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CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Mr Richard Parry Jones, BA, MA.
Prif Weithredwr – Chief Executive

CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Swyddfeydd y Cyngor - Council Offices
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| RHYBUDD O GYFARFOD | NOTICE OF MEETING |
|--|---|
| PWYLLGOR GWAITH | THE EXECUTIVE |
| DYDD LLUN, 18 MAWRTH, 2013 10:00 O'R GLOCH | MONDAY, 18 MARCH 2013 10:00 AM |
| SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGFNI. | COUNCIL CHAMBER, COUNCIL OFFICES, LLANGFNI. |
| Rheolwr Gwasanaethau Pwyllgor | Mr John Gould (01248) 752 515 Committee Services Manager |

Annibynnol Gwreiddiol/Original Independent

R LI Hughes, K P Hughes, O Glyn Jones, B Owen and G O Parry MBE

Plaid Cymru/The Party of Wales

T LI Hughes and R G Parry OBE

Plaid Lafur/Labour Party

W J Chorlton

COPI ER GWYBODAETH / COPY FOR INFORMATION

I Aelodau'r Cyngor Sir / To the Members of the County Council

Bydd aelod sydd ddim ar y Pwyllgor Gwaith yn cael gwahoddiad i'r cyfarfod i siarad (ond nid i bleidleisio) os ydy o/hi wedi gofyn am gael rhoddi eitem ar y rhaglen dan Reolau Gweithdrefn y Pwyllgor Gwaith. Efallai bydd Bwrdd y Comisiynwyr yn ystyried ceisiadau gan aelodau sydd ddim ar y Pwyllgor Gwaith i siarad ar faterion eraill.

A non-Executive member will be invited to the meeting and may speak (but not vote) during the meeting, if he/she has requested the item to be placed on the agenda under the Executive Procedure Rules. Requests by non-Executive members to speak on other matters may be considered at the discretion of the Board of Commissioners.

A G E N D A

1 DECLARATION OF INTEREST

To receive any declarations of interest from any Member or Officer in respect of any item of business.

2 URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER

3 MINUTES - 11TH FEBRUARY, 2013 (Pages 1 - 12)

To submit for confirmation, the minutes of the meeting of the Executive held on:-

- 11th February, 2013
- 18th February, 2013

4 THE EXECUTIVE'S FORWARD WORK PROGRAMME (Pages 13 - 22)

To submit the report of the Head of Service (Policy).

5 ANNUAL EQUALITY REPORT (Pages 23 - 52)

To submit the report of the Head of Service (Policy).

6 VOLUNTARY SECTOR COMPACT (Pages 53 - 72)

To submit the report of the Head of Service (Policy).

7 PROPOSED REGIONAL EMERGENCY PLANNING SERVICES (Pages 73 - 106)

To submit the report of the Chief Executive.

8 DISCRETIONARY RATE RELIEF POLICY (Pages 107 - 114)

To submit the report of the Head of Service (Finance).

9 ADOPTION OF A LOCAL DISCRETIONARY HOUSING PAYMENT POLICY SCHEME (Pages 115 - 126)

To submit the report of the Head of Service (Finance).

10 PUBLIC SECTOR HOUSING CAPITAL PROGRAMME AND ALLOCATION BUDGET 2013-14 (Pages 127 - 134)

To submit the report of the Head of Service (Housing).

11 COMMON ALLOCATIONS POLICY (Pages 135 - 202)

To submit the report of the Head of Service (Housing).

12 ADULTS' SAFEGUARDING IMPROVEMENT JOURNEY (Pages 203 - 222)

To submit the report of the Head of Service (Adults' Services).

13 CARERS STRATEGIES (WALES) MEASURE 2010 (Pages 223 - 284)

To submit the report of the Director of Community.

14 INDEPENDENT SECTOR CARE HOME FEES 2013-14 (Pages 285 - 304)

To submit the report of the Head of Service (Adults' Services).

15 TAITH CONSTITUTION (Pages 305 - 310)

To submit the report of the Head of Service (Highways and Waste Management).

16 UPDATE ON COLLABORATION ON HIGHWAYS AND TRANSPORTATION SERVICES (Pages 311 - 318)

To submit the report of the Head of Service (Highways and Waste Management).

17 PAYMENT TO OUTSIDE BODIES 2012/13 (Pages 319 - 326)

Report by the Head of Service (Leisure and Community).

18 EXCLUSION OF THE PRESS AND PUBLIC

To consider adoption of the following:-

“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test”.

19 REDEVELOPMENT OF WENDON CAFÉ (Pages 327 - 334)

To submit the report of the Head of Service (Property).

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THE EXECUTIVE

Minutes of the meeting held on 11th February, 2013

- PRESENT:** Councillor Bryan Owen (Leader)(Chair)
Councillor K.P.Hughes (Vice-Chair)
- Councillors W.J.Chorlton, R.LI.Hughes, T.Lloyd Hughes,
O.Glyn Jones, G.O.Parry, MBE, R.G.Parry, OBE.
- IN ATTENDANCE:** Chief Executive
Deputy Chief Executive
Director of Community
Director of Lifelong Learning
Director of Sustainability
Head of Function (Resources)
Head of Service (Policy)(Items 4 & 5 only)
Head of Service (Property)(Item 8 only)
Solicitor (TR) (Item 8 only)
Senior Property Officer (GJ)(Item 8 only)
Senior Engineer (Structures)(RT)(Item 7 only)
Programme Manager (Schools Modernisation) (EB)
(Items 9 & 11 only)
Committee Services Manager
- ALSO PRESENT:** Councillors R.LI.Jones, Raymond Jones and J.V.Owen (Item 8 only); E.Schofield, S.Williams.

1 DECLARATION OF INTEREST

Councillor K.P.Hughes declared an interest in Item 9 of these minutes and was not present at the meeting during any discussion or voting thereon.

2 URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER.

The Chief Executive referred to the article that had appeared in the local press on Friday last regarding the proposed closure of the Holyhead and Llangefni Main Post Offices. He requested the Executive's views in this respect so that he could respond to the consultation document once it was received from Post Office Ltd.

RESOLVED that once consultation is received from Post Office Ltd, authority be given to the Chief Executive in agreement with the Leader of the Council, to respond in the strongest possible terms to the proposed closure of the Holyhead and Llangefni Main Post Offices.

3 MINUTES

RESOLVED that the minutes of the Executive held on 7th and 14th January, 2013 be confirmed as true records.

4 THE EXECUTIVE'S FORWARD WORK PROGRAMME

Submitted – The report of the Head of Service (Policy) seeking approval of the updated work programme for the period 18 February to July 2013. Minor amendments and additions to the work programme were referred to at the meeting by the officer.

RESOLVED to confirm the updated work programme for the period 18th February to July 2013, together with the minor amendments and additions referred to at the meeting by the Head of Service (Policy).

5 SINGLE INTEGRATED PLAN

Submitted – The report of the Head of Service (Policy) providing an update on the results of the consultation conducted on the Single Integrated Plan whose aim was to develop a long term vision and a set of key priorities for improving the Social, Economic and Environmental well-being of the area in accordance with the requirements of the Local Government Measure 2010. The document in its final form would need to be submitted to the County Council for approval.

RESOLVED

- **To note the observation of the Local Service Board that the Plan should be approved;**
- **To recommend to the County Council that it approves the final version of the Single Integrated Plan.**

6 NATIONAL PENSIONERS CONVENTION DIGNITY CODE.

Submitted – The report of the Head of Service (Adults' Services) seeking the Executive's approval to become a signatory to the Dignity Code of the National Pensioners Convention and to commit to applying its aspirations in all aspects of the Authority's activities.

RESOLVED

- **That the Authority signs up to the National Pensioners Convention Dignity Code as referred to at Appendix A of the report;**
- **To commit to applying the aspirations of the NPC Code in all aspects of the Authority's activities.**

7 FLOOD AND WATER MANAGEMENT STRATEGY

Submitted – The report of the Head of Service (Highways and Waste Management) seeking Executive approval to accept the contents of the Local Flood Risk Management Strategy and to forward it to the County Council for approval.

RESOLVED to recommend to the County Council that it approves the Local Flood Risk Management Strategy.

8 LEASES AT NEWRY BEACH, HOLYHEAD

Reported by the Head of Service (Property) – That the Council had received a request from the developer in connection with the proposed waterfront development at Newry Beach, Holyhead to enter into negotiations with a view to surrender/transfer of the Council's leasehold interest in the area. Officers were aware of strong local interest in this matter and had sought guidance from the local members with parts of the lease area within their wards. Executive approval was sought at this stage to enter into discussions with the developer. No formal decision was required at this stage.

Councillors R.Ll.Jones, Raymond Jones, and J.V.Owen were afforded the opportunity of addressing the meeting and made their individual objections and views known as regards the matter and also referred to the strong local objections to the proposed waterfront development. Concern was raised as to who would ultimately be responsible for the repair and maintenance of the deteriorating Holyhead breakwater. A request was made to the Executive that the matter should be referred to the relevant Scrutiny Committee for consideration.

Some of the Executive members considered that it was premature for the matter to be either considered or referred to Scrutiny until officers had held discussions with the developer.

RESOLVED that authority be given to officers to commence negotiations with the developer for the surrender/transfer of the Council's leasehold interest at Newry Beach, Holyhead and that a further report be brought back to the Executive for determination.

9 MODERNISING ANGLESEY SCHOOLS – NORTH WEST ANGLESEY

Submitted – The report of the Director of Lifelong Learning on possible options for formal consultation as part of the review of primary education provision in the North West Anglesey area. The Corporate Scrutiny Committee on 15 January, 2013 recommended Option 5, namely a new area school for Llanfachraeth, Llanfaethlu and Llanrhuuddlad.

RESOLVED to support Option 5 (namely a new area school for Llanfachraeth, Llanfaethlu and Llanrhuuddlad) as the Executive's preferred option for formal consultation on the review of primary education provision in North West Anglesey subject to the identification of both funding and a suitable site for the development prior to the commencement of the formal consultation process.

10 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED under Section 100(A)(4) of the Local Government Act, 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test.

11 CONSTRUCTION PROCUREMENT NORTH WALES

Submitted – A report by the Director of Lifelong Learning seeking the Executive's approval to implement the Construction Procurement North Wales project for the North Wales region as a condition of grant funding from the 21st Century Schools Programme. Each North Wales authority was required to approve the project prior to implementation.

RESOLVED to agree to the proposed Procurement Strategy for Construction Work in North Wales, to include construction projects over £4.35m for the 21st Century Schools programme and also for other construction works over £4.35m, on condition that:-

- **the invitation to tender for the framework agreement declares that Anglesey Council's use will be reviewed case by case;**
- **the Council receives clarity on who will be liable if a legal challenge arises.**

The meeting concluded at 11:25 a.m.

**COUNCILLOR BRYAN OWEN
CHAIR**

THE EXECUTIVE

Minutes of the meeting held on 18th February, 2013

- PRESENT :** Councillor Bryan Owen (Leader)(Chair)
Councillor K.P.Hughes (Vice-Chair)
- Councillors W.J.Chorlton, R.LI.Hughes, T.Lloyd Hughes,
O.Glyn Jones, G.O.Parry,MBE, R.G.Parry,OBE.
- IN ATTENDANCE:** Chief Executive
Deputy Chief Executive
Director of Community
Director of Lifelong Learning
Senior Financial Advisor
Head of Function (Resources)
Head of Function (Legal and Administration)
Head of Service (Finance)
Head of Service (Policy)
Head of Service (Highways and Waste Management)
Head of Service (Housing) (Item 5a only)
Accountancy Services Manager (TF)
Communications Officer
Committee Services Manager
- ALSO PRESENT:** Councillors A. Morris Jones, Eric Jones, A. Mummery, Ieuan Williams
- APOLOGY:** Councillor Selwyn Williams

1. DECLARATION OF INTEREST

None to declare.

2. URGENT MATTERS CERTIFIED BY THE CHIEF EXECUTIVE OR HIS APPOINTED OFFICER

None to declare.

3. REVENUE AND CAPITAL BUDGET MONITORING REPORT – QUARTER 3

(a)Revenue

Submitted – A progress report by the Head of Service (Finance) on the 2012-13 Quarter 3 revenue budget as at 31 December, 2012 with updated projections on corporate and corporate risk budgets. Table A of the report summarised expenditure against the profiled revenue budget for each Service. This was further broken down at Appendix B (expenditure) and C (income). Budget virements requiring approval were detailed at Appendix Ch.

The report emphasised the position on corporate accounts and budgets and drew attention to significant items or trends within service budgets. It also provided a projection of out-turn at a corporate level, which would feed into the 2013/14 budget process. The overall projection was an overspend of £1.9m across a number of services and corporate budgets,

reduced by slippage contingency, unused contingencies and budgets clawed back, giving a projected deficit for the year of £1.0m.

RESOLVED to note the contents of the report and the improved projections for the year and to confirm the virements shown at Appendix Ch of the report.

(b)Capital

Reported by the Head of Service (Finance) – That this was the Capital Budget monitoring for the third quarter of the financial year. Appendix A to the report included a summary of expenditure against the budget up to the end of December. The report drew attention to progress being made, resources, changes and potential changes this year and to any financial risk.

RESOLVED to note progress of expenditure and receipts against the capital budget.

4. BUDGET AND IMPROVEMENT PRIORITIES 2013-14

(a)CONSULTATION ON BUDGET PROPOSALS

Submitted – The report of the Head of Service (Policy) providing feedback received from partners, stakeholders and the general public in response to the public consultation on budget proposals for 2013-14.

RESOLVED to take on board the observations received from partners, stakeholders and the general public as part of finalising the 2013-14 budget proposals to the Council.

(b)SCRUTINY OBSERVATIONS AND FEEDBACK ON BUDGET PROPOSALS FOR 2013-14

Reported – That the Executive were requested to consider the contents of the report prior to making their final decisions on the Budget Proposals for 2013/14. The report had been drawn up on behalf of the Corporate Scrutiny Committee and included feedback from each of the 5 respective Scrutiny Committees' discussions on the initial budget proposals for 2013/14. Councillor Ieuan Williams (Scrutiny Champion) requested the Executive to accept the contents of the report and to take note of the recommendations in Section CH.

RESOLVED to note the recommendations of the Corporate Scrutiny Committee when preparing the Council budget for 2013-14.

(c) BUDGET 2013-14 AND THE MEDIUM TERM REVENUE STRATEGY

Submitted – The report of the Head of Function (Resources) on the proposed final budget proposals together with a review of the medium term revenue budget strategy.

Reported – That the report showed the detailed revenue budget proposals requiring final review and agreement for 2013-14 and the resulting impact on the County Council's budget. These were matters for the Council to agree and the Executive were asked to make final recommendations to the Council. The report also updated the latest Medium Term Financial Strategy which provided a context for work on the Council's future budgets.

The report paid particular reference to the following matters:-

- The Council's Revenue Budget and Council Tax 2013-14 recommendations
- Consultation on the draft budget proposals (detailed at Paragraph 4.1 and 4.3.5 of the report)

Revenue Budget 2013-14

The initial draft revenue budget was presented to the Executive in December 2012 which presented a draft standstill position budget, highlighting a potential gap of £3.450m between the standstill position and the total of the A.E.F. and 5% increase in Council Tax. The report also referred to the ongoing work to identify the savings required at 7% across all Departments.

The standstill budget included a "process contingency" of £500k for issues which had been identified as likely to need additional funding but it was still too early to quantify. (detailed at paragraph 4.2.3 of the report).

Since the draft budget proposals were presented to the Executive a number of issues had emerged which required amendments to the proposals and these were summarised at Paragraph 4.2.5 of the report. The Executive was requested to confirm these adjustments.

● **Savings** – The Board of Commissioners were informed on 23rd July, 2012 that there was a projected funding gap of up to £4.3m in 2013-14 which equated to a percentage reduction in budgets of 3.2%. Different options for savings profiles were presented, showing the target reductions that would be set at different percentage levels if applied evenly across the board and also showing the effect of protection for schools and social services. The base percentage which produced the required total saving was 7% and was shown at Paragraph 4.3.2 of this report. Following further discussions at Member and Officer level since that date, a final list of proposed savings had been drawn up which was summarised at Paragraph 4.3.8 of the report and set out in detail at Appendix 2 of the report. The total required from the Services now equated to £2.860m.

● **Pressures and Growth** – the report to the Executive on 7th January included allowances for pressures and growth totalling £1.3m and £84k respectively. It was decided at that meeting that an additional growth item of £300k in respect of the Energy Island should be added. There had been two developments since the last report in respect of listed pressures, namely a requirement for a further £250k for Looked After Children and a reduction from £200k to £50k for Welfare Reform. The updated table for pressures was detailed at table 4.4.5 of the report. Further details of pressures and growth were shown at Appendices 3 and 4 respectively.

● **Council Tax** - the standstill position within the Executive's report in January assumed a council tax increase of 5%. Each 0.5% reduction or increase was equal to approximately £130k. If the council tax were set at lower than this, the equivalent amount would have to be found through further savings in services or cuts in service provision. A 5% increase equated to a weekly increase of 86p.

● **General and Specific Reserves, Contingencies and Financial Risks** - The proposed budget incorporated a number of assumptions in terms of likely levels of income and expenditure in future years. There were therefore inevitably a number of financial risks inherent in the proposed budget and the key financial risks were highlighted at Paragraph 4.6.1 of the report. In terms of any contingencies and reserves, the Finance Department needed to review these in their totality in conjunction with the base budget itself and the

financial risks which faced the Authority. In addition, this review should incorporate a medium term view where needed and should take into account key developments that may impact on the need and use of one off resources.

The budget for 2012-13 included a planned use of £1.2m of reserves, of which £900k would come from general balances and £300k from earmarked reserves. This meant that general balances would be reduced to £4.9m by the end of 2012-13, which was slightly below the previously determined threshold of £5m. The consultation report identified that, because of overspends during the year, the actual figure was likely to be lower, at between £4m - £4.5m. The proposed further use of £500k of unallocated contingencies in revenue funding of the capital programme would produce a year end general balance of £4.4m.

Account had been taken of the need to keep the immediate reductions in spending and the resulting impact on services to a minimum, but this must be balanced against the need to ensure the medium and long term financial stability of the Council and for savings to be implemented over the coming years in a phased and structured way. There was always some risk of unforeseen items of expenditure or overspending that could occur. For those reasons, it was proposed that provision should be made for a contribution of £500k to general reserves in 2013-14.

● **Robustness of Estimates** - Section 25 of the Local Government Act 2003 required the Chief Finance Officer to report on the robustness of budget estimates and adequacy of financial reserves, and required the Council to take account of this report as it adopted its budget. The following different risks to the budget were considered:-

- Inflation Risk.
- Interest Rate Risk.
- Grants Risk.
- Income Risks.
- Optimism Risk.
- Over-caution Risk.
- Salary and Grading Risks.
- Savings Slippage.
- Social Care and Residential Fees.
- Staff redundancy costs.
- Outcome Agreement grant
- Council Tax Support Scheme

● **Proposed Budget and Council Tax Level** - The table at Paragraph 6.1 of the report showed the available and required budget funding with an increase in Council Tax of 5% being the maximum deemed possible before risking 'capping' by WG. In setting Council Tax, the Council needed to be aware of the need to set a balanced budget.

Before the Executive could recommend a budget to Council, it required decisions based around the figures shown in the table. These decisions included:-

- Delete specific savings items;
- Providing additional capacity within services;
- Fund new initiatives and policies;
- The level of and Council Tax increase required to balance the budget.

● **Equalities Impact Assessments** - In delivering its services the Council had to be mindful of its duties to discharge its statutory obligations under the Equalities Act. Commentary on individual proposals was contained within the appendices for growth and savings. Any

option which had a significant impact on services would need to be monitored closely by the service.

● **Treasury Management Strategy** - In accordance with the CIPFA Code of Practice on Treasury Management the Council was required to approve the 2013-14 Treasury Management Strategy Statement and Investment Strategy prior to the beginning of the financial year.

● **Updating the Medium Term Revenue Budget Strategy** - The initial budget report to the Executive on 3rd December, 2012 updated the Medium Term Financial Strategy for changes in the funding notification from the Welsh Government. These assumptions included a level of pay award and inflation. The table at Paragraph 9.2 of the report was a further update of the medium term financial strategy, which had been updated for the proposed 2013-14 budget together with assumptions for 2014-15 to 2015-16.

● **Links to Council Policies and Priorities** - In drawing up budget proposals, due regard had been given to key Council policies and priorities.

● **Options Available** – detailed at Paragraph 11.1 of the report.

● **Comments of Monitoring Officer** – detailed at Paragraph 12.1 of the report.

● **Staffing Implications** – detailed at Paragraph 13 of the report.

● **Local Issues** – detailed at Paragraph 14.1 of the report

● **Consultation** – detailed at Paragraph 15.1 of the report.

RESOLVED

● To affirm that the Executive have taken account of the responses to consultation, to the observations of the Scrutiny Committees, the Schools Forum, the Voluntary Sector Liaison Committee, the Democratic Services Committee, Town and Community Councils and the general public;

● To note the equalities impact assessment summary on the budget proposals at Section 7 of the report;

● To agree that within the proposed budget, schools are given an increase in budget which meets the Welsh Government's pledge for schools' funding as detailed at Paragraph 4.1.3 of the report;

● To confirm the adjustments detailed within the table at Paragraph 4.2.5 of the report;

● To agree the final details of the Council's proposed budget, investments, pressures and savings as shown in Appendices 1-5 of the report;

● To note the Section 151 Officer's recommendations that minimum General Fund Balances be maintained at £5m, the confirmation of the robustness of the estimates underlying the proposals and the adequacy of the General Reserves in the context of other earmarked reserves;

- **To recommend a net budget for the County Council and resulting Council Tax to Council, noting that a formal resolution including the North Wales Police and Community Council's precepts will be presented to the Council on 5th March, 2013;**
- **To authorise the Section 151 Officer to make such changes as may be necessary before submission to the Council.**

(ch) CAPITAL PLAN AND TREASURY MANAGEMENT

Reported by the Head of Service (Finance) – That a part of the budget process, the Executive were required to make proposals in relation to a capital plan and budget, a treasury management strategy (incorporating an investment strategy and a Minimum Revenue Policy strategy) and a suite of prudential indicators. Draft documents were attached as appendices and this report presented the key points so that the proposals may be presented to the County Council on 5th March. The projects in the current capital budget had been reviewed and no significant change was required.

RESOLVED

- **To endorse the interim capital plan and budget as the Executive's proposal for next year;**
- **To note the assumptions made in the Treasury Management Strategy as detailed in Appendix B of the report;**
- **To approve the Prudential Indicators that become limits and to note the others;**
- **To recommend to the County Council that it adopts the revised CIPFA Treasury Management Code of Practice 2011, detailed at Appendix B-8 of the report.**

(d) IMPROVEMENT PRIORITIES 2013-14

Reported by the Head of Service (Policy) – That the improvement priorities had been developed taking into account the key elements of the current Corporate Business Plan and were aligned to the Transformation programme. Under the Local Government (Wales) measure there was a need for the Council to identify its improvement priorities annually and publish them as soon as practically possible after 1st April. The delivery of these priorities would be the responsibility of the SLT and accountable to the Scrutiny and Executive functions of the Council.

RESOLVED to recommend to the County Council:-

- **That it approves the Improvement Priorities for 2013-14;**
- **That authority be given to Officers in consultation with the relevant Portfolio Holders to develop associated work programmes for each of the Improvement Priorities and that the Council's improvement priorities for 2013-14 be published in April following the annual business planning cycle.**

5. (a) HOUSING RENT HRA 2013-14

Submitted – The report of the Head of Service (Housing) on a proposed rent increase of 4.99% for 2013-14 for Council house tenants, which equated to an average increase of £3.08 per dwelling per week and 32p per week for garages.

RESOLVED to approve the level of rent increase for 2013-14 as set out by the Welsh Government at a rate of 4.99% which equates to an average rent increase of £3.08 per dwelling per week and 32 pence per week for garages.

(b) HRA BUDGET 2013-14

Submitted – The report of the Head of Service (Finance) on the HRA Budget for 2013-14 which fed into the Corporate budgets, treasury management plans and prudential indicators. Appendix A to the report showed an extract from the business plan for the 2013-14 budget.

The HRA reserve was £247k as at 31 March, 2012. The projected balance as at 31 March 2013 was £240k. If this budget was approved, this projected balance would increase to £728k by 31 March, 2014. This was an appropriate level of reserve for the HRA.

RESOLVED to approve the H.R.A. budget for 2013-14.

6.CHANGES TO THE COUNCIL CONSTITUTION

Submitted – A report by the Head of Function (Resources) on seven proposed constitutional changes to take effect immediately after the May Election. These amendments could be summarised as follows:-

- make Member training on the Code of Conduct mandatory
- reduce the number of Scrutiny Committees from 5 to 2
- reduce the number of members on the Planning and Orders Committee (and Licensing) from 14 to 11
- reduce County Council membership on the Audit Committee from 10 to 8
- reduce the number of members on the Executive from 10 to 7 (to include the Leader and Deputy Leader)
- to adopt a revised Relationship Protocol for Members and Officers
- to adopt a protocol for Multi Member Wards

Concern was expressed by some of the members as regards voting rights at meetings of the Planning and Orders Committee. It was hoped that the new Council post May 2013 could give further consideration to the matter.

RESOLVED to recommend to the County Council that it amends the Council's Constitution as indicated in the report (namely in respect of Member Training, the Committee Structure, a Multi Member Ward Protocol and Member/Officer Protocol) and to authorise Officers to make any consequential amendments to the Constitution.

The meeting concluded at 11:25 a.m.

**COUNCILLOR BRYAN OWEN
CHAIR**

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| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---|---|
| Report to | The Executive |
| Date | 18 March 2013 |
| Subject | The Executive's Forward Work Programme |
| Portfolio Holder(s) | Cllr Bryan Owen |
| Lead Officer(s) | Deputy Chief Executive |
| Contact Officer | Huw Jones Head of Service – Policy (Tel. 01248 752108) |
| Nature and reason for reporting: | |
| To seek approval of the Executive's updated Forward Work Programme in accordance with the Council's Constitution. | |

| A – Introduction / Background / Issues |
|---|
| See CH – Summary |

| B – Considerations |
|---------------------------|
| See CH – Summary |

| C – Implications and Impacts | | |
|-------------------------------------|--|--|
| 1 | Finance / Section 151 | - |
| 2 | Legal / Monitoring Officer | - |
| 3 | Human Resources | - |
| 4 | Property Services | - |
| 5 | Information and Communications Technology (ICT) | - |
| 6 | Equality | Impact assessments will need to have been undertaken on all new or revised policies submitted to meetings of the Executive |

| C – Implications and Impacts | | |
|-------------------------------------|--------------------------------|---|
| 7 | Anti-poverty and Social | - |
| 8 | Communication | - |
| 9 | Consultation | - |
| 10 | Economic | - |
| 11 | Environmental | - |
| 12 | Crime and Disorder | - |
| 13 | Outcome Agreements | - |

| CH – Summary | |
|---------------------|--|
| 1.0 | Background |
| 1.1 | The Executive's forward work programme enables both Members of the Council and the public to see what key decisions are likely to be taken by the Executive over the coming months. The forward work programme includes information on the decisions sought and who the lead Officers and Portfolio Holders are for each item. |
| 1.2 | The Executive's Forward Work Programme for the period April – September 2013 is attached. |
| 1.3 | It should be noted, however, that the work programme is a flexible document as not all items requiring a decision will be known that far in advance and some timescales may need to be altered to reflect new priorities etc. Arrangements are therefore in place to review the list of items and submit updates to the Executive on a monthly basis. Both strategic and operational issues are covered to inform the scrutiny process. Some items are likely to be determined by Portfolio Holders under delegated authority. |

2.0 **Role of Scrutiny**

- 2.1 The Board of Commissioners have already acknowledged the importance of the scrutiny role, and in particular task and finish groups, in the process of supporting the corporate work programme.
- 2.2 This work programme offers a basis for further developing the work of the Scrutiny Committees. Further refinement of the work programme will be necessary to ensure better alignment of the schedule of meetings in the future in order to allow for pre-decision scrutiny.

D – Recommendation

Members of the Executive are requested to:

confirm the attached updated work programme which covers April – September 2013;

identify any matters subject to consultation with the Council’s Scrutiny Committees and confirm the need for Scrutiny Committees to develop their work programmes further to support the Executive’s work programme;

note that the Forward Work Programme is updated monthly and submitted as a standing monthly item to the Executive.

Name of author of report: Huw Jones

Job Title: Head of Service - Policy

Date: 8 March 2013

Appendices:

Executive Forward Work Programme: April – September 2013.

Background papers

Previous forward work programmes.

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – September 2013

Updated: March 2013



The Executive's forward work programme enables both Members of the Council and the public to see what key decisions are likely to be taken by the Executive over the coming months. The forward work programme includes information on the decisions sought and who the lead Officers and Portfolio Holders are for each item.

The Executive's draft Forward Work Programme for the period **April – September 2013** is outlined on the following pages.

It should be noted, however, that the work programme is a flexible document as not all items requiring a decision will be known that far in advance and some timescales may need to be altered to reflect new priorities etc. The list of items included is therefore reviewed regularly.

Some matters identified in the forward work programme may be delegated to individual portfolio holders for approval.

Reports will be required to be submitted from time to time regarding specific property transactions, in accordance with the Asset Management Policy and Procedures. Due to the influence of the external market, it is not possible to determine the timing of reports in advance.

Issues to be reported to the Council's Sustainability Board are currently under review.

* **Key:**
Strategic – key corporate plans or initiatives
Operational – service delivery
For information

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – September 2013

Updated: March 2013

| | Subject and * Category (Strategic / Operational / For information) | Why the decision is sought from the Executive | Lead Department | Responsible Officer/ Lead Member & contact for representation | Pre-decision / Date to Scrutiny | Date to Executive | Date to Full Council |
|---|--|--|------------------------|--|------------------------------------|----------------------|-------------------------|
| 1 | Senior Management Restructuring Category: Strategic | To make recommendations to the full Council. | Deputy Chief Executive | Bethan Jones Deputy Chief Executive Cllr W J Chorlton | | 15 April 2013 | 16 April 2013 |
| 2 | Protocols <ul style="list-style-type: none"> • Revise self-regulation protocol • Create protocol for social Media in meetings • Planning Procedure Rules Category: Strategic | To make a recommendation to the full Council | Deputy Chief Executive | Lynn Ball Head of Function – Legal and Administration Cllr W J Chorlton | | 22 April 2013 | May 2013 |
| 3 | The Executive's Forward Work Programme Category: Strategic | To update the work programme. | Deputy Chief Executive | Huw Jones Head of Policy Cllr Bryan Owen | | 22 April 2013 | |
| 4 | HRA Subsidy Reform Category: Strategic | Changes and impact of the Housing Revenue Account subsidy system in Wales. | Community | Clare Williams Head of Function – Resources / Shan L Williams Head of Housing Services Cllr O Glyn Jones | | 22 April 2013 | |

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – September 2013

Updated: March 2013

| | Subject and * Category (Strategic / Operational / For information) | Why the decision is sought from the Executive | Lead Department | Responsible Officer/ Lead Member & contact for representation | Pre-decision / Date to Scrutiny | Date to Executive | Date to Full Council |
|----|---|--|-------------------------|--|------------------------------------|----------------------|-------------------------|
| 5 | Local Housing Strategy Category: Strategic | To approve the strategic direction. | Community | Shan L Williams Head of Housing Services Cllr O Glyn Jones | | 22 April 2013 | |
| 6 | Nuclear new build- Blueprint for accommodation solutions Category: Strategic | To adopt recommendations as Council's formal response. | Community | Shan L Williams Head of Housing Services Cllr O Glyn Jones | | 22 April 2013 | |
| 7 | Regional CCTV Category: Strategic | Support for the proposals. | Community | Carys Emyr Edwards Head of Provider Unit Cllr Kenneth P Hughes | | 22 April 2013 | |
| 8 | EU Funding post 2014 Category: Strategic | Endorsement / Approval. | Sustainable Development | Dylan Williams Head of Economic Development Cllr Bryan Owen | 20 November 2012 | 22 April 2013 | |
| 9 | Market Hall, Holyhead Category: Operational | Support for development proposals. | Sustainable Development | Arthur Owen Director of Sustainable Development Cllr Robert LI Hughes Gwyn Parri Head of Education Cllr G O Parry MBE | | 22 April 2013 | |
| 10 | School Meals Category: Strategic | To award the school meals contract and review the price of school meals. | Lifelong Learning | | | 22 April 2013 | |

* Key:
Strategic – key corporate plans or initiatives
Operational – service delivery
For information

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – September 2013

Updated: March 2013

| | Subject and * Category (Strategic / Operational / For information) | Why the decision is sought from the Executive | Lead Department | Responsible Officer/ Lead Member & contact for representation | Pre-decision / Date to Scrutiny | Date to Executive | Date to Full Council |
|----|---|---|----------------------------|---|------------------------------------|----------------------|-------------------------|
| 11 | Play Sufficiency Assessment Category: Strategic | A statutory requirement by Welsh Government and a new assessment. | Lifelong Learning | Dr Gwynne Jones Director of Lifelong Learning Cllr G O Parry MBE | 27 February 2013 | 22 April 2013 | |
| 12 | 2012/13 Revenue and Capital Budget Monitoring Report – Quarter 4 Category: Operational | Quarterly monitoring report. | Deputy Chief Executive | Eirir Wyn Thomas Head of Finance | | June 2013 | |
| 13 | Commissioning with the Third Sector Category: Strategic | Approval. | Community | Anwen Davies Head of Adults' Services | | June 2013 | |
| 14 | The Executive's Forward Work Programme Category: Strategic | Update the work programme. | Deputy Chief Executive | Huw Jones Head of Policy | | June 2013 | |
| 15 | Welsh Language Scheme Monitoring Report Category: Operational | To ratify the annual report for submission to the Welsh Language Board. | Deputy Chief Executive | Huw Jones Head of Policy | | June 2013 | |
| 16 | Waste Collection Strategy Category: Strategic | Approval of strategy. | Sustainable Development | Dewi Williams Head of Highways and Waste Management | June 2013 | June 2013 | |

* Key:

Strategic – key corporate plans or initiatives

Operational – service delivery

For information

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – September 2013

Updated: March 2013

| | Subject and * Category (Strategic / Operational / For information) | Why the decision is sought from the Executive | Lead Department | Responsible Officer/ Lead Member & contact for representation | Pre-decision / Date to Scrutiny | Date to Executive | Date to Full Council |
|----|--|--|---------------------------|--|------------------------------------|----------------------|-------------------------|
| 17 | The Executive's Forward Work Programme Category: Strategic | To update the work programme. | Deputy Chief Executive | Huw Jones Head of Policy | | July 2013 | |
| 18 | 2012/13 Revenue budget outturn and effect on 2013/14 Category: Strategic | Any decisions following outturn. | Deputy Chief Executive | Eirir Wyn Thomas Head of Finance | | July 2013 | |
| 19 | 2014/15 Budget Category: Strategic | Initial discussion paper. | Deputy Chief Executive | Clare Williams Head of Function - Resources | | July 2013 | |
| 20 | Anglesey Primary Schools Modernisation – Llanddona School Category: Strategic | To agree the way forward. | Lifelong Learning | Gwyn Parry Head of Lifelong Learning | | July 2013 | |
| 21 | Improvement Plan (Performance Review of 2012/13) Category: Strategic | Adoption of Plan in accordance with Policy Framework | Deputy Chief Executive | Huw Jones Head of Policy | | September 2013 | |
| 22 | The Executive's Forward Work Programme Category: Strategic | To update the work programme. | Deputy Chief Executive | Huw Jones Head of Policy | | September 2013 | |

THE EXECUTIVE'S FORWARD WORK PROGRAMME

Period: April – September 2013

Updated: March 2013

| 23 | Subject and * Category (Strategic / Operational / For information) | Why the decision is sought from the Executive | Lead Department | Responsible Officer/ Lead Member & contact for representation | Pre-decision / Date to Scrutiny | Date to Executive | Date to Full Council |
|----|--|---|----------------------------|--|------------------------------------|----------------------|-------------------------|
| | Aberffraw Conservation Area Character Appraisal Category: Operational | Support for approval by full Council. | Sustainable Development | Jim Woodcock Head of Planning and Public Protection | | September 2013 | December 2013 |

* Key:
Strategic – key corporate plans or initiatives
Operational – service delivery
For information

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| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---|---|
| Report to | The Executive |
| Date | 18 March 2013 |
| Subject | Annual Equality Report 2011/12 |
| Portfolio Holder(s) | Cllr Kenneth P Hughes |
| Lead Officer(s) | Deputy Chief Executive |
| Contact Officer | Huw Jones Head of Service – Policy (Tel. 01248 752108) |
| Nature and reason for reporting: | |
| To seek approval of the Annual Equality Report. | |

| A – Introduction / Background / Issues |
|---|
| <p>The Public Sector Equality Duty (PSED) requires that all public authorities covered under the Equality Act 2010 Statutory Duties (Wales) Regulations 2011 should produce an annual equality report by 31 March each year. This is the first annual report since the introduction of the new general and specific equality duties.</p> <p>The essential purpose of specific duties in Wales is to help authorities have better due regard to the need to achieve the three aims of the general duty to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 • Advance equality of opportunity between people who share a relevant protected characteristic and those who do not • Foster good relations between people who share a protected characteristic and those who do not <p>Therefore, as a specific duty in itself, the role of the annual report is to support authorities in meeting the general duty. It also has a role in setting out achievements and progress towards meeting the other specific duties.</p> <p>The first annual equality report must specifically set out:</p> |

- The steps the authority has taken to identify and collect relevant information
- How the authority has used this information in meeting the three aims of the general duty
- Any reasons for not collecting relevant information
- A statement on the effectiveness of the authority's arrangements for identifying and collecting relevant information
- Specific employment information, including information on training and pay (unless it has already published this information elsewhere)

An authority may include in its annual reports any other matter it feels is relevant to meeting the general duty and the specific duties.

From the 2012/13 reporting period onwards, the annual equality report must also set out:

- Progress towards fulfilling each of the authority's equality objectives¹
- A statement on the effectiveness of the steps that the authority has taken to fulfil each of its equality objectives.

The attached annual equality report covers 2011/12 and an outline of progress as at December 2012 is also included so as to provide a more up-to-date picture.

B – Considerations

The draft Annual Equality Report was submitted to the Corporate Scrutiny Committee on 4 March 2013. The Scrutiny Committee's observations will be reported to the Executive at the meeting on 18 March.

C – Implications and Impacts

| | | |
|----------|--|--|
| 1 | Finance / Section 151 | |
| 2 | Legal / Monitoring Officer | |
| 3 | Human Resources | |
| 4 | Property Services | |
| 5 | Information and Communications Technology (ICT) | |

¹ All Councils in Wales were required to publish equality objectives by 2 April 2012.
CC-015195-RMJ/119742

| C – Implications and Impacts | | |
|-------------------------------------|--------------------------------|---|
| 6 | Equality | The production of an Annual Equality Report is a specific duty under the Equality Act 2010 Statutory Duties (Wales) Regulations 2011. |
| 7 | Anti-poverty and Social | |
| 8 | Communication | |
| 9 | Consultation | |
| 10 | Economic | |
| 11 | Environmental | |
| 12 | Crime and Disorder | |
| 13 | Outcome Agreements | |

| CH – Summary |
|--|
| <p>The Public Sector Equality Duty (PSED) requires that all public authorities covered under the Equality Act 2010 Statutory Duties (Wales) Regulations 2011 should produce an annual equality report by 31 March each year. This is the first annual report since the introduction of the new general and specific equality duties.</p> <p>The role of the Annual Equality Report is to support the authority in meeting the general equality duty to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 • Advance equality of opportunity between people who share a relevant protected characteristic and those who do not • Foster good relations between people who share a protected characteristic and those who do not |

The attached annual equality report covers 2011/12 and an outline of progress as at December 2012 is also included so as to provide a more up-to- date picture.

D – Recommendation

The Executive is requested to approve the Annual Equality Report 2011/12 for publication by 31 March 2013.

Name of author of report: Carol Wyn Owen

Job Title: Policy and Strategy Manager

Date: 8 March 2013

Appendices:

Annual Equality Report 2011/12

Background papers

PSED Annual Reports – supplementary note (Equality and Human Rights Commission, November 2012)

Strategic Equality Plan (SEP) Annual Reporting Guidance Template (WLGA, November 2012)

The Council’s Strategic Equality Plan 2012 – 2016 and related documents:

www.anglesey.gov.uk/equalityplan

Isle of Anglesey County Council

Annual Equality Report 2011/12

DRAFT



How to contact us

If you have any questions or wish to make comments about this Annual Report, or would like to receive this information in alternative formats, please contact the Policy Unit:

By e-mail: equality@anglesey.gov.uk

By phone: 01248 752561 / 01248 752520

By fax: 01248 750839

By post: The Policy Unit (Equality)
Department of the Deputy Chief Executive
Isle of Anglesey County Council
Council Offices
Llangefni
Anglesey
LL77 7TW

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1.0 Introduction and Background

This is our first annual equality report since the introduction of the new general duty under the Equality Act 2010 and specific duties under the Statutory Duties (Wales) Regulations 2011. This report covers the period from 6 April 2011 to 31 March 2012. We have also included an outline of progress as at December 2012 so as to provide a more up-to-date picture

1.1 Council Priorities

The Council's aim is to promote and protect the interests of the island, its citizens and communities¹.

To achieve this aim, we want to create an Anglesey:

- which has a thriving and prosperous rural economy
- where people achieve their full potential
- where people are healthy and safe
- where people enjoy, protect and enhance their built and natural environment for future generations
- where people are proud of their Council

In working towards the above, the Council continues its commitment to equality, in terms of:

- service provision
- its responsibilities as a major employer and
- ensuring that Council policies, procedures and practices do not discriminate in any way.

1.2 North Wales Public Sector Equality Network (NWPSSEN)

Effective collaboration is about ensuring that key partners work together to make the most of the resources available. Equality officers in all six North Wales Local Authorities, Betsi Cadwaladr University Health Board, North Wales Fire and Rescue Service, Welsh Ambulance Service NHS Trust, National Parks Authority and North Wales Police have shared good practice for many years. With the introduction of the Equality Act 2010, we have been working together to tackle inequality within the public sector in North Wales.

¹ More information about the Council's priorities can be found in our Corporate Business Plan 2012-15 - www.anglesey.gov.uk/corporateplan

During 2011/12, NWPSSEN developed a set of shared objectives which every partner has agreed to. These are:

- Reduce **Health** inequalities
- Reduce unequal outcomes in **Education** to maximise individual potential
- Reduce inequalities in **Employment and Pay**
- Reduce inequalities in **Personal Safety**
- Reduce inequalities in **Representation and Voice**
- Reduce inequalities in **Access** to information services, buildings and the environment

Each objective has an accompanying set of action areas with different partners agreeing to contribute to each. Details of how our shared objectives were developed can be found in our partnership documents:

- Shared Equality Objectives – a collaborative working project between North Wales public sector organisations
- Background and Research Document

1.3 Strategic Equality Plan

We explain how the Council has chosen to contribute towards the shared objectives in our Strategic Equality Plan which was published in March 2012. The Plan and the above partnership documents can be found at: www.anglesey.gov.uk/equalityplan

2.0 Identifying, collecting and using relevant information

2.1 Our Communities

During 2011/12, relevant information was collected for the purpose of developing our Strategic Equality Plan as outlined below:

Regional Engagement Event

Our engagement activities began with a regional event hosted by the North Wales Public Sector Equalities Network on 20 September 2011 at the Conwy Business Centre, Llandudno Junction.

In identifying local priorities, we took into account relevant information gathered locally from the following sources:

‘Our Island, Our Council – Your Contribution’

The Community Strategy² is the Council’s main strategic document which promotes a long term vision for improving the economic, environmental and social well-being of the island for the period 2012-2025.

A public engagement exercise took place during October-December, 2011 on the strategy’s vision and strategic aims. Engagement activities included a road-show which was conducted between 10-18 October, 2011 at five different locations on the island (Llangefni, Holyhead, Bodedern, Amlwch and Menai Bridge) to provide opportunities to discuss issues on a more qualitative level.

Local Engagement Event – 28 November 2011

Representatives of local organisations that work with or represent protected groups attended an engagement meeting at the Council Offices in Llangefni on 28 November to help us gather relevant information about communities on Anglesey. We also received written feedback as well as individual discussion from some invitees who were unable to attend the meeting on 28 November.

Ynys Môn Domestic Abuse Forum – 27 January 2012

Representations received from Welsh Women’s Aid, which included some examples of equality objectives, were considered by the Ynys Môn Domestic Abuse Forum at its meeting on 27 January 2012. Members were very supportive of the action areas suggested, a number of which had already been taken on board by the forum. It was agreed that the paper would be taken into consideration as part of the ongoing work of developing the forum’s action plan. Further details about the Ynys Môn Domestic Abuse Forum can be found in our Strategic Equality Plan (page 24).

Other sources

Relevant information from various other engagement activities undertaken by services within the Council was taken into account, including feedback from consultation exercises in developing key service strategies.

² By April 2013, the Community Strategy will be integrated with other key statutory plans and replaced with a Single Integrated Plan.

How we used this information

The main issues raised locally for the purpose of informing the development of our Strategic Equality Plan fell under three key headings – **awareness, education and engagement**. We have sought to address these issues within the actions identified in our Plan. The evidence base has also fed into other policy-making processes, such as the Single Integrated Plan.

Relevant Information made available during 2012/13

Anglesey Residents Survey (May 2012) - The Anglesey Residents' Survey 2012 was carried out in February 2012. The telephone survey was completed by 1,100 residents and five focus groups were held across Anglesey, each attended by seven to eleven participants. The survey and focus groups provide representative evidence across a range of social segments (including gender, age, ethnicity, disability, Welsh language and social grade) and geographical areas. One of the focus groups was made up of people over the age of 65 and people who stated that they had a disability, with one moderated in Welsh. This survey has provided a much needed 'baseline' investigation of the public's satisfaction with the way the Council operates. It also provides useful data in terms of what's important to the public and where they think improvements are necessary.

