance Commissioner and the Office of the Communications Surveillance Commissioner. The Home Office has produced a code of conduct in relation to covert surveillance. The Commissioner audits how the Council has used its powers under the Act and how well it has complied with the code of practice.

26. In addition, the Protection of Freedoms Act 2012 amended RIPA, meaning that before a surveillance exercise can take place, an application which has been authorised by an authorising officer, must be approved by a magistrate before the proposed surveillance activity takes place.
27. The Investigatory Powers Tribunal can hear complaints from any person aggrieved at the conduct carried out in challengeable circumstances within one year. The tribunal can award compensation or can quash or cancel any authorisation and can order the destruction of records of any information obtained by exercising any power.
28. The Act designates various roles to officers, these roles are held by specific Council officers as follows:
- Senior Responsible Officer (SRO) – this role is held by the Service Director, Human Resources and Litigation. SRO is responsible for:
 - ensuring that all authorising officers are of an appropriate level of seniority and have had training
 - the integrity of the process in place within the public authority to authorise directed and intrusive surveillance and interference with property or wireless telegraphy;
 - compliance with Part II of the 2000 Act, Part III of the 1997 Act and with the codes of practice
 - engagement with the Commissioners and inspectors when they conduct their inspections, and where necessary, overseeing the implementation of any post inspection action plans recommended or approved by a Commissioner
 - RIPA Co-ordinating officer - this role is held by the Litigation Manager and Information Rights Officer. The role is responsible for:
 - maintaining the central record of authorisations
 - collating the original applications/authorisations, review, renewals, cancellations
 - oversight of the submitted RIPA documentation
 - organising the RIPA training programme
 - raising RIPA awareness within the Council

29. Authorising Officer - these roles are assigned to service managers or above who have been trained to authorise requests for directed surveillance and the use of CHIS.

RIPA does not:

- make lawful conduct which is otherwise unlawful
- prejudice or disapply any existing powers available to the Council to obtain information by any means not involving conduct that may be authorised under this Act. For example, it does not affect the Council's current powers to obtain information via the DVLA or to get information from the Land Registry as to the ownership of a property.

Statistics

30. Gateshead Council uses its power under RIPA when it is appropriate to do so.

- In 2018 the powers were not used. This does not mean we have not undertaken any enforcement action. Just that such action did not require RIPA authorisation.
- In 2017 the powers were used four times – three for counterfeit goods being sold via Facebook and one for the sale of cigarettes to children
- In 2016 the powers were used twice – both for illegal tobacco sales
- In 2015 the powers were used five times - on four occasions for illegal tobacco sales and once for counterfeit goods.
- In 2014 the powers were used four times - on two occasions for counterfeit goods, once for benefit fraud and once for illegal tobacco.
- In 2013 the powers were used 5 times – on four occasions for illegal tobacco and once for theft.

Inspection

31. In July 2016 the Council was re-inspected by the Surveillance Commissioner and found to be fully compliant with the requirements of RIPA

Recommendation

32. The Corporate Resources Overview and Scrutiny Committee is asked to endorse the information in the annual report and satisfy themselves that the Information Governance is operating satisfactorily and that the Council uses the powers under the Regulation of Investigatory Powers Act appropriately.

Contact Tanya Rossington

EXT: 2192

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TITLE OF REPORT: Annual Work Programme

REPORT OF: Sheena Ramsey, Chief Executive
Mike Barker, Strategic Director, Corporate Services and
Governance

Summary

The report sets out the provisional work programme for Corporate Resources Overview and Scrutiny Committee for the municipal year 2018/19.

1. The Committee's provisional work programme was endorsed at the meeting held on 16 April 2018 and Councillors have agreed that further reports will be brought to future meetings to highlight current issues / identify any changes/additions to this programme.
2. Appendix 1 sets out the work programme as it currently stands. Any changes proposed to the programme will be set out in bold and italics for ease of identification.

Recommendations

3. The Committee is asked to
 - a) Note the provisional programme;
 - b) Note that further reports on the work programme will be brought to the Committee to identify any additional policy issues, which the Committee may be asked to consider.

Contact: Angela Frisby

Extension: 2138

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Corporate Resources OSC 2018/2019	
25 June 18	<p>PART 1 OF AGENDA</p> <ul style="list-style-type: none"> • Constitution/role/remit (to note) <p>PART 2 OF AGENDA</p> <ul style="list-style-type: none"> • The Council Plan – Year End Assessment and Performance Delivery 2017-18 • Sickness Absence / Health of the Workforce Update • Gateshead Fund Update
10 July 2018 – additional meeting	<ul style="list-style-type: none"> • Adhoc Policy Issue – Consult OSC on refresh of Corporate Asset Strategy
10 Sept 18	Cancelled
15 Oct 18	<ul style="list-style-type: none"> • Workforce Plan Progress Update / Review of Workforce Strategy • OSC Review – Scoping Report - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Implementation of Gateshead Volunteers Plan – Annual Report • Support to Voluntary and Community Sector – Progress Update • OSC Work Programme
3 Dec 18	<ul style="list-style-type: none"> • OSC Review – Evidence Gathering - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • The Council Plan – Six Monthly Assessment of Performance and Delivery 2018-19 • Resilience and Emergency Planning Performance Framework - Progress Update • Sickness Absence / Health of the Workforce Update • Corporate Asset Management – Delivery and Performance Report • OSC Work Programme
21 Jan 19	<ul style="list-style-type: none"> • OSC Review – Evidence Gathering - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Brexit – Replaced by Seminar for all Members of the Council • Annual Health and Safety Performance Report • Corporate Complaints Procedure - Annual Report 2017-18 • OSC Work Programme
4 March 19	<ul style="list-style-type: none"> • OSC Review – Evidence Gathering - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Information Governance Report • Tackling Social Exclusion • Welfare Reform – Progress Update – deferred to a future meeting • OSC Work Programme
1 April 19	<ul style="list-style-type: none"> • OSC Review – Interim Report - Helping to increase support / capacity of Voluntary Sector - explore how organisations link with each other and specific services within council • Welfare Reform – Moved from 4 March meeting following agreement with the Chair. • Resilience and Emergency Planning Performance Framework - Progress Update • Freedom of Information - Annual Report 2017 • Support to Voluntary and Community Sector – Progress Update • OSC Work Programme Review

Issues to Slot in

- PSP Performance Monitoring
- Gateshead Communities Together Annual Update