

**Committee Name and Date of Committee Meeting**

Cabinet – 20 September 2021

**Report Title**

Response to 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

Paul Woodcock, Strategic Director Regeneration and Environment

**Report Author(s)**

Lee Mann

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**Ward(s) Affected**

Borough-wide

**Report Summary**

This report sets out the proposed Cabinet response to 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 Cabinet response to the recommendations of the Scrutiny Review of Building Use be approved.

**Background Papers**

Cabinet Report on Recommendations from Scrutiny Review of Building Use – 22 March 2021

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

## Response to Recommendations from Scrutiny Review of Building Use

### 1. Background

- 1.1 The decision to review the use of the Council's buildings 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 as a result of the Covid-19 pandemic situation.
- 1.2 The recommendations from the sub-group were considered by the Council at its meeting on 3<sup>rd</sup> March 2021. Cabinet was asked to consider and respond to the recommendations.

### 2. Key Issues

- 2.1 In light of their findings following the workshops, the sub-group of the Improving Places Select Commission made the following recommendations. All recommendations have been accepted and a response against each recommendation is set out below:

**a) That the principle be agreed that the future usage of buildings be determined in accordance with the needs of services located therein.**

The key principle when assessing new ways of working for colleagues across the Council is delivering the best possible service for residents.

Throughout the pandemic, operational needs of services have been kept under review to determine whether attendance at the office is required to support service delivery.

Services will continue to assess how they best meet the needs of residents and service users; this will then determine how and when buildings are used in the future, including a strategic review of the Council's estate requirements through a comprehensive Operational Property Review.

Lead Officers: Lee Mann, Assistant Director HR & OD  
Jonathan Marriott, Head of Asset Management

Action by: Ongoing requirement

**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.**

Asset Management in conjunction with Facilities Services have ensured that all the open operational property is compliant with the Government's guidance on managing the risk of COVID-19.

It has adhered to the Government principles on working safely during coronavirus by adopting the guidance produced for people who work in or run offices, contact centres and similar indoor environments. This has included completing full Covid-19 building risk assessments on all open operational properties in conjunction with the appropriate Service Risk Assessments.

These assessments have been updated and amended when appropriate (such as following the adoption of the Council's face covering policy) and have been reviewed with staff and Trade Unions prior to any return.

Lead Officers: Lee Mann, Assistant Director HR & OD  
Jonathan Marriott, Head of Asset Management

Action by: Ongoing requirement

- 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.**

The Council has applied relevant government guidance throughout the pandemic for those attending Council buildings.

Since the end of most COVID related legal restrictions on 19<sup>th</sup> July 2021, the Council has continued to apply social distancing measures for colleagues attending Council buildings for work. This has included retaining the appropriate signage, ongoing provision of hand sanitisation stations alongside the continued strong encouragement of staff on the use of face masks whilst circulating arounds buildings. This is aligned to the latest government guidance on safe working in offices and will continue to be assessed in the context of local and national infection rates

Requests to return to office working for specific teams due to business need are assessed corporately at the Workforce Cell prior to recommendations being made to Recovery Gold. Decisions are made against the business case submitted by the team / service and include an assessment of business continuity plans and mitigating actions prior to approval.

Lead Officer: Lee Mann, Assistant Director HR & OD

Action by: Ongoing requirement

- 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.**

Members will continue to be notified when main operational buildings, including the Town Hall, are brought back into use.

Lead Officer: Jonathan Marriott, Head of Asset Management

Action by: Ongoing requirement

- 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.**

The Leader wrote to the Secretary of State for Housing, Communities and Local Government on 18<sup>th</sup> February 2021 requesting consideration be given to extending the Coronavirus Act 2020 to allow virtual meetings to continue past 7<sup>th</sup> May 2021.

A response was received on 9<sup>th</sup> March from Luke Hall MP advising that the Government had received representations from a range of Local Authorities and were reviewing the next steps as to extend would require primary legislation being passed. The Government subsequently advised that an extension to allow virtual meetings to continue would not be provided.