Anglesey Infobase - Anglesey Infobase is a web-based local information system for the Isle of Anglesey County Council. The system is very easy to use and provides a wealth of information for individuals and communities. The initial build has focused on the key outcomes identified for Economic Development and the Enterprise Zone and Social Care but we have also included some general data on Anglesey through a postcode search facility and the 'Anglesey in Figures' statistical theme. More themes will be added as the system is developed.

Isle of Anglesey Data Review - This review was initiated to support the Isle of Anglesey County Council in identifying priorities for supporting vulnerable people on Anglesey. The data review took place during May 2012 and its aim was to highlight themes and issues emerging from data that the Council may choose to pay particular attention to in the future.

The Council believes that positive steps have been taken identify and collect relevant information. Equality information continues to be published within a wide range of corporate and service strategies and plans. Documents are published on our website, in committee papers and key plans are available for inspection at our public libraries. We acknowledge, however, that more work needs to be done. We are committed to continuously developing and improving

the information we hold about protected groups on Anglesey and will continue to work with our partners and involve people to achieve this.

2.2 Our Staff

Employment Information

Collecting and analysing data on the required protected equality groups is something the Authority has done a great deal of work towards within the last 12 months. This has included the introduction of a new electronic HR system that has enabled the Authority to collect the necessary information. Whilst this system has helped to ensure the information on all new members of staff / members of staff changing role is current and up to date, one of the biggest challenges we have faced is collecting information on the current workforce whose information will not have been stored electronically previously.

A new, self-service, HR computer system is now in operation in order to try and fill some of the gaps currently present in the information collated. This secure system enables staff to check and update their own records, so the information stored should be up to date. However with the system being so new, some staff are still learning the new way of working so A “Frequently Asked Questions” paper was e-mailed to all staff during November 2012 via “Y Ddolen -The Link”. The aim of this message was to explain why the authority needs to collect equality monitoring data and encourage employees to provide the required information. It would be impossible to prove whether this information has helped for March 2012; however it is hoped that there will be a significant improvement on the information gathered by March 2013.

So, whilst the Authority is working positively to ensure the correct reporting features are in place, there is still work to be done on gathering the data to ensure the information is as correct as possible. As a result, whilst the Authority has the tools in place to provide employment reports, the information within the system as at 31st March 2012 would not be a true representation of the workforce at this stage.

Training

The Isle of Anglesey County Council is one of the largest employers on the Island. Staff are not only the largest resource within the Council but the means through which our Council services are delivered. Therefore if we are to make sure that our services are delivered in ways which are sensitive and responsive to the needs of the people of Anglesey it is important that we have staff with the necessary skills and competencies.

To that end, we endeavour to provide the necessary training to staff, which includes from commencing work with the Authority a section specifically within the corporate induction for all new staff. It is felt that by providing staff with the relevant equality information from day one promotes the importance of equalities to its staff. There is also a 1 day 'Equality and Diversity Awareness' Programme available to all staff who want to gain more information around the Authority's obligations.

The Authority also recognises the statutory requirement for undertaking equality impact assessments, so within the last 12 months a series of 'Equality impact assessment' sessions have been run to promote the use of the Authority's Equality Impact Assessment template. Our aim is for this process to become mainstreamed into day to day work of policy making, employment practice, service delivery and other functions carried out within the organisation.

The Authority feels it is making positive steps towards promoting Equality & Diversity within the organisation, and the Human Resources Unit regularly take advice from staff to provide any relevant training that may be required. This includes examples such as providing relevant home carers with British Sign Language training to ensure all service users are able to access services as fully as possible.

3.0 Assessing Impact

We are continuing to work towards securing a consistent approach across the authority in terms of completing effective impact assessments. Templates and guidance notes are available on our intranet – MonITor – training has been made available and the Policy Unit continues to provide support and guidance to services. Links to relevant information from the Anglesey Infobase site and the Isle of Anglesey Data Review document have been included on our intranet's Equality page.

The intention during 2013/14 is to review current guidelines for undertaking equality impact assessments alongside the current good practice consultation guidelines for staff, in order to strengthen the links and further promote the mainstreaming of equality considerations.

4.0 Promoting Equality

In the following paragraphs we outline some examples of what we did during 2011/12 and to date to promote equality. For consistency, we are reporting under the themes of our regional equality objectives:

4.1 Health

An open day and a series of road-shows were held to raise awareness about equipment which can help elderly and disabled people to live independent and safe lives. These events were arranged in partnership with Mencap and took place during March 2012. Telecare equipment provides countless individuals with the independence to live in their own homes and gives their families and carers peace of mind.

4.2 Education

Gwynedd and Anglesey Councils offer a counselling service for young people in all secondary schools. A team of highly trained counsellors are available to offer help with a wide range of emotional problems or issues facing children and young people. The Gwynedd and Anglesey Counselling Service can be contacted on 01286 679199 or by visiting www.anglesey.gov.uk/schoolscounsellingservice

4.3 Employment and Pay

Following a review of the criteria during 2011/12, the Authority was re-awarded the Positive about Disabled People Symbol after having shown ongoing commitment to the five commitments regarding recruitment, training, retention, consultation and disability awareness.

4.4 Personal Safety

The Authority agreed to a request from a local resident and co-founder of a transgender support organisation to raise a transgender flag at the council offices on 20 November 2011 to mark the Transgender Day of Remembrance. This date is recognised worldwide to remember those who have been lost because of hate-based prejudice. Anglesey was the first authority in Wales to raise the transgender flag to support this cause and continued its support by raising the flag again on 20 November 2012.

4.5 Representation and Voice

Changes have been made to Anglesey's Tenants Participation activities, with more focus on community-based initiatives rather than encouraging traditional tenant panel groups and meetings. This has helped us to develop links with partner agencies and provide more involvement options for our tenants. This has encouraged a greater take-up from tenants, including our traditionally hard to reach groups such as young people, making our tenant participation activities representative of the wider tenant body.

4.6 Access to information, services, buildings and the environment

As part of last year's local engagement work, we were reminded of the importance of producing documents in alternative formats for blind and partially sighted people. In partnership with the North Wales Association for the Blind, the Council's community newspaper – Môn News – is now produced in audio format and circulated to blind and partially sighted residents on the island (424 individuals received the Winter 2012/13 edition).

5.0 Our Equality Objectives

5.1 What we have done so far

Our equality objectives, and details of how we chose them, were published as part of our Strategic Equality Plan.

Appendix 1 gives an outline of the progress made as at December 2012 towards achieving these objectives.

5.2 What we intend to do next

We will continue to work towards achieving our equality objectives and are committed, within the capabilities and influence of the County Council, to :

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between persons who share a relevant protected characteristic and those who do not
- foster good relations between people who share a relevant protected characteristic and people who do not

March 2013

Strategic Equality Plan 2012 – 2016: Equality Objectives Progress Report

| Objective One: Reduce Health inequalities | | | |
|---|---|--|---|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| <p>Action Area: The number of people, in under-represented groups, choosing healthy lifestyles increases</p> <p>Continue to provide activities for targeted groups and look at, in some instances, increasing participation rates</p> | <p>Leisure Services</p> <p>Ongoing work programme</p> | <p>Age</p> <p>Disability</p> <p>Gender</p> | <p>Disability Sport Wales - Staff from our Sports Development Unit (SDU) have completed Disability Inclusion training. As a result the SDU has created more opportunities for disabled people and is starting to deliver more inclusive programmes and sessions. Walking, athletics, swimming and outdoor activities are the main areas. Cycling is another area in which an inclusive programme is being developed.</p> <p>5 x 60 schemes - A significant increase has been seen in the number of girls participating in these schemes, with 74% attending sessions during 2011/12. The main reason for this increase is that there is at least one female Young Ambassador in each school promoting 'girls only' clubs.</p> <p>Stepping Out – 41 regular programmed walks have taken place during the first 6 months of 2012/13, with 68 new registrations on the scheme. Work will continue over the second 6 months to ensure long-term sustainability for organised, safe walking on Anglesey, including the establishment of a new all-Anglesey Walk Steering Committee, catering for all sectors.</p> |

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective One: Reduce Health inequalities | | | |
|--|--|---|--|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| Implement relevant actions within the 'Creating an Active Gwynedd and Anglesey' action plan | Leisure Services 2011-2014 | To be identified as part of the action plan | As outlined above, a range of activities continues to be provided for targeted groups – young people, older people, disabled individuals – and intergenerational work. |
| Action Area: The care of older people is improved to ensure they are treated with dignity and respect | | | |
| Continue to work towards implementing the Council's Commissioning Strategy for Older Peoples' Services | Social Services - Adults Services 2011-2014 | Age | <p>During 2011/12, performance around delayed transfers of care from hospital due to social care reasons remained excellent and well in excess of the Welsh average¹.</p> <p>(National Strategic Indicator SCA/001 – The rate of delayed transfers of care for social care reasons per 1,000 population aged 75 or over = 1.06)</p> <p>On 3 September 2012, Anglesey's Board of Commissioners agreed a number of proposals aimed at transforming residential care services and to consult on the future of the Authority's six residential homes. Assessing for impact on equality will be integral to the decision-making process. The impact assessment report on the pre-consultation stage noted that "the project team will ensure that the principles of the Dignity in Care Charter are adhered to. These reflect the principles of Human Rights legislation".</p> |

¹ Source: Isle of Anglesey County Council Improvement Plan (Performance Review) 2011/12 (page 44)

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective One: Reduce Health inequalities | | | |
|---|--------------------------------------|-----------------------|--|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| <p>Action Area: The needs of people with poor mental health and learning disabilities are better understood</p> <p>Continue to work towards implementing the Council's Learning Disabilities Commissioning Strategy</p> | <p>Social Services 2012-2015</p> | <p>Disability</p> | <p>The Council's draft Learning Disabilities Commissioning Strategy is currently being reviewed as part of a wider review of work programmes within Adults' Services.</p> <p>With regard to the needs of people with poor mental health, local and regional work programmes will be developed, focusing on the high level outcomes identified in the Welsh Government Strategy "Together for Mental Health – A Strategy for Mental Health and Wellbeing in Wales".</p> |

**Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report**

| Objective Two: Reduce unequal outcomes in Education to maximise individual potential | | | |
|---|--------------------------|-----------------------|--|
| What we said we would do | By when / By whom | Relevant Group | What we have done so far (as at December 2012) |
| Action Area: The educational attainment gap between different groups reduces | | | |
| Maintain the performance of pupils with sensory and physical disabilities at the end of all Key Stages so that no significant gap in educational attainment is seen | Education Continuous | Disability | Adequate support continued to be provided to pupils so that there were no significant differences between the performance of this group of pupils and their peers at the end of all Key Stages. |
| No significant gap in educational attainment at 16+ of pupils with English as an additional language (EAL) who have been in the authority's schools for more than three years | Education Continuous | Race | There was no significant gap between educational attainment where English was an additional language at 16+ and the results of their peers in 2012. |
| Halve the educational attainment gap between boys and girls at the end of Key Stage 3, where it is more than 10% | Education Continuous | Gender | Anglesey's core subject indicator for KS3 showed a difference of -4.73 between boys and girls in 2011-12. This compared with -5.28 in 2010-11 and -12.34 in 2009-10. The figure for Wales in 2011-12 was -11.02. |

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective Two: Reduce unequal outcomes in Education to maximise individual potential | | | |
|--|--|---|--|
| What we said we would do | By when / By whom | Relevant Group | What we have done so far (as at December 2012) |
| Action Area: Identity based bullying in schools reduces | | | |
| Provide training to schools in response to the new Welsh Government anti-bullying guidance 'Respecting Others' (October 2011). | Education April 2012 | Disability Gender Race Religion and Belief Sexual Orientation Gender Reassignment | A training session for Primary School Heads took place on 3 July 2012 as part of a wider session on equality (see next action). The session on bullying included workshops to discuss various scenarios. |
| Action Area: Training in equality and diversity awareness provided for schools | | | |
| Provide training to schools to raise awareness of responsibilities placed upon them by the Equality Act 2010. | Education Raise awareness – March 2012 Training – April 2012 | All groups | <p>Presentation delivered to Primary School Heads during March 2012, to raise awareness of the requirements of the new Act.</p> <p>School heads were subsequently supplied with a summary of the requirements and suggested template followed-up with a training session on 3 July 2012.</p> |

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective Three: Reduce inequalities in Employment | | | |
|---|---|--|---|
| What we said we would do | By when / By whom | Relevant Group | What we have done so far (as at December 2012) |
| Action Area: Inequalities within recruitment, retention, training and promotion processes are identified and addressed | | | |
| Raise awareness amongst staff of the right to apply for flexible working | Human Resources Continuous | Pregnancy and Maternity Age Disability Gender | The Council's Flexible Working Policy is available for staff to read on the intranet – MonITor. (To improve internal communication and raise awareness of our policies and new initiatives, MonITor is now loaded automatically every time users log in to their PCs). |
| Look to develop further strategies to assist staff to work flexibly | Human Resources Ongoing programme of work | Pregnancy and Maternity Age Disability Gender | The authority is looking at a space utilisation plan to make the best use of the space available. This will therefore mean that more types of flexible working such as home working will be made available to staff. The authority is currently negotiating a new flexible working scheme that will remove core hours, allowing employees more flexibility in their working hours. |
| Action Area: Any pay gaps between different protected characteristics are identified and addressed | | | |
| Develop a system whereby the Authority is able to establish any gender pay gaps | Human Resources This will be developed following completion of job evaluation and single status. | Gender | This will be developed following completion of job evaluation and single status. Timescale for completion currently set as April 2014. |

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective Three: Reduce inequalities in Employment | | | |
|---|---|----------------|---|
| What we said we would do | By when / By whom | Relevant Group | What we have done so far (as at December 2012) |
| Encompass all the protected characteristics | Human Resources This will be developed following completion of job evaluation and single status. | All groups | This will be developed following completion of job evaluation and single status. Timescale for completion would be related to the above action area having been completed. |
| Analyse the workforce data year-on-year and produce an annual report of the information analysed. | Human Resources 31 March 2013 and by 31 March annually thereafter. | All groups | A new, self-service, HR computer system is now in operation. This secure system enables staff to check and update their own records. A "Frequently Asked Questions" paper was e-mailed to all staff during November 2012 via "Y Ddolen -The Link". The aim of this message was to explain why the authority needs to collect equality monitoring data and encourage employees to provide the required information. Whilst the Authority is working positively to ensure the correct reporting features are in place there is still work to be done on gathering the data to ensure the information is as correct as possible. |

**Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report**

| Objective Four: Reduce inequalities in Personal Safety | | | |
|--|---|-----------------------|---|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| Action Area: The reporting of hate crime and harassment increases and steps are taken to reduce incidents of hate crime and harassment | | | |
| Develop accessible mechanisms to enable tenants to report acts of discrimination or inappropriate comments and behaviour at participation events | Housing 31 March 2013 | All groups | All participation activities are now planned, recorded and evaluated. Participants are given an opportunity to provide feedback at each participation event. |
| Action Area: The reporting of domestic abuse increases and steps are taken to reduce incidents of domestic abuse | | | |
| Continue to work towards raising awareness and eradication of domestic abuse through the work of the Ynys Môn Domestic Abuse Forum | Housing (Community Safety) As per the Domestic Abuse Forum Action Plan | Gender | An annual review of the Domestic Abuse Business and Action Plan has been completed by the Ynys Môn Domestic Abuse Forum to minimum Welsh Government standards ² . Representations received from Welsh Women's Aid were taken into consideration in carrying out the review. |

² Source: Isle of Anglesey County Council Improvement Plan (Performance Review) 2011/12 (page 43)

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective Five: Reduce inequalities in Representation and Voice | | | |
|---|---|-----------------------|--|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| <p>Action Area: Decision-making bodies become more representative of the communities they serve</p> <p>Implement, review and further develop the Democratic Renewal Strategy</p> | <p>Policy</p> <p>Phase One – 3 May 2013 (County Council election)</p> | <p>All groups</p> | <p>The Authority commenced work on promoting the 2013 local Elections at the Anglesey Show 2012.</p> <p>A presentation was given to representatives of the island's town and community councils on 18 October 2012.</p> <p>A one-page article appeared in the Winter 2012/13 edition of our community newspaper – Môn News – to explain how to become a county councillor on Anglesey. This was issued to all households in November 2012.</p> |
| <p>Action Area: Consultation and Engagement is improved through strengthening links between the public sector and local and national groups representing people from all protected groups</p> <p>Work with regional partners to assess the feasibility of regional engagement and consultation structures</p> | <p>Policy</p> <p>31 March 2013</p> | <p>All groups</p> | <p>The North Wales Public Sector Equality Network (NWPSN) has identified some joint actions to help us achieve the above regional objective.</p> <p>The NWPSN as agreed to build upon the success of its first regional engagement event held in September 2011 by holding a further event during 2013 – a sub-group has been established to agree the format, location etc.</p> |

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective Five: Reduce inequalities in Representation and Voice | | | |
|--|--------------------------|--|--|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| Work with partners to identify and engage with hard to reach groups in the local population and work towards filling the gaps identified in local data | Policy 31 March 2013 | Race; Gypsies and Travellers; Religion and Belief; Gender Reassignment; Sexual Orientation. | The Council has developed a stakeholder database which includes several equality groups. |
| Work with local partners to ensure that we make the best use of resources within existing forums to progress equality issues | Policy 31 March 2013 | All groups | |

**Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report**

| Objective Six: Improve Access to information, services, buildings and the environment | | | |
|--|---|-----------------------|--|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| Action Area: Access to information and communications and the customer experience improve | | | |
| Raise awareness of the Council's Corporate Identity Manual and produce good practice guidelines for staff in terms of producing documents in alternative formats | Policy 31 March 2013 | Disability | Information about the Corporate Identity Manual was included in the Council's staff newsletter 'Medra Môn' (Issue 40 – March 2012). |
| Produce good practice guidelines for staff in terms of interpretation services for speakers of languages other than Welsh and English | Policy 31 March 2013 | Race | The NWPSEN has decided to produce Good Practice Guides (Ten Top Tips) on a range of equality issues, including accessible information and formats and accessible events by April 2013. |
| Implement the Modern.Gov democratic system | ICT All relevant officers to receive training on the new system by 31 March 2013 | Disability | The Council is on track with its timetable for publishing its agendas and minutes through Modern.Gov before Christmas. Relevant officers are expected to receive training on the new system during January 2013. |

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective Six: Improve Access to information, services, buildings and the environment | | | |
|---|---|-----------------------|--|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| Develop a diversity profile of Council tenants to gain a better understanding of individual needs | Housing 31 March 2013 | All groups | The tenant profiling exercise is underway and is also a key service priority for the next year. Accurate profiling information will enable us to target services more effectively and efficiently. |
| Action Area: Physical access to the services, transport, the built environment and open spaces improve | | | |
| Continue to improve bus stops on the island to make them accessible | Highways Ongoing - Progress on improving bus stops will depend on the availability of annual funding | Disability | By the end of 2011/12, easy access boarding kerbs were in place at 178 bus stops on the island – four more than the number we anticipated at the time of writing our Strategic Equality Plan (SEP). Since April 2012, one bus stop has been improved, with another three planned before the end of 2012/13. |

Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report

| Objective Seven: Improve the Council's procedures to ensure fairness for all | | | |
|--|-------------------------------|----------------|--|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| Action Area: A staff training programme is in place to ensure the right staff have the rights skills to deliver equality improvement | | | |
| Raise awareness of equality e-learning modules amongst Council staff | Human Resources Continuous | All groups | Unfortunately the Authority decided not to renew its E-learning modules as, following regular promotion, it was felt that not enough employees were utilising the resources available. HR is working closely with the other five North Wales Authorities to set up a task and finish group to undertake work on this, in order to set up something to take the training agenda forward. |
| Continue to promote equality and diversity training for all staff, where services have identified specific training needs, such as offering training specifically for front-line staff | Human Resources Continuous | All groups | Human Resources regularly advertise equality training that is open to all staff. HR also works closely with departments to ensure their specific equality training needs are met. |

**Strategic Equality Plan 2012 – 2016: Equality Objectives
Progress Report**

| Objective Seven: Improve the Council's procedures to ensure fairness for all | | | |
|--|---------------------------|-----------------------|---|
| What we said we would do | By whom / By when | Relevant Group | What we have done so far (as at December 2012) |
| Action Area: An effective corporate process is established to ensure the ongoing assessment of impact across services | | | |
| Continue to develop and improve our corporate process and secure a consistent approach across the authority in terms of completing effective impact assessments. | Policy Continuous | All groups | Templates and guidance notes are available on MonITor and the Policy Unit continues to provide support and guidance to services on completing impact assessments. |
| Action Area: Procedures and practices in place that will enable procured services to meet the authority's commitments and expectations on equality | | | |
| Assess procurement policies and strategy to consider whether they adequately meet the aims of the duty and make any amendments deemed necessary. | Finance 31 March 2013. | All groups | Procurement in Anglesey is in the process of transformation – we are working with Bangor University and the Welsh Local Government Association (WLGGA) to make our processes more efficient and modernise the whole procurement unit/service. WLGGA are providing us with a procurement strategy and policy. We are working with Flintshire, Denbighshire and Conwy on re-writing our Contract Procedure Rules. We have recently opted in to the National Procurement Service (NPS) but have opted out of the Regional Procurement Service across North Wales. |

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| ISLE OF ANGLESEY COUNTY COUNCIL | |
|--|---|
| Report to | The Executive |
| Date | 18 March 2013 |
| Subject | Anglesey Compact Agreement and Volunteering Policy |
| Portfolio Holder(s) | Cllr Kenneth P Hughes |
| Lead Officer(s) | Deputy Chief Executive |
| Contact Officer | Huw Jones Head of Service – Policy (Tel. 01248 752108) |
| Nature and reason for reporting: | |
| To seek approval of the revised Compact Agreement and draft Volunteering Policy. | |

| A – Introduction / Background / Issues |
|---|
| <p>1. Anglesey Compact Agreement</p> <p>The Anglesey Compact is a partnership agreement between the third sector and local authority on Anglesey. It provides a framework within which the development of shared aims, objectives, mutual respect and understanding will assist the ability of public and third sector partners to improve quality of life for the people of Anglesey.</p> <p>The original Compact - between the Isle of Anglesey County Council, the Isle of Anglesey Local Health Group and the voluntary sector on Anglesey - was published in 2007. On 22 March 2012, Betsi Cadwaladr University Health Board agreed a Compact for health services with the voluntary sector across North Wales.</p> <p>The Compact between this Council and the third sector has now been updated based on Welsh Government guidance and is attached as Appendix 1 to this report. The Compact, which provides the basis for developing the Voluntary Sector Liaison Committee’s work programme, has been accepted by the Liaison Committee and now needs to be considered formally by the Council.</p> <p>It is intended that the approved Compact will be reviewed annually by the Liaison Committee, taking into account any further guidance from Welsh Government on local Compacts.</p> |

In addition, members will note that a Funding Code of Practice (Voluntary Sector) was adopted by the Council's Executive in 2007 as a basis to underpin the financial relationship between the Council and the voluntary sector on Anglesey. As part of its work programme, the Liaison Committee will need to consider the Funding Code of Practice during 2013/14.

2. Volunteering Policy

One of the core principles of the Anglesey Compact is to formalise a Volunteering Policy. A written policy gives formal recognition to the importance of volunteers and will help all staff involved in recruiting and managing volunteers to adhere to good practice and support volunteers in a planned and managed way.

A draft Volunteering Policy has been prepared and is attached as Appendix 2.

B – Considerations

The revised Compact Agreement and Volunteering Policy was submitted to the Corporate Scrutiny Committee on 4 March 2013. The Scrutiny Committee's observations will be reported to the Executive at the meeting on 18 March.

C – Implications and Impacts

| | | |
|---|---|---|
| 1 | Finance / Section 151 | |
| 2 | Legal / Monitoring Officer | |
| 3 | Human Resources | |
| 4 | Property Services | |
| 5 | Information and Communications Technology (ICT) | |
| 6 | Equality | Both the Compact Agreement and the Volunteering Policy are based on the principles of equality and diversity. |
| 7 | Anti-poverty and Social | |

| C – Implications and Impacts | |
|-------------------------------------|---------------------------|
| 8 | Communication |
| 9 | Consultation |
| 10 | Economic |
| 11 | Environmental |
| 12 | Crime and Disorder |
| 13 | Outcome Agreements |

| CH – Summary |
|--|
| <p>Anglesey Compact</p> <p>The original Compact between this Council and the third sector - which was published in 2007 - has been updated based on Welsh Government guidance and is attached as Appendix 1 to this report. The Compact has been accepted by the Voluntary Sector Liaison Committee and now needs to be considered formally by the Council.</p> <p>Volunteering Policy</p> <p>One of the core principles of the Anglesey Compact is to formalise a Volunteering Policy. A draft Volunteering Policy has been prepared and is attached as Appendix 2.</p> |

| D – Recommendation |
|--|
| The Executive is requested to approve the revised Compact Agreement and draft Volunteering Policy. |

Name of author of report: Huw Jones
Job Title: Head of Service - Policy
Date: 8 March 2013

| Appendices: |
|--|
| Appendix 1 - Revised Compact Agreement Appendix 2 – Draft Volunteering Policy |

| Background papers |
|--------------------------|
| |

THE ANGLESEY COMPACT

A Partnership Agreement between Isle of Anglesey County Council and the Third Sector on Anglesey

Foreword

The vision of the Ynys Môn Integrated Plan is an island working together to create jobs, improve health and deliver a safe and sustainable place to live based on three main strands: people – supporting people and communities to improve their quality of life; place – protecting and enhancing the natural and built environment; jobs – maximising work opportunities with high quality education and skills.

The needs and hopes of people can be met if sectors are willing to build strong, healthy and vibrant partnerships to improve services and achieve the vision of the Community Plan.

This Compact builds on the original Compact between the voluntary sector the Isle of Anglesey County Council, the Local Health Group and Medrwn Môn on behalf of the third sector which was published in 2006. It also complements the Compact agreement between Betsi Cadwaladr University Health Board and the voluntary sector across North Wales.

All partners are encouraged to support the Compact's principles and practices and to be involved in the development of the associated Codes of Practice.

We are delighted to present the new Anglesey Compact as a method in building on the existing working relationships and improving the partnership for the benefit of the Isle of Anglesey.

Signed

Chair

Chair

Chair

What is the Anglesey Compact?

The Compact is a partnership agreement between the third sector and local authority on Anglesey. It provides a framework within which the development of shared aims, objectives, mutual respect and understanding will assist the ability of public and third sector partners to improve the quality of life for the people of Anglesey.

This Compact supports the Welsh Government's policy on Service Delivery, partnership working and the involvement of citizen's and engaging with them in the design, delivery and improvement of all public services.

The Compact is intended to guide the process of working in partnership to deliver public services. It covers issues of process rather than substance, i.e. the way plans are made and decisions taken – rather than the content of those plans and decisions.

It covers the whole spectrum of partnership working: from consultation and community involvement, through representation on planning bodies and participation in networks, to funding, procurement and contracting.

A Compact between the Wales Government and the Voluntary Sector in Wales was first introduced in 1998. The National Assembly for Wales has reinforced this policy initiative and established the Voluntary Sector Scheme and a Partnership Council between the Assembly and the voluntary sector. In 2007, the Local Compact between Isle of Anglesey County Council, the Isle of Anglesey Local Health Group and the voluntary sector on Anglesey was published. On 22 March 2012, BCUHB agreed a compact for health services with the voluntary sector across North Wales. The Voluntary Sector Liaison Committee has been responsible for implementing the Local Authority and Health Compacts on Anglesey.

This revised Compact has been jointly produced by the Isle of Anglesey County Council and Medrwn Môn on behalf of and in consultation with local third sector organisations and groups. The Compact is consistent with, and complements the Compact signed by Medrwn Môn with BCUHB. The Compact development process builds on reviewing the performance of the original compact and consultation with third sector organisations concerning their views regarding the content of a revised Compact. It is intended that more detailed draft codes of practice will follow, covering areas such as funding and procurement, volunteering, consultation and policy development (see Appendix 1). To assist with clarity, the definition of a third sector/voluntary organisation is based on guidance from the Welsh Government (see Appendix 2).

What is the Aim of the Compact?

The Compact aims to develop the partnership between the local authority and the third sector on the Isle of Anglesey by helping us to:

- Communicate better with each other
- Understand and respect each other's views
- Work together more effectively to support the people of Anglesey and develop services collaboratively.

It is intended to ask the local authority and third sector organisations (through Medrwn Môn) to endorse the Compact in writing.

What are the Compact's Values and Principles?

Our shared aim is to provide quality services to the people of Anglesey. We recognise that there is added value in working in partnership towards common aims and objectives. The following principles will underpin this partnership:

Voluntary action and community involvement is an essential part of an inclusive and democratic society and add value to the quality of life on Anglesey. It is recognised that the third sector makes a valuable contribution to the economic, environmental and social development of Anglesey. The differences and diversity between the public sector and the third sector should be respected and valued. In the development and delivery of services, the public sector and the third sector have distinct and complementary roles. Each sector has its own set of responsibilities and constraints

The independence of the third sector should be respected, recognising and valuing the important strategic role the public sector plays in developing public policy and services as well as the legal and financial framework in which it operates. To maximise the effectiveness of the third sector, investment in its infrastructure is essential. The relationship between the sectors should be open and respectful and demonstrate trust. Each sector should strive for excellence, equity of access and embrace the principles of sustainable development. When working together contributions from each sector should be given equal consideration and respect. Organisations in each sector have the right to contribute to and challenge matters that affect them

Together the Compact will...

Help to foster a thriving, diverse and independent third sector on Anglesey with funding and contracting arrangements that:

- are clear and easy to understand;
- are fair and consistent;
- provide a range of funding arrangements for core, project and small grant funding
- carry an administrative burden proportionate to the level of funding;
- permit and encourage effective forward planning and funding arrangements.

- Help to ensure that the third sector not only participates in joint working and partnership structures but exercises a real influence on the planning and development of local services and public initiatives.
- Develop the Voluntary Sector Liaison Committee as a liaison mechanism which is integrated with the public sector's decision making processes and the wider joint planning arena. The Committee will have representation from both public and third sector partners.
- Help to ensure a wider and more sustained recognition of the social value of volunteering, in terms of both the personal and professional development of the volunteer and the public services provided.
- Promote the effective governance and management of both the local authority and the third sector. It will underpin a shared commitment to building the capacity of third sector organisations where consistent with a shared strategic direction. It will also encourage all sectors to learn from best practice and seek continuous improvement in the planning and delivery of services.
- Provide a meaningful and effective procedure for resolving disagreements in a constructive and open way. Responsibility for this will lie with a monitoring body made up of representatives from the Compact partners. Whilst noting that the third sector is not a unitary body, it is envisaged that all representatives will have appropriate authority to follow up any apparent breaches of the compact within their own sector. In the case of the public sector partners, they will have the authority to seek resolution at a senior level if necessary.
- Develop a shared action plan to deliver the objectives of the Compact and produce an annual progress report to the local authority and Medrwn Mon for distribution to third sector organisations.

Undertakings of Partners

The local authority will support the development, implementation and monitoring of the Compact in line with the agreed vision and principles. This support will include:

- ensuring that key staff (e.g. external funding officers, procurement and commissioning officers, partnership planning officers) are able to take part in this work;
- endorsing the need for detailed codes of practice to cover key issues;
- being prepared to review their own procedures and timetables in the light of those codes of practice;
- endorsing the need for procedures for resolving disagreements; and
- reviewing the operation of the Compact annually together with the third sector.

The third sector will support the development implementation and monitoring of the Compact in line with the agreed vision and principles. This support will include:

- ensuring that key staff are able to take part in this work;
- endorsing the need for detailed codes of practice to cover key issues being prepared to review their own procedures and timetables in the light of those codes of practice;
- endorsing the need for procedures for resolving disagreements; and
- reviewing the operation of the Compact annually together with the public sector.

The third sector undertakes to maintain high standards of governance and conduct and meet reporting and accountability obligations to funders and users. It will involve users wherever possible and carers where appropriate in the development and management of activities and services. Organisations in the third sector will be encouraged to develop quality standards appropriate to the organisation, including promoting best practice and equality of opportunity in activities, employment, involvement of volunteers and service provision.

The third sector undertakes to respect and be accountable to the law. In the case of charities, they will observe the accounting framework and other appropriate guidance as laid down by the Charity Commission

Appendix 1 - Codes of Practice

The Codes of Practice will help bring the Compact principles into our day to day work and will provide the framework for the codes.

Organisations from both sectors will be invited to adopt the Codes of Practice and are encouraged to be involved in the ongoing development.

1 Code Principles - **Consultation and Policy Appraisal**

1.1 Integral to project development and policy review

Consultation should be considered at the start of a project or policy review to ensure that it happens at the appropriate stage in the project cycle. The methods chosen, and success of these processes, should be continuously reviewed and evaluated throughout the life of the project. When necessary any statutory consultation procedures must be taken into account.

1.2 Carried out using agreed standards

Consultation between partners should be carried out to agreed standards. These should include defined timescales (ideally at least twelve weeks), summarised reports, and clear feedback about results and decisions undertaken.

1.3 Appropriate for the target groups

Consultation should be designed to be appropriate for the partners being consulted, both in terms of the methods used and the style of presentation. Consultation documents should be written in plain language with technical terms explained. All methodologies should be fit for the purpose and target group being consulted. Where appropriate, reports should be in accordance of Welsh Policies or other formats accessible to their audience, including those with language difficulties or physical and sensory disabilities. Consideration must be given to meaningful engagement of socially excluded groups.

1.4 Genuine and transparent

Any consultation exercise or document should specify which aspects are being presented for comment and which cannot be changed, to allow partners to respond appropriately. It is understood that partners cannot have an impact on decision making for all aspects of each other's work. Where this is not possible, partners should always make clear that a document or event is for information purposes only rather than consultation.

1.5 Publicised and accessible

Partners should ensure that information and consultation exercises relevant to the work of other partners are well publicised. Consultations and related documents should be easily accessible to groups with all levels of resources and in a format that will allow smaller organisations to respond.

1.6 Shared where appropriate

Partners should work together to share the resources available to undertake consultation where appropriate. The potential for joint consultation exercises should always be examined to reduce duplication.

1.7 "The Gold Standard in Consultation"

Check if anyone else has done consultation work with results that you can share.

Ensure that consultation can affect change. It should be a dialogue that leads to decisions, so consult BEFORE decisions are made. Make sure you allow adequate time for your consultation project. You need to consider time for planning, conducting, collecting and responding to your activities.

Try to use methods of consultation that will be the best use of your resources and give you the best results from your target audience.

Try to make your consultation as inclusive as possible but be aware of over-consulting certain groups.

Always give feedback to those who have participated in your consultation exercises.

Turn consultation into action. Don't leave consultation work "on the shelf".

Share the results of your work with others.

2. Code Principles - **Funding, Procurement and Commissioning**

2.1 Genuine and transparent

There will be openness and transparency to make it easier to find out about available funding. The partners will promote fair access to strategic, project and contract funding.

Decisions about procuring or commissioning services will be based on principles concerning locality, quality and value for money and never on cost alone.

2.2 Corporate approach

The public sector will develop consistent procedures and a joint approach to supporting the third sector. They will operate a corporate approach to funding that is consistent and timely and streamlines procedures and reduces duplication, whilst exercising accountability of public funds.

2.3 Infrastructure and sustainability

The public sector recognises the importance of investing in the infrastructure of third sector organisations. It also recognises that longer term funding will improve sustainability and enable forward planning. The public sector will ensure proper consideration of the needs of small community groups by ensuring access to in-kind support, small grants, and supporting the role of Medrwn Môn in providing development support.

2.4 Full Cost Recovery

The public sector recognises the principle of "Full Cost Recovery". A joint approach will be agreed to the principle and practical application of full cost recovery i.e. securing funding for proportionate overhead costs as well as the direct costs of projects. This principle recognises that third sector organisations need to recover costs associated with premises, human, resources, audit, marketing and business planning.

2.5 Proportionality

There will be a joint and consistent approach to monitoring and evaluation that is effective and proportionate to the level of funding.

2.6 Consequences of not funding

Consideration will be given to the effects on a third sector organisation of any decision not to fund, or to withdraw funding, before any final decision is taken.

2.7 Timely decisions and payments

The public sector will ensure sufficient notification of funding decisions and will make timely payment of funds subject to public sector budgetary processes.

3. Code Principles - **Community Involvement, Partnerships and Networks**

3.1 To ensure that third sector organisations, when developing their policies and services in the county, are informed by a wide range of knowledge, experience and expertise

3.2 To ensure that the views of public sector and third sector service users are regularly consulted, listened to and acted upon

3.3 Medrwn Môn will seek to ensure that members of partnerships and networks are representative and accountable to their 'constituency'

3.4 "The Gold Standards in Community Involvement"

Value the skills, knowledge and commitment of local people.

Develop working relationships with communities and community organisations.

Support staff and local people to work with and learn from each other (as a whole community)

Plan for change with, and take collective action with, the community.

Work with people in the community to develop and use frameworks for evaluation.

4. Code Principles - **Volunteering**

Volunteering has been described as "an important expression of citizenship and essential to democracy. It is the commitment of time and energy for the benefit of society and the community and can take many forms. It is undertaken freely and by choice, without concern for financial gain."

4.1 Support of volunteers

Volunteer-involving organisations need an effective and properly resourced support framework.

4.2 Contribution of volunteers

It is recognised that volunteers make a major contribution to the economic, environmental and social development of Medrwn Môn. This contribution should be valued and the profile and ethos of volunteering promoted.

4.3 Barriers to volunteering

The barriers to people volunteering should be recognised by developing the capacity of volunteer-involving organisations to respond to the changing needs of volunteers.

4.4 Investing in volunteering

Best practice for the management and support of volunteers and the accreditation of volunteering will be encouraged.

4.5 Consultation and participation

The contribution of volunteers in helping to develop public policy is recognised and encouraged through involvement in consultation processes and campaigning.

5. Code Principles - **Governance**

5.1 Adherence to legal obligations and best practice guidelines. The Third sector will maintain high standards of governance and conduct and comply with their reporting and accountability obligations.

5.2 Medrwn Môn will produce a Code of Conduct for trustees as an exemplar document for third sector organisations to consider

5.3 Medrwn Môn will provide training for trustees in accordance with the national occupational standards for trusteeship on:

Principles of governance

Roles and responsibilities of trustees

Roles of honorary officers

Board and committee structures

Recruiting and developing trustees

Working with the chief officer

Appendix 2 - Definitions

Third Sector

The document uses the term “the third sector”. It recognises that not all organisations will agree, and individual organisations have the absolute right to describe themselves in any way that they choose – charity, voluntary, organisation, community group, self-help group, NGO, social enterprise, community business, etc. But what all of these have in common is that: They are established voluntarily by citizens who choose to organise; they provide some form of community or public benefit. Their surpluses, where these are generated, are re-invested in the organisation or for community or public benefit, and are not distributed for private gain. These common characteristics are far stronger than any differences that may exist between different types of organisation, and for this reason it is helpful to adopt a term that can cover all organisations that share these common characteristics - “*third sector*” achieves this. Adoption of the term “third sector” by statutory organisations will still require it to maintain more precise current definitions for the purpose of eligibility for grant aid or other benefits.

Definition of a “voluntary organisation”

The Welsh Assembly Government in the “Third Sector Scheme” lists the criteria that encompass most types of voluntary organisation as:

- independent - an organisation must be constitutionally independent and not directly controlled by a for-profit organisation or the state. An organisation is recognised as being independent of the state where there is a majority of non-statutory bodies, appointees or representatives on its ‘board of trustees’ and a majority of non statutory members.
- self governing - an organisation must have its own internal decision making process:
- non profit distributing and primarily non business - an organisation must make no payments (other than for reasonable out of pocket expenses or other payments allowed by the governing document e.g. for occasional professional services or for grants) to members or trustees;
- voluntarism - an organisation must benefit from a meaningful degree of philanthropy (e.g. gifts in kind or of time, including volunteers and non paid trustees for example, any organisation that has at least three trustees who give their time is considered to benefit to a meaningful level);
- public benefit - a voluntary organisation would be expected to be able to demonstrate that its objects and activities benefit the wider public and / or that it makes its benefits available to as wide a group of people as possible within the constituency defined by its objects and / or that it operates in ways which are open and inclusive rather than elitist and exclusive. Where a governing document exists, it should have a clause ensuring that on dissolution, the remaining assets are redistributed to (a) similar voluntary organisation(s).

These criteria specifically include:

Community businesses - organisations that are real businesses trading in one way or another, controlled by the community and that directly benefit the community;

- the voluntary housing movement;
- non membership charitable trusts;
- self help / mutual aid groups;
- community and local organisations, community associations, village halls etc;
- environmental groups;
- training charities;
- intermediary bodies;
- women's aid groups;
- arts organisations;
- agricultural groups with wider social benefit;
- charitable, industrial and provident societies;
- sports groups with community / social benefit;
- religious organisations with social benefit.

They specifically exclude:

- Political parties;
- universities;
- further education institutes;
- charitable independent and grant maintained schools;
- trade unions;
- sports clubs and societies for non public benefit;
- business associations and local enterprise agencies;
- the vast majority of professional associations;
- NHS trusts;
- many major museums;
- quangos and government sponsored public bodies (ASPBs);
- religious organisations with no wider social benefit.

There are an estimated 700 third sector groups on Anglesey ranging from small specialist self help groups run by users through to national charities. They can operate on a national, county, or neighbourhood level, each tending to align themselves to areas of specific specialist concern.

Some third sector organisations provide direct services (e.g. playgroups, special needs housing), while others provide advice, information, counselling and support, and some will also provide valuable advocacy services.

They exist because people perceive a need and work together to bring about change, or a service, for the benefit of the community.

All will have a governing or managing body of some kind. This group will be referred to in a variety of ways, e.g. a management or executive committee, a council, board of trustees. Whilst many third sector organisations are self financing and have no regular contact with the statutory sector, raising all they need directly from the public via fundraising events, donations, and public appeals, others do seek funding and support from a mixture of sources including the public, private and charitable sectors.



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Volunteering Policy

Draft

1. Scope

This policy underpins one of the core principles in the Compact agreement between the Isle of Anglesey County Council and Medrwn Môn in relation to volunteering.

The Compact is a partnership agreement between the third sector and the local authority on Anglesey. It provides a framework within which the development of shared aims, objectives, mutual respect and understanding will assist the ability of public and third sector partners to improve the quality of life for the people of Anglesey.

2. Policy Statement

The Council recognises the valuable contribution that volunteers can give to the organisation. Volunteers bring with them a diversity of experience, backgrounds, skills, ages and outlooks, which can provide added value to the services delivered. This policy will:

- Let volunteers know how we will ensure fairness and consistency
- Enable the volunteers to know where they stand
- Offer security in terms of knowing how they will be treated
- Help staff and volunteers understand each others roles

In addition this policy sets out the broad principles for working with volunteers within the Council in a fair and equitable manner. Its aim is to ensure that the benefits of volunteering are maximised for both the volunteers and the Council. It is of relevance to all within the Council including volunteers, staff and elected members.

This policy is endorsed by the Council as part of the Compact agreement and will be reviewed by the Voluntary Sector Liaison Committee on an annual basis as part of its remit to implement the principles in the Compact agreement.

3. Definition

Volunteering is an important expression of Citizenship as well as an important component of democracy. Volunteers are people who, unpaid and of their own free will, contribute their time, energy and skills to benefit the Community. Volunteering may be for a limited time (for example, to assist in the completion of a particular project or event), or it may be on an on-going basis (for example, to assist in the day to day delivery of a particular service).

The Council recognises its responsibility to arrange its volunteering efficiently and sensitively so that the valuable gift of the volunteers time is best used to the mutual advantage of all concerned.

Some examples of ways in which volunteers contribute to the work of the Council are given below:

- School Governors
- Sport and the support of sport

- Transport schemes
- Countryside management schemes
- Advocacy (social services)

The Council is committed to involving volunteers in appropriate positions and in ways which are encouraging, supportive and which develop volunteering.

4. Why Have a Policy?

A written policy gives formal recognition to the importance of volunteers and ensures that the following objectives are met:

- Volunteers are involved in appropriate activities through a suitable selection procedure which includes references and, as required, Disclosure and Barring Service (DBS) checks
- Volunteers are welcomed, feel valued and receive a relevant induction from the service in question
- Volunteers contributions are maximised by providing appropriate training and support
- More people are encouraged to become involved as volunteers
- More volunteers remain involved

This policy will help all staff involved in recruiting and managing volunteers to adhere to good practice and support volunteers in a planned and managed way.

5. What are the Benefits of Engaging a Volunteer

- Experiences and skills can be drawn upon and developed to impact positively on a range of services and projects.
- Volunteers can be flexible and innovative in their approach
- Volunteers enhance a sense of Community and help to build an inclusive society
- The Community and the environment benefit from the contribution made by volunteers

6. Principles

6.1 Recruitment and Selection

The Council aims to recruit volunteers from all sections of the community with a wide range of skills, life experiences and knowledge.

The recruitment of volunteers will normally be carried out through the posting of advertisements in leaflets, newsletters and on the corporate website. It may also be done by making informal contact within the existing user community.

All prospective volunteers will be interviewed to discuss their skills, roles and expectations. The selection procedure will broadly follow the processes outlined in the Authority's Recruitment and Selection Policy (where appropriate), which will include references and a check from the Disclosure and Barring Service (DBS) if applicable.

6.2 Status of Volunteers

A volunteer is not an employee or worker and will not have a contract of employment with the Council. All voluntary work undertaken is unpaid. The Council will agree a role with the volunteer and there will be an expectation that the volunteer will meet the role's requirements and that where available the Council will provide work for the volunteer. However, the volunteer is free to refuse to fulfil the role and the Council is not bound to provide the work.

Note: This policy does not apply to foster carers.

6.3 Volunteering Roles

It is the responsibility of the manager working with the volunteer to draw up an outline of the volunteer role. This will set out the duties of the role and the skills and experience necessary, as well as any training that is required before the voluntary work is undertaken. Voluntary work should complement the work of paid staff and provide added value to the benefit of service users. Volunteers are not intended to substitute for paid employees, so care should be taken to ensure that no undue demands are placed on our volunteers, and that they do not undertake work that should normally be carried out by paid staff.

