

## **Summary Minutes of the Valuation Tribunal Service Board 144<sup>th</sup> Meeting held on 23 May 2023 at 10:30 am in Leman Street**

**Present:** Harry Rich (Chair); Suzanne McCarthy (Deputy Chair); Stephen Chappell (Member); Kevin Everett (Member); Gary Garland (VTE President, *ex-officio* member); Alison Griffiths (Member) and Lola Moses (Member).

**In attendance:** Tony Masella (Chief Executive & Chief Operating Officer); Lee Anderson (Director of Operations & Development); Keung Wong (Finance Director); Amy Dusanjh (Data Protection Officer in item 6.4 only) and Nicola Hunt (Board Secretary).

### **Welcome, Apologies, Declarations of Interest, Confirmation of Minutes**

Apologies for absence had been received from Neil Buckley (Member) and Peter Bates (ALB Business Partner, DLUHC) as an observer.

Stephen Chappell advised he had been appointed by the Police Inspectorate as an Associate and the Medical Practitioners Tribunal Service as a lay member. Suzanne McCarthy had been appointed as the Independent Chair of the National Guardian Office's Accountability and Liaison Board.

Minutes of the meeting held on 28 March 2023 were confirmed as a true record of the meeting. Actions had been completed as required.

### **Chief Executive's Report**

Tony Masella referred to the salient points of his previously circulated report. An induction session was held for the new cohort of members from the 2022 recruitment exercise last week and a second session will be held tomorrow. Only 13 of the 22 have accessed their Microsoft 365 account, six have logged into the Members' portal and nine have not yet logged in at all.

The recruitment exercise for 2023 closes on 24 May and the applications were healthy, around 51. The recruitment exercise for two Vice-Presidents will be launched in June.

Tony Masella referred to the table showing member engagement since January 2023. VTE engagement remained an ongoing issue. Staff are actively minimising the number of cancelled hearings by transferring cases to other hearings, but this is having a negative impact on the postponement rate. Stephen Chappell suggested staff should ask members to sit on additional hearings as he felt if they were aware of the impact their contributions make, they may be willing to do more. VTE Membership currently stood at 157, of which 33 are '*not available for hearings*' because they are either still undergoing training or have requested a formal leave of absence.

Second interviews will be taking place on 24 May for the VTE Member Engagement Lead post. This post will provide a dedicated focus on increasing member engagement.

Administrative complaints received during the year had increased. However, it was noted that many complaints were not about how appellants were treated during the process but the actual decision, which is a judicial matter and does not fall within the remit of the administrative complaints process. During 2022-23 20 complaints were received, of which three were upheld and one was upheld in part.

## **Finance**

**Management Accounts to 30 April 2023.** The management accounts to 30 April, the first month of the financial year, reflected a total resource funding forecast of £7,384k. A minor underspend is forecast (£16k) against the draft budget of £7,400k.

It was reported that the capital requested for the VOA Transformation project (£160k) is at risk of postponement; an indicative date was awaited from the VOA of when work is expected to commence, it was hoped an update will be received by July. If work is postponed again, it will be the third year that capital funding had been requested and not spent due to the VOA schedule.

**VTS Revised Budget 2023-24.** The DLUHC Finance Team had accepted the revised budget of £7,400k, a reduction of £156k compared to the March forecast. The main changes were related to the application of IFRS 16: Lease Depreciation and the uncertainty around the NJC pay award.

## **Year End Review**

**Business Plan Achievements 2023-24.** The Board reviewed the achievements for 2022-23. Tony Masella was pleased to report that of the 13 objectives set nine had been fully met and four partly met. The Board congratulated the Executive Team on this achievement.

The Board considered that as Tony Masella had done a significant amount of work regarding the member engagement and recruitment review for DLUHC, this should be shown as achieved rather than partly achieved.

**KPI Achievements (Q4).** The KPI Performance Report had been previously circulated. The position was not dissimilar to the previous report and had remained constant during the year. The figures will be included in the annual report. An internal audit will be carried out in June looking at the KPIs. It was noted the revised targets will be stretching.

**Financial Forecasting.** Keung Wong explained the year-end review provided a breakdown of spend for each cost centre against the revised budget, including estimates for the summer supplementary and any adjustments, resulting in an underspend of 12%.

## **Matters for Approval**

**Business Plan for 2023-24.** The Business Plan had been previously circulated and incorporated comments from the Board as discussed at the March meeting. DLUHC had yet to confirm approval but subject to further comment this is the Board approved version.

**Health & Safety Statement 2022-23.** It is a legal requirement to display this statement which is reviewed annually. Changes had been made to reflect the single estate and the removal of references to COVID-19. It was noted that Health & Safety Assessments are carried out annually by an external company and the services of Occupational Health advisors are provided by a specialist company. These are all 'competent' persons.

