

DECISION-MAKER:	CABINET		
SUBJECT:	CCTV AND TWENTY-FOUR HOUR SERVICES		
DATE OF DECISION:	19 OCTOBER 2016		
REPORT OF:	CHIEF EXECUTIVE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Paul Paskins	Tel: 023 8083 4353
	E-mail:	Paul.paskins@southampton.gov.uk	
Director	Name:	Stephen Giacchino	Tel: 023 8091 7713
	E-mail:	Stephen.giacchino@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

Not Applicable

BRIEF SUMMARY

The Service Cost Recovery (SCR) programme has developed a series of proposals to realise savings in the current budget and create the conditions to generate future savings.

Southampton City Council (SCC) already has two contracts with BBLP and one of these contracts - known as 'CityWatch' - currently provides CCTV and traffic signal services.

One component of the SCR proposals is the transfer of the Housing Concierge service to Balfour Beatty Living Places (BBLP) along with those people delivering the service. It is proposed to transfer those people in scope from Housing to BBLP under the TUPE regulations. The current TUPE Protocol requires any such transfer to be approved by Cabinet.

RECOMMENDATIONS:

Having complied with paragraph 15 of the Council's Access to Information Procedure Rules:

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| (i) | To approve the TUPE transfer of the posts involved in delivering the Housing Concierge service to Balfour Beatty Living Places (BBLP). The proposal directly affects 5.19 FTEs, of which it is anticipated that 3 staff will transfer to BBLP under the TUPE regulations. |
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REASONS FOR REPORT RECOMMENDATIONS

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| 1. | This report is submitted for consideration as a General Exception under paragraph 15 of the Access to Information Procedure Rules in Part 4 of the City Council's Constitution, notice having been given to the Chair of the relevant Scrutiny Panel and the Public. The matter requires an urgent decision as the proposed transfer of services to BBLP involves a TUPE transfer. Under the TUPE Protocol, any TUPE transfer needs cabinet approval. If the transfer target date of the 28 th November 2016 is to be met, a Cabinet decision is needed to |
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	enable consultation with those affected to begin on the 20 th October 2016.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
2	The Concierge Service is an integral part of the package of services it is proposed to transfer to BBLP, as a change to the CityWatch contract with SCC. The TUPE transfer is an integral element of the wider change and, if the wider change proceeds, there is no alternative to the TUPE transfer as it is a legal process.
DETAIL (Including consultation carried out)	
3	In August 2015, savings options were presented to the Transformation Implementation Board (TIB) as part of the SCR programme.
4	The option of completely ceasing the CCTV services was ruled out by Members and the Transformation team were asked to form alternative proposals to generate significant General Fund (GF) revenue savings associated with the delivery of the Twenty-Four Hour services.
5	Discussions were held with BBLP and a set of proposals were developed which involved a number of services moving to BBLP. The services identified were: <ul style="list-style-type: none"> • Housing Concierge; • Oversight of all Housing CCTV; • City Depot Security - monitoring of CCTV; • Itchen Bridge Help Point additional hours monitoring; • Back-office Bus Lane Enforcement ('Phase 1' monitoring) and • Lone alert safety monitoring for 500 SCC staff.
6	The aims of the proposal are to protect the provision of the CCTV services, allow the Council to achieve savings already included in the 2016/17 budget and run new and existing services in a cost-effective manner.
7	The Housing Concierge Service would be broadly unaltered and service standards are anticipated to be in line with than the current standards. The Council will retain control of the setting of service charges to tenants and residents for the provision of the Concierge Service and these service charges will be not be altered in connection with the changes described in this paper.
8	A paper went to TIB on the 30 th August 2016 and the recommendation to proceed was agreed. The Transformation Implementation Director and the Service Director, Transactions & Universal Services, were directed to seek approval and closure of the final commercial, specification and contract terms with Balfour Beatty Living Places (BBLP).
9	Work is now underway to put the proposal into effect which is designed to realise General Revenue Fund savings of up to £452,700 per annum.
10	In order to transfer the Housing Concierge service to Balfour Beatty a TUPE transfer will need to take place. Currently there are 5.19 FTEs posts delivering the service. It is anticipated that it will be possible to offer redeployment opportunities to a number of these staff into new or vacant posts within the remaining Housing Community Alarm and Out of Hours services and that three

	staff will transfer to BBLP.
11	Under the current SCC TUPE Protocol Cabinet approval is required 'if there is a proposed change to service delivery which may result in a TUPE situation'.
12	Cabinet approval of the TUPE transfer is sought as it is a component part of the wider set of changes that will enable savings to be realised, some of which are already in budgets and are contingent on the Citywatch Control Centre continuing to operate. It may also be possible to identify and realise future savings as a result of these changes.
13	If the recommendation of this report is approved, the formal consultation on the transfer can be started with those staff in scope of the proposals. It is anticipated that it would be possible to commence the consultation process within fourteen days.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
14	This proposal is part of the wider Service Cost Recovery Programme designed to realise General Fund revenue savings of up to £452,700 per annum. Savings of £80,000 in 2016/17 and £101,000 ongoing, relating to City Depot and Itchen Bridge, have already been approved and built into budgets. Additional savings are being developed in relation to the other service areas listed in paragraph 5 above. These include those relating to housing services, initially funded through the Housing Revenue Account, a proportion of which are charged to the General Fund. These proposals and separate, but related changes to accounting processes will result in additional costs to the Housing Revenue Account (HRA), estimated to be £267,200 per annum.
<u>Property/Other</u>	
15	N/A
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
16	<p>This transfer will fall under and therefore be governed by the Transfer of Undertakings (Protection of Employment) Regulations 2006. These Regulations impose upon the Council a duty to provide prescribed information to and where appropriate, consult with representatives of affected staff. This duty will be fulfilled through discussions with union representatives. There is likely to be a need for Balfour Beatty to consult with the union representatives direct and this will be facilitated as far as possible. Legal and HR advice will be sought to ensure full compliance with the Regulations.</p> <p>Supplementing the Council's general employment powers and duties is the general power of competence as contained in section 1 of the Localism Act 2011. Section 1 allows a Council to do anything that an ordinary person may do, subject to complying with the conditions and restrictions set out in s1 (2) of the Act. There are no conditions or provisions that would restrict or prevent the proposals in the report.</p>
<u>Other Legal Implications:</u>	
17	A privacy impact assessment both identifying and managing the data protection

	implications of the proposal, has been undertaken. Additionally, if the proposal is approved, contractual provisions will be in place ensuring appropriate safeguards govern the security of any personal information transferred.
POLICY FRAMEWORK IMPLICATIONS	
18	TUPE Protocol

KEY DECISION?	Yes/No	
WARDS/COMMUNITIES AFFECTED:	N/A	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	None	
2.		
Documents In Members' Rooms		
1.	PIA	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.		No
Privacy Impact Assessment		
Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.		Yes
Other Background Documents		
Equality Impact Assessment and Other Background documents available for inspection at:		
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.		
2.		