6.4 Supervision and Support

The Council is committed to developing the knowledge, skills and effectiveness of its volunteers. This will be achieved by providing:

- Appropriate training and development
- Meaningful work within the priorities of the service
- Effective supervision
- Recognition of work completed
- Clear targets, priorities and appropriate standards for the work assigned

Volunteers will be entitled to receive a reference from the Council. This is conditional on the volunteer undertaking at least 30 hours of voluntary work of satisfactory standard whilst working directly on behalf of the Council.

6.5 Confidentiality

Where appropriate, volunteers will be required to sign a confidentiality agreement.

6.6 Grievance procedure

Volunteers should raise any concerns of problems with their immediate supervisor.

6.7 Expenses

Where appropriate, volunteers will be offered reimbursement of reasonable travel expenses from their home to place of work. A mileage allowance for those using their own means of transport is set at 18 pence per mile. All expenses must be agreed in advance with the volunteer's immediate supervisor.

6.8 Notice

The Council or the volunteer should endeavour to provide as much notice as possible of their intention to end the volunteering arrangement.

7. Compliance with Council policies, procedures and protocols

A number of specific issues are relevant to this volunteering policy:

7.1 Equality and Diversity

The Council is committed to equality and diversity, both in the provision of services and in its role as a major employer, and to the elimination of unfair and unlawful discrimination in all our policies, procedures and practices. The Council treats all people with equal respect, concern and consideration and recognises the valuable contribution made to the Isle of Anglesey by all individuals. Volunteers will be expected to accept and work in accordance with these principles.

7.2 Welsh Language Scheme

The Council recognises equal status for the Welsh and English languages. Welsh and English will be the official languages of the Council and will enjoy the same status and validity in the Council's administration and work. Volunteers will be expected to be aware of this principle.

7.3 Health & Safety

The Council has a responsibility for the health and safety of volunteers. Volunteers must be treated the same as paid staff in respect of health and safety. Volunteers should at all times follow the Council's health and safety policies and procedures. A risk assessment specific to each volunteer work area and role must be undertaken by a qualified person and a copy provided to the volunteer. Volunteers have a duty to take care of themselves and others who could be affected by their actions. Volunteers must not act outside their authorised area of work or duties. Volunteers must report all accidents and near misses to their supervisor.

7.4 Safeguarding Policies

Where appropriate, volunteers need to comply with the Council's Safeguarding policies and protocols in relation to vulnerable people.

7.5 Insurance

7.5.1 General

Volunteers will be indemnified against third party claims under the Council's Public Liability Insurance while carrying out their duties.

7.5.2 Drivers

Any person acting as a volunteer on behalf of the Council which requires the use of a vehicle (private or Council vehicle) must comply with the Council's Fleet and Driver Policy.

7.6 Disclosure and Barring Service (DBS) Check

Where the volunteering activity is with children and young people under the age of 18 years or vulnerable adults the volunteer will be advised that a Disclosure from the Disclosure and Barring Service must be applied for. Guidance will be provided by the relevant Council department.

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|--|---|
| Report to | EXECUTIVE |
| Date | 18 MARCH 2013 |
| Subject | PROPOSED REGIONAL EMERGENCY PLANNING SERVICE |
| Portfolio Holder(s) | COUNCILLOR JOHN CHORLTON |
| Lead Officer(s) | CHIEF EXECUTIVE |
| Contact Officer | JIM WOODCOCK |
| <p>Nature and reason for reporting Purpose of Report</p> <p>The report provides the final business case for the development of a Regional Emergency Planning Service, for approval.</p> | |

| A – Introduction / Background / Issues |
|---|
| <p>The Emergency Planning Service is a discrete but essential service. In North Wales the configuration is five separate service units with a shared service in Flintshire and Denbighshire. The total employer complement is 16.5 full time equivalent (FTE) with a combined budget (in scope of the review) of £722,000.</p> <p>Local Authorities are category 1 responders as defined by the Civil Contingencies Act 2004. The act sets out the duties of local authorities and emergency services in preventing, preparing for and responding to emergencies. Duties include:-</p> <ul style="list-style-type: none"> • assessments of risks in the local authority area • maintaining emergency plans • business continuity arrangements • liaising with other public services who are category one responders e.g. Police, Fire and Health Services • advising businesses on business continuity arrangements. <p>The core functions of the service are: -</p> |

- assessing risk
- preparing plans (emergencies and business continuity)
- liaising with emergency services
- advising senior management on emergency planning
- training employees and volunteers on emergency procedures and plans
- planning resources for responding to an emergency.

Given growing responsibilities over recent years the services have come under strain. Resilience, and best use of resources are challenges to be met.

The key respondent partners are organised on a regional basis e.g. North Wales Police and the Fire and Rescue Service. The Emergency Planning Service lends itself to a collaborative model of working. The rationale for a collaborative model is further demonstrated by the Local Resilience Forum which assesses risks, prepares plans and reviews the operation of plans in real emergencies on a regional basis; the experience that major emergencies and climatic events can affect more than one county area simultaneously and the operation of mutual aid agreements for councils to assist each other in responding to emergencies.

The regional partners have identified the service as one for a convenient and effective collaboration model with the aims of improving prevention of and preparation for emergencies; standardisation of common policies and plans; having a more resilient service through the shared and flexible use of expertise and limited human resources.

The Chief Executives of the six councils commissioned the development and testing of a business case for a single service, with sub-regional teams, and an officer presence within each authority to ensure local expertise and knowledge and local service continuity.

The Welsh Government – Local Government Compact has since included emergency planning as a recommended regional collaborative service.

B - Considerations

The business case (attached) proposes a regional service with: -

- a sub-regional service structure
- one hub led by a Regional Manager and the other by a Deputy Regional Manager
- an Emergency Planning Officer in each local authority
- common policies, processes and plans and shared resources in a single management structure.

The regional service would be commissioned and overseen by an operational board of commissioning officers. Periodic performance reports would be made to the constituent authorities for accountability.

The locally placed officer would be responsible for: -

- Engagement with managers, employees and elected members in their host authority
- Supporting risk identification locally
- Putting emergency plans into action
- Developing local business continuity plans

The sub-regional hub officers would:-

- deliver plans
- provide training
- develop and deliver test exercises
- work with the Local Resilience Forum
- provide administrative and management support.

The benefits of the proposals will be:-

- resilience and improved specialisation
- consistency
- sharing of best practice, capacity and capability
- better liaison with the LRF
- more capacity for working with service managers in each local authority.

The proposals suggest savings of up to £75,000 at around 10% of cost. Further savings may be possible from reduced duplication. Once the service is established consideration will have to be given to the potential of joint services with Police, Fire and Health.

The proposal needs to take account of the Compact agreement to:-

- establish a local authority shared service in 2013
- consider the establishment of a joint service serving, local authorities,

Police, Fire and other partners by September 2015.

The Welsh Local Government Association has offered £35k from the Improvement Fund to assist North Wales in the management of transition to a regional service. Flintshire County Council is acting as the lead authority for the project.

| C – Implications and Impacts | | |
|-------------------------------------|-----------------------------------|---|
| 1 | Finance / Section 151 | The implementation of the service will be designed to be cost neutral to all partners and will endeavour to deliver savings to each of the partners in a range of a 5% - 10% reduction in gross costs regionally £35,000- £75,000 per annum. |
| 2 | Legal / Monitoring Officer | |
| 3 | Human Resources | <p>It is possible that a small number of employees may opt for early retirement or redundancy on a voluntary basis as a consequence of the re-organisation of this service.</p> <p>Any costs will be met from future savings.</p> <p>The new, regional service will be hosted and led by Flintshire.</p> <p>There may be some Human Resource impact in managing transfers and ensuring that advantageous terms and conditions of transferring or seconded staff are protected in the consultation process.</p> <p>The North Wales Police and Fire Services and the Betsi Cadwaladr University Health Boards have been consulted on this proposal.</p> <p>The Chief Executive of each of the six North Wales Local Authorities was consulted on the Business Case.</p> <p>The Business case was developed with the</p> |

| C – Implications and Impacts | | |
|-------------------------------------|---|--|
| | | <p>Heads of the Emergency Planning Services.</p> <p>The Business Case has been shared with the Public Service Leadership Group which oversees the national Compact.</p> |
| 4 | Property Services (see notes – seperate document) | |
| 5 | Information and Communications Technology (ICT) | |
| 6 | Equality (see notes – seperate document) | Improving the quality of Emergency Planning will have a positive impact on vulnerable groups in society by reducing the potential for loss of home, possessions and harm that arise from emergencies. |
| 7 | Anti-poverty and Social (see notes – seperate document) | Improving the quality of Emergency Planning will have a positive impact on vulnerable groups in society by reducing the potential for loss of home, possessions and harm that arise from emergencies. |
| 8 | Communication (see notes – seperate document) | |
| 9 | Consultation (see notes – seperate document) | <p>There will be consultation with Trade Unions in each local authority on the implementation of the new service and potential TUPE transfers or secondments, with Trade Unions regionally and with each affected employee.</p> <p>Flintshire County Council will co-ordinate consultation with employees and trade unions.</p> <p>The North Wales Police and Fire Services and the Betsi Cadwaladr University Health Boards have been consulted on this proposal.</p> <p>The Chief Executive of each of the six North</p> |

| C – Implications and Impacts | | |
|-------------------------------------|--|---|
| | | <p>Wales Local Authorities was consulted on the Business Case.</p> <p>The Business case was developed with the Heads of the Emergency Planning Services.</p> <p>The Business Case has been shared with the Public Service Leadership Group which oversees the national Compact.</p> |
| 10 | Economic | |
| 11 | Environmental (see notes – seperate document) | Preventing, managing and minimising the impact of emergencies will have a positive impact on the environment. |
| 12 | Crime and Disorder (see notes – seperate document) | |
| 13 | Outcome Agreements | |

| CH - Summary |
|---------------------|
| |

| D - Recommendation |
|--|
| <p>That the Council adopts the final business plan to join a regional emergency planning service on the basis that:-</p> <ul style="list-style-type: none"> the new service will be established on a cost neutral basis and will aim for annual savings of 5% – 10% on existing costs (£35-£75,000 per annum) |

- the service will be commissioned by a management board accountable to the constituent councils with regional oversight provided by the North Wales Safer Communities Board
- Flintshire will host the new service and lead the transition to the new service
- the cost of the new service will be recovered from the partners on the basis of population
- implementation will include transitional arrangements to ensure that no authority pays more than the current cost of the service
- the employment model will be decided as part of the transition plan
- current employees will be given prior consideration for posts in the new structure and the new service will be implemented in such a way as to maximise staff retention and redeployment.
- the Implementation Team will protect competition for the senior posts within the framework of prior consideration.
- each Local Authority will nominate to an Implementation Team. The Implementation Team to assist in the appointment of the temporary Project Manager.

Authority to approve the detailed transition arrangements to the new service and undertake all necessary tasks to establish the new service is delegated to the Deputy Chief Executive in consultation with the Portfolio /Cabinet Member.

The project works to the following timeline:-

- Councils agree to join a regional service by end March 2013
- commencement of briefing and consultation of staff on the business case and proposals – February 2013
- each Council to nominate to an Implementation Team by February 2013
- appoint a project manager to deliver the project by end March 2013
- appoint Regional Manager and Deputy by June/July 2013
- employment model agreed by June/July 2013

- creation of operational structure, operating processes, development of the detailed budget and identification of accommodation by September 2013
- development of Service Level Agreement and Partnership agreement by September 2013
- employee selection and confirmation of employment with the new entity made by September 2013
- new service operational from October 2013.

Name of author of report **BETHAN JONES**
Job Title **DEPUTY CHIEF EXECUTIVE**
Date **MARCH 2013**

Appendices:

A COLLABORATIVE APPROACH TO REGIONAL EMERGENCY PLANNING – FINAL BUSINESS CASE, JANUARY 2013

Background papers

A Collaborative Approach to Regional Emergency Planning

Final Business Case

January 2013

1 BACKGROUND

- 1.1 In September 2010, following some deliberation of the benefits of taking a more collaborative approach to the Emergency Planning Support function, the North Wales Chief Executives commissioned a piece of work to develop a collaborative model which would establish a single regional emergency planning service with two hubs, one led by a regional manager and the other led by a deputy, with a local presence in each authority.
- 1.2 Since that time, those involved with the Emergency Planning function have reviewed the business case and developed a model which would build on the current system and capitalise on benefits which might accrue by taking a more collaborative approach.
- 1.3 It is important to note also that the “Other Services Implementation Contract” in the Compact for Change agreed between Welsh Government and Welsh local government includes a commitment to regionalise the delivery of emergency planning service within 2 years and with other partners on a multi agency basis within 4 years where practicable.
- 1.4 This final business case lays out the business benefits which would accrue and outlines financial estimates for the implementation of the proposed solution.
- 1.5 Detailed financial analysis could only be undertaken once the project is in transition (e.g. detailed employee/employer exist costs).

2 EXECUTIVE SUMMARY

- 2.1 The Emergency Planning Support function for local authorities in North Wales is currently provided by five stand alone Emergency Planning Units typically staffed by between 1.5 and 3 people with two authorities (Denbighshire and Flintshire) having a joint arrangement.

- 2.2 Across North Wales therefore, 16.5 FTEs are involved in the provision of Emergency Planning support at an overall cost of £885,000 representing a figure of £1.29 per head of population.
- 2.3 A self-appraisal of the current arrangements by the emergency planning community shows that current arrangements exhibit:-
- Duplication and repetition of tasks;
 - Lack of harmonisation and resilience;
 - Inconsistency of response (suggesting a lack of systematic dissemination of best practice); and
 - Lack of integration and inter operability.
- 2.4 Effort is being expended by staff employed in these units in developing plans and protocols which are effectively the same from authority to authority, and whilst individual detail and implementation methods may vary between authorities, greater collaboration would reduce duplication.

Proposals contained in the business case

- 2.5 The proposed model would create a single emergency planning support function for local authorities in North Wales formed around two hubs - one in the East and one in the West.
- 2.6 A Civil Contingency Officer would be located at each authority who would be responsible for:-
- general liaison of emergency planning and recovery planning;
 - supporting local authorities in risk identification;
 - ensuring that strategies, plans, and exercises developed by the hubs are converted into local action at local authority level; and
 - ensuring that local authorities develop their business continuity plans.
- 2.7 These individuals would be supported by officers/assistants located at the two hubs charged with developing plans in particular areas and ensuring that we promote best operating practice.
- 2.8 The service would be managed by a manager located at one sub-regional hub area and they would have a deputy who, in order to ease administration and facilitate the distribution of workload, would be located at the other hub area.
- 2.9 Commissioning the required service would need to remain with individual authorities (as they would still be responsible individually for

meeting their statutory duties) and the purpose of the new service would be to ensure that each authority was in the optimum state of readiness to cope with an emergency; thus each authority would be able to agree their requirements at an appropriately senior level.

- 2.10 The business case leaves the exact nature of the commissioning arrangements to the next stage in the process.

Business benefits

- 2.11 The Emergency Planning Officer review identifies that there would be a number of advantages which would arise were we to change to a more collaborative model of delivery:-

- Improved resilience for partner councils due to the team's size (effectiveness);
- Improved focus of available resource by sharing specialist support and common tasks (efficiency);
- Ensuring greater consistency of response and dissemination of best practice amongst authorities (effectiveness); and
- Improved communication channels between the LRF individual authorities (effectiveness).

- 2.12 In the longer term there may also be some benefit both in effectiveness and efficiency in merging the secretariat of the North Wales Resilience Forum with the Unit. This has not been considered as part of this review as it was outside of its remit.

Financial benefits

- 2.13 The proposed model would reduce the staffing complement from 16.5 to 14.

- 2.14 Whilst this may be a conservative estimate of the available reduction, no further savings are proposed before greater assurance of our readiness for emergencies.

- 2.15 Whilst more detailed costing will be required as part of the next stage e.g. on grading assumptions, it is estimated at this stage that that as a result of the reduced staffing and consequent gradings the ongoing saving from the model could be around £75,000 with a further £12,500 accruing after disturbance and protection arrangements had expired (estimated three years).

2.16 The distribution of the £75,000 saving if the cost of the new model were distributed according to population are shown below although the business case also offers an alternative financing model which ensures a cost neutral position for Flintshire.

| | Current Budget * | Distribution of costs (**) | (Saving) / Cost |
|-----------------------|---------------------|-------------------------------|-----------------|
| Conwy | 133,760 | 106,010 | (27,750) |
| Denbighshire (***) | 104,460 | 93,030 | (11,430) |
| Flintshire (***) | 125,160 | 142,150 | 16,990 |
| Gwynedd | 138,200 | 112,510 | (25,690) |
| Wrexham | 134,970 | 127,640 | (7,330) |
| Ynys Mon | 85,330 | 65,540 | (19,790) |
| Total | 721,880 | 646,880 | (75,000) |

(*) excluding recharges

(**) following immediate savings of £75,000

(***) Denbighshire's contribution assumed to meet the Flintshire support recharge 50:50

2.17 It is possible that a small number of employees may opt for early retirement or redundancy on a voluntary basis as a consequence of the re-organisation of this service. There will be some Human Resource impact in managing transfers and ensuring that advantageous terms and conditions of transferring staff are protected in the TUPE process.

2.18 Any costs will be met from future savings.

3 BACKGROUND INFORMATION ON THE EMERGENCY PLANNING FUNCTION

3.1 Local Authorities are category 1 responders as defined by the Civil Contingencies Act 2004. The act sets out the duties of local authorities and emergency services in preventing, preparing for and responding to emergencies. Duties include:-

- Assessments of risks in the local authority area
- Maintaining emergency plans
- Business continuity arrangements
- Liaising with other public services who are category one responders e.g. Police, Fire and Health Services
- Advising businesses on business continuity arrangements.

- 3.2 The Emergency Planning Support function for local authorities in North Wales is currently provided by five stand alone Emergency Planning Units typically staffed by between 1.5 and 3 people with two authorities' (Denbighshire and Flintshire) support function being provided under a joint arrangement.
- 3.3 The typical Emergency Planning support function involves an Emergency Planning manager with one or two assistants who endeavour to ensure that an authority has adequately planned ahead to prepare for the occurrence of an event, which would be classed as an emergency, along with the other statutory functions.
- 3.4 This entails detailed work on specific areas of activity (such as preparing plans, preparing exercises, mapping out resources etc) and will invariably involve ensuring that council services are themselves ready to respond in the event of an emergency, and facilitating individual service ability to do so.
- 3.5 It is not only local authorities which have duties under the Civil Contingencies Act – the emergency services; health organisations and environment agency are all category 1 responders and must co-operate to enhance the ability to respond to deal in an optimum way with an emergency.
- 3.6 To ensure coordination of emergency planning efforts by the category 1 responders, the North Wales Resilience Forum has been established on which local authorities have one representative (currently the Chief Executive at Conwy County Borough Council). The Forum aims to ensure a coordinated and integrated approach to collective emergency planning work.
- 3.7 The North Wales Resilience Forum is supported by a lower tier North Wales Co-ordinating Group which has a number of sub-groups looking at various issues (for example dealing with fatalities; training; recovery plans etc) and officers from local authority emergency planning units play a leading role in the activities of these sub-groups.
- 3.8 In the event of a major emergency, there is a process whereby co-ordination would be facilitated by a Strategic Co-ordinating Group (SCG) which would meet at the SCG Centre in Colwyn Bay. Each authority would be represented at this group at a senior level (usually a Chief Executive or Senior Director) supported by emergency planning unit staff from their own individual authorities.

- 3.9 The current staffing establishment of the emergency planning support function for local authorities across North Wales is shown in table 1.

Table 1
Emergency Planning establishments 2011/12

| | Manager | Assistants | Total |
|--------------|------------|------------|-------------|
| Conwy | 1 | 2 | 3 |
| Denbighshire | 1 | 5 | 6 |
| Flintshire | | | |
| Gwynedd | 1 | 2 | 3 |
| Wrexham | 1 | 2 | 3 |
| Ynys Mon | 0.5 | 1 | 2 |
| Total | 4.5 | 12 | 16.5 |

- 3.10 The costs of the Emergency Planning Function are shown in table 2 below.

Table 2
Emergency Planning budgets 2011/12

| | Employees | Other | Recharges | Income | Total | Pop (*) | Per head ** |
|--------------|----------------|----------------|----------------|------------------|----------------|----------------|--------------------|
| Conwy | 114,920 | 18,840 | 1,590 | | 135,350 | 112,347 | £1.20/£1.19 |
| Denbighshire | | 137,390 | | | 137,390 | 98,589 | £1.19/£0.92 |
| Flintshire | 200,430 | 32,300 | 65,850 | (140,500) | 158,080 | 150,637 | |
| Gwynedd | 121,270 | 16,930 | 29,060 | - | 167,260 | 119,227 | £1.40/£1.16 |
| Wrexham | 103,420 | 31,550 | 28,800 | - | 163,770 | 135,263 | £1.21/£1.00 |
| Ynys Mon | 78,670 | 6,660 | 38,130 | - | 123,460 | 69,460 | £1.78/£1.23 |
| Total | 618,710 | 243,670 | 163,430 | (140,500) | 885,310 | 685,523 | £1.29/£1.05 |

(*) population figures used are the are used in the 2011/12 SSA for RSG distributional purposes

(**) Lower figure excluding recharges

- 3.11 Across North Wales therefore, 16.5 FTEs are involved in the provision of Emergency Planning support at an overall cost of £885,000, representing a figure of £1.29 per head of population.

4 THE CASE FOR CHANGE

- 4.1 A view has been expressed by some senior officers that effort is being expended by staff employed in these units in developing plans and protocols which are effectively the same from authority to authority and whilst individual detail and implementation methods may vary between authorities, there seems to be an argument that greater collaboration could lead to reduced duplication.

- 4.2 Experience at Strategic Coordination Group level has highlighted instances when having six individual authorities, each with their own plans with varying responses to particular issues and each requiring their own support tasks to be undertaken 6 times, has not been effective nor efficient.
- 4.3 For example, at a Pandemic Flu exercise back in 2009 (Exercise Taliesin) a key question was asked during the exercise over local authority plans for educating children in the event that their schools were temporarily closed. Each of the senior officers present had to reference six different plans.
- 4.4 Experience at that exercise also highlighted that each authority having its own support function was inefficient and indeed during the exercise, authorities re-modelled the support function available on an ad-hoc basis in order to make better use of the support which individual authorities had brought with them.
- 4.5 More recently this has led to the development of a new process for local authority liaison arrangements which centres around greater a single liaison function if a Strategic Coordination Group were called and liaison support required. We are already following a collaborative approach in this defined area of activity.
- 4.6 To test the hypothesis that a more collaborative approach would be more effective and efficient, the Emergency Planning managers from the six authorities conducted a self-appraisal of the current arrangements and they were asked to identify in what way they considered a more collaborative approach would change the situation. The result of that appraisal is shown in Appendix 1.
- 4.7 The key issues identified in this appraisal are:-
- Duplication and repetition of tasks;
 - Lack of harmonisation and resilience;
 - Inconsistency of response (suggesting a lack of systematic dissemination of best practice); and
 - Lack of integration and inter operability.
- 4.8 It should be recognised that local authorities can be faced with many difficulties when it comes to emergency planning which are not necessarily constraints for other organisations.

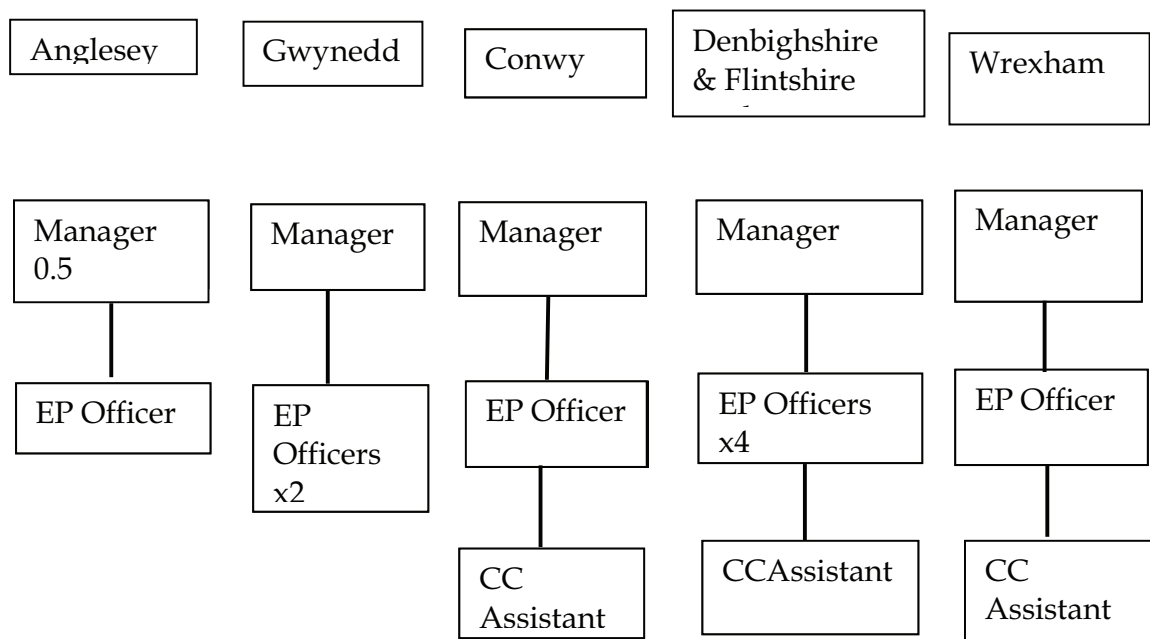
- 4.9 In particular, discussion with Emergency Planning managers highlighted the problem they face of the historical perception of the role of Emergency Planning function. Every one of the Emergency Planning managers identified to greater or lesser degrees the challenge of services owning emergency planning as part of business continuity.
- 4.10 There is also the challenge of immediacy. In times of increasing pressure on resources it is difficult to give priority to an issue which rarely, if ever, happens.
- 4.11 Authorities are embedding an empowering culture into their command and control culture which in itself can prove problematic.
- 4.12 The Emergency Planning Officer review suggests therefore that there would be a number of advantages from a collaborative model of delivery. These can be seen in Appendix 1. The main benefits are:-
- Improved resilience for partner councils due to the team's size. (effectiveness);
 - Improved focus of available resource by sharing specialist support and common tasks (efficiency);
 - Ensuring greater consistency of response and dissemination of best practice amongst authorities (effectiveness);
 - Improved communication channels between the LRF and individual authorities (effectiveness).

5 OPTIONS

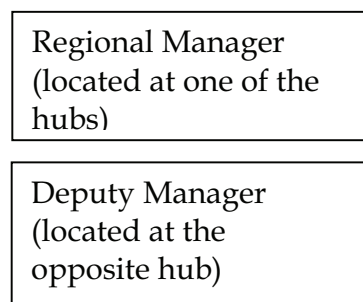
- 5.1 The key driver from the original commission was to make better use of the resource currently utilised for emergency planning.
- 5.2 This entails getting better results for the expenditure incurred or getting the same results for less resource (or a combination of both).
- 5.3 The Chief Executives considered 4 options:-
- Retain the existing provision;
 - Develop three emergency planning units pairing two neighbouring authorities;
 - Develop two emergency planning units each covering three local authorities; and
 - Develop a single regional group with outposted officers.

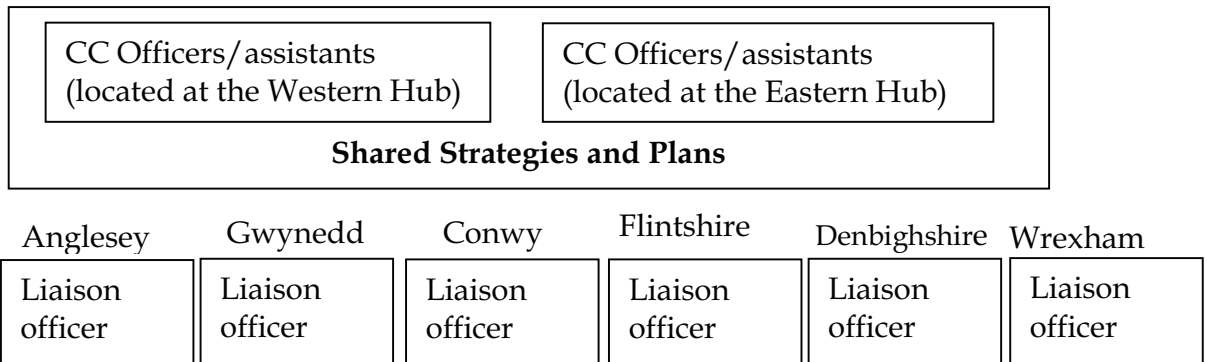
- 5.4 The paper considered by the Chief Executives contained an analysis of the strengths and weaknesses of the options.
- 5.5 Having considered the paper, the Chief Executives commissioned this business case to examine the viability of establishing a single regional service centred around two hubs - one for the East and one for the West with the manager of the service located in one area and the deputy in another.
- 5.6 This is effectively a hybrid of the last two options noted in 5.3 above and this business case centres completely on the commissioned option.
- 5.7 A summary of the proposed operating model and staffing structure for the new model is set out below.

Current organisational chart



New Organisational Chart





5.8 The proposed model would locate a Civil Contingency Officer at each authority who would be responsible for:-

- General liaison for emergency planning and recovery planning;
- Supporting local authorities in risk identification;
- Ensuring that strategies, plans, and exercises developed by the hubs are converted into local action at local authority level; and
- Ensuring that local authorities developed their business continuity plans.

5.9 These individuals would be supported by officers/ assistants located at the two hubs which would be charged with developing plans in particular areas and ensuring that we identify, and promote best practice.

5.10 All officers would be overseen by a regional manager located at one hub area and they would have a deputy who, in order to ease administration and facilitate the distribution of workload, would be located at the other hub area.

5.11 The general model would need to ensure that the linguistic characteristics of the service provided for Gwynedd and Ynys Mon Councils could be fully conducted in Welsh and a bilingual service would have to be available for all areas should they require such a service.

6 BENEFITS

6.1 The Emergency Planning Managers consider that the proposed model would have the potential to realise all of the benefits noted in 4.13 above.

- 6.2 It is clear to see the way in which the proposed model could lead to improved effectiveness in terms of resilience (due to a larger operating unit) and dissemination of best practice (as all authorities would be following the same practice).
- 6.3 In the longer term there may also be some benefit in effectiveness and efficiency from merging with the secretariat of the North Wales Resilience Forum.
- 6.4 It is clear to see how the new model could lead to efficiency savings by avoiding duplication.
- 6.5 The model would reduce the staffing complement from 16.5 to 14.
- 6.6 There is no doubt that reducing duplication should lead to a release of the staffing resource needed to fulfil current activities.
- 6.7 The staffing model is based on developing shared strategies and training through 4 FTEs. Taking into account that this activity is currently undertaken 5 times (assuming that Denbighshire and Flintshire's planning operations are already integrated) then one could raise an argument that this could potentially be reduced to 20% of the FTEs currently undertaking the work.
- 6.8 However, there will still be some degree of tailoring for individual authorities and coordination. Thus, on a superficial analysis a reduction of 2.5 FTEs is a realisable target.
- 6.9 Whilst we currently have a response capability across all authorities, there remains some question as to whether all authorities are implementing the actions and planning activities they should be doing in order to fully comply with best practice.
- 6.10 Initially therefore there could be some work in ensuring consistency of ability to respond across all authorities.
- 6.11 In the short term, therefore, the Emergency Planning Managers believe that the proposed reduction in resource implied by the new model should not be reduced further until such time as the new unit had managed to get all authorities up to speed and that only then should the new manager be charged with the aim of achieving further financial savings (as a longer term objective).

- 6.12 In essence this revolves around what the partner authorities want to achieve from this proposal – is it to ensure that the service is made more resilient and improved, or is it to get the current level of service at a reduced cost. This is a matter for each authority to determine but the EP Managers themselves recognise that there is some way to go before we can all be fully satisfied that our emergency readiness is as it could be.
- 6.13 There is some comparative data for a unit of this size. For example we are aware that in East Riding, they provide the EP support for 4 unitary authorities with an establishment of 14. However in Cleveland, they provide a service for 4 unitary authorities with an establishment of 10.

7 COSTS AND FINANCIAL BENEFITS

- 7.1 Any change will involve ongoing financial costs and benefits along with one off costs of change.
- 7.2 In terms of hosting the new model, staff would need to be transferred to a host authority and the relevant pay grade for the posts would be dependent upon that authority's pay evaluation mechanism.
- 7.3 In order to inform the decision making process, the proposed model has been fed through a council job evaluation mechanism. Based on outline job descriptions it is estimated that as a result of the staffing and the consequent gradings the ongoing saving from the model could be around £75,000 with a further £12,500 accruing after disturbance and protection arrangements had expired (say after three years).
- 7.4 This assumes that no central recharges or other operating costs could be saved. It also assumes that there would be no additional unforeseen costs e.g. ICT or at least that these could be subsumed in other compensating savings which have not been taken into account.
- 7.5 As the loss of one or two staff rarely result in authorities being able to realise reductions in central support services any adjustments in these costs have been assumed to be effected at marginal cost (i.e. an authority hosting the function would only be recompensed for the marginal cost of any movements in posts).
- 7.6 The cost of change would depend greatly on the appointments made and any resultant redundancies.

- 7.7 An evaluation of the nature of the revised jobs suggests that whilst the post of manager and deputy manager would be appointed from the current pool of emergency planning managers, those who were unsuccessful could be offered posts in the hub, which would not be classed as suitable alternative employment and as such they could claim constructive dismissal.
- 7.8 Various permutations have been calculated and on the information available the upper range of this cost could be of the order of £175,000.
- 7.9 Distributing the reduced service cost on the basis of population (which is the basis for the distribution of this element of the RSG) would result in the following budgetary effects. An alternative is shown which ensures that no authority pays more than they currently do (the protection being distributed to other authorities based on population).

Table 3
Assumed immediate and longer term budgetary savings

| | Current Budget * | Distribution of costs (**) | (Saving) / Cost | Alternative |
|-----------------------|---------------------|-------------------------------|-----------------|-----------------|
| Conwy | 133,760 | 106,010 | (27,750) | (24,180) |
| Denbighshire (***) | 104,460 | 93,030 | (11,430) | (8,300) |
| Flintshire (***) | 125,160 | 142,150 | 16,990 | - |
| Gwynedd | 138,200 | 112,510 | (25,690) | (21,900) |
| Wrexham | 134,970 | 127,640 | (7,330) | (3,030) |
| Ynys Mon | 85,330 | 65,540 | (19,790) | (17,590) |
| Total | 721,880 | 646,880 | (75,000) | (75,000) |

(*) excluding recharges

(**) following immediate savings of £75,000

(***) Denbighshire's contribution assumed to meet the Flint support recharge 50:50

- 7.10 It is likely however that the first two years savings would be required to meet the one off costs of change, and the savings would only accrue from year 3 onwards.

8 GOVERNANCE

- 8.1 As the new Unit would be delivering a service to six authorities there would need to be a provision whereby those authorities were able to feed into the commissioning process and hold the unit to account for performance. Clear commissioning arrangements at the outset will be essential.

- 8.2 Under the current arrangements, the governance arrangements are of course direct and straightforward.
- 8.3 More often than not, the Emergency Planning Manager is answerable to a senior officer in an authority and will be subject to the usual commissioning and performance management arrangements for that authority.
- 8.4 The governance arrangements for the revised model would need to be somewhat more sophisticated, and yet would need to be commensurate to the size of the service.
- 8.5 Commissioning services would need to remain with individual authorities (as they would still be responsible individually for meeting their statutory duties) and the purpose of the Unit would be to ensure that each authority was in the optimum state of readiness to cope with an emergency and thus each authority would need to be able to discuss their requirements at an appropriately senior level.
- 8.6 The Manager of the Unit would need to be answerable to a senior officer in the host authority.
- 8.7 Accordingly, one possible model is one whereby the host authority agreed to provide the service to all other authorities (backed up by a formal service level agreement) with the senior officer in the host authority along with the regional manager meeting the other senior officers from the other authorities on a periodic basis to discuss requirements and performance could be an appropriate model. In particular, they would need to agree far enough beforehand the demands to be placed on the service and the consequent resource implications.
- 8.8 Some consideration would also need to be given in the service level agreement to the day to day lines of communication between various officers in the new unit and commissioning officers at local authority level along with the arrangements for cost sharing and scope for additional work to be carried out for an authority at an additional cost.
- 8.9 For example the governance process outlined above might need to be supplemented by less formal meetings between the manager or his deputy at local level as required.

9 IMPLEMENTATION TIMELINE

- 9.1 Following agreement of the proposal there will need to be a more detailed costing undertaken once a host authority is known; detailed job descriptions formulated and the appropriate manager and deputy appointed.
- 9.2 Thus there needs to be a decision based on the factors highlighted in this outline case before we can proceed further (or any further work defined in order to come to a decision).
- 9.3 The following timeline is proposed –

| | |
|---|-------------------|
| Commencement of briefing and consultation of staff on the business case and proposals. | February 2013 |
| Each Council to nominate to an Implementation Team. | February 2013 |
| Councils agree to join a regional service. | End of March 2013 |
| Appoint a project manager to deliver the project. | End of March 2013 |
| Appoint Regional Manager and Deputy. | June/July 2013 |
| Notice of Transfer. | End of July 2013 |
| Creation of operational structure, operating processes, development of the detailed budget and identification of accommodation. | September 2013 |
| Development of Service Level Agreement and Partnership agreement. | September 2013 |
| New service operational. | October 2013 |

10 CRITICAL ASSUMPTIONS AND RISK ASSESSMENT

- 10.1 There are a number of critical assumptions and risks which need to be taken into account. These are highlighted below along with possible mitigating actions.

| | Risk | Probability | Mitigating actions |
|---|---|--------------------|---|
| 1 | Focus on the change process results in less focus on the delivery of the service. | Medium | The relatively short period of implementation and the number of staff involved in major change should in itself be a mitigating factor. However it must be recognised that any upheaval can result in a lower level of service – the new regional manager’s change management abilities must be paramount in mitigating this risk. |
| 2 | The anticipated service benefits are not realised. | Low | The size of the new service must result in greater resilience and reduced duplication. If it does not the relative small size of the service could be undone without too much difficulty. |
| 3 | Moving to a central service makes it even more difficult to get services to plan accordingly | High | This will depend upon the new unit’s ability to inspire and facilitate. One commentator from another authority already operating such arrangements has warned against “confused chains of command” and another has commented that central teams unfamiliar with individual authority working practices can lead to difficulties. The location of liaison officers at each individual authority is a key mitigating factor along with the governance arrangements which will involve a senior commissioning officer from each authority and the regional manager / deputy. |
| 4 | A deterioration in communication between the emergency planning community and services arises as a result of the centralisation | Medium | The location of liaison officers at each individual authority is a key mitigating factor along with the need to establish strong governance arrangements with clear lines of communication which will involve a senior commissioning officer from each authority and the regional |

| | | | |
|---|--|----------------|--|
| | | | manager / deputy. |
| 5 | Liaison Officers become isolated and follow a “local” agenda as opposed to the agreed programme | Medium | <p>There is some evidence from other collaborative ventures that liaison officers became isolated and started to go “native”.</p> <p>This would be mitigated by the fact that the line management for these individuals would be the Regional Manager or his/her deputy and they would have to have appropriate performance management arrangements in place to ensure that this did not happen.</p> <p>Strong commissioning and governance arrangements would also have to be in place to ensure that Liaison Officers were not deviated from the agreed programme.</p> |
| 6 | The loss of senior staff members leads to a reduction in the capability of the facilitation resource. | Unknown as yet | |
| 7 | The reduction in resource is too great. | Low | Data from areas such as East Riding and Cumberland suggest that the proposed solution is reasonable. |
| 8 | Authorities unable to deal with a commissioning approach and the service deteriorates due to loss of direct control. | Medium | <p>If an authority considers that it is insufficiently mature to manage such an arrangement then it should not subscribe.</p> <p>However differing priorities and political drivers could lead to friction and reduced buy in to the EP function in general.</p> <p>Simple and clear governance procedures should mitigate this risk.</p> |
| 9 | Costs are greater than anticipated | Low | A prudent approach has been taken to the costs but nevertheless there may be some hidden costs and some key information is unavailable until such time as more detailed job descriptions |

| | | | |
|----|---|-----|--|
| | | | are available, and those applied through the host authority's job evaluation procedure. The gateway review by Chief Executives once this process has been undertaken should mitigate this risk. |
| 10 | Liaison Officers could find their pay grades changed as a result of the host authority's pay evaluation process putting them out of step in comparison with those with whom they work at an individual authority. | Low | This could work both ways. In practice, it is inconceivable that pay rates would be significantly different but it would be an unavoidable consequence of working for a different organisation. The only other mitigating action would be to choose a different operating model. |
| 11 | Greater concentration of expertise creates greater risk of loss should an individual officer retire / move on. | Low | This risk is already faced by individual authorities. A larger unit should facilitate the ability to have better workforce planning thus reducing the risk. |

10.2 There is also a risk of course of not undertaking the project. It would directly undermine one element of the compact for change and one would have to ask whether the current 6 authority flavours of response is sustainable in the long term.

APPENDIX 1

NORTH WALES EMERGENCY PLANNING REVIEW

| SERVICE TASK STATUTORY | CURRENT PROVISION | JOINT PROVISION |
|--|---|--|
| Control of Major Accident Hazards (COMAH) Regs, Pipeline Safety Regs; Radiation Emergency Preparedness and Public Information Regulations (REPPiR) | Each authority has well developed plans updated according to an agreed common approach. The individual Emergency Planning Units ensure that their plan matches the common template and the local authority has officers who are able to discharge their emergency response duties through the respective plans. | One emergency planning officer would act as lead officer for the six local authorities on each specific planning topic. This provides consistency and harmonisation with Category 1 organisations across North Wales and the Regulator resulting in a more resilient approach. |
| Mass Fatalities; Risk Assessment | A single plan covers North Wales but this entails the involvement of officers from each of the emergency planning units to develop the work, resulting in repetitive and duplicated actions. | One emergency planning officer would act as lead officer for the six local authorities. This removes duplication and provides a more resilient approach. Local planning liaison will be needed to address county logistical issues. |
| Warning & Informing; Business Continuity Promotion | Each authority has developed an individualistic approach to deal with their needs. This results in a considerable amount of duplication across North Wales. There has been collaboration on the production of information leaflets. | A common model would be developed and applied across all the communities in North Wales. This removes duplication and provides a more harmonised and resilient approach. |
| Nuclear Site Liaison (Wylfa & Trawsfynydd) | Gwynedd & Ynys Môn have collaborated and liaised in developing plans, but site specific arrangements | Specialization would be developed providing more resilience. These skills could also be provided to support |

| | | |
|--|---|---|
| EPCC) | necessitate some duplicated actions. | colleagues across Wales if necessary as part of regional collaboration. |
| Business Continuity, Fuel Plan, Severe Weather plans & Health | <p>Each authority has developed plans updated according to local circumstances. The individual Emergency Planning Units ensure that each local authority has officers who are able to discharge their emergency response duties through the respective plans. This inconsistent approach results in each local authority possibly responding in a different manner to very similar circumstances.</p> | <p>A common approach would be developed with the Primary Liaison Emergency Planning Officer for each of the authorities to take into account local needs. This removes duplication and provides improved resilience. There will remain a need to embed business continuity within each authority's culture.</p> |
| Flood Partnerships Reservoir Inundation, Resilient Communications | <p>Existing flood partnerships have arisen due to local experience of flooding, currently only formalised in two authorities. The dissemination of this learning has not been extended to those areas where actual flooding has not yet regularly occurred, but the risk exists. Local flood plans are tailored to the specifics of the locality.</p> | <p>One emergency planning officer would act as lead working closely with the Primary Liaison Emergency Planning Officer for each of the authorities, to ensure that flood partnerships are developed across all risk areas, and flood plans, although specific to their area, follow a common template.</p> |
| Community Resilience & Voluntary Sector | <p>Each authority has developed an individualistic approach to deal with their needs in relation to community resilience. There has been collaboration in engagement with the voluntary sector.</p> | <p>One emergency planning officer would act as lead officer for the six local authorities. A common approach would be developed with the Primary Liaison Emergency Planning Officer for each of the authorities to take into account local risks. This enhances consistency and resilience.</p> |
| Learning & Development, Training Needs | <p>Each authority has developed an individualistic approach to deal with their needs. The individual Emergency Planning Units provide the focus for</p> | <p>A common approach would be developed with the Primary Liaison Emergency Planning Officer for each of the authorities to take into account local needs. This would feed the local</p> |

| | | |
|--|---|---|
| <p>Identification</p> | <p>ensuring that each local authority has officers who are able to discharge their emergency response duties by providing local training and exercising . Whilst there is a North Wales provision through the Resilience Forum this provides only a limited capacity for generic training and does not meet all the local needs. This results in a considerable amount of duplication at the local level.</p> | <p>needs into the North Wales Resilience Forum Learning and Development Group. This removes duplication and provides resilience, whilst reflecting client needs in the training programme. The provision of training could also be undertaken in partnership with other Cat 1 responders as part of the developing NWRFF Strategy</p> |
| <p>Pollution of Controlled Waters, Marine Pollution, Events & Safety Advisory Group, Port Authority & Airports, Animal Health, Eisteddfod & Agricultural shows</p> | <p>Each authority has well developed plans updated according to national guidelines and local circumstances. The individual Emergency Planning Units ensure that each local authority has officers who are able to discharge their emergency response duties through the respective plans</p> | <p>A regional approach would be developed with the Primary Liaison Emergency Planning Officer for each of the authorities, taking into account local needs and risks, with the lead officer liaising with the Category 1 responders and event organisers to ensure a harmonised and compatible approach.</p> |
| <p>SERVICE TASK NORTH WALES RESILIENCE FORUM</p> | <p>CURRENT PROVISION</p> | <p>JOINT PROVISION</p> |
| <p>Learning & Development; Warning & Informing; Industrial Hazards; Pollution; Mass Fatalities; Risk Assessment; Logistical Preparedness;</p> | <p>Each local authority can provide a representative to one or more of the task groups that meet on a regular basis. This may lead to a considerable duplication of effort. However a sensible approach is taken with rationalization of representation at meetings, and subsequent cascade arrangements need to be effectively managed to disseminate information and tasking.</p> | <p>One emergency planning officer would act as lead officer for the six local authorities on a specific task/ risk group. This removes duplication and provides a resilient approach and will allow for greater development of 'in-depth' knowledge on a particular topic.</p> |

| | |
|--|--|
| <p>Telecomms; Voluntary Sector; Infectious Diseases; Flooding; Humanitarian Assistance; Recovery</p> | |
|--|--|

Advantages of two hub service delivery in supporting partnership councils:

- Improved resilience activity to partnership councils due to team size (recognising the limitations of this statement in the event of a widespread incident).
- Improved focus of available resources through hub unit providing shared specialist support to partnership councils
- Based on the underpinning principles of a joint unit that has operated effectively and successfully for 5 years between Denbighshire and Flintshire
- Reflects current out-of-hours duty arrangements
- Potential for eventual cost savings due to reduction in managers and support resources
- officers will provide local focus and gateway into specialist emergency planning support form a larger team for individual authorities
- Refines and simplifies support of NWRP Task Groups and other partners

➤ More consistent arrangements with respect to CCA duties with Category 1 & 2 Responders across North Wales

➤ Provides a single point of contact for strategic issues at LRF/SCG level

➤ Harmonisation of best practices across all Authorities

➤ Improved resilience for emergency response

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ISLE OF ANGLESEY COUNTY COUNCIL

| | |
|----------------------------|---|
| REPORT TO | EXECUTIVE |
| DATE | 18 MARCH 2013 |
| SUBJECT | DISCRETIONARY RELIEFS FROM PAYMENT OF THE NON-DOMESTIC RATES (BUSINESS RATES) FOR CHARITIES AND NON-PROFIT MAKING ORGANISATIONS. |
| PORTFOLIO HOLDER(S) | COUNCILLOR JOHN CHORLTON |
| LEAD OFFICER(S) | HEAD OF SERVICE (FINANCE) |
| CONTACT OFFICER | GERAINT JONES (x2651) |

Nature and reason for reporting

To provide a report on mandatory and discretionary reliefs that are available from payment of business rates for charities and non-profit making organisations.

