

**Committee Name and Date of Committee Meeting**

Cabinet – 22 March 2021

**Report Title**

Recommendations from Scrutiny Review of Building Use

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Jo Brown, Assistant Chief Executive

**Report Author(s)**

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**Ward(s) Affected**

Borough-wide

**Report Summary**

To receive the findings and recommendations from the working group on Building Use which was established by the Overview and Scrutiny Management Board.

**Recommendations**

1. That the recommendations of the Scrutiny Review of Building Use be received.
2. That the Cabinet formally respond to the recommendations from this review at its meeting in June 2021, in accordance with Overview and Scrutiny Procedure Rule 8(2).

**Background Papers**

Minutes from Overview and Scrutiny Management Board – 16 September 2020  
Agenda Pack and Minutes from Improving Places Select Commission – 2 February 2021  
Agenda Pack and Minutes from Overview and Scrutiny Management Board – 10 February 2021  
Agenda Pack and Minutes from Council – 3 March 2021

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Improving Places Select Commission – 2 February 2021  
Overview and Scrutiny Management Board – 10 February 2021  
Council – 3 March 2021

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Recommendations from Scrutiny Review of Building Use**

### **1. Background**

- 1.1 Due to the national Coronavirus emergency, Central Government have issued regulations to allow remote attendance and participation in Council meetings. Councillors have not been identified by the Government as essential key workers, nor are they employees of the Council.
- 1.2 The Government guidance also asks all workers including essential key workers to work from home if possible. Citizens are asked to avoid all non-essential travel and use of public transportation to limit the transmission of the virus and protect the National Health Service from undue burden.
- 1.3 The Government guidance also reflects an evolving picture. At the time of writing the report, an extended national lockdown has been put in place to respond to growing pressure on the NHS and the emergence of a novel strain of COVID-19 which has shown higher transmissibility and mortality rates, even affecting children. This lockdown has been in place amid the roll-out of a large-scale vaccination programme.
- 1.4 The decision to review this area arose from a recommendation made by the Overview and Scrutiny Management Board (OSMB) at its meeting on 16 September 2020 when considering 'The Year Ahead' report prior to its approval by Cabinet. OSMB determined to establish a sub-group of the Improving Places Select Commission in order to feed into the planned review relating to the return to, and use of Council buildings. The review took place over a period of time where two national lockdowns and local tiering arrangements were introduced.

### **2. Key Issues**

- 2.1 The recommendations arising from the scrutiny review are:
  - a) That the principle be agreed that the future usage of buildings be determined in accordance with the needs of services located therein.
  - b) That, prior to buildings being brought back into use by staff or the public, consultation take place with Trade Unions and staff following completion of risk assessments in respect of the building or location concerned.
  - c) That any decision to return employees to Council buildings beyond the minimal number that have been required to be present throughout the pandemic be made having regard to advice from the Corporate Health and Safety Team and Human Resources, as well as being subject to Government guidance around the safe use of Council buildings.
  - d) That Members be notified when main operational buildings are to be brought back into use, specifically the Town Hall as the civic hub of the Borough.

- e) That, having regard to the positive implications associated with virtual meetings in respect of the Council's carbon footprint, the Leader of the Council lobby the Secretary of State for Housing, Communities and Local Government to legislate for the ongoing provision of virtual meetings beyond 7 May 2021.
- f) That Asset Management and Digital Services work together to identify the necessary changes or solutions required in Riverside House and Rotherham Town Hall, as well as any changes required to equipment or software for Members and officers, to enable continued use of remote working whilst permitting physical presence in a Council building.
- g) That the Head of Democratic Services prepare guidance and training on the procedures and operation of hybrid meetings

These recommendations were made after Members undertook work to establish the findings set out below.

- 2.2 The Council has developed a new home working plan to comply the government mandate that everyone who can work from home do so. Workforce planning has to take into account local transmission rates and restrictions, resident expectations, operation delivery, changing government expectations, and facility services implications of any decision. Priority services have been identified and prioritised, based on an assessment of which services are needed, not merely wanted as well as which front-line and back office services are already operating.
- 2.3 Human Resources have monitored the experience of employees during the transition to exclusive home working, and have ensured that things like reasonable accommodations and proper kit/equipment continue to be provided to employees who need them. Human Resources have anticipated that some aspects of remote working will continue to stay with the Council after the mandate to work from home has been lifted, as employees now have the technology to facilitate working from home, and a strong majority of employees have reported that they either like or love home working.
- 2.4 Therefore, Human Resources have developed a strategy for safely transitioning back to partial office working when the public health climate improves and government regulations allow. The strategy also considers those employees who need to return to the office for personal rather than business reasons. The strategy will continue to be reviewed and informed by further information, for example, from the full staff professional wellbeing surveys that have been undertaken in Autumn 2020. These efforts ensure staff know the plans on a quarterly basis, and that discussions with managers are ongoing. Risk assessments will be particularly important for building resilience into front line services where there has been more sickness and impact on service delivery. New, innovative ways to support staff will be needed. This strategy is flexible as it is built to respond to an evolving public health picture.