**Stakeholder Engagement Strategy.** The strategy had been reviewed. The main change was to Appendix 2 which sets out the timetable for the engagement of activities to be carried out for each stakeholder. The Board noted the document, with thanks.

**Data Protection & Security Annual Report.** Amy Dusanjh, Data Protection Officer, attended to present the annual report. She referred to the following points in particular:

- **A new Data Protection Bill** had been presented to the House of Commons on 8 March; it was expected to receive Royal Assent in the spring of 2024. This aimed to give organisations greater confidence about sharing personal data without consent and will sit alongside the present legislation. A fee will be introduced to allow organisations to charge for a Subject Access Request if it is considered vexatious or excessive.
- **VTS Policies and procedures** have been reviewed and updated. Not many amendments were required as legislation had not changed. It was noted more amendments may be required next year due to the upcoming legislative changes.
- **Freedom of Information requests** – 77 had been received during the year, mostly for historical decisions or IT contract information.
- **Subject Access Requests** – 14 had been received during the year, mainly around clerks' notes or all data held.
- **Erasure requests** – seven had been received during the year, requests varied from deleting data held to removal of personal data from Savanta.
- **Contracts** have been reviewed to ensure GDPR contractual clauses are included. Short form Terms & Conditions were also reviewed. A contract management form had been introduced which managers must complete confirming GDPR elements are included within a contract.
- **Training** videos that ICO use for their staff were made available to VTS staff. A half-day session on cyber security was also provided to staff.

**Code of Conduct.** The updated *Code of Conduct* was approved by the Board at the last meeting subject to further amendments to section 7 (social media reference). The Chair thanked Lola Moses, Neil Buckley and Tony Masella for reviewing the document. The Board approved the updated *Code of Conduct*.

### **Risk Management**

**Strategic Risk Register.** Tony Masella presented the risk register and referred the Board to the nine risks, categorised as two red, one amber, five yellow and one green. The Board noted the Strategic Risk Register; no further risks were identified.

### **Operations and Programme Update**

**Workload data/Expectations of workload 2023-24.** Lee Anderson referred to the analysis of operational workflow for the period 1 April 2022 to 31 March 2023. This analysis showed appeals received, cleared, outstanding at the start of the month and the type of clearance, by appeal type. The challenge is ensuring more appeals are cleared than received to avoid backlogs building up. In the year to date 4,868 appeals had been cleared (742 NDR and 4,126 Council Tax). Appeal receipts within the year have averaged 312 Council Tax and 120 NDR per month. Currently 60 hearings are scheduled per month, it is planned to increase this to 100.

Council Tax receipts are generally predictable with only circa 5% variance. The 2017 Rating List is now closed, and the 2023 Rating List is live. Lee Anderson was working closely with the VOA to understand the volumes of checks and challenges, and to put together a forecast of what receipts should look like year on year. There had been an increase in checks at the end of March because of the deadline for agents to submit appeals. No activity is anticipated in the short term in respect of the 2023 Rating List.

Enhancements to the IT system are required to allow 2023 Rating List appeals to be submitted. These works should be completed during the next six months.

### **User Survey 2022-23**

Steve King of Savanta presented the findings of the Customer Satisfaction Survey covering 2022-23. He outlined the background and objectives of the survey and advised the focus centred around the four pillars of procedural justice (Transparency, Fairness, Impartiality and Voice). Two surveys are carried out, one pre-hearing and one post-hearing.

The Chair thought it was a useful and generally positive report and asked the Executive to review the findings and update the Board on resulting actions.

### **Chair's Report**

Because there was no Strategy Day planned for this year, prior to today's meeting the Chair emailed all Board Members inviting any ideas on substantial future-focused areas for discussion at meetings. There was nothing further to be discussed at this stage.

### **VTE President's Report**

The President had nothing further to add to what had already been discussed during the meeting.

### **Committee Updates**

**Climate Change Report.** Tony Masella presented the Climate Change Report to the Board for information purposes and advised ARAC had approved it at the meeting on 17 April 2023. The Board noted the report and had no comments to make.

**ARAC draft minutes.** The draft minutes from the meeting on 17 April 2023 had not yet been approved by the Committee but were circulated to the Board for information. The Board had no comments to make.

**ARAC Assurance Report.** The ARAC Assurance Report for 2022-23 had been approved by ARAC. The Committee Chair invited the Board to comment. The Board Chair thanked the ARAC Chair and Committee for the comprehensive report which reflected the good work carried out.

**Finance Committee Assurance Report.** The Finance Committee Assurance Report 2022-23 had been circulated. The Board had no comments to make.

### **Any Other Business**

Keung Wong advised the business case for IT enhancements (£60k) had been submitted to HMT for approval under the new process. He was pleased to report approval had now been received and formal approval from the Board was required. The business case will be emailed to Board Members for approval ex-committee.

**Date of next meeting:** Wednesday 26 July 2023 at 10:30 am.