To approve a Local Discretionary Business Rates Relief Policy Scheme for Charities and Non-Profit making organisations effective from 1 April 2013.

A – Introduction / Background / Issues

Introduction and background

Non-domestic properties (apart from certain exemptions, such as agriculture, places of worship, property used by the disabled etc.) are liable to payment of non-domestic rates. These are commonly termed business rates although not all ratepayers are businesses in the ordinary sense. Indeed, the system of reliefs is partly designed to alleviate the burden of taxation on occupiers other than business.

Local Authorities in Wales **must** grant mandatory rate relief provided for within the Local Government Finance Act 1998 (LGFA88), as amended by the Local Government Act 2003.

Under the LGFA88 local authorities **can** also grant discretionary relief or remission from rates up to 100% of the rates payable. This applies to the properties occupied by:

- Charities (“20% top-up” in addition to 80% mandatory relief);
- Other non-profit making organisations;
- Hardship relief

The cost of granting discretionary business rates relief is borne in part by the National Non-Domestic Rates (NNDR) Pool (i.e. Welsh Government – WG) and by local council taxpayers.

For example, the proportion borne by the WG in respect of non-profit making organisations is 90% of the cost. This means, that every £1 spent by the Council buys relief worth £10 to the ratepayer.

However, in respect of the cost of the “20 % top-up”, the proportion borne by the WG is 25% of the cost. This means that for every £7.50 spent by the Council buys relief worth £10 to the ratepayer.

The LGFA88 allows local authorities to award hardship relief if the payment of the business rates would cause hardship and it is in the interest of the local council taxpayers to do so. The cost of granting discretionary relief is also borne in part by the NNDR Pool and the local council taxpayers. The proportion borne by the WG in respect of granting hardship relief is 75% of the cost. This means that for every £2.50 spent by the Council buys relief worth £10 to the rate payer.

Current position

Appendix A summarises the business, organisation and charity property eligible for mandatory/discretionary business rates relief and also business rates discounts under current legislation. This gives a complete picture of relief and discounts available to businesses from payment of the business rates. The purpose of this report however, is solely with regard to mandatory and discretionary business rates relief for charities and non-profit making organisations i.e. items 1, 2, 3 and 4 of Appendix A.

The Authority's current policy of discretionary business rates relief for charities and non-profit making organisations is given in **Appendix B**. It has operated since 1st April 2003. It was also a policy renewable every 5 years and was extended for a further 5 years by the Authority from April 2008.

When deciding to extend the current policy for a further 5 years, the Authority's Executive on 25 February 2008 was of the view that **“the operation of the policy guidelines adopted 5 years ago along with the relevant delegated power to officers, had achieved the Executive's aim of consistency of interpretation and ease of administration. The introduction of categories E(1) through to F(2) had allowed officers to award relief without repeated recourse to the Executive for decision. Indeed, the flexibility contained within categories E(1) to F(2) had meant that Category G had not been used. It would seem correct to conclude therefore, that generally, the policy Guidelines adopted five years ago had been a success.”**

The Authority's Executive resolved that the current policy guidelines for discretionary relief for charities and non-profit making organisations be readopted for a further 5 years up to 31 March 2013. A decision needs to be taken on whether to extend the current policy and for what period.

Appendix B provides a breakdown of the relief awarded and the cost to the Authority during 2012/13 (in bold) and the relief awarded and cost to the Authority during 2008/2009 (in brackets).

With regard to hardship relief the officers consider each case individually in respect of businesses who are finding it difficult to pay the business rates. Little or no hardship relief has been awarded over recent years as satisfying both criteria - that actual payment of business rates causes the hardship and that it must be of benefit to the local council taxpayer has been difficult to meet. There have also been very few claims submitted.

B - Considerations

- Generally, the current policy continues to achieve the Executive's aim of consistency of interpretation and ease of administration and that the policy Guidelines adopted 10 years ago continue to be a success.
- The cost to the local council taxpayer of the local discretionary business rates relief scheme has over the last five years increase by approximately 47% i.e. from £33,465 in 2008/09 to £49,287 in 2012/13. The total number of charities and non-profit making organisations receiving discretionary relief having increased by 33% i.e. from 127 to 169.

- The increase in cost is mainly due to categories A(1), A(2), and E(1), where the Authority's policy is to award an additional 20% discretionary business rates relief for charities and organisations in these categories. In awarding the additional 20%, 75% of its cost is borne by local council tax payers.
- Organisations and charities that receive mandatory relief under category D, are failing to apply for the additional 20% discretionary relief allowed by the policy, despite officers sending them application forms and asking them to apply for the additional relief.
- Early in 2012, the Welsh Government undertook a general "Business Rates Policy Review" under Professor Brian Morgan and published its conclusions in May 2012. 2 of the 19 recommendations of the published report deal with matters concerning this report. The Welsh Government also published its response in October 2012 and in matters relevant to this report recommended that:-
 1. Professor Brian Morgan, as Chair of the Task and Finish Group was to continue to examine business rate relief for charities, social enterprises and credit unions and further consultation in this area is on-going. One of the proposals is to reduce mandatory relief to 50% from 80% and to set a limit on the number of charity shops in an area.
 2. To increase awareness of the existing hardship provisions. The Welsh Government is proposing to seek a more consistent approach across Wales but recognising that local authorities are ideally positioned to understand local need and circumstances.
- The current discretionary rate relief policy is due to end on 31 March 2013. If a new policy or the deadline of the current policy is not extended beyond 31 March 2013, organisations and charities will have to reapply and be considered individually by the Head of Service.
- A decision to extend the policy should be made before the 31 March 2013. It is a requirement of regulations that due notice of a termination of a discretionary business rates policy at the end of a financial year must be made prior to the end of the previous financial year.

| C – Implications and Impacts | | |
|-------------------------------------|---|--|
| 1 | Finance / Section 151 | |
| 2 | Legal/Monitoring Officer | |
| 3 | Human Resources | |
| 4 | Property Services (see notes – separate document) | |
| 5 | Information and Communications Technology (ICT) | |
| 6 | Equality (see notes – separate document) | |
| 7 | Anti-poverty and Social (see notes – separate document) | |
| 8 | Communication (see notes – separate document) | |
| 9 | Consultation (see notes – separate document) | |
| 10 | Economic | |
| 11 | Environmental (see notes – separate document) | |
| 12 | Crime and Disorder (see notes – separate document) | |
| 13 | Outcome Agreements | |

CH - Summary

- The Authority's Discretionary business rates relief is due to end on 31 March 2013. Organisations and charities have been given the required notices that this policy was coming to an end on 31 March 2013. This was done in March 2012.
- Appendix A details the reliefs and discounts allowed to business, organisations and charities in respect of business rates property. Appendix B gives details of the current discretionary business rates relief policy.
- The current discretionary business rates relief policy has been in operation since 2003 and has generally met the Executive's requirements of consistency of interpretation and ease of administration.
- However, the current policy has not been reviewed or consulted upon for a decade.
- The Welsh Government is currently reviewing mandatory and discretionary relief for charities, social enterprises and credit unions and is undertaking further consultation in this area

D - Recommendation

1. The current policy guidelines are readopted for a further 1 year up to 31 March 2014.
2. Organisations and charities are to be advised of this decision before 31 March 2013 and also that the policy will come to an end on 31 March 2014.
3. Note that there will be a review of the policy and a consultation on revised policy guidelines during 2013 – 2014 in respect of discretionary business rates relief having regard to the Welsh Government's own review. A new or revised discretionary rate relief policy to be adopted as a consequence from 1 April 2014.

Name of author of report: Geraint Jones
Job Title: Revenues and Benefits Manager
Date: 5 March 2013

Appendices:

Appendix A – "Summary of Business Rates Reliefs and Discounts"

Appendix B – "Current Isle of Anglesey County Council Discretionary Business Rates Relief Policy Guidelines"

Background papers

- "Business Rates Wales Review: Incentivising Growth" – May 2012
- "Welsh Government Response to the Business Rates Review" – October 2012

APPENDIX A

| PROPERTY ELIGIBLE FOR RATE RELIEF | TYPE OF RELIEF | AMOUNT OF RELIEF | FINANCIAL IMPLICATIONS | |
|---|--|--------------------------------|--|---|
| | | | Proportion offset against Payments into the NDR Pool | Proportion borne locally by community taxpayers |
| | | % | % | % |
| 1. Property wholly or mainly used for charitable purposes which is occupied by a registered charity or charity shop | Mandatory Discretionary | 80 Up to further 20 | 100 25 | - 75 |
| 2. Community Amateur Sports Clubs (CASCs) | Mandatory Discretionary | 80 Up to further 20 | 100 25 | - 75 |
| 3. Property, all or part of which is occupied for the purposes of non-profit making: a) institution or other organisation whose main objects are philanthropic or religious or concerned with social welfare, science, literature of the fine arts; or b) club, society or other organisation and is used for the purposes of recreation. | Discretionary | Up to 100 | 90 | 10 |
| 4. Property, all or part of which is occupied, where the billing authority is satisfied that the ratepayer would suffer hardship. | Discretionary | Up to 100% | 75 | 25 |
| 5. Property, all or part of which is occupied, other than as trustee, by a charging or precepting authority. | None | None | - | - |
| 6. Shops and offices which are unoccupied for: a) 0 to 3 months b) after 3 months Industrial property which is unoccupied for: a) 0 to 6 months b) after 6 months | Mandatory None Mandatory None | 100 None 100 None | 100 - 100 - | - - - - |
| 7. Shops and offices which are partly occupied for a short period only (Section 44A of the LGFA) a) 0 to 3 months b) after 3 months Industrial property which is partly occupied for a short period only (Section 44A of the LGFA) a) 0 to 6 months b) after 6 months | Mandatory None Mandatory None | 100 None 100 None | 100 - 100 - | - - - - |

| PROPERTY ELIGIBLE FOR RATE RELIEF | TYPE OF RELIEF | AMOUNT OF RELIEF | FINANCIAL IMPLICATIONS | |
|--|-------------------------|------------------|--|---|
| | | | Proportion offset against Payments into the NINDR Pool | Proportion borne locally by community taxpayers |
| | | % | % | % |
| 8. Property which is unoccupied and has a rateable value of £2,600 or less. | Mandatory | 100 | 100 | - |
| 9. Small Business Rate Relief Scheme for occupied property – from 1 April 2010 (Default Scheme) | | | | |
| a) most properties with a rateable value of £2,400 or less | Mandatory Discretionary | 50 Up to 100 | 100 - | - 100 |
| b) most properties with a rateable value between £2,401 and £7,800 | Mandatory Discretionary | 25 Up to 100 | 100 - | - 100 |
| c) Post Offices (and a property that includes a Post Office) with a rateable value of £9,000 or less | Mandatory | 100 | 100 | - |
| ch) Post Offices (and a property that includes a Post Office) with a rateable value between £9,001 and £12,000 | Mandatory Discretionary | 50 Up to 100 | 100 - | - 100 |
| d) Child Care premises with a rateable value of £12,000 or less | Mandatory Discretionary | 50 Up to 100 | 100 - | - 100 |
| dd) Retail Premises with a rateable value between £7,801 and £11,000 which are used wholly or mainly for the sale of any goods, which include: | Mandatory Discretionary | 25 Up to 100 | 100 - | - 100 |
| i. the sale of meals, refreshments or intoxicating liquor for consumption on or off the premises on which they are sole or prepared | | | | |
| ii. petrol or other automotive fuels for fuelling motor vehicles intended or adapted for use on roads | | | | |
| (Note: retail business occupying more than on property in Wales will only be eligible for relief on one property) | | | | |
| e) Credit Unions with a rateable value of £9,000 or less | Mandatory Discretionary | 50 Up to 100 | 100 - | - 100 |

APPENDIX B

| Category | Description | Mandatory | Discretionary | Total | Cost to Council | No |
|--------------|--|--------------------------------------|-------------------------------------|--------------------------------------|-----------------------------|---------------------|
| A (1) | Village Halls, Community Centres, Memorial Institutes, Old People Clubs, Scout and Guide Associations, Sea Cadets, Hospices, Playgroups | 80% £105,300 (£64,285) | 20% £25,095 (£16,090) | 100% £130,395 (£80,375) | £18,821 (£12,065) | 69 (56) |
| A (2) | Maritime safety | 80% £29,958 (£7,115) | 20% £7,295 (£1,780) | 100% £37,253 (£8,895) | £5,471 (£1,335) | 6 (4) |
| B (1) | Recreation Clubs, Theatres, Band Rooms and Museums – (registered charity) | 80% £6,577 (£5,330) | 20% £1,581 (£1,330) | 100% £8,158 (£6,660) | £1,186 (£995) | 8 (7) |
| B (2) | Recreation Clubs, Theatres, Band Rooms and Museums – (not a registered charity) | 0% £0 (£0) | 100% £82,327 (£81,560) | 100% £82,327 (£81,560) | £8,233 (£8,155) | 31 (34) |
| C (1) | Educational organisations statutory or open to all | 80% £4,158 (£3,405) | 20% £1,040 (£850) | 100% £5,198 (£4,255) | £780 (£635) | 1 (1) |
| C (2) | Educational organisations | 80% £253,247 (£100,295) | 0% £0 (£0) | 80% £253,247 (£100,295) | £0 (£0) | 10 (13) |
| CH | Charity Shops | 80% £57,350 (£30,910) | 0% £0 (£0) | 80% £57,350 (£30,910) | £0 (£0) | 21 (15) |
| D | Regeneration, Employment, Rehabilitation Organisations | 80% £26,342 (£3,145) | 20% £425 (£785) | 100% £26,767 (£3,930) | £319 (£590) | 8 (3) |
| DD | Race equality and ethnic minority | 80% £0 (£0) | 20% £0 (£0) | 100% £0 (£0) | £0 (£0) | 0 (0) |
| E (1) | Registered charity or a charitable purpose whose objectives have substantial common ground with Council objectives and which mainly serve Island residents | 80% £55,225 (£37,165) | 20% £13,298 (£9,290) | 100% £68,523 (£46,455) | £9,974 (£6,970) | 28 (18) |
| E (2) | Not a registered charity but whose objectives have substantial common ground with Council objectives and which mainly serve Island residents | 0% £0 (£0) | 100% £17,906 (£3,680) | 100% £17,906 (£3,680) | £1,791 (£370) | 10 (3) |
| F (1) | Registered charity or a charitable purpose whose objectives are supported by the Council but, either there is not substantial common ground with Council objectives or they do not mainly serve Island residents | 80% £15,431 (£13,950) | 0% £0 (£0) | 100% £15,431 (£13,950) | £0 (£0) | 6 (7) |
| F (2) | Not a registered charity and whose objectives are supported by the Council but, either there is not substantial common ground with Council objectives or they do not mainly serve Island | 0% £0 (£0) | 80% £0 (£0) | 100% £0 (£0) | £0 (£0) | 0 (0) |
| FF | Agricultural show grounds | 80% £14,464 (£12,545) | 20% £3,616 (£3,135) | 100% £18,080 (£15,680) | £2,712 (£2,350) | 1 (1) |
| G | Not any of the above categories | Various £0 (£0) | Various £0 (£0) | Various £0 (£0) | £0 (£0) | 0 (0) |
| | Totals – 2012/2013 (Totals – 2008/2009) | £568,052 (£278,1456) | £152,583 (£118,500) | £720,635 (£396,645) | £49,287 (£33,465) | 199 (162) |
| | Cost per Band D – 2012/13 (Cost per Band D – 2008/09) | | | | £1.65 (£1.17) | |

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---|---|
| REPORT TO: | EXECUTIVE COMMITTEE |
| DATE: | 18 MARCH 2013 |
| SUBJECT: | ADOPTION OF A LOCAL DISCRETIONARY HOUSING PAYMENTS POLICY SCHEME |
| PORTFOLIO HOLDER(S): | COUNCILLOR JOHN CHORLTON |
| LEAD OFFICER(S): | HEAD OF SERVICE (FINANCE) |
| CONTACT OFFICER: | GERAINT JONES (ext.2651) |
| Nature and reason for reporting | |
| To approve a revised Local Discretionary Housing Policy (DHP) Scheme effective from 1 st April 2013, taking into account the welfare reforms. It is a revision to a policy approved by the Executive and requires Executive endorsement. | |

| A - Introduction / Background / Issues | | | | | | | | | | | | | | | | | | | | |
|---|-----------------------------|-----------------------------|--------------------------|----------------------|---------|--------|--------|---------------------|---------|--------|--------|---------------------|---------|--------|---------|---------------------|---------|---------|---------|---|
| <p>This revision to a DHP policy previously approved by the Executive takes account of changes to the benefits system by the UK Government, such as the abolition of Council Tax Benefit, recent Local Housing Allowance (LHA) changes in the private sector, the “bedroom tax” in the social sector and future introduction of Universal Credit.</p> <p>DHP’s provide claimants with <i>‘further financial assistance’</i> to meet their housing costs in addition to any other welfare benefits they receive, where the Local Authority considers that such additional help is necessary.</p> <p>The Department for Work and Pension (DWP)’s annual funding for DHP was £20m up to April 2011. To help local authorities manage the impact of the housing benefit reforms announced in the June 2010 budget, DHP funding was increased to £30m in 2011/12 and up to £60m annually for 2012/13 and for the remainder of the Spending Review period (i.e. until 2015). Since the June 2010 budget announcement, further additional funding of £30m and £65m has been made available to local authorities to deal with the impact of the welfare reforms – particularly the Social Sector Size Criteria (known as ‘bedroom tax’) and the Benefit Cap respectively. The total funding available nationally for the DHP scheme in 2013/14 is £155m and up to £125m in 2014/15.</p> <p>In addition to the DWP funding, local authorities are allowed to spend up to two and a half times the Government Contribution from their own resources.</p> <p>For the Isle of Anglesey County Council, the Government’s contribution and spending under the Council’s DHP scheme for the last three years and for 2013/14 is as follows:-</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="background-color: #d3d3d3;">Year</th> <th style="background-color: #d3d3d3;">Government Contribution (£)</th> <th style="background-color: #d3d3d3;">Overall limit (2.5x) (£)</th> <th style="background-color: #d3d3d3;">Spent by Council (£)</th> </tr> </thead> <tbody> <tr> <td>2010/11</td> <td>16,400</td> <td>41,000</td> <td>34,343¹</td> </tr> <tr> <td>2011/12</td> <td>28,500</td> <td>71,250</td> <td>20,866²</td> </tr> <tr> <td>2012/13</td> <td>73,538</td> <td>183,845</td> <td>44,198³</td> </tr> <tr> <td>2013/14</td> <td>136,536</td> <td>341,340</td> <td style="text-align: center;">-</td> </tr> </tbody> </table> | Year | Government Contribution (£) | Overall limit (2.5x) (£) | Spent by Council (£) | 2010/11 | 16,400 | 41,000 | 34,343 ¹ | 2011/12 | 28,500 | 71,250 | 20,866 ² | 2012/13 | 73,538 | 183,845 | 44,198 ³ | 2013/14 | 136,536 | 341,340 | - |
| Year | Government Contribution (£) | Overall limit (2.5x) (£) | Spent by Council (£) | | | | | | | | | | | | | | | | | |
| 2010/11 | 16,400 | 41,000 | 34,343 ¹ | | | | | | | | | | | | | | | | | |
| 2011/12 | 28,500 | 71,250 | 20,866 ² | | | | | | | | | | | | | | | | | |
| 2012/13 | 73,538 | 183,845 | 44,198 ³ | | | | | | | | | | | | | | | | | |
| 2013/14 | 136,536 | 341,340 | - | | | | | | | | | | | | | | | | | |

- ¹ Expenditure incurred in 2010/11 above the Government's contribution was as a result of the Menai Broad Rental Market Area being merged into the North West Wales Broad Rental Market Area and Local Housing Allowance Rates paid in the private Sector were reduced as a consequence.
- ² The Council was allowed to carry over the unspent Government Contribution into 2012/13 due to the impact of transitional arrangements.
- ³ This is spent and committed DHP as at 04 March 2013. For 2011/12 and 2012/13 the current DHP policy was modified to take account of the anticipated additional demands resulting from changes to the LHA. The qualifying criteria were revised in anticipation of an increase in demand from those affected by the LHA changes. This has not proved to be the case and in recent months the qualifying criteria have been modified allowing additional expenditure under the policy. We understand that this has been the case in a number of local authorities.

The revised policy presented to the Executive to endorse, also takes into account the next stage of the UK Government's welfare benefit changes – "bedroom tax" and the "benefit cap". We anticipate that demand will increase substantially in 2013/14. However, there is still an element of uncertainty with regards to the level of demand for DHP's and during 2013/14 expenditure on DHP's and demand for DHP's will be monitored quarterly. Promotion of the scheme and the qualifying criteria can then be modified should the need arise.

Issues regarding the 2013/14 funding allocation

The total DHP allocation for 2013/14 has been split into four component parts:-

- original baseline before the private sector Local Housing Allowance (LHA) reforms;
- LHA reforms;
- Social Sector Size Criteria; and
- Benefit Cap.

Funding for the LHA reforms is based on each local authority's share of total anticipated losses through the introduction of the 30th percentile LHA rate. As regards the Social Sector Size criteria, the funding is aimed specifically at two groups - disabled people who live in significantly adapted accommodation and foster carers, including those who need an extra room when they are between fostering. The Benefit Cap funding is to provide short term support to those affected by the cap.

The proposed revision to the Authority's current DHP Scheme takes account of the welfare benefit changes, the additional funding available for DHP and the DWP's DHP Guidance Manual (which includes Local Authority Good Practice) April 2013.

B - Considerations

1. DHP awards must be made within the overall limit as determined by the DWP. Any award in excess of the overall limit is unlawful. The overall limit is 2.5 times the Government Contribution.
2. The Council has no specific budget allocated to meet the cost of awards made in excess of the Government Contribution up to the overall limit. This is a financial risk to the Council and, as at present, DHP expenditure will be subject to review on a quarterly basis.
3. Unspent Government Contribution grant must be returned to DWP at the end of the financial year.
4. With abolition of Council Tax Benefit from 1st April 2013, DHP's can no longer be made towards Council Tax liability.

5. The Council's proposed DHP Scheme has been revised to take into account the DWP's own revised 'Discretionary Housing Payments Guidance Manual (including Local Authority Good Practice Guide) which also comes into effect in April 2013. The DWP consulted widely on its proposed revised manual and has published the responses to its consultation.

<http://www.dwp.gov.uk/docs/discretionary-housing-payments-guide-draft.pdf>
<http://www.dwp.gov.uk/docs/discretionary-housing-payments-response.pdf>

6. In respect of the Council's proposed local scheme, an initial draft of the policy was issued to relevant internal and external stakeholders for consultation and comments during October and November 2012. Those consulted were Council benefit staff, Council Adult and Children's Services, Council Housing Services, Citizens Advice Bureau and Shelter. No adverse comments were received. The final version reflects most of the views expressed which include:-

- DHP to be paid in respect of foster carers even if the additional bedroom is vacant between fostering periods;
- The policy not to be too prescriptive thereby allowing staff discretion to consider each request, subject to challenge and review;
- The policy to include the DWP's broader definition of Housing costs as laid out in the DWP's Guidance Manual. This means that in addition to rental liability, housing costs can be interpreted to include - rent in advance, deposits and lump sums associated with housing needs e.g. removal costs and no requirement to repay any 'lump sum' payments made.

7. The Council undertook an Initial Impact Assessment of its proposed DHP Scheme. The Initial Impact Assessment identifies the groups likely to get assistance under the DHP Policy based on the DWP's own Impact Assessments regarding the groups affected by the UK Government's welfare reforms. The consultation and impact assessment assists the Council in satisfying the public sector equality duty in the Equality Act and are available from the Finance Department, Revenues and Benefits Section.

| C - Implications and Impacts | |
|-------------------------------------|---|
| 1 | Finance / Section 151 |
| 2 | Legal / Monitoring Officer |
| 3 | Human Resources |
| 4 | Property Services (see notes – separate document) |
| 5 | Information and Communications Technology (ICT) |
| 6 | Equality (see notes – separate document) |
| 7 | Anti-poverty and Social (see notes – separate document) |
| 8 | Communication (see notes – separate document) |
| 9 | Consultation (see notes – separate document) |
| 10 | Economic |
| 11 | Environmental (see notes – separate document) |
| 12 | Crime and Disorder (see notes – separate document) |
| 13 | Outcome Agreements |

| CH - Summary |
|---|
| <ul style="list-style-type: none"> • DHPs provide customers with further financial assistance to meet their housing costs; • The DWP's annual funding for DHP has been increased during the period of the Spending Review to meet the impact of the housing benefit changes; • The DWP has consulted upon its DHP Guidance Manual which includes Local Authority Good Practice. The DWP's updated Guidance Manual will come into effect from 1st April 2013; • The Council has reviewed its local DHPs Policy having regard to welfare reform, the additional funding available and broader interpretation by the DWP of what can be treated as housing costs, in addition to the usual rental liability; • As Council Tax Benefit is being abolished from 1st April 2013, DHPs can no longer be made towards Council Tax liability. |

| D - Recommendation |
|--|
| To adopt the Discretionary Housing Policy Scheme as set out in Appendix A. |

Name of author of report: GERAINT JONES
Job Title: REVENUES AND BENEFITS MANAGER
Date: 5 MARCH 2013

| Appendices: |
|--|
| Appendix A - local Discretionary Housing Policy Scheme. |

| Background papers |
|--|
| <ul style="list-style-type: none"> • DWP's Discretionary Housing Payments Guidance Manual (including Local Authority Good Practice Guide) April 2013; • DWP Housing Benefit and Council Tax Benefit Circular HB/CTB S1/2013 – "Details of the government funding to local authorities for DHP's in 2013/14". • Finance Department (Revenues and Benefits Section) Initial Impact Assessment , Outcome Report and Action Plan – October 2012 |



DISCRETIONARY HOUSING PAYMENTS POLICY 2013

| Date | Version | Name |
|-----------------|---------|-------------|
| 11 October 2012 | First | Kevin Spice |
| 16 October 2012 | second | Kevin Spice |
| 17 October 2012 | Third | Kevin Spice |
| 8 January 2013 | fourth | Kevin Spice |
| 21 January 2013 | Fifth | Kevin Spice |

1. BACKGROUND

- 1.1 The Discretionary Housing Payment (DHP) scheme is intended to provide customers with '*further financial assistance*' with their housing costs in addition to any other welfare benefits where the Local Authority (LA) considers that such help is necessary.
- 1.2 Regulations covering payment of DHP are The Discretionary Financial Assistance Regulations 2000. Whilst the regulations give LAs very broad discretion as to how they administer the scheme, decisions must be made in accordance with good principles of administrative decision making. In determining whether to make an award the LA must always act fairly, reasonably and consistently.
- 1.3 All DHP awards must be made within the overall cash limits as determined by the Department of Works and Pensions (DWP). The DWP will award the LA an annual sum (*government contribution*) towards administration of the scheme. In addition to the Government Contribution the LA may spend up to two and a half times that amount (*permitted total*) in DHP. Any awards in excess of the permitted total would be illegal.
- 1.4 The amount of money left from the government contribution must not be a factor in decision making; each decision must be made on its own merits; decision making must be consistent throughout the year.
- 1.5 Unspent DHP funds must be returned to DWP at the end of the financial year.

2 WHAT CAN DHP BE USED FOR?

- 2.1 Housing costs are not defined in the regulations so this gives LAs a broad discretion to interpret the term as they wish. In addition to rental liability housing costs may also be interpreted to include:-
 - Rent in advance;
 - Deposits;
 - Lump sum costs associated with housing need such as removal costs (where such 'lump sum' payments are made, there will be no requirement for them to be repaid by the recipient).
- 2.2 Specific circumstances where DHP may be relevant will include:-
 - Reductions in Housing Benefit (HB) or Universal Credit (UC) where the benefit cap has been applied;
 - Reductions in HB or UC for under-occupation in the social rented sector;
 - Reductions in HB or UC as a result of Local Housing Allowance (LHA) restrictions;
 - Rent shortfalls to prevent a household becoming homeless whilst the Authority's Housing Department explores alternative options;
 - Rent Officer restrictions such as Local Reference Rent or shared room rate;
 - Non dependant deductions;
 - Claimants affected by the "bedroom tax" who foster children;
 - Claimants with specific medical issues that may result in them incurring additional expenditure or needing additional accommodation;
 - Income tapers.
- 2.3 When considering DHP awards for rent in advance or deposits the LA should be satisfied that the property is affordable and suitable for the tenant's needs.

- 2.4 DHP is intended as a safety net for those experiencing difficulty in meeting their housing costs. The scheme should not be seen as a means of allowing applicants to maintain a certain level of lifestyle that they may have become accustomed to. To this end, the assessing officer may choose to reduce or refuse DHP where the applicant is clearly not prepared to make reasonable compromises with regards to their expenditure and lifestyle.
- 2.5 Following the abolition of Council Tax Benefits in 2013, **DHP can no longer be made towards Council Tax Liability.**

3. CRITERIA FOR MAKING DHP AWARD

3.1 Before making an award LAs must be satisfied that the claimant is entitled to:-

- HB; **or**
- UC; **and**
- Has a rental liability; **and**
- Requires further financial assistance with housing costs.

3.2 Following the introduction of Universal Credit, LAs will have to consider DHP claims from customers who are not receiving HB. Customers receiving UC will not receive a specific amount towards housing costs. In such cases you should ensure that the UC award:-

- Does include a housing costs element; and
- The amount of DHP awarded does not exceed the claimant's weekly eligible rent.

4. WHAT DHP CANNOT COVER

4.1 There are certain elements of a claimant's rent that cannot be included in housing costs for DH because the regulations exclude them. Excluded elements include:-

- Ineligible service charges;
- Increases in rent due to outstanding rent arrears;
- Certain sanctions and reductions in benefit.

4.2 In addition to the above, DHP will not be paid in respect of shortfalls resulting from:-

- A claimant choosing to lead a lifestyle which is clearly beyond his/her means (determining lifestyle may require a home visit);
- Repayment of overpayments and fines.

5. APPLICATION PROCESS

5.1 Regulations require that there must be a claim for DHP before the LA can consider making an award.

5.2 The LA will actively promote the DHP scheme with internal and external partners as well as with HB/UC claimants. Where staff identify situations where DHP may be relevant, they should invite the customer or his/her representative to make an application.

5.3 Applications must be made in writing and may be received by the Revenues and Benefits Section or any department within the LA acting on their behalf. Where an application is made to a department other than the Revenues and Benefits Section, it will be passed to them for determination.

- 5.4 Applications for DHP should be accompanied by a statement of the applicant's income and expenditure in order to determine whether they are suffering financial hardship. If requested, the claimant may also be required to provide documentary evidence in support of stated expenditure. Applicants for 'one off' payments may be required to provide bank statements in support of their application for DHP.
- 5.5 DHP applications will normally be made by the person entitled to HB or UC. However, claims can also be accepted from third parties such as appointees or advocates acting on behalf of the claimant if they are vulnerable.

6. THE DECISION MAKING PROCESS

- 6.1 Each application for DHP should be considered on its merits. Decisions should be fair and consistent throughout the year. The amount of funding available in the DHP 'pot' should not be a consideration in the decision making process.
- 6.2 When calculating entitlement the LA should consider income and expenditure from all sources. Certain benefits, normally disregarded in the means testing process will not necessarily be disregarded when assessing eligibility to DHP; the assessing officer will have discretion to decide whether or not to take such benefits/allowances into account.
- 6.3 Where the applicant can show that benefits/allowances have been used for the specific purposes that they were intended, the assessing officer may choose to disregard them as income when assessing DHP.
- 6.4 The assessing officer may ask for a Revenues and Benefits Visiting Officer to call at the home of the applicant in order to obtain a clearer view of the applicant's circumstances and living conditions.
- 6.5 Should the assessing officer determine that an applicant's stated expenditure on certain items is excessive, they have discretion to disregard part or all of that expenditure in the financial assessment. Similarly, where the officer deems that the applicant is living beyond their means in an unreasonable manner; they may choose to disregard such expenditure from the calculation.
- 6.6 DHPs are not normally intended as long term solutions to rent shortfalls. Consequently, unless there are exceptional circumstances, no further applications for DHP will be considered for that address from that claimant, or anyone in their household, for a period of 12 months.
- 6.7 Expenditure on fines or overpayments will not be considered in the financial calculation; DHP cannot be seen to be paying off such liabilities.
- 6.8 With regards to expenditure relating to debts, the assessing officer will need to determine the monetary value of the debt and how it was incurred when making their determination. Factors to be considered with regards to deciding whether expenditure on servicing debt can be justified will include:-
 - 6.8.1 Has the claimant sought to re-negotiate non priority debts? e.g. credit card agreements
 - 6.8.2 Have they sought professional advice on how to clear their debts?
 - 6.8.3 Could the claimant afford to service the debt before they began claiming benefits?
 - 6.8.4 Have the debts been incurred as a result of irresponsible borrowing/expenditure whilst in receipt of welfare benefits?

- 6.9** In cases where the applicant is at risk of becoming homeless, Revenues and Benefits staff should consult with the Housing Options Team in order to determine whether there may be another course of action or alternative source of funding that may be more relevant than DHP.
- 6.10** In some instances it may be possible for the Housing Department's Landlord Liaison Officer to negotiate a reduction in rent liability with the claimant's landlord before a final determination is made regarding DHP. Even in cases where such a reduction has been negotiated, it will not necessarily preclude the payment of DHP if there is still a shortfall of income over expenditure.
- 6.11** Where it is deemed relevant for the Landlord Liaison Officer to approach the applicant's landlord, they should do so as soon as possible so as not to delay the DHP determination.
- 6.12** In some instances it may be necessary to discuss the DHP application with other departments or agencies before making a final determination on the matter. In such instances the approval of the claimant to share information should always be obtained.
- 6.13** The length of the award will be determined by the person dealing with the claim. In some circumstances an open ended award may be relevant. Where an award is indefinite, it should be reviewed annually to ensure that there has been no material change in circumstances.
- 6.14** Payment will normally be made to the claimant; however, in some instances, payment to a third party may be appropriate:-
- Landlord in the case of rent in advance or deposit;
 - Landlord if the claimant is considered vulnerable and is already having HB payments made to the landlord;
 - Removal company for removal expenses;
 - By way of a credit on the rent account in respect of Rent Rebate shortfalls.
- 6.15** Applications should be considered in the light of the applicant's current circumstances as well as their previous history.
- Have they received returned deposits from their previous tenancy?
 - Was the applicant able to afford the rent liability when they first moved into the property?
 - Do they frequently move to properties with unreasonably high rent?
 - Do they have a history of renting properties larger than they need?
 - Is the applicant or his partner expecting a child and is moving to a larger property in anticipation of the need for an additional bedroom?
 - Do they have any medical or family circumstances that would warrant payment of DHP
 - Has the applicant demonstrated that they have made reasonable efforts to find cheaper alternative accommodation?
 - Are there any exceptional circumstances that would warrant the award of DHP?
- 6.16** With regards to lump sum payments, there will be no need to establish entitlement to HB at the address from which the application is received. As long as the applicant was in receipt of HB/UC at their previous address (even if the property was outside the LA boundary) DHP may be paid. Checks should be carried out to establish whether or not the LA where the applicant previously resided have already paid DHP in respect of the move.
- 6.17** If the application for deposit/rent in advance is for a property outside Anglesey, payment can still be made if the claimant is currently entitled to HB or UC within the area.

6.18 In certain circumstances, payment of DHP on two homes may be appropriate e.g. someone fleeing domestic violence

6.19 Backdated awards can be considered, however, backdated DHP cannot be awarded in respect of a period before 2nd July 2001

7. TIMESCALES

7.1 DHPs are requested because the applicant is suffering financial hardship and finding difficulty in meeting their housing liabilities. Consequently, it is essential that applications are dealt with as quickly as possible. Unless exceptional circumstances prevent it, all DHP applications should be determined within one month of receipt.

7.2 Where the officer administering the DHP application deems a home visit to be appropriate, this should be undertaken as soon as is practical so as not to create unnecessary delay to the determination process.

8. THE AMOUNT OF DHP

8.1 The amount and length of an award will vary depending on individual circumstances. It may take the form of a 'one off' payment or regular periodic payments. In some cases, an indefinite award may be appropriate. Where such an award is made, it should be reviewed on an annual basis in order to ensure that there has been no change in circumstances that may be relevant to the award.

8.2 The level of award may cover all or part of a shortfall in rent or assist with the costs of taking up a tenancy. However, awards must not exceed the amount of the claimant's eligible rent (this will not apply in the case of 'one off' payments such as deposits, rent in advance or removal costs)

8.3 Where 'one off' payments for rent in advance or rent deposits are made, the applicant should be made aware that the award must be used for the purpose stated. Failure to use the award for the stated purpose may result in the sum having to be repaid by the claimant.

9. APPEALS

9.1 DHP are not part of the HB scheme and are, therefore, not subject to normal appeal rights. However, the interests of natural justice dictate that there should be recourse to a formal review process where the applicant disagrees with the LA determination.

9.2 Where the applicant disagrees with the decision not to award DHP or the amount or length of award, they can request that the decision be reconsidered. The reconsideration will be undertaken by a different officer at a more senior level

9.3 Should the applicant disagree with the reviewing officer's determination, they can then request that the matter be referred to a panel of the Council's elected members for a final determination on the matter. When considering their decision elected members should ensure that their decision is made in accordance with the Council's DHP policy and be mindful of the fact that any award must not result in the Council's 'permitted total' being exceeded.

9.4 Should the applicant feel dissatisfied with the way that the matter has been dealt with by the LA, they also have recourse to the Local Government Ombudsman Service or Judicial Review

10. NOTIFICATIONS

10.1 Following determination of an application for DHP the applicant must be notified of the outcome in writing. Notifications will include the following:-

- The amount of award;
- Whether the award is to be paid as a lump sum or over a period;
- The period of the award including the date of termination if relevant;
- The method of payment;
- Where the award is for less than the amount of shortfall; an explanation of how and why the figure was determined;
- Explain that the award is intended to -
 - Allow the applicant time to seek cheaper alternative accommodation;
 - Negotiate a lower rent with the landlord;
 - Help alleviate short/medium term financial hardship.
- Explain that awards made on the grounds of misrepresentation or failure to declare material facts may be recovered;
- Explain that the applicant is required to notify the HB section if their financial circumstances change during the period of DHP award;
- An explanation of the appeals process.

10.2 Where the award is for a deposit it should include information about landlords' legal obligations to protect the deposit in government approved *tenancy deposit protection scheme*

10.3 Where DHP has been refused, the notification must give sufficient information to allow the applicant to decide whether to request that the matter be reconsidered or to lodge an appeal. The notification should state the reasons for the decision and the factors taken into account when reaching that decision.

10.4 The notification should also clearly distinguish that appeal rights relating to the determination for DHP are separate from the appeal rights relating to HB and UC.

10.5 Where DHP is paid with HB, notifications must clearly show how much is HB and how much is DHP.

11. PAYMENT CYCLES

11.1 Payment cycles will vary depending on the circumstances of the applicant and the reason for the award. Where a 'one off' payment is awarded, the notification should make that fact clear to the claimant.

11.2 Periodic payments will normally be made on a four weekly basis; however, weekly payments may be relevant should the claimant indicate that they have problems with money management/budgeting.

12. OVERPAYMENTS AND RECOVERY

12.1 Where an award of DHP has been made as a result of a misrepresentation or failure to disclose a material fact, fraudulently or otherwise, any resulting overpayment may be recovered.

12.2 Any overpaid DHP awards cannot be recovered from other prescribed benefits. The only method of recovery is to request repayment of the debt from the claimant. This may be via the council's sundry debtor system, debt collecting agencies or the courts.

12.3 There is no requirement for DHP awards in respect of rent deposits to be repaid so long as the award has to be used for the purpose stated.

13. RECORD KEEPING

13.1 DWP are required to monitor how DHPs are being used by customers affected by welfare reform. Consequently, LAs are required to record the main reasons for making awards. Each DHP award should be recorded under the following categories:-

- i.** To support customers affected by the benefit cap ;
- ii.** To support customers affected by the social rented sector size criteria;
- iii.** To support customers affected by LHA reforms
- iv.** Any other reason

Not for publication by virtue of
Paragraphs 12, 13 of Schedule 12A to
the Local Government Act 1972
AGENDA ITEM NO.

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|--|--|
| Report to | Executive Committee |
| Date | 18th March 2013 |
| Subject | Public Sector Housing Investment |
| Portfolio Holder(s) | Councillor O. Glyn Jones |
| Lead Officer(s) | Shan L Williams, Head of Housing Services |
| Contact Officer | Shan L Williams |
| Nature and reason for reporting | |
| To seek approval for the 2013/14 Public Sector Capital Programme and allocation of budget | |

| A – Introduction / Background / Issues | |
|---|---|
| 1.0 | INTRODUCTION |
| 1.1 | The attached Planned Maintenance Programme for 2013 – 14 (Appendix 1) in the sum of £4.15m allocates the capital resources previously included in our approved HRA Business Plan. |
| 1.2 | Members will note that the programme does not involve unsupported borrowing which was, in previous years, utilised to support delivery of the Welsh Housing Quality Standard (WHQS) Internal Investment Programme. |
| 2.0 | WHQS INTERNAL INVESTMENT PROGRAMME UPDATE |
| 2.1 | During 2012 – 13 the Housing Service entered into the fifth and final year of the Investment Plan to deliver works required in order to comply with the WHQS. In accordance with previously reported timescales the Housing Service is pleased to confirm that our main programme of works procured in order to comply with WHQS reached a successful conclusion during December, 2012. |

2.2 Progress by both Partnering Contractors, namely the BMU and G Purchase Construction Ltd, on Year 5 properties and for the whole of the programme is summarised in Table 1 below:

Table 1 – Programme Summary

| | | BMU | G Purchase |
|-----------------|--|------------|-------------------|
| Annually (Yr 5) | % of annual footprint completed | 100% | 100% |
| | Number completed | 97 | 396 |
| | Number of properties in annual footprint | 109 | 465 |
| | Number of properties refused | 13 | 69 |
| Project | Total properties completed in 5yr Plan | 478 | 2853 |
| | Total properties refused in 5yr Plan | 40 | 213 |
| | Change of Tenancy | 226 | |

To date, the programme has delivered 2865 new kitchens, 2711 replacement bathrooms and 2354 full re-wires. Please note, these figures include elements of work carried out at Change of Tenancy.

We are satisfied that, wherever practically possible, all properties meet primary WHQS compliance with the exception of refusals or acceptable fail criteria. Improvement work on past refusals is automatically carried out at Change of Tenancy. We would only consider recording an acceptable fail if the cost of remedy was economically impractical.

This programme has delivered on key objectives and outcomes which involved the installation of modern kitchens, bathrooms, re-wiring and heating improvements. Notable achievements include:

- Contract completion on time and within budget
- Client and customer expectations have been met
- Increased Tenant Participation and wider community benefits
- The programme has, almost exclusively, employed local labour.

2.3 The Housing Service intends, in the near future, to commission an Exit Stock Condition survey. The main objectives of this proposal are:

- To seek independent verification that WHQS compliance has been achieved
- To inform future investment planning priorities and financial requirements, and

- To update stock condition data prior to the adoption of asset management software, namely Keystone, during 2013. This forms part of the 2nd phase of the installation of a complete new Housing Management System.

2.4 The Department wishes to acknowledge that successful completion of the Internal Investment Programme would not have been possible without the Contractor's commitment, customer co-operation and patience during the course of the works and the hard work invested by Tenant Representatives who volunteered their time and energy for the benefit of others.

3.0 2013 – 14 INVESTMENT PROGRAMME

3.1 Internal Investment Programme

During 2013, the Council's BMU will be tasked with re-visiting all households which have previously declined to have certain elements of work carried out. We are confident that this pro-active approach will further reduce the number of acceptable fails. In addition, as clearly demonstrated in Table 1, work carried out at Change of Tenancy has already made a positive contribution towards WHQS compliance. We expect that this will continue to be the case during 2013 – 14.

In view of the above, we will continue to allocate capital funding for internal works until we are satisfied that all of the Housing Stock reaches WHQS compliance.

In addition, asbestos management functions, procured as part of the WHQS programme, will continue during 2013 – 14. Specialist sub-contractors employed as an integral part of the works are currently undertaking a programme of Asbestos Management Inspections on all of the Housing Stock to inform future capital investment requirements for the continued management of asbestos or, where appropriate, the removal of asbestos containing materials.