- 2.5 Similarly, Asset Management have developed a strategy for following the government guidelines as regards the Council's operational buildings that are not designated for the delivery of specific services, that is, its office buildings. This strategy ensures services are delivered as usual, but with employees working from home rather than utilising office spaces, which currently requires additional precautions during use and additional cleaning after use.
- 2.6 In terms of Riverside House, 30% of the capacity can be used safely in the current layout configuration. This means that of 1300 desks, 440 can be safely occupied at a given time. There are facilities implications of any use.
- 2.7 Following an extensive examination, it was determined that Riverside House air conditioning has not been found to be a contributor to transmission. The servicing of the air conditioning is maintained, and the air change frequency has been increased to bring fresh air into the building every 35 to 40 minutes through filters that are regularly changed.
- 2.8 Members expressed concerns that at times remote access can create obstacles to performing their responsibilities as Councillors. Broadband connections can sometimes drop, and applicants who are interviewed as part of the work of some smaller committees of the Council cannot be interviewed in person. For these reasons, advice was sought around the return to use of a Council space for in-person meetings of some smaller committees. The response cautioned that whilst this is physically possible, it would be against the national guidance against public gatherings, and while Councillors are not considered key workers, nor are they employees of the Council, their presence in Council operational buildings would require employees to be present, and extra precautions and cleaning would have to be undertaken as well. It was also noted that the Council's position is that just because an office space can be used does not mean that it should be used. It is important in terms of Public Health perception of the Council, that the Council play by the same rules that the community are asked to follow. Therefore, it remains necessary to limit face-to-face meetings wherever possible.
- 2.9 As for which buildings have remained open, these have been reduced to skeleton services. Some buildings needed to remain open because they also house NHS or GP services. These have been constantly reviewed. Bookable systems have been used where possible to ensure controls are in place to reduce transmission. Members learned that it was down to management and teams to decide how their model would work.
- 2.10 At the meeting held on 14 December 2020, Members received a presentation about the life cycles of Council Owned sites, for example, how Asset Management makes decisions about sites, including changes of use and sale, and how those decisions are progressed. The goal of this meeting was to demystify the Asset Management process by reviewing examples of the process in action.

### **3. Timetable and Accountability for Implementing this Decision**

- 3.1 The Cabinet will be accountable for responding to the recommendations from Overview and Scrutiny.
- 3.2 The Overview and Scrutiny Procedure Rules require the Cabinet to consider and respond to recommendations made by scrutiny within two months. Whilst this is not practical given the forthcoming election and lack of available meetings to respond by May 2021, the Cabinet should formally agree its response to the recommendations at its meeting in June 2021.
- 3.3 Following formal receipt of this report, officers in relevant services should review the findings and recommendations to inform the Cabinet's response to the recommendations.

#### **4. Financial and Procurement Advice and Implications**

- 4.1 There are no financial or procurement implications directly associated with this report. Any financial implications arising from the response to the recommendations should be considered by Cabinet when responding to the recommendations from Overview and Scrutiny.

#### **5. Legal Advice and Implications**

- 5.1 There are no direct legal implications associated with this report. Any legal implications arising from the response to the recommendations should be considered by Cabinet when responding to the recommendations from Overview and Scrutiny.

#### **6. Human Resources Advice and Implications**

- 6.1 These are set out in the report.

#### **7. Implications for Children and Young People and Vulnerable Adults**

- 7.1 These have been set out in the relevant sections of the report.

#### **8. Equalities and Human Rights Advice and Implications**

- 8.1 Members have had regard to equalities implications when considering recommendations and other matters arising from the working group. An additional assessment was not considered necessary at this stage, however an initial equality impact assessment should be undertaken when the response to the recommendations is submitted to Cabinet.

#### **9. Implications for Partners**

- 9.1 There are no implications for partners directly arising from this report.

#### **10. Risks and Mitigation**

- 10.1 Members have been advised previously of risk assessments and mitigation plans, and these have been taken into account in their consideration of

potential recommendations. The response to the recommendations from Cabinet will need to consider the risks and mitigations associated with any proposed actions.

**11. Accountable Officer**

Craig Tyler, Head of Democratic Services and Statutory Scrutiny Officer

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