Lead officer: Emma Hill, Acting Head of Democratic Services

Action by: Completed 18<sup>th</sup> February 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.**

Following an analysis of service and building usage requirements, a number of IT solutions for supporting hybrid working in meeting rooms across the estate are currently being trialled.

Following testing during August, a decision on further rollout of the meeting room IT equipment will be made in September, with any further installation likely to be completed by the end of 2021.

Lead officers: Steve Langrick, Head of Digital Services

Jonathan Marriott, Head of Asset Management

Action by: 31<sup>st</sup> December 2021

**g) That the Head of Democratic Services prepare guidance and training on the procedures and operation of hybrid meetings.**

Guidance and training to cover Members and Officers will be shared prior to the introduction of hybrid working and will be produced jointly between IT, Asset Management, HR and Democratic Services.

Public-I will provide guidance for the use of the Council Chamber and Democratic Services will circulate to Members and Officers prior to implementation.

Lead Officer: Emma Hill, Acting Head of Democratic Services

Action by: Ongoing requirement

**3. Options considered and recommended proposal**

- 3.1 That the Cabinet response to the recommendations of the Scrutiny Review of Building Use be approved.

**4. Consultation on proposal**

- 4.1 Each of the action leads have been involved in providing the response to the recommendations included within this report and these have been shared and discussed with relevant Strategic Directors and Cabinet Members.

**5. Timetable and Accountability for Implementing this Decision**

- 5.1 The Cabinet will be accountable for responding to the recommendations from Overview and Scrutiny.
- 5.2 The Overview and Scrutiny Procedure Rules require the Cabinet to consider and respond to recommendations made by scrutiny within two months.
- 5.3 Whilst the response had originally been scheduled to be presented at the June Cabinet meeting, it was deferred in order to take account of upcoming advice regarding Covid restrictions from the Government along with guidance from Public Health England.

**6. Financial and Procurement Advice and Implications**

- 6.1 Whilst there are no direct immediate financial implications arising from this report, financial management will be required to ensure that any financial implications arising from any change of use of buildings is within budget and

any longer term implications that may be generated are factored into the Council's medium term financial strategy.

6.2 There are no direct procurement implications contained within the report.

## **7. Legal Advice and Implications**

5.1 The facility for Local Authorities to hold meetings remotely pursuant to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Flexibility Regulations") ended on 7 May 2021. Primary legislation will be required to allow local authority meetings under the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to take place remotely.

5.2 A court challenge brought by ADSO amongst others in relation to this issue concluded that once the Flexibility Regulations cease to apply:

- such meetings must take place at a single, specified geographical location;
- attending a meeting at such a location means physically going to it; and
- being "present" at such a meeting involves physical presence at that location.

5.3 As such the recommendations within the report are in accordance with the requirements stated above for physical meetings to take place.

5.4 Further as stated in the report the Council must comply with the Covid 19 Government Guidance for the Safe use of Council Buildings and the recommendations within the report are consistent with that guidance. The Council will need to keep under review any amendments to the guidance and Covid Regulations which may affect the future operation of its buildings.

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

8.1 These are set out in the report.

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

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

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

10.1 Implementation of the recommendations will be monitored to ensure there are no adverse impacts on anyone with one or more protected characteristics, namely age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## **11. Implications for CO2 Emissions and Climate Change**

11.1 Details are included in Appendix 1 – Carbon Impact Assessment.

## 12. Implications for Partners

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

## 13. Risks and Mitigation

13.1 Recommendations from Cabinet have considered the risks and mitigations associated with all proposed actions.

## 14. Accountable Officer

Lee Mann, Assistant Director HR & OD

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	03/09/21
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	01/09/21
Head of Legal Services (Monitoring Officer)	Stuart Fletcher	02/09/21

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