3.2 SOCIAL HOUSING OFF-GAS PROPERTIES

As reported during 2012 – 13, the Council has a significant number of properties which are not served by the mains gas network. Residents in this category face considerably higher costs associated with running electric, oil and LPG heating systems which increases the number of our tenants exposed to fuel poverty.

The Housing Service is pleased to confirm that, following consultation with Wales and West Utilities (WWU) and British Gas, a total of 235 new gas connections have already been ordered.

External funding, namely Fuel Poverty vouchers, have attracted external funding of £275k to offset infrastructure costs involved with extending the gas network.

The installation of mains gas central heating systems will commence during April, 2013.

3.3 OIL FIRED CENTRAL HEATING

The Housing Service has 296 properties which have oil as the primary fuel source for space and water heating.

Due to increasing number of complaints regarding unaffordable costs by our tenants the Housing Service engaged the services of Groundwork North Wales during 2012 to undertake a survey of all properties with oil heating. The main findings are summarised below:

- Unacceptably high occurrences of properties which had long periods of no heating or domestic hot water.
- Some residents were heating water for washing dishes and personal hygiene using kettles and saucepans.
- Incidences of oil boilers not being used at all.
- 47% of households visited were spending 10% or more of their income on fuel bills.
- An additional 29% of households visited were spending 20% or more of their income on fuel bills.
- 10% of households were purchasing oil in 20 litre containers.

The above, although not unexpected, demonstrates an unacceptably high occurrence of fuel poverty and financial hardship. The price of oil, which sometimes varies daily, and especially the fact that oil is only available as a bulk purchase has a huge impact on fuel poverty. Welfare reform changes to be introduced during 2013 have obvious potential to further impact negatively on households already struggling to manage fuel bills.

In view of the above, Housing Services are of the opinion that the current situation is unsustainable and that direct intervention is required to address this increasing problem.

It is proposed that during 2013 – 14 tenants with oil central heating will be further consulted and offered the opportunity of having alternative heating and domestic hot water systems installed. In practise, this would involve the installation of modern E7 electric storage heating and a hot water cylinder.

The Housing Service accepts that this course of action does not offer a more fuel efficient solution but we believe it will assist vulnerable tenants who are unable to cope with the bulk purchase of oil.

3.4 ENERGY EFFICIENCY PROJECTS – ‘ARBED’

We are pleased to inform that the Welsh Government (WG) confirmed during January that our bid in respect of Maes yr Haf, Vulcan Street and Maes Hedd which involves assessments of properties and potentially external funding for certain energy efficiency measures was approved during January of this year.

The properties at the aforementioned estates are of solid random stone construction and will now be assessed by appointed WG Scheme Managers in order to determine eligibility, if any, for energy saving measures. We anticipate that surveys will confirm external wall insulation as the primary measure required in order to improve energy efficiency. This scheme, if approved following evaluation by WG, will involve properties in both the public and private sector.

Any scheme approved by the WG is procured and managed by the appointed Scheme Managers, namely Wilmott Dixon Ltd. It is our intention to investigate with Wilmott Dixon the possibility of including our wider planned maintenance requirements such as re-roofing and environmental works within the same works package.

If deemed feasible and appropriate any ancillary works and associated costs to public sector housing will be borne by the Capital Programme for 2013 – 14.

3.5 TRADITIONAL EXTERNAL PLANNED MAINTENANCE

Members will recall that a report entitled Procurement of Capital Works in connection with Council Housing Stock was presented to the Executive Committee on 10th December, 2012.

In summary, the report confirmed that during 2013 - 14 the Housing Services proposes to develop a Procurement Strategy to comply with procurement rules and address future investment needs of the Council's Housing Stock. It was resolved that, during the interim period, the Housing Services procure building maintenance Contracts via traditional routes e.g. individual contract notices posted on approved web portals up to April, 2014.

Four estates have already been identified as potential priority schemes for 2013 – 14.

Any additional schemes to be procured will be influenced by the proposed WHQS exit survey and updated stock condition information.

3.6 SECURITY DOORS AND ELECTRONIC DOOR ENTRY SYSTEMS

During 2013 – 14 we propose to continue a scheme of replacement security doors which serve communal entrances to flats at several locations across the Island. Completion of this proposed phase of works will complete all necessary renewals and upgrades in connection with security doors.

3.7 ENVIRONMENTAL WORKS

In the wake of the WHQS internal refurbishment programme, Housing Services launched the Environment and Community Improvement Fund in September 2012. This marks a new approach to delivering environmental improvements driven by our commitment to ensure that the residents enjoy the benefit of living

in safe, attractive inclusive and sustainable communities. This is a pot of money earmarked for environmental and community improvements and which offers tenants and residents the opportunity to identify projects that will bring about lasting sustainable improvements to their local communities. Projects will be expected to improve the general appearance of the area, improve safety and security, and help reduce anti-social behaviour for the tenants to get involved in local decision- making.

The tenant can submit bids up to the value of £5,000. Following the first bidding round in November 2012, 5 projects were approved by a panel comprising officers and tenants.

The allocation of budget for environmental works has and will continue to fund projects to improve existing communal footpaths and car parking areas. Historically works of this nature have been arranged via colleagues in the Highways Services.

B - Considerations

| | |
|---------------------------|--|
| B - Considerations | |
| | |

C – Implications and Impacts

| C – Implications and Impacts | | |
|-------------------------------------|---|-------------|
| 1 | Finance / Section 151 | Consulted |
| 2 | Legal / Monitoring Officer | Consulted |
| 3 | Human Resources | No comments |
| 4 | Property Services (see notes – seperate document) | N/a |
| 5 | Information and Communications Technology (ICT) | N/a |
| 6 | Equality (see notes – seperate document) | N/a |
| 7 | Anti-poverty and Social (see notes – seperate document) | N/a |
| 8 | Communication (see notes – seperate document) | N/a |

| C – Implications and Impacts | | |
|-------------------------------------|--|-----|
| 9 | Consultation (see notes – separate document) | N/a |
| 10 | Economic | N/a |
| 11 | Environmental (see notes – separate document) | N/a |
| 12 | Crime and Disorder (see notes – separate document) | N/a |
| 13 | Outcome Agreements | N/a |

| CH - Summary |
|--|
| Members are asked to note and approve the allocations of capital budget for 2013 – 14. |

| D - Recommendation |
|--|
| R1 To note and approve the allocation of budget for 2013- 14 (Appendix 1) |

Name of author of report: Shan L Williams
Job Title: Head of Service, Housing
Date: 7th March, 2013

| Appendices: |
|--------------------|
| Appendix 1 |

| Background papers |
|--------------------------|
| |

Estimate 2013-2014

PLANNED MAINTENANCE CONTRACTS AS FOLLOWS

| | |
|---|---------------|
| 1 Balance on current contracts | £ 50,000.00 |
| 2 WHQS Internal Package (BMU) | £ 750,000.00 |
| 3 Energy Efficiency Measures including Fuel Switching | £1,000,000.00 |
| 4 Arbed | £500,000.00 |
| 5 Traditional Planned Maintenance | £1300,000.00 |
| 6 Security Doors | £350,000.00 |
| 7 Environmental works | £250,000.00 |

TOTAL ESTIMATED EXPENDITURE £4,150,000.00

RESOURCES

| | |
|------------------------|---------------|
| Major Repair Allowance | £2,600,000.00 |
| Capital Receipts | £100,000.00 |
| Revenue Contribution | £1,450,000.00 |

TOTAL APPROVED BUDGET £4,150,000.00

Note

Further schemes requiring capital expenditure will reflect the results of detailed survey work. Any further identified schemes will be agreed with the Director of Finance in consultation with the Portfolio Holder for Housing

AGENDA ITEM NO.

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---|--|
| Report to | Executive Committee |
| Date | 18 March 2013 |
| Subject | Proposal to amend the housing Allocation Scheme, and to consult registered social landlords on proposed amendments. |
| Portfolio Holder(s) | Councillor O. Glyn Jones |
| Lead Officer(s) | Shan L Williams, Head of Housing Services |
| Contact Officer | Shan L Williams |
| <p>Nature and reason for reporting</p> <p>To report to the Executive Committee on:</p> <ul style="list-style-type: none"> (1) a proposal to make immediate amendments to the Council's housing Allocations Policy for prioritising housing applications; (2) a proposal to consult the Council's partner registered social landlords on further proposed amendments to the Allocation Policy; (3) a proposal to conduct a review of the Allocation Policy, in conjunction with those registered social landlords. | |

| A – Introduction / Background / Issues |
|---|
| <p>This paper recommends that a number of amendments are made to the Council's Housing Allocation Policy, and that consultation with our partner registered social landlords is undertaken on further proposed amendments.</p> <p>The Allocation Policy is the document which governs how the Council must act when prioritising applications for permanent social housing tenancies, and how properties are allocated, included those registered social landlord vacancies for which nominations are made from the Council's waiting list.</p> <p>The statutory framework contained in Part 6 of the Housing Act 1996 provides the Council with considerable discretion on how to frame its allocation policy, albeit that</p> |

the legislation sets down certain minimum requirements. For example, the Council must afford certain categories of applicant, including homeless persons¹ and persons with other prescribed forms of need² some 'reasonable preference' for housing,³ i.e. a "head start" in terms of priority on the waiting list.⁴

The allocations scheme also provides a means of terminating the substantive homelessness housing duty (or 'main housing duty'), owed to those homeless persons who are in priority need and became homeless unintentionally,⁵ albeit that Part 6 of the 1996 Act is concerned with the allocation of *permanent* social housing, and not the duties to secure *temporary* accommodation for homeless persons, which is dealt with separately under Part 7 of the 1996 Act.

Issues precipitating a review of the Allocations Scheme

The current version of the Allocation Policy took effect in July 2010. The Welsh Government recommends that allocation scheme policies are reviewed every two years.⁶ A wholesale review is required, in consultation with our partners, to ensure the allocation system meets the Council's strategic objectives. It is proposed that this review should take place in 2012/13.

However, certain aspects of the Allocation Policy require urgent consideration, in light of recent developments, such as:

- changes in legislation governing equality and diversity, which have taken effect since the current version of the Allocation Policy was approved (see 'Equality duties' section below);
- the publication of revised statutory guidance⁷ (see 'The new statutory guidance' section below);
- very poor performance relating to the average length of time taken to terminate the main housing duty⁸ (see 'Discharge of homelessness duty performance' section below);
- the fact that the current policy on the choice offered to main duty homeless applicants is preventing the Council discharging that duty (see 'Policy on

¹ Housing Act 1996, s.167(2)(a) and (b).

² Persons occupying insanitary or overcrowded housing (Housing Act 1996, s.167(2)(c)), people who need to move on medical or welfare grounds (HA 1996, s.167(2) (d)), and persons who need to move to a particular locality within the authority's district, where failure to meet that need would cause hardship (HA 1996, s.167(2)(e)).

³ Housing Act 1996, s.167(2).

⁴ *R (on the application of Ahmed) v Newham LBC* [2009] UKHL 14.

⁵ Housing Act 1996, s.193.

⁶ Code of Guidance for Local Authorities, Allocation of Accommodation and Homelessness 2012 (Welsh Government, August 2012), para 5.41.

⁷ Code of Guidance for Local Authorities, Allocation of Accommodation and Homelessness 2012 (Welsh Government, August 2012).

⁸ Housing Act 1996, s.193.

choice for homeless households' section below);

- imminent changes to the rules governing housing benefit entitlement that, together with other welfare reforms, shall adversely impact upon the ability of many tenants to afford accommodation, and in particular accommodation that is deemed to be larger than required by the housing benefit regulations (see 'Welfare benefit reform' below).

Legal requirements when amending a housing allocation scheme

Before amending the Allocation Policy, the Council must:

- be aware of its responsibilities under the public sector equality duty;
- have regard to those matters listed in section 149 of the Equalities Act 2010;
- consider the potential effect of its decision on different persons covered by the public sector equality duty;⁹
(see below at 'Equality duties')
- consider whether the proposed changes constitute 'a major change of policy'.¹⁰

Before effecting a 'major change of policy', the Council must:

- notify and consult with those registered social landlords with whom it has nomination arrangements, and provide them a reasonable opportunity to comment on the proposals;¹¹
- in addition, consider whether to consult more widely, as recommended at para 4.45 of the statutory guidance.¹² (There is no statutory requirement to consult other persons or bodies).

The statutory guidance suggests that a major change of policy would include any amendment affecting the relative priority of a large number of people being considered for an allocation, and might include any significant alteration to allocation procedures.¹³

There are additional legal provisions with which an allocation scheme must comply.¹⁴ These shall continue to be met if the proposed amendments are approved.

⁹ *FAQs on the equality duty: What public authorities need to do on assessing impact on equality under the general equality duty*, ECHR website, August 2012.

¹⁰ Housing Act 1996, s.167(7) [Wales].

¹¹ Housing Act 1996, s.167(7) [Wales].

¹² *Code of Guidance for Local Authorities, Allocation of Accommodation and Homelessness 2012* (Welsh Government, August 2012).

¹³ *Code of Guidance for Local Authorities, Allocation of Accommodation and Homelessness 2012* (Welsh Government, August 2012), para 5.17.

¹⁴ Such as the requirement to demonstrate that reasonable preference has been given to certain categories (HA 1996, s.167), the duty to include a statement on the policy offering choice to applicants (HA 1996, s.167(1A) [Wales]), and those rights set out at HA 1996, s.167(4A)).

Having implemented a 'major change of policy', the Council must take such steps it considers reasonable to bring the effects of the change to the attention of those persons likely to be affected by it.¹⁵

Equality duties

In 2011 public authorities became subject to additional duties concerned with anti-discrimination.¹⁶ Local authorities must ensure that their allocations policy does not discriminate, directly or indirectly, on the grounds of a 'protected characteristic'. The protected characteristics for this purpose are age, disability, gender, gender reassignment, pregnancy and maternity, race, religion, and sexual orientation.¹⁷

Section 149 of the Equality Act 2010 provides that, when exercising a public function (which includes the allocation of housing) the Council must, inter alia, have due regard to the need to eliminate discrimination, and advance equality of opportunity between persons who have a protected characteristic and persons who do not have such a characteristic. The statutory guidance recommends that, in addition, authorities should be particularly sensitive to the housing needs of refugees, gypsies and travelers, people with disabilities, older persons, and persons with mental health problems.¹⁸

There is a requirement that the Council's Allocation Policy gives effect to the new equality duties, both as a statement of policy, and in the manner decision-making on individual applications for housing is governed.

The public sector equality duties replace those duties formerly included in the various equality statutes.¹⁹ Incorporating the public sector equality duties in the Allocation Policy shall not, in the vast majority of cases, affect the relative priority of applicants, affect the likelihood of an allocation being made, or otherwise result in different decisions being made on individual cases. Not least, because the former equality duties, with which the Council complied, also sought to address inequalities arising from discrimination, and to further equality of opportunity. Having regard to the aforementioned factors, it is not considered that the proposed amendments constitute a major change of policy. Accordingly, the Council may proceed to amend the policy without consulting its partners.

The proposed amendment gives effect to a legal requirement, and as such it may be adopted immediately. The proposed amendments are set out at paras 1.3 to 1.3D of the attached *Draft Housing Allocation Policy (Version 1)*.

¹⁵ Housing Act 1996, s.168(3).

¹⁶ Equality Act 2010 (Commencement No. 6) Order 2011 No.1066, which brought Equality Act 2010, s.149 into effect, from 5 April 2011.

¹⁷ Equality Act 2010, s.149(7).

¹⁸ *Code of Guidance for Local Authorities, Allocation of Accommodation and Homelessness 2012* (Welsh Government, August 2012), paras 4.69 – 4.102.

¹⁹ The Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995.

The new statutory guidance

In August 2012 the Government published revised statutory guidance (the “Code of Guidance”),²⁰ which replaced guidance issued in 2003.

The Council is obliged to have regard to the Code, when exercising its functions in connection with housing allocation.²¹ The policy therefore needs to be expressly amended to demonstrate that the current version of the guidance has been taken into account. This shall mitigate the risk of the lawfulness of the current policy and decisions made under it being challenged.

There are few substantive differences between the current and previous Code as regards the allocation of accommodation. Amending the allocation scheme, so that references to the previous Code are replaced with the current Code, does not constitute a major change of policy. The Council may therefore proceed to amend the policy without undergoing consultation.

The proposed amendment gives effect to a legal requirement, and as such it may be adopted immediately. The proposed amendments are set out in the introduction of the attached *Draft Housing Allocation Policy (Version 1)*.

Discharge of homelessness duty performance

Of those persons who apply for housing on grounds of homelessness under Part 7 of the 1996 Act, the Council owes an ongoing duty to secure temporary accommodation (the ‘main housing duty’) only to those applicants who the Council accept have become homeless unintentionally, have a priority need,²² and have a local connection.²³

The Council’s performance relating to the time taken to terminate the main duty is very poor, when compared to other Welsh authorities. The average time taken to discharge the main housing duty to those persons found to be unintentionally homeless and in priority need (HHA/002) was 680 days in 2011/12, compared with a Welsh average of 128 days. The average number of days homeless households spent in non-bed & breakfast accommodation (HHA/017b) was 1199 days in 2011/12, compared with a Welsh average of 136 days.

Not only is the Council the worst performer in Wales as regards the length of time taken to discharge the homelessness duty, but its performance falls far outside what was achieved by the other poorly performing authorities. The next poorest performer on the HHA/002 measure took an average of 337 days to discharge the main duty,

²⁰ Code of Guidance for Local Authorities, Allocation of Accommodation and Homelessness 2012 (Welsh Government, August 2012).

²¹ Housing Act 1996, s.169.

²² Housing Act 1996, s.193.

²³ Or, put more accurately, those unintentionally homeless persons who have a priority need, for whom the local connection referral conditions set out in Housing Act 1996 s.198, are not satisfied, and those applicants where the Council has not exercised the power to refer to another authority.

making Anglesey's performance (680 days) equivalent to 355% of the next poorest performer. The next poorest performer on the HHA/017b measure accommodated all main duty homeless households in non-bed and breakfast accommodation for an average of 210 days, making Anglesey's performance (1,199 days) equivalent to 324% of the next poorest performer.

When adopted in July 2010 the current version of the Allocation Policy significantly *reduced* the priority given to homeless households, when compared with other categories of housing need.

The homelessness legislation prevents the Council from terminating the homelessness duty by securing privately rented accommodation for a household.²⁴ As a result, an offer of social housing is often the only realistic means of ending the housing duty. While the Head of Service has made representations to the Housing Minister on this issue,²⁵ it remains that the priority given to homeless households on the housing waiting list (relative to other applicants) is a major factor which determines the Council's 'discharge of duty' performance.

A recent review of temporary accommodation²⁶ identified that 57% of homeless households occupying temporary accommodation have not received an offer of settled accommodation, despite the duty to secure accommodation having been accepted over two years previously. The numbers of homeless applicants accommodated temporarily²⁷ are summarised below:

| <u>Waiting time</u> | <u>Type of accommodation</u> | <u>Number of applicants</u> |
|---------------------|------------------------------|-----------------------------|
| > 1day | Total | 76 |
| | (Private leasing scheme) | 60) |
| > 1 year | (Council stock) | 16) |
| | Total | 60 (79%) |
| > 2 years | (Private leasing scheme) | 45) |
| | (Council stock) | 15) |
| > 5 years | Total | 43 (57%) |
| | (Private leasing scheme) | 28) |
| > 5 years | (Council stock) | 15) |
| | Total | 26 (34%) |
| > 5 years | (Private leasing scheme) | 15) |

²⁴ Unless the applicant consents to the ending of the main duty: Housing Act 1996, s.193(7AC),(7D) and (7E).

²⁵ Specifically suggesting that proposed reforms to the homelessness legislation should enable local authorities to discharge the homeless duty by offering an ordinary assured shorthold tenancy from a private landlord.

²⁶ Temporary Accommodation Reduction Strategy Review and Strategy, October 2012.

²⁷ Excluding short term bed and breakfast placements.

An analysis undertaken of allocations in 2012/13²⁸ suggests that 50% of those households that have occupied temporary accommodation for over two years are unlikely to receive an allocation of social housing without additional priority being awarded to their application.

Even bringing the Council within the range of the worst performers in Wales on the above measures shall require the 'backlog' of longstanding main duty cases to be cleared, by the securing of alternative accommodation and discharge of the duty.

The present policy provides some additional priority to main duty applicants in circumstances where they occupy temporary accommodation for a length of time. Ten points is awarded once an applicant has occupied temporary accommodation for six months, and a further ten points is awarded after twelve months. However, as the above figures show, this has not been sufficient to ensure such applicants receive a final offer within a reasonable period.

In order to achieve a significant improvement it is proposed that additional priority also be awarded to such persons in the form of an additional ten points after the expiry of every six month period, from 18 months to 5 years.

The proposed amendments are set out at para 14.1 of the attached *Draft Housing Allocation Policy (Version 2)*.

It is proposed that, on 3 May 2013, the registered social landlords are consulted on this proposal, with a view to reporting back to the Executive Committee for a decision as to whether to approve the proposed amendments, once the consultation has been concluded.

The proposed amendments are unlikely to adversely impact upon equality of opportunity between those persons with protected characteristics and those without such characteristics, or significantly impact upon those matters to which the Council is obliged to have regard under section 149 of the Equality Act 2010.

Welfare benefit reform

The current allocation policy provides that applicants with one child will be considered for three bedroom properties. This provision sought to address the low number of two-bedroom properties available for allocation. At the time the current policy was approved it was felt that many one-child and some two-child households would otherwise not have any reasonable likelihood of receiving an offer of social

²⁸ An analysis was undertaken of general needs properties allocated between 1 April 2012 and 14 January 2013, and compared the priority of the housing applicant who was successful in receiving an allocation, with the priority of those main duty homeless applicants who have not received an allocation of housing, despite occupying temporary accommodation for over two years.

housing.

From April 2013 social housing tenants of working age in receipt of housing benefit will have their benefit entitled reduced by 14% if they are considered to be under-occupying their home by one bedroom, and by 25% if they are considered to be under-occupying by two or more bedrooms.

In this context, it is suggested that the current bedroom eligibility criteria is outmoded. The bedroom and overcrowding criteria is likely, if unamended, to increase those numbers of social housing households who shall, from April, have difficulty meeting their rent payments. Our partner RSLs are also unlikely to accept the nomination of a household who would be under-occupying their accommodation, as defined by the housing benefit regulations. In this context it should be noted that 71% of the Council's existing tenants are entitled to housing benefit, and that 625 existing Council tenants have already been identified as being likely to be adversely affected by the 'bedroom tax'.

The recommended amendments seek to mitigate the aforementioned risk by creating bedroom eligibility criteria which mirror the criteria that shall be applied by the Revenues and Benefits Office from April, when conducting the housing benefit assessment.

Accordingly, it is proposed that housing applicants shall be deemed eligible for one bedroom for each of the following persons residing in the applicant's household:

- a single person or couple, aged over 16;
- two children of the same gender, where both of the children are aged under 16; and
- two children under 10, irrespective of their gender; and
- any remaining child.

In addition, an additional bedroom shall be deemed necessary, subject to an affordability assessment, where:

- the tenant or their partner is disabled, and as a result they require a non-resident overnight carer; or
- it is inappropriate or unreasonable for two persons to share a bedroom on a continual basis, as a result of a serious illness or disability.

If approved, the above criteria shall apply for the purpose of calculating each applicant's bedroom requirement, and when assessing the priority that should be given in connection with both overcrowding and under-occupation.

It is also proposed that where a prospective allocation to an OAP bungalow is being considered, and where the Independent Community Specialist recommends increasing the required property size on medical grounds, any allocation will be

subject to an affordability assessment.

It is proposed that the registered social landlords are consulted on this proposal.

The proposed amendments are set out at paras 6.5 and 14.1 of the attached *Draft Housing Allocation Policy (Version 2)*.

The provisions providing for an additional bedroom are likely to reduce disadvantages suffered by those housing applicants who, as the result of a disability, require an additional bedroom. The proposed amendments are otherwise unlikely to adversely impact upon equality of opportunity between those persons with protected characteristics and those without such characteristics, or have a significant adverse impact in connection with those matters to which the Council is obliged to have regard under section 149 of the Equality Act 2010.

Policy on choice for homeless households

The Council is obliged to include a statement in the allocation scheme regarding its policy on choice, and the opportunity for applicants to express preferences about the accommodation that is likely to be offered to them.²⁹ The most significant means by which housing applicants are offered choice is the opportunity to express a preference about the geographical area in which they wish to be considered for offers. Applicants are given the opportunity to specify those letting areas in which they wish to be considered for an allocation of housing.

The Allocation Policy currently provides *all* applicants – including homeless households to whom the Council owes a duty under the homelessness legislation to secure temporary housing – the same rights to exercise a choice about the areas in which they may receive an allocation. The analysis of lettings made in 2012/13 identified that 33% of applicants currently housed temporarily in the Private Leasing Scheme have expressed a preference for only one letting area. In many cases, it was unlikely that the applicant would receive an allocation in the area(s) they had chosen. This was most commonly because the applicant did not have sufficient priority when compared to other housing applicants, or no property of the size required was likely to become available. This included cases where there was simply no social housing of the size and type required by the homeless person in the particular letting area(s) chosen by the applicant.

The Council is not obliged to provide the same opportunity for expressing preferences to those owed a homelessness duty, as it offers to other housing applicants. However, in order to lawfully terminate the main homelessness duty via a 'final offer' of accommodation from the waiting list, the policy must make specific provision enabling the Council to allocate housing which is outside of the applicant's stated preferences.

The Council shall remain under a duty to ensure that any offer of accommodation made for the purpose of finally discharging the homelessness duty is suitable for the

²⁹ Housing Act 1996, s.167(1A) [Wales].

needs of the applicant, and the members of his or her household.

It is proposed that, on 3 May 2013, the registered social landlords are consulted on a proposal that a homeless applicant has the ability to exercise choice regarding letting areas in the same way as other housing applicants, but that the Council reserves the right to discount those stated preferences, if no suitable accommodation has become available for allocation within three months of the homeless duty having been accepted, with a view to reporting back to the Executive Committee for a decision as to whether to approve the proposed amendments, once the consultation has been concluded.

The proposed amendments are set out at paras 9.1 and 9.4 of the attached *Draft Housing Allocation Policy (Version 2)*.

It is possible that an homeless person with a protected characteristic who requires a service and/or support as the result of that characteristic (whether from a statutory service, informal networks, or otherwise) may experience a disadvantage in circumstances where, as the result of the proposed amendments, s/he is secured settled accommodation at a distance from his existing or previous accommodation, with is greater than that which would otherwise be the case. It is possible that any adverse impact of the proposed amendments may disproportionately be experienced by those applicants who share a protected characteristic.

However, it is important to note that the homelessness legislation stipulates that any accommodation secured for the applicant (whether temporary accommodation, or accommodation secured to terminate the main duty³⁰) must be suitable, both for the applicant and all members of his or her household.³¹ When securing accommodation for an applicant (including those with a protected characteristic), the Council is obliged to conduct an assessment of all the characteristics of the accommodation, in the light of the particular needs of the applicant. In addition, regulations specifically provide that, when determining whether particular accommodation is suitable for the needs of an applicant, the Council must consider the specific health needs of the person, any disabilities, and the proximity and accessibility of adult care and children's services, family support, and support services.³² Further, the proposed amendment provides that, when considering whether to override an applicant's stated area preferences after expiry of the three month period, the suitability of any additional geographical areas must be considered.

The proposed amendments are otherwise unlikely to adversely impact upon equality of opportunity between those persons with protected characteristics and those without such characteristics, or have a significant adverse impact in connection with those matters to which the Council is obliged to have regard under section 149 of the

³⁰ Such as a final offer from the housing waiting list.

³¹ Housing Act 1996, s.206(1).

³² Homelessness (Suitability of Accommodation) Wales Order 2006, SI No 650 (W.71), art 3.

Equality Act 2010.

B – Considerations

Equality duties

The proposed amendment to the Allocation Policy is required to ensure the Council complies with its duties under the Equalities Act 2010.

The new statutory guidance

The proposed amendment to the Allocation Policy is required to ensure the Council complies with its duty under section 169 of the Housing Act 1996 to have regard to guidance issued by the Welsh Government, when exercising its functions under Part 6.

Discharge of homeless duty performance

The proposed amendments to the Allocation Policy are required to ensure the Council demonstrates continuous improvement to the homelessness and housing service, and specifically that homeless persons are assisted to obtain settled housing within a reasonable period, which broadly corresponds with that achieved by other local housing authorities.

Welfare benefit reform

The proposed amendments to the Allocation Policy are required to ensure accommodation allocated by the Council is affordable for tenants, to ensure that the adverse effects of welfare reform are mitigated, and to reduce repeat incidences of homelessness, due to social housing tenants not being able to afford their accommodation.

Policy on choice for homeless households

The proposed amendment to the Allocation Policy is required to ensure the Council is able to make 'final' offers of suitable accommodation to homeless persons, whether or not the accommodation is situated in a letting area specified by the applicant as an area they would prefer to reside in. Failure to amend the policy shall effectively prevent the Council from terminating the housing duty in a significant number of homeless cases, including those who have occupied temporary accommodation for a substantial period, and prevent the Council demonstrating improvement in the length of time it takes to discharge the main housing duty, and alleviate housing applicants' homelessness.

The proposed amendment may also contribute to removing a possible perverse incentive for persons wanting to access social housing to contrive homelessness for

the purpose of securing additional priority. The change would enable Council officers to advise potential homeless applicants that, should they opt to pursue a homeless application, an offer of housing in their preferred areas could not be guaranteed.

| C – Implications and Impacts | | |
|-------------------------------------|--|--|
| 1 | Finance / Section 151 | |
| 2 | Legal / Monitoring Officer | |
| 3 | Human Resources | |
| 4 | Property Services | |
| 5 | Information and Communications Technology (ICT) | |
| 6 | Equality | See references within the report. |
| 7 | Anti-poverty and Social | The proposed Allocation Policy amendments shall help to mitigate the adverse financial and social consequences of long term homelessness and welfare reform. |
| 8 | Communication | n/a |
| 9 | Consultation | See references within the report, regarding the statutory duty to consult. |
| 10 | Economic | n/a |
| 11 | Environmental | n/a |
| 12 | Crime and Disorder | n/a |
| 13 | Outcome Agreements | n/a |

| CH – Summary | | |
|---------------------|--|--|
| | | |

D - Recommendation

R1 that the Executive Committee authorise a review of the Allocations Policy, in conjunction with those registered social landlords with which the Council has nomination arrangements, to take place in 2012/13 after 3 May 2013;

R2 that the Executive Committee agrees to amend the Allocation Policy with immediate effect, so as to incorporate those amendments contained in the *Draft Housing Allocation Policy, ('Version 1')*, specifically:

- replacing references to the 2003 statutory guidance with the 2012 guidance;
- incorporating, at section 1 of the policy, provisions relating to the Council's duties under the Equalities Act 2010.

R3 that the Executive Committee agrees that those registered social landlords with which the Council has nomination arrangements shall be consulted after 2 May 2013 on those proposed amendments contained in *Draft Housing Allocation Policy, ('Version 2')*, specifically:

- new criteria for determining the number of bedrooms for which applicants are entitled (should they receive an allocation), and corresponding criteria by which it is determined whether applicants are overcrowded or under-occupying their present accommodation.
- additional priority for those applicants who are homeless, are temporarily accommodated, and have been owed the main duty for between 18 months and five years.
- a new provision for restricting the opportunity for homeless persons to exercise choice and preferences in connection with the areas in which they may be offered accommodation.

Name of author of report: Shan L Williams

Job Title: Head of Service, Housing

Date: 7 March 2013

Appendices:

The following additional related documentation are attached:

- 'Draft Housing Allocation Policy (Version 1)' [incorporating suggested amendments to take effect immediately] ;
- 'Draft Housing Allocation Policy (Version 2)' [incorporating suggested amendments, for the purpose of consulting with the registered social

landlords];

[With proposed amendments for immediate implementation – Version 1]

INTRODUCTION

The allocation of social rented housing is largely governed by the legislative framework set out in Part V1 of the Housing Act 1996. Amendments under the Homelessness Act 2002 revoked the *duty* to keep a Housing Register although there remains the requirement to have an allocations scheme which shows the priorities and procedures used to allocate accommodation. The scheme must contain a statement of the Authority's policies on choices and preferences.

S159 of the Housing Act 1996 defines the allocation of housing accommodation by housing authorities as:-

- Selecting a person to be a secure or introductory tenant of accommodation held by the local authority;
- a nomination to such tenancies of accommodation held by another person (i.e. as stipulated in s80 Housing Act 1985);
- A nomination to an assured tenancy (including assured shorthold tenancy) of accommodation held by Registered Social Landlords.

The broad framework sets out who is eligible/ineligible for inclusion in the allocations scheme and identifies groups of people who must be given reasonable preference.

The Welsh ~~Assembly~~ Government's Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness 2003¹² must also be taken into account.

The following Statutory Instruments also apply -:

'The Allocation of Housing (Wales) Regulations 2003' cites two cases where the provisions of Part V1 do not apply:-

| AllocationPolicyJuly2010 Incorporating proposed amendments for immediate implementation ('Version 1')

- Where a local housing authority secures the provision of suitable alternative accommodation under s39 of the Land Compensation Act 1973(3) (duty to rehouse residential occupiers).
- In relation to the grant of secure tenancy under s554 and s555 of the Housing Act 1985(4)(grant of tenancy to former owner-occupier or statutory tenant of defective dwelling-house).

'The Allocation of Housing (Wales)(Amendment)Regulations 2006' amended the 2003 provisions which prescribe classes of persons who are subject to immigration control who are eligible to include persons having humanitarian protection.

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1.0 COMMON HOUSING REGISTER

1.1 The Isle of Anglesey County Council maintains a common housing register for its residential properties as well as for those housing associations in the area that have chosen to participate in the Ynys Môn Housing Partnership - Cymdeithas Tai Eryri, Clwyd Alyn and North Wales Housing Association.

1.2 This document sets out the Council's detailed procedures for processing new applications for social housing and applications from existing tenants wishing to transfer to alternative accommodation and the processes involved in allocating dwellings.

1.3 The Council is committed to promoting equal opportunities and all applicants will be treated equally and without any discrimination. ~~The Council has adopted the Commission for Racial Equality's Code of Practice in Rented Housing.~~

1.3A The Council will, when administering the allocation scheme, comply with the public sector equality duty. The Council shall have due regard to those matters listed in section 149(1) of the Equality Act 2010, including the need to eliminate discrimination, harassment and victimisation, the need to advance equality of opportunity, and the need to foster good relations between persons who share 'protected characteristics' and other persons.

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1.3B The Council will, where necessary, take appropriate steps to meet the needs of persons who share a protected characteristic, and to remove or minimise disadvantages they suffer. In this context, the protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender, and sexual orientation.

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1.3C Applicants shall be asked a series of questions, as part of the application process, and allocations shall be monitored, to enable the Council to monitor

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equality of opportunity, and the impact of the allocation scheme on persons who share protected characteristics.

1.3D The Council shall make this policy and any associated documentation or literature available in another language or format, where necessary for the purpose of advancing equality of access, including to an individual applicant, upon receiving a request to do so.

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1.4 The policy seeks to ensure that people in the greatest housing need have the highest priority for being housed or rehoused in the area of their choice.

2.0 ELIGIBILITY FOR SOCIAL HOUSING

2.1 Everyone is entitled to go onto the Housing Register unless they are excluded under the Housing Act 1996 as amended by the Homelessness Act 2002.

2.2 Statutory Exclusion

Applicants who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996(c.49) are not eligible **unless**:

- a) they are existing secure or introductory tenants or assured tenants of housing accommodation allocated by a local housing authority or
- b) the applicant is a British Citizen
- c) a Commonwealth citizen who has the right of abode in the UK
- d) a citizen of a member country within the European Economic Area

- e) a person who has been granted refugee status
- f) a person who has been granted exceptional leave to enter or remain in the UK which is not subject to a condition requiring him/her to maintain and accommodate him/herself and any dependants without recourse to public funds
- g) a person who has a current leave to enter or remain in the UK which is not subject to any time limit or condition. (Other than a sponsored immigrant who has been here for at least 5 years and whose sponsor(s) is still alive)

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2.3 Persons who are not habitually resident within the Common Travel Area of the UK, Republic of Ireland, Isle of Man and Channel Islands.

2.4 Nationals of the European Economic Area with no right to reside.

A person who is a national of a country within the EEA and who is notified by the Home Secretary that he/she no longer has a right to reside in the UK.

2.5 A person who is excluded from entitlement to Housing Benefit by Section 115 of the Immigration and Asylum Act 1999(c.33).

2.6 Discretionary Exclusion (power to exclude on basis of unacceptable behaviour)

The Council will only exclude those persons falling within the statutory provisions. This approach ensures that the allocation policy is not only inclusive but accurately reflects housing need on the island. This does not necessarily mean that all applicants will be actively considered for housing. Please refer to Paragraph 12.0 'SUSPENDED APPLICATIONS'.

2.7 Applicants who feel they should become eligible can reapply to the Housing Authority at any time but will be required to demonstrate that their circumstances have changed.

3.0 DATA PROTECTION

3.1 The Council will not disclose information regarding a person's application for housing to any third party or member of the public without their express consent unless required to do so by law. By signing the Housing Register application form, the applicant gives consent to the Council to make relevant enquiries in connection with their application and their suitability to be a tenant

4.0 MAKING AN APPLICATION

| AllocationPolicyJuly2010 *Incorporating proposed amendments for immediate implementation ('Version 1')*

4.1 The Council will provide advice and information free of charge to potential applicants about their right to join the Housing Register, including an application form. The Council will also provide help directly or indirectly in making an application, free of charge, to anyone on the island who is likely to have difficulty applying without assistance.

4.2 The Council will endeavour to provide information in alternative formats upon request.

5.0 APPLICATIONS FROM 16/17 YEAR OLDS

5.1 Section 1 of the Law of Property Act 1925 prevents minors from holding a legal estate in land. Consequently applicants will normally only be considered where the Council has a duty under the homelessness legislation or the Children Act 1989 and an appropriate adult will be required to enter into a guarantee in relation to the tenancy agreement. There may also be a requirement for appropriate support arrangements.

The offer of permanent accommodation before an applicant is 18 is at the discretion of the Head of Housing Services.

5.2 The housing and support needs of lone parents under 18 years of age will be subject to joint assessment with Social Services and other agencies (where relevant). The consent of the applicant must be sought unless there are child protection concerns.

6.0 ELIGIBILITY CRITERIA FOR SPECIFIC PROPERTY TYPES / SIZE

6.1 Priority for houses will be given to households with children under the age of 16 years or with children 16 - 18 who are in full time education or training.

6.2 To qualify for OAP bungalows/flats, an applicant must be 60 years of age or over.

6.3 To qualify for sheltered accommodation, an applicant must be 60 years of age or over OR be registered disabled. Offers of accommodation will be made subject to an assessment of housing and support needs by a Panel comprising Allocation Officers, Occupational Therapists and Disability Advisors.

6.4 To qualify for properties designed or adapted for special needs (e.g. disabled person) an applicant or a member of the applicant's household, must be medically assessed as requiring such specialised accommodation.

6.5 The Council assesses the size of home each applicant requires, according to their household size and composition and any other special considerations. Size is expressed in terms of the number of bedrooms. Applicants with one child will be considered for 3 bedroomed houses. Single applicants will be considered for 2 bedroomed flats. Couples will be considered for 2 bedroomed bungalows ahead of single applicants.

6.6 A single -parent household is entitled to the same size of accommodation as a two-parent household with the same number of children

6.7 Households that include a pregnant woman expecting her first child are assessed after 6 months as if the baby had already been born when being considered for houses.

6.8 EXCEPTIONS

a) When the Independent Community Specialist recommends increasing the required property size on medical grounds

b) The Head of Housing Services may allocate property types/sizes outside the eligibility criteria if there are no eligible applicants and/or it is in the best interest of the Council to do so in terms of managing its housing stock, meeting genuine housing need and minimising rent loss on void properties. The Head of Housing Services may also authorise the use of such properties as temporary accommodation for households towards whom the Council has a statutory duty under Part V11 Housing Act 1996 as amended by the Homelessness Act 2002.

7.0 JOINT TENANCIES

The Council encourages joint tenancies, where two adults in a household become joint tenants in the same Council property. Both tenants are then jointly and individually responsible for ensuring the tenancy agreement is kept to. Both parties must individually qualify to join the housing register and be eligible to be considered for offers of accommodation. If the Council refuses to grant a joint tenancy, it will provide written notification detailing the reasons for the refusal.

8.0 RIGHT TO GENERAL INFORMATION

8.1 Eligible applicants have the right to request such general information as will enable them to know how their application is likely to be treated, what preference they are likely to be given, what kind of accommodation is likely to be made available to them, and when such accommodation is likely to become available.

9.0 CHOICE

9.1 All eligible applicants have the opportunity to state preferences on property type, size and areas/neighbourhoods.

9.2 All eligible applicants have the opportunity to register an interest in being accommodated by any of the participating Registered Social Landlords (Housing Associations) and approved Private Landlords.

9.3 Low turnover and high demand for some areas means that it may not always be possible to meet applicants' preferences for particular types of accommodation or areas on the island. Offers of accommodation will however be suitable for the applicant's needs even if they do not meet their preferences as regards location.

10.0 THE PROCESSING OF APPLICATIONS

10.1 Applicants will be required to provide relevant documents to support their application before they will be made an offer including proof of identification and proof of residency. If an applicant fails to provide the requisite information within the specified timescale, the application will be cancelled.

10.2 References will be required from a landlord or mortgage provider and further checks will be undertaken where there are concerns that the behaviour of the applicant (or a member of his/her household) may affect their suitability to be a tenant.

10.3 Applicants with convictions subject to a custodial sentence will be required to have undergone a risk assessment

10.4 Any children included in an application must normally be dependent on and reside with the applicant before they are taken into account when assessing the points levels.

10.5 Applicants will be sent an acknowledgement letter within 5 working days and will be notified of the status of their application within the following 30 days once it has been processed. This will enable them to establish their prospects of being rehoused.

10.6 Applicants will be removed from the register at their own request provided it is made in writing. Written confirmation will be provided where a forwarding address is known

10.7 If information is received which infers that an applicant already on the list is ineligible, he will be informed in writing and advised of the reasons.

10.8 Should the applicant request information about their application over the telephone, they will be asked to confirm their N.I. number or any other information known only to them.

10.9 Making a false statement or withholding relevant information to obtain a tenancy is a Ground for Possession (eviction) and a criminal offence for which a fine is payable on summary conviction. Any such applications identified prior to allocation will be cancelled.

10.10 If it is found that an applicant has purposely changed address or acted otherwise to worsen his/her circumstances to increase the award of points the application will be pointed as if such a change had not been made for a period of 12 months or, where the applicant is found to be intentionally homeless, until such time as there is a change in circumstances which would overturn the finding of intentionality.

11.0 CHANGE OF CIRCUMSTANCES

11.1 Applicants are required to notify the Council in writing of any changes to their personal circumstances so that their details can be amended accordingly.

11.2 Periodic reviews of the Housing Register are undertaken and applicants who fail to return the review form within the specified timescale will be removed from the register.

12.0 SUSPENDED APPLICATIONS

12.1 In some circumstances applications will be suspended i.e. they will be credited with housing need/local connection points but will not be actively considered when a property becomes available for letting. Suspensions can last up to a maximum of 12 months at which time the case will be reviewed. The decision on whether to

suspend will be made on the basis of the facts of individual cases and applicants will be notified in writing of the reasons for the suspension and afforded the opportunity to request a review of the decision. See Paragraph 22.0 'RIGHT TO REVIEW OF DECISIONS'.

12.2 Suspensions will be applied in the following circumstances (this list is not exhaustive):-

12.2.1 At applicant's own request

12.2.2 Pending further information required to process an application e.g proof of divorce / legal separation / property settlement / property sale and equity released / pregnancy / residence arrangements for children

12.2.3 Eligible applicants with tenancy related debts with any Local Authority, RSL or Private Landlord (arrears/recharges/court costs). Applicants will be required to enter into and maintain an agreed repayment schedule. Whilst suspensions will be lifted when the debt is equivalent to 4 weeks rent net of any benefit, the offer of accommodation before the debt is cleared in full will be at the discretion of the Head of Housing Services or the Housing Associations/Private Landlords and only then in exceptional circumstances.

12.2.4 Applicant is in prison.

12.2.5 Applicant is in HM Forces pending confirmation of discharge from Commanding Officer.

12.2.6 Applicant has refused 2 reasonable offers in the areas of his choice. Suspension for 12 months.

12.2.7 Applicant is occupying tied accommodation – pending receipt of Notice to Terminate Employment.

12.2.8 Applicant has adequate financial resources to secure own accommodation at market rent or purchase. The average rental cost or purchase price in the applicant's areas of choice will be considered at the time of the assessment. For rental purposes applicants with an annual income of £35,000 will be deemed to have adequate resources to house themselves. Applicant will still be given appropriate advice and assistance.

12.2.9 Applicant is a freehold, leasehold or shared owner unless they have a minimum of 20 housing need points (excluding local connection). Applicants will only be considered when they are in the process of disposing of the property and have obtained a completion date unless:-

a) urgent re-housing is required on medical grounds (must have minimum 20 medical points) and it is not possible to adapt current accommodation OR applicant needs to live in close proximity to a carer (property must be in the process of being sold or applicant will be required to give a written undertaking to dispose of it within 12 months);

b) the applicant is a joint owner at relationship breakdown and the property is not being disposed of as one partner is to continue to live in it (written confirmation from solicitor required)

c) the property is considered to be 'difficult to let' (property must be in the process of being sold or applicant will be required to give a written undertaking to dispose of it within 12 months)

12.2.10 There are issues relating to current/recent anti-social behaviour which are considered relevant to the applicant and/or household members in terms of their suitability as tenants. Consideration will be given to the need to strike a balance between the rights of the individual and the interests of the wider community. Where there is evidence to suggest that an applicant's unacceptable behaviour is due to disability, the application will not be suspended if the Council is satisfied that the person would be able to maintain a tenancy satisfactorily with appropriate

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support. Any decision will be based on consultation with relevant agencies e.g. GP, Social Services, Mental Health Team, support providers.

12.2.11 Transfer applicants who have not occupied their present home for a minimum of 12 months unless there has been a change of circumstances which means they now fall within the reasonable preference categories. (The Head of Housing Services may allow a transfer in exceptional circumstances, which will be recorded on the applicant's file).

12.2.12 Transfer applicants with rent arrears/recharges/court costs until they enter into and maintain an agreed repayment schedule. Whilst suspensions will be lifted when the debt is equivalent to 4 weeks rent net of any benefit, the offer of accommodation before the arrears are cleared in full will be at the discretion of the Head of Housing Services or the Housing Associations/Private Landlords and only then in exceptional circumstances.

12.2.13 Transfer applicants where their present home does not meet acceptable standards of cleanliness and decoration (the standard required is such that a new tenant could reasonably move into the dwelling straight away if the tenant left today).

12.2.14 Transfer applicants pending making good defects which are the tenant's responsibility.

12.2.15 Transfer applicants pending bringing garden area to a reasonable standard (having regard to his physical capabilities and those of his family members).

12.2.16 Transfer applicants where there are issues relating to current/recent anti-social behaviour which has warranted intervention by the Council .

Applicants will be notified in writing of the reasons for the deferral and, where necessary how to remedy the situation and the proposed review dates. Applicants

suspended on the basis of anti-social behaviour will be required to demonstrate to the reasonable satisfaction of the council, why they consider themselves suitable to be a tenant.

13.0 PRIORITISING APPLICATIONS

13.1 Eligible applicants are awarded points to reflect housing need and other factors.

13.2 Reasonable preference must be given to the following categories of people set out in s167(2) Part V1 Housing Act 1996 (as amended) :-

- a) people who are homeless within the meaning of Part 7 of the 1996 Housing Act;
- b) people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3);
- c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- d) people who need to move on medical or welfare grounds including grounds relating to a disability;
- e) people who need to move to a particular locality in the area of the housing authority, where failure to meet that need would cause hardship (to themselves or to others).

13.3 When distinguishing between applications the Council will take into account the following factors:-

- a) The financial resources available to applicants to meet their own housing need;

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- b) any behaviour of the applicant or a member of that household which affects the applicant's suitability to be a tenant;
- c) any local connection between the applicant and the district.

13.4 The Council also has the power under s167(2E) to allocate particular housing accommodation to persons of a particular description regardless of whether or not they fall under s167(2). Any such specific lettings plans would be ancillary to the main Allocation Policy and would allow accommodation developed for a specific purpose to be allocated either primarily or exclusively to a specific category of people irrespective of whether or not they would attract priority under other provisions of the 1996 Act or the Allocation Policy.

14.0 HOUSING NEED POINTS

14.1 HOMELESSNESS, UNSETTLED OR INSECURE ACCOMMODATION

- a) The applicant is homeless/threatened with homelessness unintentionally - **20 points OR**
- b) The applicant is homeless, unintentionally and in priority need as a result of violence or threats of violence likely to be carried out - **30 points**
- c) the applicant is homeless and in priority need but homeless intentionally - **5 points OR**
- d) The applicant is living in lodgings, staying with family/friends - **10 points OR**
- e) The applicant is in local authority care or has been living in a hostel/supported housing project for a minimum period of 6 months and written confirmation has been received that they are ready to move on. – **45 points OR**
- f) The applicant has been placed in temporary local authority or private accommodation under Section 193(2) of the Housing Act 1996 (as amended) – **20 points**. This category will also attract 10 points after the first 6 months spent in the temporary accommodation and an additional 10 points after a further 6 months.

NB If an applicant pointed under 14.1(a) or 14.1(b) refuses a final offer of suitable accommodation under Part V1 (allocation of housing), the homelessness points will be removed. This also applies to non-priority need applicants.

14. 2 OCCUPYING ACCOMMODATION WHICH IS UNSANITARY, OR LIVING IN UNSATISFACTORY HOUSING CONDITIONS (Applies to tenants and owner-occupiers)

- a) applicants lacking cooking facilities - **5 points**
- b) applicants living in poor housing conditions - **up to 20 points**

The assessment will be undertaken by an Environmental Health Officer using the Housing Health & Safety Rating System risk assessment framework. Rating scores will be calculated for each hazard identified based on the severity of each hazard, and its potential to cause injury to the occupiers.

RATING SCORE:

- 5 – 25 5 points**
- 30 – 45 10 points**
- 50 – 65 15 points**
- over 70 20 points**

14.3 OVERCROWDING

Points will be awarded for each bedroom deficiency to ensure separate bedrooms are available for:-

- a) husband/wife or similar partnership;
- b) each person aged 18 years or over;
- c) children aged 8 or over of different sex from children of any age;
- d) no more than 2 persons should occupy one bedroom;
- e) children of the same sex where there is an age gap of 10 years.

- 20 points for each bedroom deficiency

14.4 MEDICAL POINTS

Applicants, who maintain that their present accommodation is detrimental to their health, may apply for medical points. The Council utilises the services of an

independent Community Medicine Specialist to undertake such assessments. Requests for adapted accommodation are referred to the 'Housing Link' panel which comprises Housing and Social Services staff.

Medical points will only be awarded when a move to more suitable accommodation would be beneficial in alleviating their medical condition. The degree of urgency in the need for alternative accommodation will be reflected in the points awarded as follows:

- a) to improve quality of life (although existing accommodation is not detrimental to applicant's health) - **5 points**
- b) some medical benefit in moving - **10 points**
- c) significant medical benefit in moving - **20 points**
- d) unable to be discharged from hospital or live in present accommodation.
- **30 points**

14.5 HARSHIP POINTS

Applicants wishing to move to a particular locality to avoid hardship to themselves or others e. g to give/receive care and support and rehousing would dispense with the need for services to be provided by the local authority - **10 points**

14.6 SOCIAL STRESS / SOCIAL MANAGEMENT POINTS

Points will only be considered in this category in exceptional circumstances where the applicant's personal/housing circumstances are not met by other needs factors. This category would mainly be to assist Social Services to fulfil their duties under the Children Act 1989 (Section 17 (1)).....'Duty of every Local Authority Social Services Department.....to

- safeguard and promote the welfare of children within the area who are in need:
- so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.'

Under S27 of the Children Act 1989, Social Services can ask Housing Services to help in delivering services for children in need and they must comply to the extent that it is compatible with their own statutory duties and other obligations and does not unduly prejudice the discharge of any of their own functions. Points variable and will only be awarded for one offer only.

14.7 CHILDREN IN FLATS

If the applicant has a child under the age of 11 and is living in;

- a) a ground floor flat or maisonette without the sole use of a garden - **20 points**
- b) a maisonette or flat above ground floor - **30 points**

14.8 PREGNANCY

Applicants who are over 6 months pregnant and living in a flat or maisonette above ground floor - **10 points**

14.9 SHARING POINTS

Applicants who have to share facilities with separate households will be awarded points (A separate household does not include relations who have jointly occupied or owned the accommodation with the applicant for a substantial period of time immediately prior to applying for housing).

Points will be awarded for shared:

- living room - **5 points**
- kitchen - **5 points**
- toilet - **5 points**
- bathroom - **5 points**

14.10 UNDER OCCUPATION (COUNCIL/PARTNER HOUSING ASSOCIATION TENANTS ONLY)

In order to give priority to existing council tenants who are under occupying accommodation which is too large for their current needs, points will be awarded for each bedroom in excess of their needs.

In assessing those needs it will be assumed that separate bedrooms are required for husband/wife or similar partnership; each person 18 years or above; children aged 8 or over of different sex from children of any age; no more than 2 persons should occupy one bedroom; children of same sex where there is an age gap of 10 years -

30 points for each bedroom in excess of need.

14.11 FOSTER CARERS

Applicants who are registered foster carers and whose present accommodation is unsuitable in terms of size or location to prevent them from providing that care -

30 points

14.12 ADAPTED PROPERTIES

Applicants releasing an adapted property (council or housing association partner) where there is an identified need for the property i.e. Social Services have identified an applicant for whom the adaptations are appropriate - **30 points**

14.13 TIED ACCOMMODATION

Applicants occupying accommodation as a condition of employment with the council or partner housing association leaving through no fault of their own e.g. retirement, redundancy, ill health – **30 points**

14.14 SMALLHOLDINGS

Applicants occupying council owned smallholdings leaving through no fault of their own - **30 points**

15.0 TRANSFER APPLICANTS

Transfer applicants (i.e. all existing tenants of the Council or participating Housing Associations) - **10 points**

16.0 LOCAL CONNECTION POINTS

The Council aims to prevent the dispersal and break up of local communities and strengthen family support networks.

Local connection points will be awarded:-

a) for each year an applicant has had his/her place of work, or had his/her only or principal home in Anglesey, up to 10 years - **3 points for each year up to 10 years**

OR

b) if the applicant's mother, father, sister, brother or children have been living in Anglesey for at least 5 years - **10 points**

OR

c) applicant has been living in Anglesey for 6 out of the last 12 months - **1 point**

OR

d) Special circumstances e.g. need to be near special medical or support services only available in Anglesey - **5 points**

Up to 20 additional points will be awarded if the applicant has had his/her place of work, or had his/her only or principal home in the parish that they wish to be rehoused for a period of 10 years - **2 points per year up to 10 years.**

17.0 VERIFICATION VISITS

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A Council Officer may visit the applicant to verify that the housing circumstances are as set out in the application form and that the correct points have been awarded. Applicants are expected to allow access to all parts of their home.

18.0 SELECTION OF APPLICANTS AND GRANTING TENANCIES

The operation of the allocations scheme is delegated to the Head of Housing Services and his staff.

18.1 When a property becomes available for letting, the Lettings Officer will draw up a short list of the highest pointed eligible applicants who have requested that type of property in that particular area.

18.2 Consideration will be given to the overriding need to make the best use of the Council's stock, the nature of the stock in the locality, turnover rates and levels of local need.

18.3 Where there are more than one equally pointed suitable applicants the original date of application will be taken into account

18.4 Successful applicants will be notified in writing that the offer is made provisionally and will not constitute a legally binding contract until the tenancy agreement is signed.

19.0 ROLE OF ELECTED MEMBERS IN THE ALLOCATION PROCESS

19.1 Local Members are responsible for approving, adopting and monitoring the implementation of allocations policies that comply with the Housing Act 1996 (as amended by the Homelessness Act 2002), the Welsh Assembly Government's 'Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness' 2003 and Equal Opportunities Legislation.

19.2 The Local Housing Authorities (Prescribed Principles for Allocation Schemes) (Wales) Regulations 1997 (Statutory Instrument 1997 No. 45) prevent an Elected Member from being part of a decision-making process, when either:

- a) The unit of housing accommodation concerned is situated in their electoral ward; or
- b) The person subject to the decision has their sole or main residence in the Member's electoral ward.

This is reinforced in the Code of Guidance referred to in Paragraph 19.1

19.3 Local Members enquiring about the status of a property will be advised whether it is currently void or has been allocated. However, to comply with the Data Protection Act 1998, personal information in relation to the new tenant cannot be disclosed.

19.4 Local Members may make written enquiries on behalf of applicants within their constituency only in relation to the status of their housing register application provided that the written consent of the applicant is held on file by the Council.

20.0 NOMINATIONS TO HOUSING ASSOCIATIONS

The Allocation Policy not only dictates the selection of applicants for council tenancies, but also covers nominations to assured/ assured shorthold tenancies offered by Housing Associations. Associations with properties on the island are required to offer a proportion of their lettings to the Council (minimum 50%). When a vacancy is offered for nomination, the Council will nominate the 3 highest pointed applicants. The Association will then decide which of the nominated applicants is the most suitable in the context of their own eligibility criteria.

21.0 RIGHT TO INFORMATION ABOUT DECISIONS

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21.1 Applicants have the right to be notified in writing of any decision: -

- a) to exclude them from the Housing Register
- b) to suspend their application
- c) to remove them from the register

The Council must give clear grounds based on relevant facts of the case, state the duration of the exclusion/suspension and how the decision may be reversed.

21.2 Applicants have the right, on request, to be informed of any decision about the facts of their case which have been or are likely to be, taken into account in considering whether to make an allocation to them.

22.0 RIGHT TO REVIEW OF DECISION

22.1 Applicants have the right, on request, to review a decision mentioned in 21.1 or 21.2 above.

Request for review must be made within 21 days of the date of the notification letter and the review will be based on written representations submitted by the applicant or someone acting on their behalf. Representations must be made within 14 days of the date the Council notifies the applicant that it is undertaking the review.

The review will be conducted by someone not involved in the original decision and senior in position to the person who made the original decision.

The local authority will make a decision within 8 weeks of the date the review was requested. Applicants will be notified in writing of the decision on review. If it confirms the original decision, they will be notified of the reasons for the decision.

Following the review, the applicant has no further right to challenge but may appeal to the High Court for a judicial review on a point of law.

If the applicant is dissatisfied with any aspect of the process followed in dealing with the application, he may seek redress through the Council's Complaints Procedure and, if still dissatisfied, may complain to the Public Services Ombudsman for Wales.

23.0 MONITORING AND REVIEW

The Allocation Policy is regularly monitored to ensure compliance with legislative changes, caselaw and guidance documents. The Council is committed to ongoing training for staff and elected members.

24.0 ALLOCATIONS EXCLUDED FROM THE ALLOCATION SCHEME

- a) Offers of secure tenancies of their current home to introductory tenants;
- b) offers of non-secure tenancies to homeless households in pursuance of duties owed under Part V11 Housing act 1996 (as amended);
- c) transfer of tenancies in pursuance of court orders in the course of divorce or other family proceedings;
- d) statutory succession to secure or introductory tenancies on the death of the tenant;
- e) assignment of secure or introductory tenancies to a person who is qualified to succeed;
- f) mutual exchanges;
- g) other circumstances may be prescribed by the Secretary of State.

INTRODUCTION

The allocation of social rented housing is largely governed by the legislative framework set out in Part V1 of the Housing Act 1996. Amendments under the Homelessness Act 2002 revoked the *duty* to keep a Housing Register although there remains the requirement to have an allocations scheme which shows the priorities and procedures used to allocate accommodation. The scheme must contain a statement of the Authority's policies on choices and preferences.

S159 of the Housing Act 1996 defines the allocation of housing accommodation by housing authorities as:-

- Selecting a person to be a secure or introductory tenant of accommodation held by the local authority;
- a nomination to such tenancies of accommodation held by another person (i.e. as stipulated in s80 Housing Act 1985);
- A nomination to an assured tenancy (including assured shorthold tenancy) of accommodation held by Registered Social Landlords.

The broad framework sets out who is eligible/ineligible for inclusion in the allocations scheme and identifies groups of people who must be given reasonable preference.

The Welsh Assembly Government's Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness 2003 must also be taken into account.

The following Statutory Instruments also apply -:

'The Allocation of Housing (Wales) Regulations 2003' cites two cases where the provisions of Part V1 do not apply:-

- Where a local housing authority secures the provision of suitable alternative accommodation under s39 of the Land Compensation Act 1973(3) (duty to rehouse residential occupiers).
- In relation to the grant of secure tenancy under s554 and s555 of the Housing Act 1985(4)(grant of tenancy to former owner-occupier or statutory tenant of defective dwelling-house).

'The Allocation of Housing (Wales)(Amendment)Regulations 2006' amended the 2003 provisions which prescribe classes of persons who are subject to immigration control who are eligible to include persons having humanitarian protection.

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1.0 COMMON HOUSING REGISTER

1.1 The Isle of Anglesey County Council maintains a common housing register for its residential properties as well as for those housing associations in the area that have chosen to participate in the Ynys Môn Housing Partnership - Cymdeithas Tai Eryri, Clwyd Alyn and North Wales Housing Association.

1.2 This document sets out the Council's detailed procedures for processing new applications for social housing and applications from existing tenants wishing to transfer to alternative accommodation and the processes involved in allocating dwellings.

1.3 The Council is committed to promoting equal opportunities and all applicants will be treated equally and without any discrimination. The Council has adopted the Commission for Racial Equality's Code of Practice in Rented Housing.

1.4 The policy seeks to ensure that people in the greatest housing need have the highest priority for being housed or rehoused in the area of their choice.

2.0 ELIGIBILITY FOR SOCIAL HOUSING

2.1 Everyone is entitled to go onto the Housing Register unless they are excluded under the Housing Act 1996 as amended by the Homelessness Act 2002.

2.2 Statutory Exclusion

Applicants who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996(c.49) are not eligible **unless**:

- a) they are existing secure or introductory tenants or assured tenants of housing accommodation allocated by a local housing authority or
- b) the applicant is a British Citizen
- c) a Commonwealth citizen who has the right of abode in the UK
- d) a citizen of a member country within the European Economic Area

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- e) a person who has been granted refugee status
- f) a person who has been granted exceptional leave to enter or remain in the UK which is not subject to a condition requiring him/her to maintain and accommodate him/herself and any dependants without recourse to public funds
- g) a person who has a current leave to enter or remain in the UK which is not subject to any time limit or condition. (Other than a sponsored immigrant who has been here for at least 5 years and whose sponsor(s) is still alive)

2.3 Persons who are not habitually resident within the Common Travel Area of the UK, Republic of Ireland, Isle of Man and Channel Islands.

2.4 Nationals of the European Economic Area with no right to reside.

A person who is a national of a country within the EEA and who is notified by the Home Secretary that he/she no longer has a right to reside in the UK.

2.5 A person who is excluded from entitlement to Housing Benefit by Section 115 of the Immigration and Asylum Act 1999(c.33).

2.6 Discretionary Exclusion (power to exclude on basis of unacceptable behaviour)

The Council will only exclude those persons falling within the statutory provisions. This approach ensures that the allocation policy is not only inclusive but accurately reflects housing need on the island. This does not necessarily mean that all applicants will be actively considered for housing. Please refer to Paragraph 12.0 'SUSPENDED APPLICATIONS'.

2.7 Applicants who feel they should become eligible can reapply to the Housing Authority at any time but will be required to demonstrate that their circumstances have changed.

3.0 DATA PROTECTION

3.1 The Council will not disclose information regarding a person's application for housing to any third party or member of the public without their express consent unless required to do so by law. By signing the Housing Register application form, the applicant gives consent to the Council to make relevant enquiries in connection with their application and their suitability to be a tenant

4.0 MAKING AN APPLICATION

4.1 The Council will provide advice and information free of charge to potential applicants about their right to join the Housing Register, including an application form. The Council will also provide help directly or indirectly in making an application, free of charge, to anyone on the island who is likely to have difficulty applying without assistance.

4.2 The Council will endeavour to provide information in alternative formats upon request.

5.0 APPLICATIONS FROM 16/17 YEAR OLDS

5.1 Section 1 of the Law of Property Act 1925 prevents minors from holding a legal estate in land. Consequently applicants will normally only be considered where the Council has a duty under the homelessness legislation or the Children Act 1989 and an appropriate adult will be required to enter into a guarantee in relation to the tenancy agreement. There may also be a requirement for appropriate support arrangements.

The offer of permanent accommodation before an applicant is 18 is at the discretion of the Head of Housing Services.

5.2 The housing and support needs of lone parents under 18 years of age will be subject to joint assessment with Social Services and other agencies (where relevant). The consent of the applicant must be sought unless there are child protection concerns.

6.0 ELIGIBILITY CRITERIA FOR SPECIFIC PROPERTY TYPES / SIZE

6.1 Priority for houses will be given to households with children under the age of 16 years or with children 16 - 18 who are in full time education or training.

6.2 To qualify for OAP bungalows/flats, an applicant must be 60 years of age or over.

6.3 To qualify for sheltered accommodation, an applicant must be 60 years of age or over OR be registered disabled. Offers of accommodation will be made subject to an assessment of housing and support needs by a Panel comprising Allocation Officers, Occupational Therapists and Disability Advisors.

6.4 To qualify for properties designed or adapted for special needs (e.g. disabled person) an applicant or a member of the applicant's household, must be medically assessed as requiring such specialised accommodation.

6.5 The Council assesses the size of home each applicant requires, according to their household size and composition ~~and any other special considerations~~. Size is expressed in terms of the number of bedrooms. Applicants ~~with one child will be considered for 3 bedroomed houses. Single applicants will be considered for 2 bed roomed flats will be prioritised for accommodation of a size that accords with their bedroom requirement, which shall be assessed using the following criteria.~~

One bedroom shall be deemed necessary for each of the following persons in the applicant's household:

- a single person or couple aged over 16; and

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- two children of the same gender, where both of the children are aged under 16; and
- two children aged under 10, regardless of gender; and
- any remaining child.

In addition, an additional bedroom shall be deemed necessary where:

- the tenant or his/her partner is disabled, and they require a non-resident overnight carer, providing that the Council is satisfied that the prospective tenant is able to afford the accommodation; or
- it is unreasonable for two persons to share a bedroom, as the result of an illness or disability, providing that the Council is satisfied that the prospective tenant is able to afford the accommodation.

For the purpose of the above calculation, foster children and persons whose principal home is elsewhere shall not be included.

Where, in respect of a particular allocation, there is no applicant eligible for that size of property, or where all the eligible applicants have refused an offer, households with other bedroom requirements may be considered for an allocation, subject to an assessment of their ability to afford the rent and other household expenses.

Couples will be considered for 2 bedroomed OAP bungalows ahead of single applicants. Prospective allocations to OAP bungalows will be subject to an affordability assessment.

6.6 A single -parent household is entitled to the same size of accommodation as a two-parent household with the same number of children

6.7 Households that include a pregnant woman expecting her first child are assessed after 6 months as if the baby had already been born when being considered for houses.

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6.8 EXCEPTIONS

a) When the Independent Community Specialist recommends increasing the required property size on medical grounds, subject to an affordability assessment.

b) The Head of Housing Services may allocate property types/sizes outside the eligibility criteria if there are no eligible applicants and/or it is in the best interest of the Council to do so in terms of managing its housing stock, meeting genuine housing need and minimising rent loss on void properties. The Head of Housing Services may also authorise the use of such properties as temporary accommodation for households towards whom the Council has a statutory duty under Part V11 Housing Act 1996 as amended by the Homelessness Act 2002.

7.0 JOINT TENANCIES

The Council encourages joint tenancies, where two adults in a household become joint tenants in the same Council property. Both tenants are then jointly and individually responsible for ensuring the tenancy agreement is kept to. Both parties must individually qualify to join the housing register and be eligible to be considered for offers of accommodation. If the Council refuses to grant a joint tenancy, it will provide written notification detailing the reasons for the refusal.

8.0 RIGHT TO GENERAL INFORMATION

8.1 Eligible applicants have the right to request such general information as will enable them to know how their application is likely to be treated, what preference they are likely to be given, what kind of accommodation is likely to be made available to them, and when such accommodation is likely to become available.

9.0 CHOICE

9.1 All eligible applicants have the opportunity to state preferences on property type, size and areas/neighbourhoods, subject to the following provisions, including the removal of area choice for homeless households after a period of three months.

9.2 All eligible applicants have the opportunity to register an interest in being accommodated by any of the participating Registered Social Landlords (Housing Associations) and approved Private Landlords.

9.3 Low turnover and high demand for some areas means that it may not always be possible to meet applicants' preferences for particular types of accommodation or areas on the island. Offers of accommodation will however be suitable for the applicant's needs even if they do not meet their preferences as regards location.

9.4 Applicants to whom the Council owes the main homelessness housing duty (Housing Act 1996, section 193) or the corresponding 'threatened with' duty under section 195(2)), shall have the opportunity to express, via letting area choices, a preference about the location of accommodation they wish to be offered. At the end of the period of three months, beginning with the acceptance of the homelessness duty, the Council may unilaterally widen the letting areas for which the applicant may be considered. This will only be done where it is considered that accommodation in the additional letting areas would most likely be suitable for the needs of the applicant and his or her household members, for the purpose of discharging the main homelessness housing duty.

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10.0 THE PROCESSING OF APPLICATIONS

10.1 Applicants will be required to provide relevant documents to support their application before they will be made an offer including proof of identification and proof of residency. If an applicant fails to provide the requisite information within the specified timescale, the application will be cancelled.

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10.2 References will be required from a landlord or mortgage provider and further checks will be undertaken where there are concerns that the behaviour of the applicant (or a member of his/her household) may affect their suitability to be a tenant.

10.3 Applicants with convictions subject to a custodial sentence will be required to have undergone a risk assessment

10.4 Any children included in an application must normally be dependent on and reside with the applicant before they are taken into account when assessing the points levels.

10.5 Applicants will be sent an acknowledgement letter within 5 working days and will be notified of the status of their application within the following 30 days once it has been processed. This will enable them to establish their prospects of being rehoused.

10.6 Applicants will be removed from the register at their own request provided it is made in writing. Written confirmation will be provided where a forwarding address is known

10.7 If information is received which infers that an applicant already on the list is ineligible, he will be informed in writing and advised of the reasons.

10.8 Should the applicant request information about their application over the telephone, they will be asked to confirm their N.I. number or any other information known only to them.

10.9 Making a false statement or withholding relevant information to obtain a tenancy is a Ground for Possession (eviction) and a criminal offence for which a fine is payable on summary conviction. Any such applications identified prior to allocation will be cancelled.

10.10 If it is found that an applicant has purposely changed address or acted otherwise to worsen his/her circumstances to increase the award of points the application will be pointed as if such a change had not been made for a period of 12 months or, where the applicant is found to be intentionally homeless, until such time as there is a change in circumstances which would overturn the finding of intentionality.

11.0 CHANGE OF CIRCUMSTANCES

11.1 Applicants are required to notify the Council in writing of any changes to their personal circumstances so that their details can be amended accordingly.

11.2 Periodic reviews of the Housing Register are undertaken and applicants who fail to return the review form within the specified timescale will be removed from the register.

12.0 SUSPENDED APPLICATIONS

12.1 In some circumstances applications will be suspended i.e. they will be credited with housing need/local connection points but will not be actively considered when a property becomes available for letting. Suspensions can last up to a maximum of 12 months at which time the case will be reviewed. The decision on whether to suspend will be made on the basis of the facts of individual cases and applicants will be notified in writing of the reasons for the suspension and afforded the opportunity to request a review of the decision. See Paragraph 22.0 'RIGHT TO REVIEW OF DECISIONS'.

12.2 Suspensions will be applied in the following circumstances (this list is not exhaustive):-

12.2.1 At applicant's own request

12.2.2 Pending further information required to process an application e.g proof of divorce / legal separation / property settlement / property sale and equity released / pregnancy / residence arrangements for children

12.2.3 Eligible applicants with tenancy related debts with any Local Authority, RSL or Private Landlord (arrears/recharges/court costs). Applicants will be required to enter into and maintain an agreed repayment schedule. Whilst suspensions will be lifted when the debt is equivalent to 4 weeks rent net of any benefit, the offer of accommodation before the debt is cleared in full will be at the discretion of the Head of Housing Services or the Housing Associations/Private Landlords and only then in exceptional circumstances.

12.2.4 Applicant is in prison.

12.2.5 Applicant is in HM Forces pending confirmation of discharge from Commanding Officer.

12.2.6 Applicant has refused 2 reasonable offers in the areas of his choice. Suspension for 12 months.

12.2.7 Applicant is occupying tied accommodation – pending receipt of Notice to Terminate Employment.

12.2.8 Applicant has adequate financial resources to secure own accommodation at market rent or purchase. The average rental cost or purchase price in the applicant's areas of choice will be considered at the time of the assessment. For rental purposes applicants with an annual income of £35,000 will be deemed to have adequate resources to house themselves. Applicant will still be given appropriate advice and assistance.

12.2.9 Applicant is a freehold, leasehold or shared owner unless they have a

minimum of 20 housing need points (excluding local connection). Applicants will only be considered when they are in the process of disposing of the property and have obtained a completion date unless:-

a) urgent re-housing is required on medical grounds (must have minimum 20 medical points) and it is not possible to adapt current accommodation OR applicant needs to live in close proximity to a carer (property must be in the process of being sold or applicant will be required to give a written undertaking to dispose of it within 12 months);

b) the applicant is a joint owner at relationship breakdown and the property is not being disposed of as one partner is to continue to live in it (written confirmation from solicitor required)

c) the property is considered to be 'difficult to let' (property must be in the process of being sold or applicant will be required to give a written undertaking to dispose of it within 12 months)

12.2.10 There are issues relating to current/recent anti-social behaviour which are considered relevant to the applicant and/or household members in terms of their suitability as tenants. Consideration will be given to the need to strike a balance between the rights of the individual and the interests of the wider community. Where there is evidence to suggest that an applicant's unacceptable behaviour is due to disability, the application will not be suspended if the Council is satisfied that the person would be able to maintain a tenancy satisfactorily with appropriate support. Any decision will be based on consultation with relevant agencies e.g. GP, Social Services, Mental Health Team, support providers.

12.2.11 Transfer applicants who have not occupied their present home for a minimum of 12 months unless there has been a change of circumstances which means they now fall within the reasonable preference categories. (The Head of Housing Services may allow a transfer in exceptional circumstances, which will be recorded on the applicant's file).

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12.2.12 Transfer applicants with rent arrears/recharges/court costs until they enter into and maintain an agreed repayment schedule. Whilst suspensions will be lifted when the debt is equivalent to 4 weeks rent net of any benefit, the offer of accommodation before the arrears are cleared in full will be at the discretion of the Head of Housing Services or the Housing Associations/Private Landlords and only then in exceptional circumstances.

12.2.13 Transfer applicants where their present home does not meet acceptable standards of cleanliness and decoration (the standard required is such that a new tenant could reasonably move into the dwelling straight away if the tenant left today).

12.2.14 Transfer applicants pending making good defects which are the tenant's responsibility.

12.2.15 Transfer applicants pending bringing garden area to a reasonable standard (having regard to his physical capabilities and those of his family members).

12.2.16 Transfer applicants where there are issues relating to current/recent anti-social behaviour which has warranted intervention by the Council .

Applicants will be notified in writing of the reasons for the deferral and, where necessary how to remedy the situation and the proposed review dates. Applicants suspended on the basis of anti-social behaviour will be required to demonstrate to the reasonable satisfaction of the council, why they consider themselves suitable to be a tenant.

13.0 PRIORITISING APPLICATIONS

13.1 Eligible applicants are awarded points to reflect housing need and other factors.

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13.2 Reasonable preference must be given to the following categories of people set out in s167(2) Part V1 Housing Act 1996 (as amended) :-

- a) people who are homeless within the meaning of Part 7 of the 1996 Housing Act;
- b) people who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3);
- c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- d) people who need to move on medical or welfare grounds including grounds relating to a disability;
- e) people who need to move to a particular locality in the area of the housing authority, where failure to meet that need would cause hardship (to themselves or to others).

13.3 When distinguishing between applications the Council will take into account the following factors:-

- a) The financial resources available to applicants to meet their own housing need;
- b) any behaviour of the applicant or a member of that household which affects the applicant's suitability to be a tenant;
- c) any local connection between the applicant and the district.

13.4 The Council also has the power under s167(2E) to allocate particular housing accommodation to persons of a particular description regardless of whether or not they fall under s167(2). Any such specific lettings plans would be ancillary to the main Allocation Policy and would allow accommodation developed for a specific Allocation Policy July 2010 [with proposed amendments for consultation with RSLs – Version 2](#)

purpose to be allocated either primarily or exclusively to a specific category of people irrespective of whether or not they would attract priority under other provisions of the 1996 Act or the Allocation Policy.

14.0 HOUSING NEED POINTS

14.1 HOMELESSNESS, UNSETTLED OR INSECURE ACCOMMODATION

a) The applicant is homeless/threatened with homelessness unintentionally - **20 points** OR

b) The applicant is homeless, unintentionally and in priority need as a result of violence or threats of violence likely to be carried out - **30 points**

c) the applicant is homeless and in priority need but homeless intentionally - **5 points** OR

d) The applicant is living in lodgings, staying with family/friends - **10 points** OR

e) The applicant is in local authority care or has been living in a hostel/supported housing project for a minimum period of 6 months and written confirmation has been received that they are ready to move on. – **45 points** OR

f) The applicant has been placed in temporary local authority or private accommodation under Section 193(2) of the Housing Act 1996 (as amended) – **20 points**. This category will also attract **10 points** after the first 6 months spent in the temporary accommodation and an additional **10 points** after ~~a~~every further 6 months period they spend in temporary accommodation (at 12, 18, 24 months, and so on), up until the applicant has occupied the temporary accommodation for five years.

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NB If an applicant pointed under 14.1(a)~~or 14.1.~~ (b), or (f) -refuses a final offer of suitable accommodation under Part V1 (allocation of housing) , the homelessness points will be removed. This also applies to non-priority need applicants.

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14. 2 OCCUPYING ACCOMMODATION WHICH IS UNSANITARY, OR LIVING IN UNSATISFACTORY HOUSING CONDITIONS (Applies to tenants and owner-occupiers)

- a) applicants lacking cooking facilities - **5 points**
- b) applicants living in poor housing conditions - **up to 20 points**

The assessment will be undertaken by an Environmental Health Officer using the Housing Health & Safety Rating System risk assessment framework. Rating scores will be calculated for each hazard identified based on the severity of each hazard, and its potential to cause injury to the occupiers.

RATING SCORE:

- 5 – 25 5 points**
- 30 – 45 10 points**
- 50 – 65 15 points**
- over 70 20 points**

14.3 OVERCROWDING

Points will be awarded for each bedroom deficiency ~~to ensure separate bedrooms are available for:-~~

- ~~a) husband/wife or similar partnership;~~
- ~~b) each person aged 18 years or over;~~
- ~~c) children aged 8 or over of different sex from children of any age;~~
- ~~d) no more than 2 persons should occupy one bedroom;~~
- ~~e) children of the same sex where there is an age gap of 10 years. , using the following criteria of the household's need for bedrooms:~~

One bedroom is deemed necessary for each of the following persons in the applicant's household:

- a single person or couple aged over 16; and
- two children of the same gender, where both of the children are aged under 16; and
- two children aged under 10, regardless of gender; and
- any remaining child.

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In addition, an additional bedroom shall be deemed necessary where:

- the tenant or their partner is disabled, and they require a non-resident overnight carer every day; or
- it is unreasonable for two persons to share a bedroom, as a result of illness or disability.

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For the purposes of the above calculation, foster children and persons whose principal home is elsewhere shall not be included.

- 20 points for each bedroom deficiency

14.4 MEDICAL POINTS

Applicants, who maintain that their present accommodation is detrimental to their health, may apply for medical points. The Council utilises the services of an independent Community Medicine Specialist to undertake such assessments. Requests for adapted accommodation are referred to the 'Housing Link' panel which comprises Housing and Social Services staff.

Medical points will only be awarded when a move to more suitable accommodation would be beneficial in alleviating their medical condition. The degree of urgency in the need for alternative accommodation will be reflected in the points awarded as follows:

- a) to improve quality of life (although existing accommodation is not detrimental to applicant's health) - **5 points**
- b) some medical benefit in moving - **10 points**
- c) significant medical benefit in moving - **20 points**
- d) unable to be discharged from hospital or live in present accommodation.

- 30 points

14.5 HARDSHIP POINTS

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Applicants wishing to move to a particular locality to avoid hardship to themselves or others e. g to give/receive care and support and rehousing would dispense with the need for services to be provided by the local authority - **10 points**

14.6 SOCIAL STRESS / SOCIAL MANAGEMENT POINTS

Points will only be considered in this category in exceptional circumstances where the applicant's personal/housing circumstances are not met by other needs factors. This category would mainly be to assist Social Services to fulfil their duties under the Children Act 1989 (Section 17 (1)).....'Duty of every Local Authority Social Services Department.....to

- safeguard and promote the welfare of children within the area who are in need:
- so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.'

Under S27 of the Children Act 1989, Social Services can ask Housing Services to help in delivering services for children in need and they must comply to the extent that it is compatible with their own statutory duties and other obligations and does not unduly prejudice the discharge of any of their own functions. Points variable and will only be awarded for one offer only.

14.7 CHILDREN IN FLATS

If the applicant has a child under the age of 11 and is living in;

- a) a ground floor flat or maisonette without the sole use of a garden - **20 points**
- b) a maisonette or flat above ground floor - **30 points**

14.8 PREGNANCY

Applicants who are over 6 months pregnant and living in a flat or maisonette above ground floor - **10 points**

14.9 SHARING POINTS

Applicants who have to share facilities with separate households will be awarded points (A separate household does not include relations who have jointly occupied or owned the accommodation with the applicant for a substantial period of time immediately prior to applying for housing).

Points will be awarded for shared:

- living room - **5 points**
- kitchen - **5 points**
- toilet - **5 points**
- bathroom - **5 points**

14.10 UNDER OCCUPATION (COUNCIL/PARTNER HOUSING ASSOCIATION TENANTS ONLY)

In order to give priority to existing council tenants who are under occupying accommodation which is too large for their current needs, points will be awarded for each bedroom in excess of their needs.

In assessing those needs it will be assumed that separate bedrooms are required for husband/wife or similar partnership; each person 18 years or above; children aged 8 or over of different sex from children of any age; no more than 2 persons should occupy one bedroom; children of same sex where there is an age gap of 10 years -

30 points for each bedroom in excess of need.

14.11 FOSTER CARERS

Applicants who are registered foster carers and whose present accommodation is unsuitable in terms of size or location to prevent them from providing that care -

30 points

14.12 ADAPTED PROPERTIES

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Applicants releasing an adapted property (council or housing association partner) where there is an identified need for the property i.e. Social Services have identified an applicant for whom the adaptations are appropriate - **30 points**

14.13 TIED ACCOMMODATION

Applicants occupying accommodation as a condition of employment with the council or partner housing association leaving through no fault of their own e.g. retirement, redundancy, ill health – **30 points**

14.14 SMALLHOLDINGS

Applicants occupying council owned smallholdings leaving through no fault of their own - **30 points**

15.0 TRANSFER APPLICANTS

Transfer applicants (i.e. all existing tenants of the Council or participating Housing Associations) - **10 points**

16.0 LOCAL CONNECTION POINTS

The Council aims to prevent the dispersal and break up of local communities and strengthen family support networks.

Local connection points will be awarded:-

- a) for each year an applicant has had his/her place of work, or had his/her only or principal home in Anglesey, up to 10 years - **3 points for each year up to 10 years**
- OR**
- b) if the applicant's mother, father, sister, brother or children have been living in Anglesey for at least 5 years - **10 points**

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c) applicant has been living in Anglesey for 6 out of the last 12 months - **1 point**

OR

d) Special circumstances e.g. need to be near special medical or support services only available in Anglesey - **5 points**

Up to 20 additional points will be awarded if the applicant has had his/her place of work, or had his/her only or principal home in the parish that they wish to be rehoused for a period of 10 years - **2 points per year up to 10 years.**

17.0 VERIFICATION VISITS

A Council Officer may visit the applicant to verify that the housing circumstances are as set out in the application form and that the correct points have been awarded. Applicants are expected to allow access to all parts of their home.

18.0 SELECTION OF APPLICANTS AND GRANTING TENANCIES

The operation of the allocations scheme is delegated to the Head of Housing Services and his staff.

18.1 When a property becomes available for letting, the Lettings Officer will draw up a short list of the highest pointed eligible applicants who have requested that type of property in that particular area.

18.2 Consideration will be given to the overriding need to make the best use of the Council's stock, the nature of the stock in the locality, turnover rates and levels of local need.

18.3 Where there are more than one equally pointed suitable applicants the original date of application will be taken into account

18.4 Successful applicants will be notified in writing that the offer is made provisionally and will not constitute a legally binding contract until the tenancy agreement is signed.

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19.0 ROLE OF ELECTED MEMBERS IN THE ALLOCATION PROCESS

19.1 Local Members are responsible for approving, adopting and monitoring the implementation of allocations policies that comply with the Housing Act 1996 (as amended by the Homelessness Act 2002), the Welsh Assembly Government's 'Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness' 2003 and Equal Opportunities Legislation.

19.2 The Local Housing Authorities (Prescribed Principles for Allocation Schemes) (Wales) Regulations 1997 (Statutory Instrument 1997 No. 45) prevent an Elected Member from being part of a decision-making process, when either:

- a) The unit of housing accommodation concerned is situated in their electoral ward; or
- b) The person subject to the decision has their sole or main residence in the Member's electoral ward.

This is reinforced in the Code of Guidance referred to in Paragraph 19.1

19.3 Local Members enquiring about the status of a property will be advised whether it is currently void or has been allocated. However, to comply with the Data Protection Act 1998, personal information in relation to the new tenant cannot be disclosed.

19.4 Local Members may make written enquiries on behalf of applicants within their constituency only in relation to the status of their housing register application provided that the written consent of the applicant is held on file by the Council.

20.0 NOMINATIONS TO HOUSING ASSOCIATIONS

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The Allocation Policy not only dictates the selection of applicants for council tenancies, but also covers nominations to assured/ assured shorthold tenancies offered by Housing Associations. Associations with properties on the island are required to offer a proportion of their lettings to the Council (minimum 50%). When a vacancy is offered for nomination, the Council will nominate the 3 highest pointed applicants. The Association will then decide which of the nominated applicants is the most suitable in the context of their own eligibility criteria.

21.0 RIGHT TO INFORMATION ABOUT DECISIONS

21.1 Applicants have the right to be notified in writing of any decision: -

- a) to exclude them from the Housing Register
- b) to suspend their application
- c) to remove them from the register

The Council must give clear grounds based on relevant facts of the case, state the duration of the exclusion/suspension and how the decision may be reversed.

21.2 Applicants have the right, on request, to be informed of any decision about the facts of their case which have been or are likely to be, taken into account in considering whether to make an allocation to them.

22.0 RIGHT TO REVIEW OF DECISION

22.1 Applicants have the right, on request, to review a decision mentioned in 21.1 or 21.2 above.

Request for review must be made within 21 days of the date of the notification letter and the review will be based on written representations submitted by the applicant or someone acting on their behalf. Representations must be made within 14 days of the date the Council notifies the applicant that it is undertaking the review.

The review will be conducted by someone not involved in the original decision and senior in position to the person who made the original decision.

The local authority will make a decision within 8 weeks of the date the review was requested. Applicants will be notified in writing of the decision on review. If it confirms the original decision, they will be notified of the reasons for the decision.

Following the review, the applicant has no further right to challenge but may appeal to the High Court for a judicial review on a point of law.

If the applicant is dissatisfied with any aspect of the process followed in dealing with the application, he may seek redress through the Council's Complaints Procedure and, if still dissatisfied, may complain to the Public Services Ombudsman for Wales.

23.0 MONITORING AND REVIEW

The Allocation Policy is regularly monitored to ensure compliance with legislative changes, caselaw and guidance documents. The Council is committed to ongoing training for staff and elected members.

24.0 ALLOCATIONS EXCLUDED FROM THE ALLOCATION SCHEME

- a) Offers of secure tenancies of their current home to introductory tenants;
- b) offers of non-secure tenancies to homeless households in pursuance of duties owed under Part V11 Housing act 1996 (as amended);
- c) transfer of tenancies in pursuance of court orders in the course of divorce or other family proceedings;

- d) statutory succession to secure or introductory tenancies on the death of the tenant;
- e) assignment of secure or introductory tenancies to a person who is qualified to succeed;
- f) mutual exchanges;
- g) other circumstances may be prescribed by the Secretary of State.

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| ISLE OF ANGLESEY COUNTY COUNCIL | |
|--|---|
| COMMITTEE: | Executive Committee |
| DATE: | 18 March, 2013 |
| TITLE OF REPORT: | Adults' Safeguarding Local Improvement Journey |
| PURPOSE OF THE REPORT: | <ol style="list-style-type: none"> 1. Endorse progress achieved around our local improvement journey 2. Endorse priorities underpinning our next phase of improvements. |
| REPORT BY: | Head of Adults' Services |
| CORPORATE DIRECTOR: | Gwen Carrington, Director Of Community |

1.0 BACKGROUND/CONTEXT

- 1.1 Protecting our most vulnerable individuals (children and adults) is the core business of Social Services. It is paramount that we have effective structures and systems in place to protect the most vulnerable. These structures and systems need to be sustainable and place safeguarding at the heart of a partnership approach across the public sector and indeed the care sector in general;

- 1.2 Members will be aware that I have been reporting to both the Executive and the Housing and Social Services Scrutiny Committee annually in respect of local safeguarding activity within a national framework of expectations. My last report referred to the 2011/12 activity as well as our emerging improvement journey and was submitted in July, 2012 to Scrutiny and in September, 2012 to the Executive respectively. Reference was made at that time to the internal Improvement Board that had been established during the Autumn of 2011 in Adults' Services as a vehicle to drive forward an ethos of continuous improvement within an overall strategic context of transformation, modernisation and remodelling of adult social care;

- 1.3 This report will solely concentrate upon the improvement journey underpinning adults safeguarding within a national framework of evolving expectations, responsibilities and accountabilities. Reporting on 2012/13 safeguarding and adult protection activity will happen during early Summer, 2013 and once the committee structure of the new Council becomes operational.

2.0 NATIONAL DIRECTION OF TRAVEL – ADULT SAFEGUARDING

2.1 As previously reported and as Members will be aware, the Welsh Government have been paving the way for significant legislative change in Wales in order to enable and support the full implementation of its 10 year strategy for Social Services known as – “*Sustainable Social Services for Wales. A Framework for Action*”. The Social Services and Wellbeing (Wales) Bill 2013 has now been published (January, 2013) and has commenced upon its process of enactment. Safeguarding is one of the key national priorities for action in the next period.

2.2 Our initial analysis of the Social Services and Wellbeing Bill concludes the following overarching change in current policy and direction:

- Social Services proposed to be the **key co-ordinating agency** for adult protection referrals and investigations with other agencies having legal duties to report harm or abuse, co-operate and investigate;
- Replacing regional and local Protection Forums with **Safeguarding Boards** and also paving the way to creating Safeguarding Boards straddling across children and adults services;
- Greater emphasis on **outcome** focused practice;
- Bringing the **legislative framework** around adult protection closer to that of safeguarding children and young people.

Indeed, the Bill makes specific provision in the area of strengthening Safeguarding (Part 7 of the Bill) and provides for the following:

TABLE 1

**SOCIAL SERVICES AND WELLBEING (WALES) BILL 2013:
PROVISIONS FOR THE STRENGTHENING OF SAFEGUARDING**

| |
|---|
| ➤ A statutory framework to protect adults at risk. This is to include provision for authorised officers of the local authority to apply to the court for an “adult protection and support order”. Such an order will confer a power of entry to facilitate practitioners in speaking to an adult suspected of being at risk. |
| ➤ Duties on relevant partners to report to the local authority when it suspects that a person may be an adult at risk. |
| ➤ The establishment of a new National Independent Safeguarding Board to provide national leadership to the safeguarding agenda and to advise Ministers on the adequacy and effectiveness of safeguarding arrangements (children and adults). |
| ➤ The creation of new Safeguarding Children Boards and new Safeguarding Adults Boards. Board areas and lead partners of the Boards are to be prescribed through regulations. |

3.0 LOCAL IMPROVEMENT JOURNEY

3.1 As one of the key, fundamental priorities around the commissioning and delivery of Adult Social Care, safeguarding has been an important feature in the Adults’ Services Improvement Programme in respect of both 2011/12 and 2012/13. My report submitted to the Housing and Social Services Committee on 10 July, 2012 and the Executive on 3 September, 2012 reported on progress in relation to last year’s improvement plan and journey;

3.2 Members will be aware that the Department negotiated with the Social Services Improvement Agency (SSIA – part of the WLGA in Wales) to undertake a piece of audit work around adult protection during the latter part of 2011/12 [audit fieldwork completed in March, 2012]. The prime purpose of this audit work was to seek assurances around practice locally. The independent audit focused upon 2 specific objectives:

- Current local standing against the All Wales Interim Adult Protection Guidance. The methodology included analysis of a sample of case files – ensuring a representative spread of practice. There was also discussion with a cross section of practitioners and managers;

- Seeking a position statement around how well placed we were to respond to the proposed requirements of the Social Services and Wellbeing Bill.

As previously reported, the findings of the independent audit were positive and summarised that the Service “**has successfully embedded a positive culture of safeguarding adults and has created a co-operative “can do” approach to responding to alerts and referrals. Staff are committed to safeguarding and managers provide a supportive environment within which to work.**”

3.3 Our priority, efforts and energies over the past 9 months have been concentrated around realising the recommendations of the aforementioned Independent Audit. An Improvement Plan was prepared locally in response to the audit which has steered our response as a Service as well as enabling us to evidence our journey of continuous improvement. I can report that significant progress has been made against the Improvement Plan over the past 9 months. A copy of the current version of the Plan [V5] is attached (APPENDIX 1) which has been reviewed monthly and has enabled a disciplined approach to reflect progress against the rag status of each improvement area.

Members will glean from our local improvement plan that it comprised of **8 key actions** and underpinned by **18 success criteria/measures**. Below is a resume of the 8 key actions within our Improvement Plan:

TABLE 2

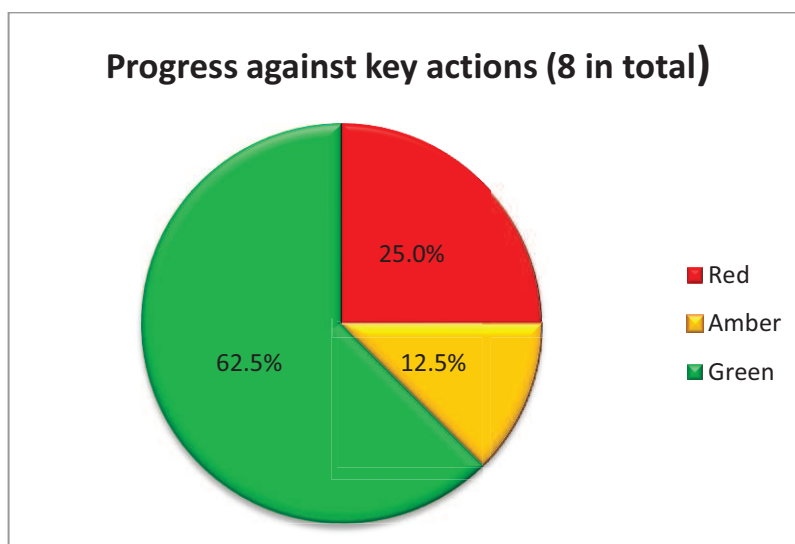
SAFEGUARDING KEY ACTIONS: LOCAL IMPROVEMENT PLAN

| | |
|---------------------|---|
| Key Action 1 | Seek to ensure appropriate and timely response to alerts and referrals around adult safeguarding |
| Key Action 2 | Further develop our practice to facilitate, enable and support purposeful and qualitative evaluation and screening of referrals |
| Key Action 3 | Ensure purposeful and focused strategy discussion and well structured and convened strategy meetings. |
| Key Action 4 | Work within the current All Wales Interim Adult Protection Procedures to further strengthen our local response and practice when allegations reach the investigation stage. |
| Key Action 5 | Further embed the full implementation of the All Wales Interim Adult Protection Procedures to underpin safeguarding practice locally. |

| | |
|---------------------|---|
| Key Action 6 | Develop local framework and practice to ensure people's experiences and outcomes of safeguarding are integral to every stage of the process. |
| Key Action 7 | Work within the current Gwynedd and Mon Adult Protection Forum to develop a sub-regional safeguarding framework compliant with the requirements of the Social Services and Wellbeing (Wales) Bill. |
| Key Action 8 | As the Social Services and Wellbeing (Wales) Bill moves through the consultation process, develops and becomes statute, we will ensure that staff at all levels have regular opportunities to keep abreast of developments. |

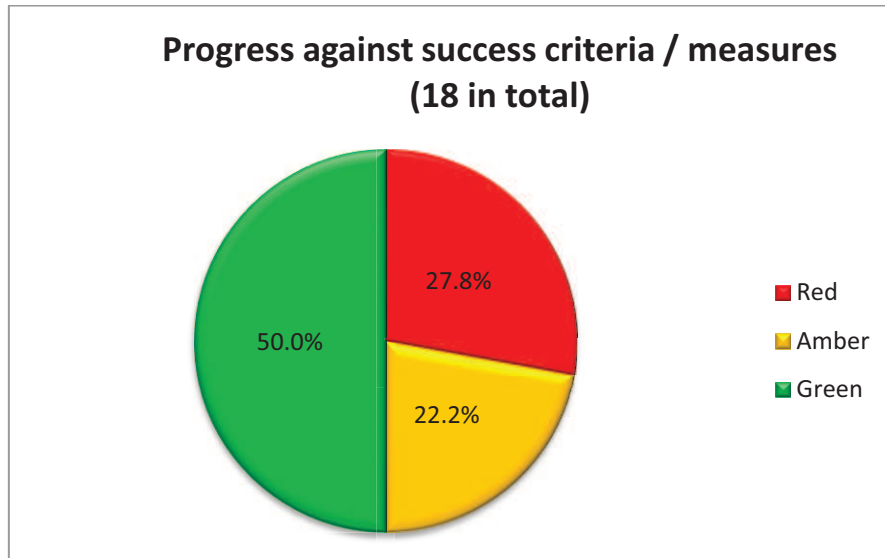
The following pie charts visually summarise our progress to date:

**Adults' Safeguarding Improvement Plan –
Progress against key actions.**



75% of our key actions are now green/amber at February, 2013

Adults' Safeguarding Improvement Plan – Progress against Success Criteria / Measures



72.2% of our key actions are now green/amber as at February, 2013

3.4 Strategic Safeguarding Board

I am pleased to be able to report to the Executive Committee that significant progress has also been evidenced over the past 9 months around the strategic framework underpinning adult safeguarding. The Môn/Gwynedd Area Adult Protection Committee has been replaced by a Môn/Gwynedd Adult Safeguarding Board. The Board has met once in Shadow form and its development is supported by a jointly agreed assessment tool and implementation plan. This new arrangement will bring a number of benefits including simplifying engagement with partner organisations (including the Police Authority and Health Board). This work in the North West of Wales has also been a catalyst for exploratory discussions at a regional level – with a view to considering the propriety of developing a North Wales Adult Safeguarding Board. To this end, a statement of intent and direction of travel will be considered by the 6 North Wales Local Authorities and the key statutory partner organisations (Health and Police) at the end of this month (26 March, 2013).

3.5 Where Next?

An end of year review of safeguarding has now commenced as an integral part of the process of producing the 2012 Annual Report of the Statutory Director of Social Services (ACRF). This will inform development areas to be prioritised during 2013/14 within of a new Improvement Framework. It is however anticipated that the following improvement areas will focus in the evolving framework for the coming year:

- Further strengthen the explicit use of risk assessments throughout the safeguarding process;
- Improve the quality and use of formal protection plans;
- Further improve and formalise the conduct and reporting of investigations;
- Improve practice in seeking consent and views, wishes and feelings of people being safeguarded at every stage in the process (user experiences);
- Improve focus on outcomes in safeguarding work (adopt national set of outcome measures for safeguarding to be published April, 2013);
- Consider opportunities available to strengthen strategic capacity in safeguarding and oversight of operational improvement plans as part of restructuring or realignment of senior management roles.

4.0 **RECOMMENDATIONS**

The Executive Committee is requested to:

- R1.** Endorse the significant progress achieved to date around our local safeguarding improvement journey;
- R2.** Endorse the key priorities underpinning our next phase of improvements in adult safeguarding as we prepare for the evolving national framework (as detailed in paragraph 3.5 above);
- R3.** Form a view around Elected Member involvement in the Môn/Gwynedd Adult Safeguarding Board as it develops and becomes mainstream. (referred to in paragraph 3.4 above)

Strong Communities: Independent Individuals



Improvement Plan – Adults’ Safeguarding 2012/13

1. POLICY CONTEXT

There are several key drivers underpinning Adults Safeguarding:

- One of the nine roles and accountabilities of the Statutory Director of Social Services (Section 7 Statutory Guidance, Local Authority Social Services Act 1970) – ***sound adult safeguarding arrangements and reporting.***
- Imminent change in legislation which it is envisaged will strengthen the legislative framework underpinning safeguarding of adults (Social Services (Wales) Bill 2012).
- The need to proactively demonstrate an ethos of continuous improvement by means of an improvement plan focussing on and ensuring momentum on the back of improvement work accomplished during 2011/12. Focus of activity during 2012/13 therefore needs to concentrate around the:-
 - ❖ Strategic outcomes underpinning the Adults' Services 2012/13 Business Plan
 - ❖ Recommendations of a recent independent audit of adult safeguarding arrangements on Ynys Mon undertaken by SSIA. This audit focussed upon the following:
 - Current local standing against the All Wales Interim Adult Protection Policy. The methodology included analysis of sample case files within a representative spread of practice. There was also discussion with a cross section of practitioners and managers.
 - Position statement around how well placed the Service is to respond to the proposed requirements of the Social Services (Wales) Bill 2012.

RAG Risk Rating - KEY

The table below summarises how the RAG tool will be applied within the context of this Improvement Plan:-

| STATUS | DEFINITION | ACTION |
|--------------|--|---|
| RED | <ul style="list-style-type: none"> Requires remedial action to achieve objectives; Timeline/ cost/ objectives at risk. | <ul style="list-style-type: none"> Escalate to Adults' Services Improvement Board to agree remedial actions. |
| AMBER | <ul style="list-style-type: none"> Problem identified being actioned OR potential problem identified with no action currently being taken – monitoring activity in place proportionate to risk; Possible risk to timeline/ cost/ objectives. | <ul style="list-style-type: none"> Raise awareness at Improvement Board; Statutory Director to decide whether further action is warranted and report back to Improvement Board. |
| GREEN | <ul style="list-style-type: none"> Project/ action on target; Timeline/ cost/ objectives within plan. | <ul style="list-style-type: none"> None; Information sharing with Improvement Board periodically. |

Progress against the actions identified in this Improvement Plan around Adults' Safeguarding is to be monitored on a quarterly basis. The lines of reporting are to be through:

- Management Teams – Adults' Services and Community Department
- Housing and Social Services Scrutiny Committee

End of Year Position:

This improvement plan has been monitored at regular intervals throughout the course of the year and amended versions have been issued to capture progress, highlight areas that required additional attention and also as a vehicle to ensure momentum.

This current version of the Improvement Plan (V5) reflects the state of play at year end.

Next Steps:

1. End of Year progress to be reported to:-
 - Directorate Management Team
 - Housing and Social Services Scrutiny Committee / Executive Committee
 - Statutory Director of Social Services
 - Portfolio Holder
2. Undertake an end of year review of Safeguarding as an integral part of the process of producing the Annual Report (ACRF). This will inform development areas to be prioritised during 2013/14 and which will form part of a new Improvement Framework.

Anwen Davies
Head of Adults' Services

People in Anglesey are Healthy and Safe

Appendix 1

| Strategic Priority (What) : We will safeguard and improve the “life chances” of vulnerable children and adults in our society | | | | | | | | | |
|---|--------------------------------------|-------------|---|-------------------|--|-------|---|---|-------|
| Development Priority <i>We will</i> : | | | | | | | | | |
| <ul style="list-style-type: none"> Have systems in place to ensure that adults are safeguarded from harm and abuse wherever possible and offered timely support and protection which is compliant with National Policy and Guidance. | | | | | | | | | |
| Key actions (by...) | Responsible Officer | By when | Success Criteria / Measure – (How do we know when you have achieved the key action?) <i>Performance Indicator / an Action you will undertake / or both</i> | Quarterly Targets | | | Risks & Risk Mitigation Commentary | Risk RAG | |
| | | | | Qtr 1 | Qtr 2 | Qtr 3 | | | Qtr 4 |
| Seek to ensure appropriate and timely response to alerts and referrals around adult safeguarding | Corporate Director / Head of Service | Autumn 2012 | <ul style="list-style-type: none"> Engage in discussion with Police Authority colleagues at a senior level to ensure implementation of the All Wales Interim Procedures requirement to use the standard VA1 referral form. Ensure dialogue at the North Wales Adult Protection Forum + Gwynedd / Môn Forum. | | <ul style="list-style-type: none"> -Ensure discussion with Senior Police Colleagues. -Ensure matter is itemised on agenda of Autumn North Wales Adult Protection Forum / NWASH for discussion and consensus around way forward | | <p>Further discussion at Adults Safeguarding Shadow Board – thereafter escalation to NWSSIC</p> | <p>Risk: Police Authority may not adopt All Wales proforma and continue to use their own internal document</p> <p>Mitigation Commentary: Seek All Wales discussion if Sub Regional / Regional negotiations do not succeed.</p> <p>Discussion at NWASH, 18/09/12</p> | |

Strong Communities: Independent Individuals

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| | |
| <p><u>Fully Implemented</u> Switch to ongoing maintenance through quarterly monitoring (qualitative) by Operations Manager</p> | <p>Minute taking training delivered 14/09/12. All administrative staff familiarised with template Fully Implemented Following additional matters to be actioned over coming months:- • Create a risk log as a means of capturing non-attendance at Strategy Meetings</p> |
| <ul style="list-style-type: none"> Evidence as mainstream practice. Monitor compliance Quarterly through local target setting. | <p>Monitor usage of the minutes template and quality of minute taking.</p> |
| <p>Evidence as main stream practice. Monitor compliance Quarterly through local target setting.</p> | <ul style="list-style-type: none"> Further reinforce through Managers Group local adherence to All Wales Process chart. Completed Instigate responsibilities of respective agencies at Gwynedd / Môn Adult Protection Forum |
| <p>Fully mainstream practice around use of screening tool to assist screening / decision-making. (PVA 4) Improved version of the PVA4 document on RAISE module 15/11/12</p> | <ul style="list-style-type: none"> Ensure all administrative staff are familiar with the minute-taking template. Make available appropriate training and support to less experienced staff / refresher sessions for experienced staff. |
| | |
| <ul style="list-style-type: none"> Continue to support the Designated Lead Manager (normally the Team Leader) to improve evaluation through decisions, monitoring and discussion, monitoring and review. | <ul style="list-style-type: none"> Fully implement the minutes template making any necessary improvements in consultation with the Designated Lead Manager and Minute Takers. Seek to ensure quality threshold of minute taking through tailored development sessions and ongoing supervision. Endeavour to ensure evidenced participation by all relevant agencies during strategy discussions/meetings. |
| <p>Ongoing</p> | <p>From Sept 2012</p> |
| <p>Operations Managers / Co-ordinator</p> | <p>Operations Manager (Older People / Physical Disabilities)</p> |
| <p>We will further develop our practice to facilitate, enable and support purposeful and qualitative evaluation and screening of referrals.</p> | <p>We will ensure purposeful and focussed strategy discussion and well structured and convened strategy meetings.</p> |

Strong Communities: Independent Individuals

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|--|---|--|--|--|--------------------------------|---|--|---|--|--|---|-----------------|--------------------------------|--------------------------------|--|--|--|--|--|
| | <ul style="list-style-type: none"> • Ensure in house process to escalate patterns of non-attendance or availability causing significant delay • Any issues around quality of minute taking to be forwarded by chairperson to line manager for action • Seek a resolution around usage of electronic signatures • Reinforce responsibility associated with POVA training | | | <p>Implement into practice</p> <p>New PVA4 introduced 15/11/13</p> | <p>Implement into practice</p> | <ul style="list-style-type: none"> • Continue to fully embed practice around ensuring effective and proactive strategy discussion. | | <p>Operations Managers / Team Leaders</p> | | | <p>Ongoing monitoring through line managers</p> | <p>Evaluate</p> | <p>Implement into practice</p> | <p>Implement into practice</p> | | | | | |
|--|---|--|--|--|--------------------------------|---|--|---|--|--|---|-----------------|--------------------------------|--------------------------------|--|--|--|--|--|

Strong Communities: Independent Individuals

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|---|--|-----------------------|--|---|---|--|---|---|---|
| <p>We will work within the current All Wales Interim Adult Protection Procedures to further strengthen our local response and practice when allegations reach the investigation stage.</p> | <p>Operations Managers / POVA Co-ordinator</p> | <p>31 March, 2013</p> | <ul style="list-style-type: none"> Consider how to improve the use of risk assessments throughout the safeguarding process. To consider how to improve the quality and use of formal protection plans. Consider how to improve and formalise the conduct and reporting of investigations. | <p>Standing Agenda items on POVA Managers Workgroup</p> | <p>1:1 meetings with DLM week commencing 19/11/12</p> | <p>Discussion at POVA Managers Workgroup</p> | <p>Submit Proposed steps to further embed into practice for consideration/ratification by Service Management Team</p> | <ul style="list-style-type: none"> Submit Proposed steps to further embed into practice for consideration/ratification by Service Management Team Fully implement improvement areas Evidence further improvement Further training sessions to be convened to support colleagues to fully appreciate the role of risk assessment and protection plans. | <p>Risk Assessment Training, 12 staff members attended 20/11/12</p> |
|---|--|-----------------------|--|---|---|--|---|---|---|

Strong Communities: Independent Individuals

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|---|--|------------------------|---|---|--|--|--------------------------------|---|--|
| <p>We will further embed the full implementation of the All Wales Interim Adult Protection Procedures to underpin safeguarding practice locally.</p> | <p>Operations Managers / POVA Co-ordinator</p> | <p>From Sept, 2012</p> | <ul style="list-style-type: none"> Clarify that all Social Work staff and managers know how to access the full All Wales Procedures and make use of them for more detailed guidance. | <p>Wales Policy and Procedures can be accessed via POVA module by staff members. Can also be accessed via Council website</p> | <p>Ensure that all staff & Managers fully appreciate how to access the All Wales Flowchart Prepare</p> | <p>Ensure desktop access to all staff + library hard copy within the Service</p> | <p>Evaluate Implementation</p> | <p><u>Risk:</u> Not all field work staff fully embrace desk top technology as a practice tool. <u>Mitigation</u> <u>Commentary:</u> Line Managers to fully support through mentoring. Fully Implemented</p> <p>All Wales flow chart has now fully replaced local framework, (as of September, 2012) Fully Implemented</p> | |
|---|--|------------------------|---|---|--|--|--------------------------------|---|--|

Strong Communities: Independent Individuals

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|---|--|-----------------------|--|--|---|--|---|---|
| <p>Develop local framework and practice to ensure people's experiences and outcomes of safeguarding are integral to every stage of the process (cross-reference to the Social Services Bill- Giving people a stronger voice and real control; placing more emphasis on achieving outcomes)</p> | <p>Operations Managers / POVA Co-ordinator</p> | <p>From Oct, 2012</p> | <ul style="list-style-type: none"> • Improve practice in seeking consent and views, wishes and feelings of people being safeguarded at every stage of the process. • Improve use of advocacy, Best Interest Decisions and IMCAS where people need support or lack capacity. • Improve focus on outcomes rather than process in safeguarding work. | <p>Completed. Incorporated within the PVA4. Encourage process to proceed to Case Conference. Re-introduced questionnaire</p> | <p>Ensure dialogue with Team Leaders + Service Managers in order to facilitate development of an action plan.</p> | <p>The POVA Managers Group will agree an action plan to address these key practice issues.</p> | <ul style="list-style-type: none"> • Implement • Position Statement at 05/02/2013 – no progress on development of service action plan | <p><u>Following to be actioned</u>:-</p> <p>Operations Manager and POVA Co-ordinator to facilitate development of action plan to address this development area. Benchmark against good practice.</p> <p>Local proposals – service management team + North West Wales Shadow Safeguarding Board</p> <p>Further internal work to be instigated around further clarifying the thresholds of vulnerability. This to include exploring screening. (Operations Managers/POVA Co-ordinator/Team Leaders)</p> <p>Further strengthen training programme e.g. T/L to participate.</p> |
|---|--|-----------------------|--|--|---|--|---|---|

Strong Communities: Independent Individuals

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|--|---|---------------------------------------|---|--|---|---|--|--|
| <p>We will work within the current Gwynedd and Mon Adult Protection Forum to develop a sub-regional safeguarding framework compliant with the requirements of the Social Services (Wales) Bill 2012</p> | <p>Corporate Director / Head of Service</p> | <p>July, 2012 June, 2013</p> | <ul style="list-style-type: none"> Enter into discussion with Gwynedd Council and key partners around using the SSIA Self Assessment Tool for safeguarding Adults Boards in order to: <ul style="list-style-type: none"> Assess current effectiveness of Gwynedd/Mon Forum Identify best way forward. | <ul style="list-style-type: none"> Negotiate work programme proposal for approval by SSIA Seek engagement of Partners - Achieved | <ul style="list-style-type: none"> Undertake self assessment facilitated by SSIA - Achieved Position statement at 04/09/12 – 1 day session of the Gwynedd/Mon Adult Protection Forum arranged for 11 October, 2012 to complete self-assessment – Achieved | <p>Prepare position statement and improvement programme – completed October, 2012 – Completed October, 2012</p> | <ul style="list-style-type: none"> Adopt improvement programme by key partners Commence phased implementation of improvement programme First meeting of Adult Safeguarding Shadow Board to be convened 06/02/2013 | <p>Risk: Gwynedd Council may wish to adopt different timescales</p> <p>Mitigating Commentary: Seek to renegotiate a compromise around timeframe with Gwynedd.</p> <p>Fully Implemented</p> |
|--|---|---------------------------------------|---|--|---|---|--|--|

Strong Communities: Independent Individuals

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| <p>As the Social Services Bill moves through the consultation process, develops and becomes statute, we will ensure that staff at all levels have regular opportunities to keep abreast of developments</p> | <p>Corporate Director / Head of Service / Operations Managers Training Managers</p> | <p>From July 2012</p> | <ul style="list-style-type: none"> Ensure information sharing sessions are made available to staff on the development of the Social Services Bill – as a forum to keep up to date with developments and discuss implications for practice. | <p>Plan and negotiate series of information sharing sessions. Completed</p> | <p>Consult Managers on proposed sessions. Completed</p> | <ul style="list-style-type: none"> Convene development sessions <ul style="list-style-type: none"> Session convened 06/11/12 Further sessions to be convened | <p>Sessions convened for all Adults’ Services teams during January 2013</p> | <p>Evaluate and revise in line with Welsh Government announcements on enactment of proposed legislative changes</p> | <p>Risk: Operational priorities have precedence over colleague’s time. Mitigating Commentary: Line Managers to ensure protected time for staff to be released to attend briefing sessions. Fully Implemented</p> |
|--|---|---------------------------|---|---|--|--|---|---|--|

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| ISLE OF ANGLESEY COUNTY COUNCIL | |
|--|--|
| COMMITTEE: | Executive Committee |
| DATE: | 18 March, 2013 |
| TITLE OF REPORT: | North Wales Carers Information and Consultation Strategy |
| PURPOSE OF REPORT: | <ol style="list-style-type: none"> 1. Approve the North Wales Carers Information and Consultation Strategy 2012-2015 2. Ensure support to the regional, partnership approach with BCUHB, other North Wales Local Authorities and the Third Sector as regards implementation of the Carers Strategies (Wales Measure) 2010. |
| REPORT BY: | DIRECTOR OF COMMUNITY |

1. BACKGROUND/CONTEXT

1.1 This report makes reference to the implementation of the new Carers Strategies (Wales) Measure 2010. It is referred to as the Carers Measure in the North Wales Carers Information and Consultation Strategy 2012-2015 (which is in **APPENDIX 1** to this report);

1.2 In accordance with requirements stipulated by the Carers Measure, the final draft North Wales Carers Information and Consultation Strategy (referred to as the Regional Strategy) has been approved by Welsh Government. In addition, there is also a requirement upon each of the six Local Authorities in North Wales to scrutinise and approve the Regional Strategy;

1.3 This report provides a brief outline of how the Regional Strategy addresses the requirements of the Carers Measure.

2.0 DISCUSSION

2.1 The Carers Strategies (Wales) Regulations 2011 were approved by the National for Wales on 6 December, 2011. The Measure, Regulations and Guidance on implementing the Carers Measure were subsequently issued to all Health Boards and Trusts and to local Social Services authorities (referred to in the Measure as the “designated authorities”) in January, 2012;

2.2 It is correct to state that this is the first time that statutory duties as regards carers have been placed upon health authorities in Wales. Indeed, Health Boards are designated as the “lead authority” in the implementation of the Carers Measure Regulations. The Measure places a statutory duty on the designated authorities to prepare, publish and implement joint regional strategies for the benefit of informal carers;

2.3 The North Wales Carers Leads Strategic Group (NWCLSG) was established in 2011 as a platform to develop the Regional Strategy. This Strategic Group will continue to meet now that the Regional Strategy has been approved by Welsh Government. Its remit will evolve into the partnership working group to take forward the actions outlines in the Regional Strategy. In addition to the aforementioned infrastructure, Betsi Cadwaladar University Health Board have also established a Carers Strategies (Wales) Measure Project Board (as was the case in the relation to the Mental Health Measure). Membership of the Project Board includes representation from Local Authorities and the Thrid Sector. The purpose of the Project Board is to be twofold:

- Scrutinise the work of the Strategic Group;
- Provide advice and assurance to the Health Board that it is meeting its responsibilities as regards the requirements of the Carers Measure.

2.4 In approving the Regional Strategy underpinning the Carers Measure, Welsh Government concluded:

“... a proactive Strategy, with a good focus on outcomes and underpinned by clear thinking about what might need to be done differently to achieve them. The Strategy demonstrates strong partnership working between the Health Board, six Local Authorities and Third Sector organisations...”

Notwithstanding the generally positive view from Welsh Government concerning the Regional Strategy as a platform to move the Carers agenda forward in partnership across North Wales, there were however also some areas for improvement. These improvement areas are summarised below:

- Strengthen the focus on young carers in the Regional – by means of including a separate chapter on young carers (as required by the Statutory Guidance from Welsh Government);
- Strengthen some of the Key Actions in respect of Year 3 - in particular those concerned with staff and carer training;
- Need to illustrate how the Strategy will relate to BME communities and other groups with protected characteristics;
- Mental Health element of the Strategy to be strengthened – this has been identified as a national theme by Welsh Government and to that end support is being considered for all Health Boards in Wales so that they may further strengthen is area of all of the Regional Strategies

2.5 The table below summarises the key objectives of the Regional Strategy for North Wales:

TABLE 1

**KEY OBJECTIVES OF THE NORTH WALES CARERS
INFORMATION & CONSULTATION STRATEGY**

| Key Objective | Regional Response |
|---|--|
| Statutory Authorities' responsibilities | All NHS and Local Authority professionals will be made aware of their responsibilities in relation to the Carers Measure through opportunistic awareness raising and staff training. |
| Early Identification | Carers will be identified at the earliest opportunity. |
| Timely Information | Carers will be given sufficient, timely information according to their needs. |
| Information Sharing | Where patient consent is withheld, carers will be provided with as much information that can be shared without breaching patient confidentiality to enable them to carry out their caring role safely. |
| Independent Assessment | Every carer will be informed of their right to an independent assessment of their support needs as a carer. |
| Involving Carers | Carers will be involved as a matter of course in all decision making processes around care management. |
| Signposting carers | NHS staff are able to signpost identified carers to carer support organisations. |

2.6 In order to meet these key objectives, the Regional Strategy sets out key **actions** in relation to the following areas:

- Identification and signposting of carers;
- Carers needs assessments;
- Information provision;
- Communication and consultation with carers;
- Staff training and carers training;
- Monitoring the effect of the implementation of the Carers Measure.

2.7 Consultation

Consultation on the development of the Regional Strategy has been via existing mechanisms – carers fora and networks. This consultation work has been co-ordinated by the North Wales Carers Leads Strategic Group. We are advised that consultation with carers and their representative groups from the Third Sector will continue throughout the implementation of the Regional Strategy.

2.8 What will it cost and how will it affect other Services?

The following allocations will be made available to BCUHB to support the implementation of the Regional Strategy:

April, 2012 £97,436

End, 2012 £97,436 + £18,559 – to support the delivery of the Young Carers Chapter of the Strategies.

2.9 The first allocation of monies will be for Health Board and Local Authorities to cover costs associated with training and raising awareness of the new Measure. Part of the funding is also being used to fund a Carers Measure co-ordination post with BCUHB to implement the action plan underpinning the Regional Strategy;

2.10 Will there be a Local Impact and Risks associated with the implementation of the Carers Measure?

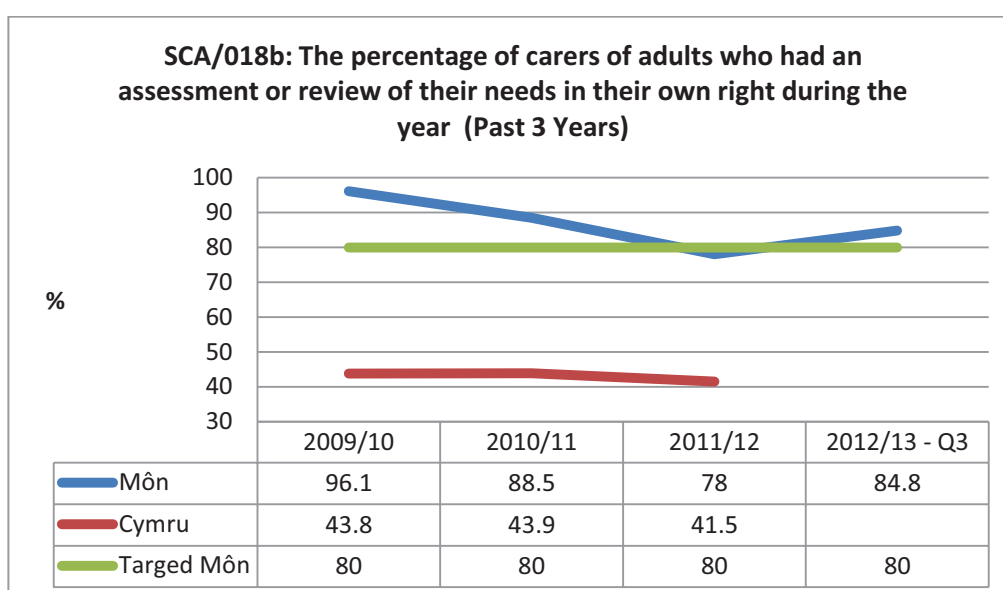
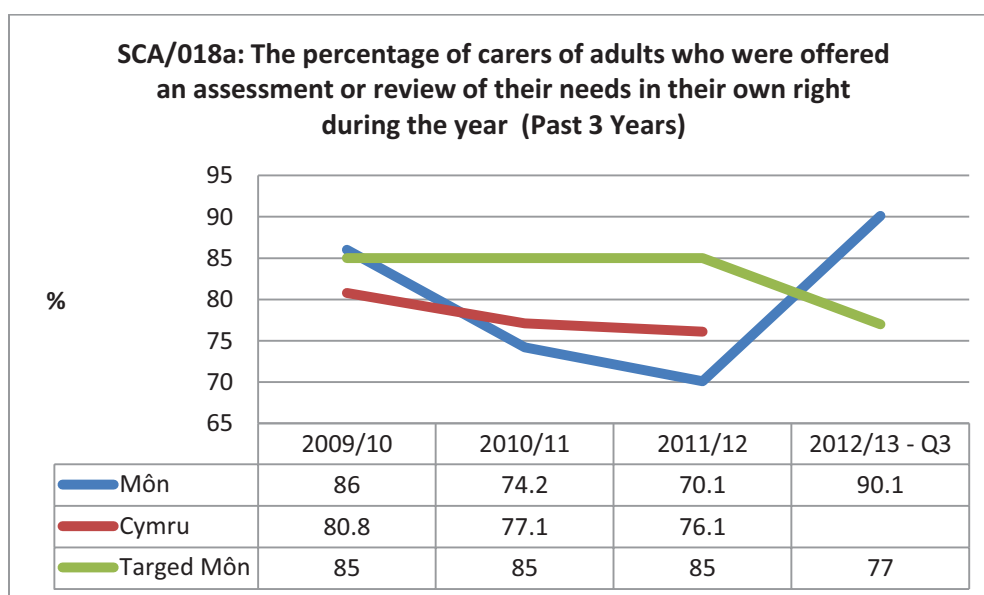
The impact of the new Carers Measure is likely to result in increased numbers of carers being identified and referred on to local authorities for a statutory assessment and support to relieve of caring responsibilities. Early identification of carers and its impact upon the current capacity of the Service is currently unknown and unquantifiable as we embark upon this journey. We will be monitoring referral activity and support packages commissioned to relieve carers (e.g. sitting service, respite) so that we may further consider any capacity issues and implications for future services. It is important that we closely monitor activity. The impact of implementing the Carers Measure upon the Local Authority's assessment capacity and demand for commissioned services for carers needs to form part of an ongoing dialogue with Health – with alternative options being explored jointly around carer assessments.

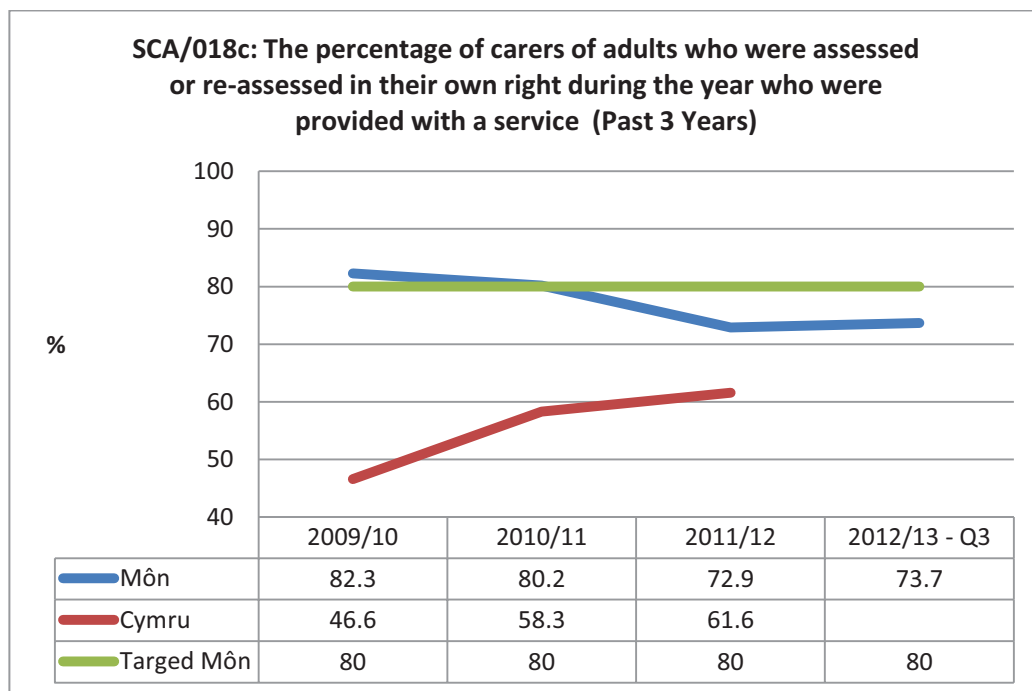
2.11 National Performance Indicators (KPIs)

This area of our Local Authority Social Services business is the subject of one of the key performance indicators underpinning the Welsh Government performance measurement framework in respect of adult social care. We therefore need to be mindful of any potential impact of implementing the Carers Measure upon local performance. The table below summarises local performance against this national framework over the past 3 years and as at Quarter 3 of the current financial year (April – December, 2012):

TABLE 2

LOCAL PERFORMANCE– NATIONAL KPIs RELATING TO CARERS





3.0 OUR LOCAL COMMISSIONING INTENTIONS – CARERS

3.1 Notwithstanding the fact that we are performing well locally and compare well against the national average, we consider the local strategic framework in support of informal carers to be a prioritised development area for us. This work has commenced and will continue over the next 9 months.

3.2 Our evolving Service Vision for Adult Social Care provides the strategic framework within which we are prioritising our local engagement, consultation and support to informal carers. **APPENDIX 2** to this report summarises our key commissioning intentions and areas for development which have been refined in light of our recent public consultation on the transformation of services for older people. These key messages, commissioning intentions and development areas underpinning services will form the basis for further discussion with carers and key stakeholders with a view to publishing a draft commissioning strategy over the coming months;

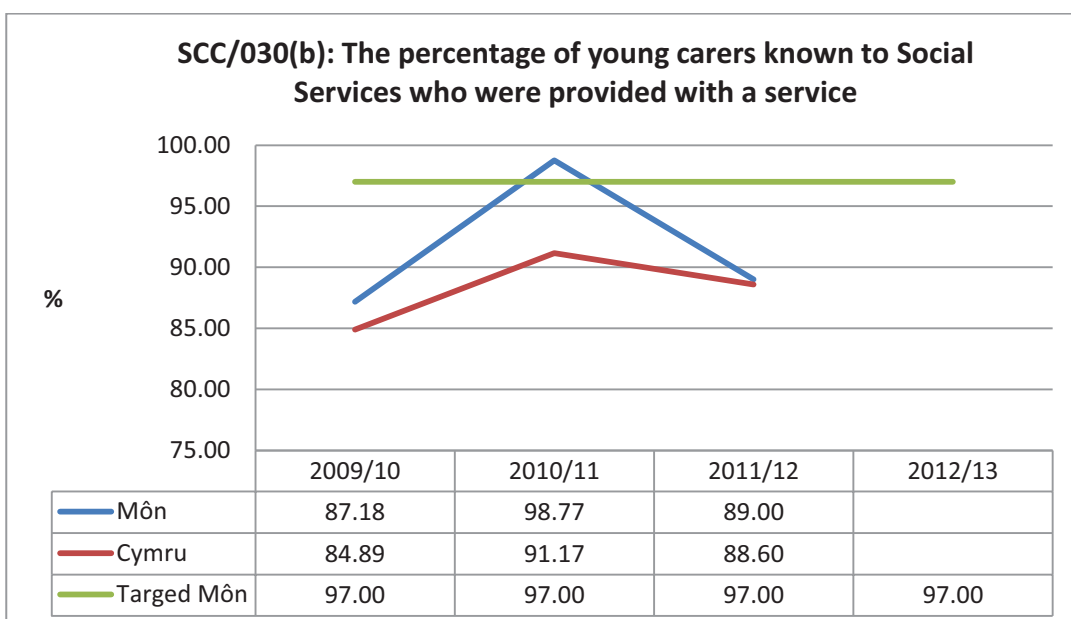
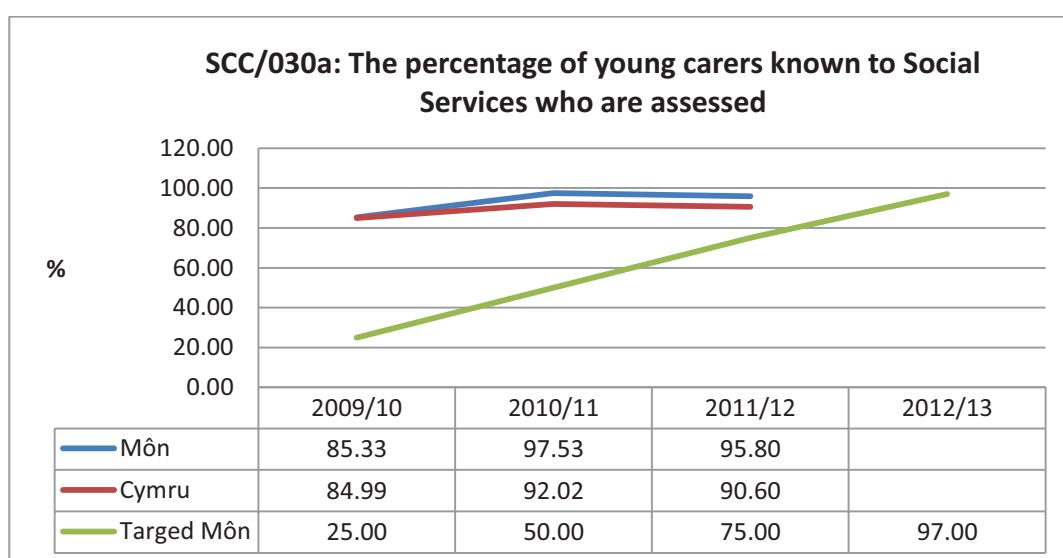
As members may well be aware, Welsh Government published its Social Services and Wellbeing (Wales) Bill on 29 January, 2013. This new piece of legislation will, amongst other things, place a duty upon the local authority to assess carers needs for support if it appears to the authority that a carer may have needs for support.

Commissioning Intentions for Young Carers

The authority currently commissions a service for young carers via a Service level agreement with Action for Children. This service is funded by use of core funding and Families First Grant programme.

The six North Wales Authorities are developing a regional commissioning approach which should be implemented in Anglesey in 2014/5. The draft Service specification is outlined in **APPENDIX 3**.

TABLE 3



4.0 **OBSERVATIONS FROM SCRUTINY**

This report was considered by the Housing and Social Services Scrutiny Committee at its meeting convened on 25 February, 2013.

In fully endorsing the recommendations for adoption by the Executive Committee, Scrutiny Members made the following observations:

1. In commenting on the evolving regional approach to commissioning in relation to young carers, it was noted that the principle of seeking assurances around a sound and robust business case should guide our future commitment to the regional approach (cost and quality being clear indicators);
2. Members confirmed their view that there was a need for the Local Authority in its collaboration with the Health Service to seek assurances that Health were meeting their statutory and financial obligations to informal carers.

5.0 **RECOMMENDATIONS**

To propose that the following recommendations be endorsed by the Executive Committee:-

- R1** Approve the North Wales Carers Information and Consultation Strategy 2012-2015 as a three year strategic response to the requirements of the Carers Strategies (Wales) Measure 2010;
- R2** Support the regional, partnership approach with the Betsi Cadwaladr University Health Board (BCUHB), other North Wales local authorities and the Third Sector as regards the implementation of the requirements of the Measure.
- R3** Note local performance against key national performance indicators within this service area of Adult Social Care.
- R4** Endorse priority given to developing a local commissioning strategy for carers over the coming months.



North Wales Carers Information and Consultation Strategy

2012 - 2015

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1. Introduction

Carers*¹ are a vital and central part of the whole health and community care system; they make an enormous contribution to society. It is important that statutory organisations acknowledge this, listen to their point of view, acknowledge their expertise and work in partnership with them to respond practically to their needs.

Local Authorities (usually through their Social Services Departments) have long had responsibility for meeting carer's needs. However, evidence indicates that 4 out of 5 carers state that their first point of contact with any statutory agency is via the community based health services. To ensure earlier identification and support for carers, and enhance the existing service provision the Carers Strategies (Wales) Regulations 2011 were passed and on 1st January 2012, the Carers Strategies (Wales) Measure (2010) came into force.

The Carers Strategies (Wales) Measure (2010) requires Betsi Cadwaladr University Local Health Board (BCUHB) and the 6 Local Authorities in North Wales to work in partnership with carers, statutory and non-statutory organisations to prepare and publish a Carers Information and Consultation Strategy setting out how they will work together to assist and include carers in the arrangement made for those they care for.

As a result of this, In January 2011 partnership organisations in North Wales formed the North Wales Carers Leads Strategic Group (NWCLSG). The aim of this group is to utilise an integrated approach for the development of the North Wales Carers Information Strategy. This partnership consists of representatives of BCUHB, Local Authority Carers Leads and various Third Sector Carers Organisations.

This 3 year strategy places an emphasis on the statutory duties that BCUHB will fulfil in order to comply with the Carers Strategies (Wales) Measure 2010; each local authority in North Wales also has their own Carers Strategy and the intention is that this strategy will complement the existing Local Authority strategies rather than supersede them.

¹ When referring to carers in this document, it means unpaid carers of all ages and background unless specified otherwise

2. Definition of a Carer

A carer is a person who provides or intends to provide a substantial amount of care on a regular basis for:

- (a) a child who is disabled within the meaning of part 3 of the Children Act 1989, or
- (b) an individual aged 18 or over

The above definition does not include an individual who provides or intends to provide that care:

- (a) by virtue of a contract of employment or other contract with any person, or
- (b) as a volunteer for any organisation (whether or not incorporated)

(Welsh Government 2012)

It is acknowledged that although this definition is useful for clarification to assist professionals to identify carers; A significant number of people with caring responsibilities do not readily identify themselves as carers and understandably see themselves primarily as a parent, spouse, son, daughter, neighbour or friend. (HM Government 2010)

There are additional challenges in the identification of young carers as these children often remain “hidden” from the statutory services due to concern about the reaction of others and have the added fear of “being taken into care” and bullying by their peers, this is particularly the case for children whose parents have drug and alcohol problems.

3. Vision

To develop a culture that understands and respects the experience and knowledge of carers. The needs of carers will be mainstreamed into everyday practice to ensure that carers are supported in their caring role, and are able to maintain their own independence whilst protecting their health and wellbeing.

4. Scope

This strategy sets out the direction for the next 3 years and provides an overarching framework to support collaborative working with service users and carers.

The strategy is relevant to:-

- Carers and service users
- Staff employed by BCUHB
- Staff employed by the 6 local authorities in North Wales
- GP's and practice staff
- Independent contractors
- Staff in residential homes, commissioned to support carers that are statutorily funded
- Stakeholders and partnership agencies, including the Community Health Council, Third Sector Voluntary Organisations and community groups

5. Carers Profile

5.1 National Profile

In a study carried out by the Care Council for Wales (2010) it was estimated a staggering 96% of the annual care hours in Wales are provided by unpaid carers with the remaining 4% provided by local authorities and independent providers.

The 2001 Census identified that there are 340,000 carers in Wales (equivalent to 11% of the population), and this number was projected to rise to 369,628 by 2011, of these:-

- 61.1% provide care for between 1-19 hours per week
- 12.6% provide care for between 20-49 hours per week
- 23.7% provide care of 50 hours or more per week.

The 2001 Census identified that there were over 4,600 young carers (age <18) in Wales. . However given the census makes no mention of alcohol or drug problems, carers' organisations believe the figures are much higher with many young carers remaining 'hidden' due to the stigma attached to these conditions. More recently in a report commissioned on behalf of the Children Commissioner for Wales, colleagues in Welsh Government have quoted the number of young carers in Wales at 11,000 (Powys Carers Service 2009).

5.2 North Wales Profile

More recent data provided from the Welsh Health Survey 2008 (source www.daffodilcymru.org.uk) would indicate that the number of carers in North Wales has increased and this increase is predicted to rise year on year due to the ageing population.

Table 1: Predicted number of carers in North Wales by 2015(Welsh Health Survey 2008)

| Age of carer | No. of hours of unpaid care provided per week | | | Total |
|---|---|-----------|---------|----------------|
| | <19 hrs | 20-49 hrs | >50 hrs | |
| 16-24 | 7,896 | 2,254 | 2,871 | 13,021 |
| 25-64 | 37,864 | 10,327 | 13,769 | 61,960 |
| 65 > | 17,334 | 4,727 | 6,303 | 28,364 |
| Total carer population for BCUHB | | | | 103,345 |

It is acknowledged that the current available data is an underestimate of the total carer population as this data only includes young carers from the age of 16; whereas anecdotal evidence from carer support organisations, children’s charities and local authority carers leads would indicate that there is a significant number of young carers below the age of 16.

6. Legislation

There is a range of legislation that places a duty on local authorities and the health service to provide good quality support to carers (see appendix 1). This strategy has been produced in response to the most recent legislation; the Carers Strategies (Wales) Regulations were passed in December 2011. On 1st January 2012, the Carers Strategies (Wales) Measure came into force and the guidance for implementation of the Measure was issued to Local Health Boards and Local Authorities.

For the first time, this Measure places a legislative duty on the NHS in relation to services for carers in Wales.

7. Impact of Caring

Whilst there are many rewards from providing care to a loved one, there is a growing body of evidence indicating that caring can have a detrimental impact on the physical, emotional and mental health of carers, and that their health is increasingly at risk as their caring responsibilities increase.

"I get tired at times and lonely.... We used to do everything together but this is not possible now"

"Sometimes I am very stressed.... Need time for me"

"My Mum has Alzheimer's and both my sister and I work full time.. we find it difficult to juggle jobs and care for our mum"

"I feel isolated...."

(quotes from North Wales Carers Leads Strategy Group Survey 2012)

7.1 Adult Carers

In the 2001 Census it was identified that carers in Wales were a third more likely to suffer ill health.

Carers who provide high levels of care for sick or disabled relatives and friends are more than twice as likely to suffer poor health compared to people without caring responsibilities. An analysis of the census demonstrates that nearly 21% of carers providing over 50 hours per week of care say they are in poor health compared to nearly 11% of the non-carer population. In a more recent study 70% of older carers reported caring to be having a devastating impact on their mental and physical health. (The princess Royal Trust for Carers 2011)

The recent Carers Week survey 'In Sickness and in Health' polling some 3,400 carers across the UK cited the main issues affecting their health as:

- anxiety or stress (91 per cent),
- depression (53 per cent),
- injury such as back pain (36 per cent),
- high blood pressure (22 per cent)
- the deterioration of an existing condition (26 per cent).

Older carers, those 60+, are the fastest growing demographic of carers and also those most likely to have multiple caring responsibilities.

Although on average, 12% of the population provide unpaid care for a friend or family member, this increases to 18% for those aged 55–64, 16% for those aged 65–74 and 13% for those aged 75 and above

7.2 Young Carers


Young carers report positive and negative elements to providing care; the positive aspects are that they have sense of closeness to the person(s) they are caring for, they feel mature and value the skills they gain from caring. (Social Care Institute for Excellence 2005)

The research evidence indicates that the impact of the caring role on young carers is far reaching and includes the following risks:

- Difficulties in attending school
- Truancy
- Under achievement
- Isolation
- Subject to bullying from peers
- Mental and Physical ill health
- Poverty
- Stress

(Social Care Institute for Excellence 2005;
Crossroads Caring for Carers & The Princess Royal Trust for Carers,
November 2008)

It is also acknowledged that these risks are particularly acute for young people who are caring for parents who misuse alcohol or drugs and parents with mental health problems. (Crossroads Caring for Carers & The Princess Royal Trust for Carers, November 2008)



“None of her school friends know what her life is like at home.”.. “I don’t tell them because they make fun of people who have things like my mum and my brother do”

“Sometimes I wish I could go out with my friends or have them to stay but I don’t feel jealous of them. I think I am a bit more grown up than them.

“I always worry about him but I know he is being looked after. I can’t really talk about it with my friends because they don’t really understand what it is like

“When I try to talk to people like doctors or social workers some of them don’t really listen to me because they think I am too young”

The Powys Carers Service (2009) report is the first comprehensive piece of research examining first hand experiences of young carers here in Wales.

“Young carers are expected to take on many responsibilities which are inappropriate for their age and often with little support. Paid carers receive training and support that most young carers as well as adult carers do not receive.” Many young carers for example (50% of those surveyed) administer medicines to those they care for and yet 73% said they received no training on how to do it. Manual handling is another similar story.

8. Core Principles for Working with Carers

This strategy and accompanying action plan will be underpinned by the following core principles:-

- Carers are equal partners in care

- No assumptions are made regarding a carer's capacity or carers' capacities and willingness to take responsibility for, or continue to care
- Support carers to be as physically and mentally well as possible and prevent ill health
- Carers will be involved in decision making and choices at all levels and at all stages in the caring role, in a positive, timely and proactive way
- Provide care and support with flexibility and understanding in a personalised way that reflects the circumstances, cultural background and lifestyle of the carer.
- Respect and recognise that carers will have their own support needs, rights and aspirations, which may be different from those of the cared for person.
- Identify, support and enable both children and young people who are carers to be young as well as carers. Provide support and a safe environment to help them learn, develop and enjoy positive childhoods
- Recognise the experience of carers as the caring role ends and after it has ended and offer support to carers accordingly

(Skills for Care 2011)

9. Aims of the Information and Consultation Strategy

The five key aims of this strategy are to ensure:

- Carers' issues are mainstreamed into the everyday working practices of NHS and other staff.
- Carers are allowed to make a choice about the level of care they wish to provide
- Core information for carers is available and accessible regardless of where the carer lives
- Carers are recognised and listened to; ensuring they are true partners in care
- Staff training and development will enable staff at all levels to support carers appropriately

10. Objectives

10.1 All professionals within the NHS and Local Authorities will be made aware of their responsibilities in relation to the Carers Strategies (Wales) Measure through opportunistic awareness raising and staff training.

10.2 Carers will 'be identified at the earliest opportunity.

10.3 Carers will be given sufficient timely information² according to their individual needs.

10.4 Where patient consent is withheld, carers will be provided with as much information that can be shared without breaching patient confidentiality to enable them to carry out their caring role safely

10.5 Every carer will be informed of their legislative right to an independent assessment of their support needs as a carer

10.6 Carers will be involved as a matter of course in all decision making processes around care management

10.7 NHS staff are able to signpost identified carers to carer support organisations

11. What are the Current Organisational Arrangements for the Benefit of Carers in North Wales?

BCUHB and the 6 local authorities' commission the services of Third Sector Carers Organisations and provide core funding for these services. These organisations act as the main resource for carers, providing information, training and support. The local authorities and health board also provide funding for respite care and short breaks for carers.

BCUHB will continue working with statutory partners, independent providers and the Third Sector Organisations to develop and align current services to meet the needs of Carers and the requirements of the Carers Measure and to ensure sustainability of services for the benefit of Carers.

12. How does this Strategy link with other National and Local Policies/Strategies?

In recognition of the importance of the role carer's play and the need to provide support to them in their work the *Carers (recognition and Services) Act 1995* was passed (see Appendix 1, A1.2). Since then a number of key pieces of legislation and national strategies have been produced to ensure that carers are supported in their role. The NWCLSG has referred to the legislation outlined in Appendix 1 and the following key national and local strategy documents to inform their work:

² All written information will be available in a bilingual format (Welsh and English)

12.1 National Strategies

- **Carers Strategy for Wales Action Plan (Welsh Assembly Government 2007)**; this strategy recognised that carers have need of their own and set out the strategic direction to ensure better assessment and care management arrangements were in place and there was more constructive engagement with carers as key partners in care,
- **Older Peoples National Service Framework (Welsh Assembly Government, 2006)**; this framework advocated involving carers in the Unified Assessment process and providing them with up to date information.
- **Together for Health (Welsh Government 2011)**; this five year vision for the NHS in Wales emphasises the importance of utilising the 3rd Sector to support carers.
- **Wales Accord for Sharing Personal Information (Welsh Assembly Government 2010)**; this is a framework outlining a common set of principles and standards which govern the activity of information sharing. This Accord will be used to develop an Information Sharing Pathway for Carers.
- **Sustainable Social Services for Wales: Framework for Action (Welsh Government 2011)**; this framework sets out the priorities for reshaping social services and emphasises that service users and carers will be given a stronger voice and greater control over the services they use.

12.2 Local Strategies/Policies

- **Local Authority Carers Strategies.** Each of the six local authorities has a Carers Strategy in place which outlines the plans, procedures and services available for carers in their local community.
- **The Mental Health (Wales) Measure 2010: Part 1 Scheme: Local Primary Mental Health Support Services;** this is a joint regional scheme for North Wales which determines how the statutory partners are to formally meet the requirements of Section 2, Part 1 of the Measure. This scheme, where appropriate includes reference to carers as partners in care.
- **Health Social Care and Wellbeing Strategies.** All six local authorities have a Health Social Care and Wellbeing Strategy in place and each refers to the importance of supporting carers and outlines the plans and objectives in relation to carers.
- **Children and Young Peoples Partnerships.** All six local authorities have a Children and Young People Partnership group and plans and refer to identification and support of young carers
- **BCUHB Equalities and Diversity policy**
- **BCUHB Discharge Protocol (2012).** This protocol outlines the discharge processes for patients within BCUHB and its six local partner authorities. The protocol refers to carers throughout the various

processes and emphasises the importance of involving carers in the discharge process as an equal partner in care.

13. Where do we need to be?

There are a number of “pockets of good practice” in North Wales in relation to service provision for carers, however, in some areas carers feel isolated, excluded from care planning and unsupported (North Wales Carers Survey 2012).

In order to achieve our vision of mainstreaming carers’ issues into everyday practice within BCUHB, there are a number of challenges ahead and this strategy outlines the key actions that will need to take place.

As this is a 3 year strategy the work programme for the partnership (NWCSLG) will be arranged as follows:

| Year 1 | Year 2 | Year 3 |
|---|--|--|
| Engage and consult with carers and relevant stakeholders | Pilot service developments in relation to information provision and consultation (using improvement methodology) | Evaluate Service developments |
| Review current information provision and consultation with carers | Develop systems for evaluation (to include outcome measures) | Engagement and consultation events with carers for formal evaluation of the strategy |
| Explore options for service development | Spread service development initiatives | Make recommendations |
| Develop systems and processes to support service development | Monitor service provision (by continuous feedback systems) | Agree Changes |

(NB: this is an outline of how the work programme will be progressed; a detailed action plan will be developed outlining how these broad actions will be undertaken)

13.1 Identification and Signposting of Carers

Carers have told us that they often have had to wait until a crisis happens before they have any support. Systems and processes will be put in place at BCUHB to ensure carers are identified at the earliest opportunity and they will be signposted to the relevant agencies for support. This requires carer awareness to be integrated into everyday working practices; this will be achieved by:

Key Actions: Identification and Signposting of Carers

Year 1

- Provision of Carer Awareness training for all frontline staff at BCUHB and General Practitioner Practices, which emphasises the need for early identification of carers.
- Develop BCUHB Carer Information leaflet(s) (which includes a section on young carers –see Appendix 2). These leaflets will be available in all clinical areas within the Health Board (to include GP surgeries/community clinics etc). The information leaflets have been developed following consultation with carers via the North Wales Carers Survey (2012) and focus groups at the various carers support groups. The aim of these leaflets is to provide an initial introduction to the carers support agencies and inform carers of their rights to a Carers Needs Assessment.

Year 2

- Adapt recording systems to ensure questions in relation to carers will be included as part of the routine history taking process when health service users come in to contact with a service.

13.2 Referral for Carer Support

There are a number of carer support organisations in North Wales (see appendix 3). Carers have told us that the carer support organisations have been an *“invaluable source of information”* and find them very helpful for *“befriending”* and *“just knowing there is someone at the end of the phone”*. (North Wales Carers Survey, 2012)

Referrals to these organisations are low from health organisations and tend to be self referrals or via social workers, often the referrals are when the carer has reached the end of their *“tether”* or when a crisis occurs. The early identification of carers and referral by the health professionals to the support organisations should improve this situation (see 12.2.1 below).

13.2.1 Carers Needs Assessments

These are currently undertaken by the Local Authority or in some areas of North Wales the Carer Support Organisations are commissioned to carry out assessments on behalf of the Local Authorities. The assessment process is designed to assess what help and support the carer requires to undertake the caring role as well as maintaining their life outside of this role. Early identification of carers by Health Board staff will enable carers to be referred for this assessment in a timelier manner this will be facilitated by:

Key Actions: Carers Needs Assessments

Year 1

- Develop a formal referral system for NHS staff to refer adult carers for support or/and a Carers Needs Assessment
- NHS staff training will educate all staff about the specific issues for young carers and the need for referral for support using the “Child in Need” process
- Develop systems to monitor referrals to Carer Support organisations
- Develop systems to monitor referrals for Carers Needs Assessments

Year 2/3

- The impact of earlier identification of carers is unknown; therefore the potential for an increase in the number of referrals for a Carers Needs Assessment will be monitored to consider capacity issues and implications for future services
- The partnership will explore solutions in anticipation of rise in demand for Carers Needs Assessment and services

13.2.2 Sharing of Carers Needs Assessments

The Carers Strategies (Wales) Measure 2010: guidance document (Welsh Government 2012) outlines a best practice recommendation that (with carers consent) organisations, including GP’s, should request to see a copy of the Carers Needs Assessments. This will help staff to better meet the information, communication and consultation needs of carers; this will be facilitated by:

Key Actions: Sharing of Carers Needs Assessments

Year 2

- Develop an Information Sharing Protocol in partnership with Third sector, Local Authorities and General Practitioners
- Development of systems to request/share information

14. Information provision

Each of the carers support organisations³ in North Wales provides an information pack to carers when they access their services. These packs vary in content, but all contain information on carer's right to a Carers Needs Assessment and what additional support is available in the area, such as financial help, respite care and short breaks.

In addition in some areas there are information packs specifically for young carers containing age appropriate information on their right and entitlements as young carers.

The 6 Local Authorities in North Wales also provide carers with information outlining their rights and what additional support is available, via information leaflets and their websites.

The Carers strategies (Wales) Measure 2010; guidance document outlines a baseline of information requirements for carers (see appendix 4), and suggests that this can be built upon as every carer will have differing information needs.

A gap analysis of the information provided by the local authorities and third sector carers organisations has indicated that there is range of information available to carers, sometimes this is duplicated and in some areas there are gaps in provision.

This will be addressed by

Key Actions: Information provision

Year 1

- Exploring the feasibility of developing a core information pack for carers and a similar pack tailored to the information needs of young carers that will address the baseline requirements outlined in Carers Strategies (Wales) Measure 2010 guidance document (see Appendix 4); the aim of this pack will be to ensure all carers are aware of their rights and available support regardless of their age or where they live.

³ Carers Outreach Service North West Wales (covering Anglesey, Gwynedd, Conwy); North East Wales Information Service (NEWCIS covering Denbighshire & Flintshire); and Wrexham Carers Service



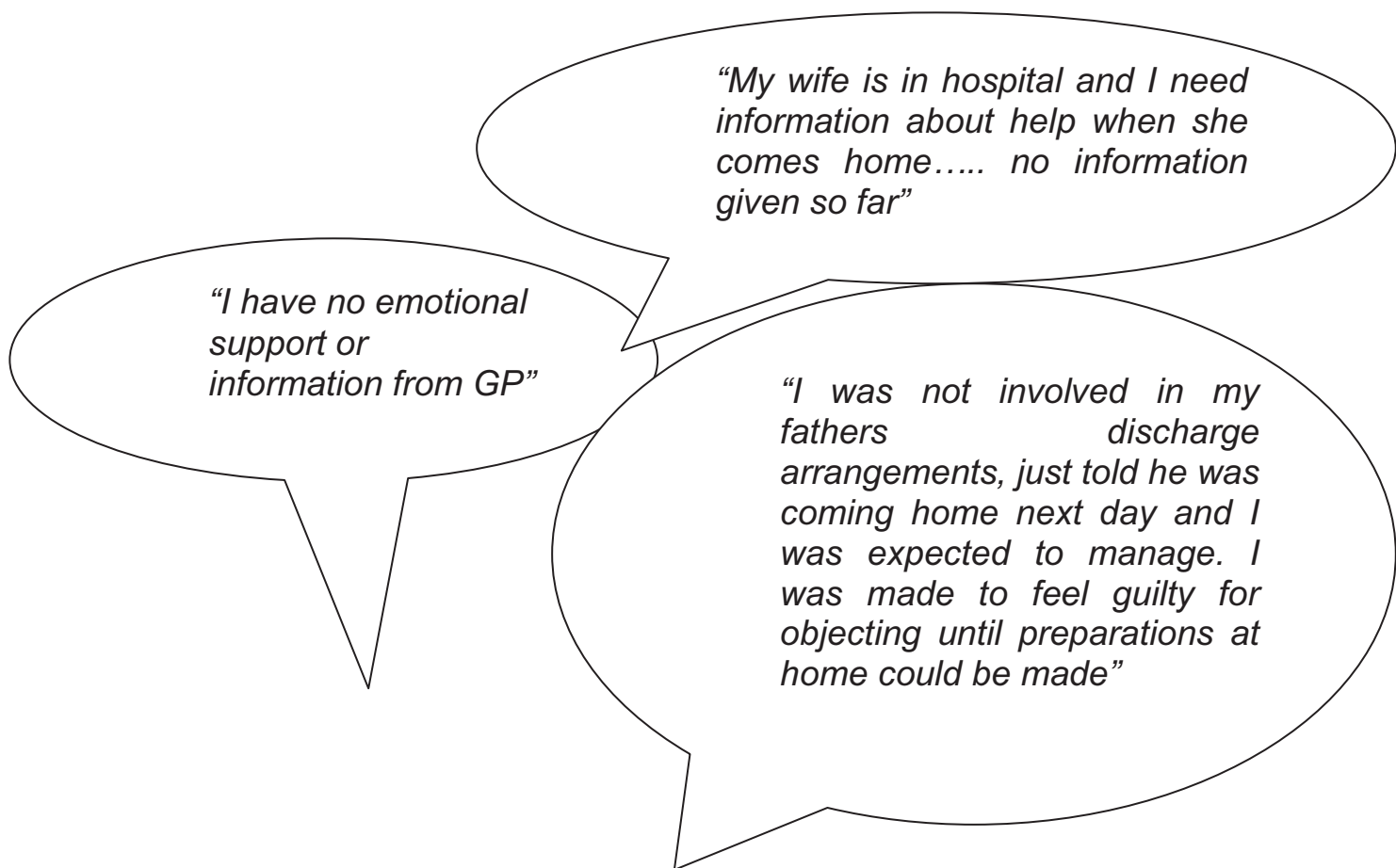
14.1 Information Provision by Health Services

There is specific guidance in the Carers strategies (Wales) Measure 2010 guidance document in relation to hospital discharge and transfers of care and states that as a minimum there should be:

- Information about the support and follow up available on discharge for the carer and the patient; including the practicalities of the process, timing, medication rights to assessment etc.
- Carers will be given sufficient information that enables them to perform their future role safely and with the necessary skills and knowledge to make informed choices about capacity to meet the needs of the patient who becomes the person cared for both on discharge and over time. *(Personal and often sensitive information relating to the individual patient about the diagnosis, prognosis and treatment and management both in hospital and afterwards is often withheld from carers; This information needs to be provided to assist the carer to decide if they want to be a carer and to enable them to choose the level of responsibility they wish to take).*

In some areas of the Health Board, individual service areas (such as Cancer Services) have produced information for carers or hold a small supply of the local carers support organisations' information pack. However, feedback from carers and service users would indicate that information provision and recognition of carers needs by health service professionals is lacking. (North Wales Carers Leads Strategy Group Survey 2012)

“My partner has been diagnosed with cancer, I feel like I



The Health Board will address this by:

Key Actions: Information Provision by Health Services

Year 1

- Develop web pages on the BCUHB website to provide information packs online and relevant information for carers
- Develop guidance for staff when consent is withheld to share information, to ensure carers are provided with sufficient information as can be shared without breaching patient confidentiality to enable them to care safely.
- Staff training sessions will emphasise the need for staff to involve carers throughout the patient journey.

Year 2

- Develop an Information Provision Framework for Carers (adults) that will outline the key stages for information provision throughout the patient/carer journey. This framework will cover all forms of information provision (not just written information) and will also include key stages for discussion with carer such as pre-discharge meeting with key health professionals.
- Develop an Information Provision Framework for Young Carers that will outline the key stages for information provision throughout the patient/carer journey. This framework will include the information provided for adult carers, but this will be tailored for age appropriateness and will also include guidance on inappropriate tasks such as administering medications, manual handling etc.
- In addition to BCUHB core Information for carers, service specific information will be produced, for example, information for carers of people with mental health issues re their legislative rights.
- Carers lead to contribute to ongoing work between BCUHB and its partners to develop a single point of access within the local communities. The single point of access will be a valuable resource for information for service users and carers.

Year 3

- Arrange comprehensive evaluation of information pathway to assess if objectives outlined in section 9 have been met

15. Communications and Consultation

One of the key aims of this strategy is to ensure that carers are “*recognised as true partners in care*”. Therefore to make this a reality it is vital that carers are engaged in the care planning process as soon as practicable, before decisions are made and the carers’ knowledge of the person who is being cared for is listened to. This engagement should involve providing and seeking information from carers in a language or medium that they understand and is age appropriate. The Carers Strategies (Wales) Measure 2010: guidance document (Welsh Government 2012) states a minimum requirement that when carers are asked to attend consultation events, organisations must provide sufficient advance notice to enable carer involvement and offer reimbursement of travel and subsistence costs and replacement care costs.

This will be addressed by:

Key Actions: Communications and Consultation

Year 1

- Map current arrangements for carer engagement, to include funding sources for expenses when attending involvement events
- Consult with carers and carer support agencies on preferred methods for carer engagement and feedback
- In partnership with local authorities and third sector organisations agree an infrastructure to allow effective engagement with carers

Year 2

- Develop an involvement framework that ensures all ages and carers from all groups (in particular hard to reach groups) are included.
- Include key points for carer involvement in the Information for Carers Pathway (see section 13.1).

16. Training

A comprehensive training framework is essential to ensure that:

- Carers' issues are mainstreamed into the everyday working practices of NHS and other staff.
- Carers are prepared and supported in their role a comprehensive training framework is essential.

A draft training framework has been produced and this is being considered by the partnership. (see appendix 5)

16.1 Staff Training

At present there is no formal training plan for NHS staff in relation to carers. Some of the local authorities and Third sector organisations provide training for staff and invite NHS staff to attend, however, this is not consistent across North Wales and attendance by NHS staff is patchy. Staff training will be addressed by: (see overleaf)

Key Actions: Staff Training (see Training Framework Appendix 5)

Year 1

- Set up a training sub-group of the NWCLSG to further develop the training framework, setting out the priorities for staff training.
- The first priority will be to commission basic Carer Awareness Training for all existing frontline Health Board staff (this will include utilising current training programmes where possible)
- Complete application process to ensure level 1 training is mandatory for all BCUHB staff
- Review Health Board core induction programme, with a view to incorporate carer awareness into the current programme

Year 2

- Identify core competencies for Health Board staff who require Level 2 & 3 training
- Develop lesson plans for Level 2 and 3 training and explore the training methods to be used, such as e-learning, carers' stories, workshops etc.
- Deliver training framework which will be adapted to the level of contact and involvement staff are likely to have with carers in their day to day work

Year 3

- Evaluate training framework

16.2 Carers Training

In order to prepare carers for their role and to ensure they can continue to have a life alongside and beyond the caring role, it is imperative that they are given the relevant skills and knowledge. At present carers in North Wales are offered "Look After Me" courses which focuses on carer wellbeing and is delivered via the Education Programme for Patients (EPP Cymru). Local Authorities in North Wales commission training for carers to be delivered by the Carers Centres and this training may include sessions such as manual handling, first aid, and some condition specific training courses, but there is no formal training programme for carers available.

This will be addressed by:

Key Actions: Carers Training

Year 1

- Consult with carers about their training requirements and preferred learning methods
- Set up Carers Training Group to include carer representation who will advise on course content (this group will also look at young carer training).
- Exploring the feasibility of adding to the “Looking After Me” programme to include core skills such as manual handling, medicines management etc
- Map current carers training programmes for provision and content, with a view to developing standard training programme

Year 2

- Develop and deliver training framework for carers

Year 3

- Evaluate training programme

17. Implementation

To enable successful implementation of this strategy, existing partnerships between, BCULHB, local authorities, private nursing homes and third sector organisation will be utilised and further developed.

The North Wales Carers Strategic Leads Group (NWCSLG) was formed in January 2011. The purpose of this group is to develop an integrated approach across North Wales for engagement with and the development of services for carers of all ages; and to develop an integrated North Wales regional strategy for carers as described in the Carers Strategies (Wales) Measure 2010 guidance document. (see appendix 5).

This group will continue to meet and will act as the partnership working group to take forward the action outlined in this strategy.

The BCULHB Carers Strategies (Wales) Measure2010 Project Board (which includes representation from local authorities and the third sector) will scrutinise the work of the NWCSLG and provide advice and assurance to the

Health Board to ensure that it meets its responsibilities with regard to the Carers Measure.

To ensure that there is engagement from staff in the clinical areas there is an operational group consisting of Health Board staff; the purpose of this group is to provide the specialist knowledge of the clinical areas, disseminate information within the Clinical Programme Groups (CPG), develop CPG specific action plans and advise how the actions within the strategy would be taken forward in each area.

17.1 Staff Infrastructure for Implementation

In order to ensure the required culture change occurs within the Health Board it is important to have a robust infrastructure in place that will ensure carers' needs are taken in to account when planning, reviewing, delivering and evaluating services. BCUHB will facilitate this by:

Key Actions: Staff Infrastructure for Implementation

Year 1

- Identify an Executive Lead for delivery of the Carers Strategies (Wales Measure) 2010
- Identify a strategic Lead to ensure development of the Carers Information and Consultation Strategy, and be the key link for liaison with local authorities carers leads and third sector carers organisations
- Employ a Carers Co-ordinator whose main role will be to oversee the operational implementation of the Carers Strategies (Wales Measure) 2010 at BCUHB, with a particular emphasis on raising awareness and staff training
- Identify a non-officer member of the Health Board to be the designated Carers Champion
- Develop role specification for Carers Champion in clinical areas

Year 2

- Identify Carers Champions within GP surgeries, clinics, hospital wards

Alongside the structures described above, partnerships with local authorities and third sector carers' organisations will be strengthened by conducting joint events wherever possible such as training and consultation events.

18. Monitoring

The following performance measures will be implemented to assess the successful implementation of the strategy (as per the Welsh Government Performance Monitoring framework):-

- % of Carers identified by the partnership
- % of staff within the partnership area who have undertaken training
- % of carers who have been referred for an assessment
- % of carers who take up an assessment

Alongside the Welsh Government Performance Reporting Framework the partnership will also attempt to assess the following outcome measures:

- Carers report that they have been treated by health and social care staff as key partners in the provision of care
- Carers report that they received sufficient information to enable them to undertake their role
- Carers Centres reporting an increase in referrals from health and social care providers

These outcome measures will be monitored by ensuring continuous engagement with carers, regular audits and evaluation of training sessions. The key actions outlined in this strategy will be monitored quarterly by the BCUIB Carers Strategies (Wales) Measure2010 Project Board and the NWCLSG. (See reporting framework Appendix 6)

It is acknowledged that comprehensive monitoring and evaluation of the outcomes for carers will present a challenge to the partnership due to differing information systems;

This will be facilitated by: (see overleaf)

Key Actions: Monitoring progress

Year 1

Page 253

- Produce detailed action plan (based on key actions outlined in

References

Care Council for Wales (2010), **Challenges, possibilities and implications for the workforce in Wales.**

Crossroads Caring for Carers & The Princess Royal Trust for Carers (2008), **At What Cost to Young Carers? An economic assessment of the value of young carers' interventions for young carers affected by parental substance misuse and mental health problems.**

HM Government (2010) **Recognised, valued and supported: next steps Carers Strategy;**www.dh.gov.uk/publications

Powys Carers Service (2009), **“Full of Care: Young Carers in Wales”**

Skills for Care & Skills for Care (2011), **Carers Matter – Everybody's Business part two: A guide to support carers through staff learning and development,** Leeds.

Social Care Institute for Excellence (2005), **Research Briefing 11: The health and wellbeing of young carers;**
www.scie.org.uk/publications/briefing11/index.asp

The Princess Royal Trust for Carers (2011) **Always on call, always concerned,** Essex

Welsh Government (2012) **Carers strategies (Wales) Measure 2010: Guidance Issued to Local Health Boards and Local Authorities,** Cardiff.

Appendices

Legislation

A1.1 Carers Strategies (Wales) Measure 2010

“The purpose of this Measure is to enable the National Assembly to legislate to introduce a new requirement on the NHS and Local Authorities in Wales (“the relevant authorities”) to work in partnership to prepare, publish and implement a joint strategy in relation to carers.

<http://www.assemblywales.org/bus-home/bus-legislation/bus-legislation/bus-legislation-meas-cs.htm>

<http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm>

<http://www.legislation.gov.uk/wsi>

A1.2 Carers (Recognition and Services) Act 1995

This was the first piece of legislation that gave rights to carers of all ages who provided regular and substantial care. This contains the core statutory responsibilities and requires local authorities to carry out an assessment of a carer’s ability to provide and continue to provide care, if the carer requests this, at the time of the assessment of the person they care for.

<http://www.legislation.gov.uk/ukpga/1995/12/contents>

A1.3 Carers and Disabled Children’s Act 2000

This Act gave Carers a right to ask for an assessment even when the person they were caring for refused an assessment. It also gave Local Authorities the power to provide services directly to Carers and to provide Direct Payments to Carers.

<http://www.legislation.gov.uk/ukpga/2000/16/contents>

A1.4 Community Care (Delayed Discharges) Act 2000

It states that when a Carers asks for an assessment, Social Services in consultation with their partners in the NHS, must determine what service it will provide for the Carer when the cared for is ready for discharge.

<http://www.legislation.gov.uk/ukpga/2003/5/contents>

A1.5 Carers (Equal Opportunities) Act 2004

This places a duty on Local Authorities to inform Carers of their right to a Carers assessment. It also ensures that Carers leisure, lifelong learning and employment opportunities must be taken into account when carrying out an assessment. It gives Local Authorities the power to enlist the help of Housing, Education and Health in providing support to Carers.

<http://www.legislation.gov.uk/ukpga/2004/15/contents>

A1.6 Children Act 1989

Young Carers can be identified as a 'child in need'.

<http://www.legislation.gov.uk/ukpga/1989/41/contents>

A1.7 Children and Young Persons Act 2008

This requires local authorities to make adequate arrangements for short break provision for Disabled Children.

<http://www.legislation.gov.uk/ukpga/2008/23/contents>

A1.8 Disabled Persons (Services, Consultation and Representation) Act 1986

This requires local authorities to have regard to the ability of the carer to provide or continue to provide care when deciding what services to provide to the disabled person.

<http://www.legislation.gov.uk/ukpga/1986/33>

A1.9 Education Act 2002, Section 175

Section 175 concerns the duties of Local Education Authorities and governing bodies in relation to the welfare of children

<http://www.legislation.gov.uk/ukpga/2002/32/contents>

A1.10 For each of the detaining Sections of the **Mental Health Act 1983** there are duties placed on Hospital Managers (and sometimes others) to provide written and oral information to patients (and in some cases their nearest relative, which may not be the same person as the carer incidentally). To support Hospital Managers to meet their duties, the Welsh Government have developed a series of leaflets.

All are available (in English and in Welsh) at:

<http://www.wales.nhs.uk/sites3/page.cfm?orgid=816&pid=33957>

A1.11 Rights of Children and Young Persons (Wales) Measure 2011

The purpose of this Measure is to impose a duty upon the Welsh Ministers and the First Minister to have due regard to the rights and obligations in the United Nations Convention on the Rights of the Child (UNCRC) and its Optional Protocols, when making decisions of a strategic nature about how to exercise functions which are exercisable by them

<http://www.assemblywales.org/bus-home/bus-legislation/bus-leg-measures/businesslegislation-measures-rightsofchildren.htm>

A1.12 Mental Health (Wales) Measure 2010

Part 2 of the Mental Health (Wales) Measure places statutory duties on mental health service providers in Wales (LHBs and local authorities) to ensure that all patients in secondary mental health services have a care and treatment plan of a prescribed type, which is developed and reviewed, in partnership with the patient, by a care coordinator. Regulations made under this Part of the Measure require care coordinators to consult with certain other persons (including the patient's carer(s) in developing and reviewing care and treatment plans, and that certain persons (again, including the patient's carer(s)) should be provided with a copy of the plan, or relevant parts of the plan. The care coordinator has some discretion as to whether carers should be consulted and receive copies where the patient has not given their consent, against the patient's wishes.

In addition, this legislation enables carer(s) to request a review of the patient's care and treatment plan if they believe that this is necessary (although the care coordinator has some discretion as to whether a review is conducted following such a request).

The Mental Health (Wales) Measure also places statutory duties on mental health service providers to make certain information available to patients in writing when they are discharged from secondary mental health services (including the reason for their discharge, and the actions to be taken in the event that the individual's mental health should deteriorate at some point in the future). Chapter 7 of the Draft Code of Practice which has been issued by the Welsh Government to support this Part of the mental Health (Wales) Measure states that service providers should consider providing this information to the individual's carer if it is believed that this would be appropriate and the individual is in agreement.

For further information on the requirements of this legislation, see the Welsh Government's Mental Health web pages:

<http://wales.gov.uk/topics/health/nhswales/healthservice/mentalhealthservices/?lang=en>

A1.13 The United Nations Convention on the Rights of the Child (UNCRC)

The Articles of particular relevance to Children as Young Carers are:

Article 3 In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Article 12 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Article 13 The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Article 15 States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

Article 19 States Parties shall take all appropriate legislative, administrative, social and 29 educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Article 28 States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity

Article 31 States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

Article 36 States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

<http://wales.gov.uk/topics/childrenyoungpeople/publications/uncrcarticles/?lang=en>

A1.14 Work and Families Act 2006

This came into force in Wales in April 2007. It requires employers to consider requests from people with caring responsibilities to work flexibly.

<http://www.legislation.gov.uk/ukpga/2006/18/contents>

Carer Information Leaflet – Title to be decided

Who is a Carer?

A carer is a person, of any age, who provides unpaid support to a family member or friend who could not manage without their help. This could be caring for a relative, partner, or friend who for example is ill, frail, disabled, or has mental health or substance misuse problems. Carers may be juggling paid work with their unpaid caring responsibilities. The term carer should not be confused with a care worker, or care assistant, who receives payment for looking after someone.

Taking Care of Yourself

Think about you!

- Don't be afraid to ask for help.
- Let your GP know that you are a carer; they may be able to arrange additional support for you.
- Arrange to have a Carer's Needs Assessment.
- If you work, tell your employer about your caring role as they may have some measures that can be put in place to help you.
- Make contact with some of the organisations listed in this booklet.
- Try to develop and maintain your life away from being a carer.
- Expert Patient Programme Cymru runs a 'Look after Me' free health and well being course, for anyone looking after someone with a long-term condition please call ; ☎ 01286 674236

About this booklet

You do not need to cope alone. There are many organisations who can offer you practical help and emotional support. This booklet provides contact details for local and national support organisations. If an organisation cannot help you directly they can often put in touch with someone who can.

Carer Support

Local Carers Centres offer a wide range of services aimed at helping you as a carer; whilst taking into account the needs of the person you are caring for. They can also advise on services that your council provides. They are focused on getting you the right advice and support on issues connected with health, emotional support, entitlement, mobility equipment and training. Your local contact number is listed below and their website address is: www.carers.org

Denbighshire: North East Wales Carers Information Service:
http://www.bungalowsoftware.com/phone_symbol85.gif ☎ 01745 331181

Flintshire: North East Wales Carers Information Service:
☎ 01352 752525

Conwy: Carers Outreach Service:
☎ 01492 533714

Wrexham: Wrexham Carers Service:
☎ 01978 318812

Gwynedd: Carers Outreach Service:
☎ 01248 370797

Anglesey: Carers Outreach Service:
☎ 01248 722828

Carer's Needs Assessment

If you are providing 'regular and substantial' care for someone, you have the **right** to a **Carer's Needs Assessment**. You don't have to be living with or related to the person you care for. A Carer's Needs Assessment helps to identify the effects that caring has on your life and lets you think about your own needs. It is carried out by Social Services (or on behalf of Social Services by your local carer support centre) who will work with you, to discuss and plan the support they can offer. This may be in the form of respite care, getting help at home, or other support that will help you to maintain your health and wellbeing.

Members of your healthcare team (GP, district nurse, hospital staff etc) can arrange a Carer's Needs Assessment for you. They may ask you if you would like an assessment, but please enquire if you think you would benefit from one. You can also contact your local Social Service direct on:

Denbighshire ☎ 01824 712900

Flintshire ☎ 01352 752525

Wrexham ☎ 01978 292066

Conway ☎ 01492 576333

Gwynedd ☎ 01286 682888

Anglesey ☎ 01248 752752

Young Carers

If you are a young person caring for someone, there are local organisations that can offer advice, support, short breaks and activities.

Denbighshire Young Carers: ☎ 01745 331222

Flintshire Young Carers: ☎ 01352 755422

Wrexham Young Carers ☎ 01978 264040

Conwy Young Carers ☎ 01492 536091

Gwynedd & Ynys Môn Young Carers ☎ 01248 364614

Crossroads Care North Wales

Crossroads provides practical care and support. Their core service involves a trained support worker coming into your home to give you a break.

Crossroads is a North Wales wide independent charity, with various local branches. Some of the service may be chargeable. You can contact

Crossroads North Wales Head Office on: ☎ **01492 516435 or 0845 6050115**

National Organisations

The Carers Trust : has designated websites for adults and young carers offering information, advice and support. Both sites host discussion forums, where carers can share their views and exchange information and tips with other carers.

☎ : 08448004361

e-mail: info@carers.uk

web site: www.carers.org

Young Carers: is an online service for young carers run by the Carers Trust.
www.youngcarers.net

Carers UK: offers information and advice on all aspects of caring.
www.carersuk.org

Putting Things Right

If you have concerns or feel unhappy with any aspect of the care provided by the NHS, you should feel able to talk to somebody. It is important that the NHS learns from the experiences of patients, friends and families, so that it can try to put things right for you and for others.

As a first step, if you feel able to do so, it is best to talk with someone close to the cause of your concern, such as a doctor, nurse, receptionist or practice manager. It's often possible to sort out the problem straight away.

You may prefer to contact the Health Board's **Concern's Team**:

E-mail: ConcernsTeam.bcu@wales.nhs.uk

Post: Concerns Team
BCUHB
Ysbyty Gwynedd
Bangor
Gwynedd
LL57 2PW

☎: 01248 384194

Betsi Cadwaladr Community Health Council (BCCHC)

The BCCHC is an independent 'health watch dog' for the NHS in North Wales. It provides information on local health services and offers confidential advice and assistance for people who have concerns or wish to make a complaint about any aspect of the NHS. ☎ 01978 356178

Appendix 3 List of carer support agencies

Baseline: Carers Information requirements

- Information for carers of people with mental health problem
- Information about the medication given to a patient and where appropriate its potential side effects
- General or specific information on medical condition/treatment in accordance with patient confidentiality, the conditions and treatment of the cared for person, including information on side effects of treatment
- Information that assists children and young people to avoid taking on inappropriate levels of caring and signposts them to sources of assistance
- Accessible information and signposting to information on the availability, entitlement to and sources of local and national support including:
 - ✓ Short breaks / Respite care
 - ✓ Carers Needs Assessments
 - ✓ Direct Payments
 - ✓ Housing Support
 - ✓ Independent Advocacy
 - ✓ Counselling including bereavement support
 - ✓ Guardianship (where appropriate)
 - ✓ The work of the Court of Protection (where appropriate)
 - ✓ Age appropriate support groups
 - ✓ Culturally specific support groups

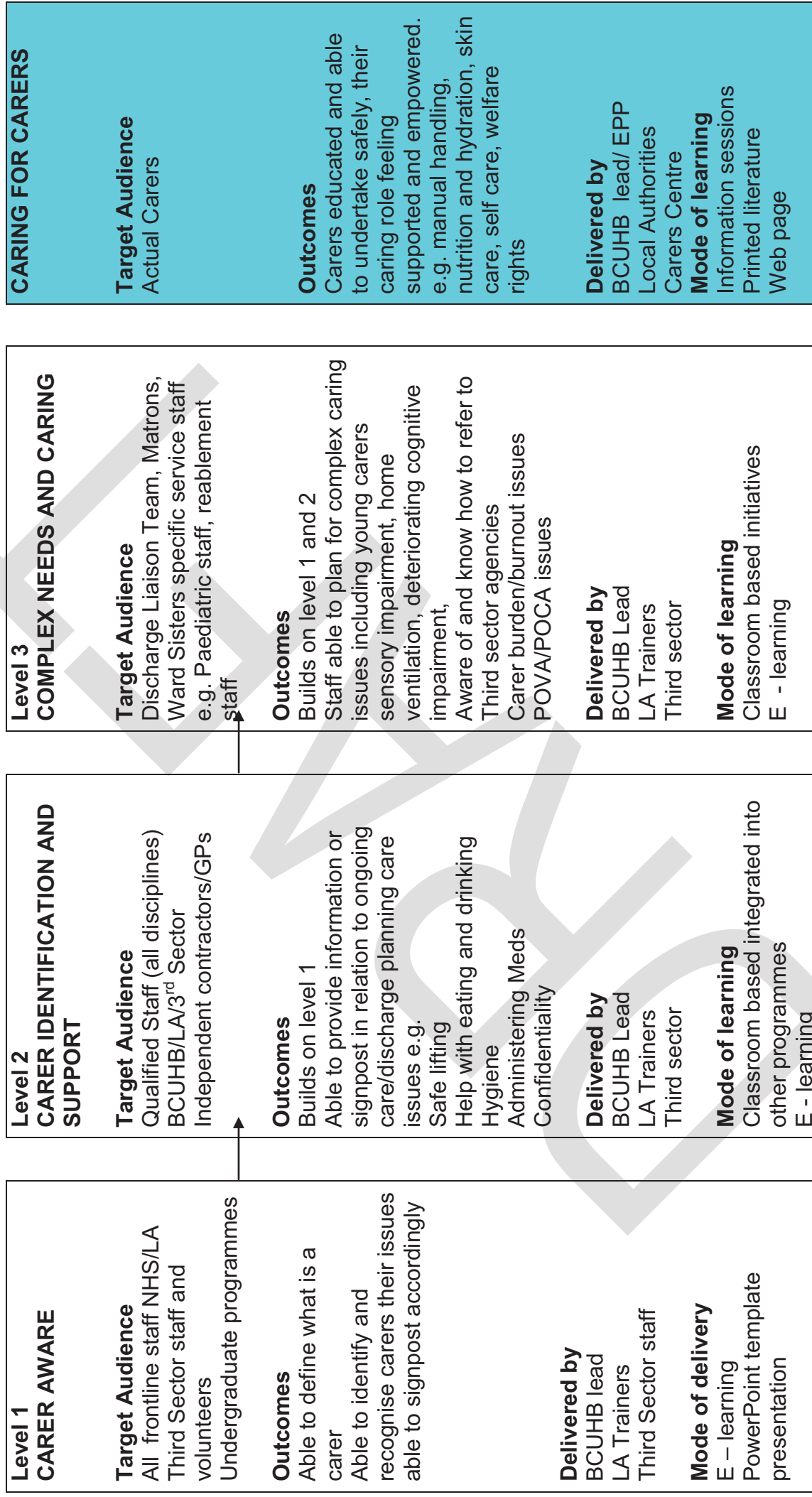
- ✓ Financial advice and support, including information about the availability of financial support through the benefits and tax credits system
 - ✓ Managing the financial and other affairs of cared for persons
 - ✓ Any other information and support available to help support carers in their caring role
- Information or signposting to information and advice on employment provisions, including flexible working
 - Information on:
 - ✓ the range of Social Services functions available to carers and cared-for persons
 - ✓ care planning for the person cared for
 - ✓ medicines management, safe handling, moving and lifting and other matters relating to the care of the person cared for
 - Inform carers of local concessionary or other transport schemes and patient transport arrangements, to enable them to attend NHS appointments with the cared for person
 - Information and support on aids and adaptations including Telecare and Telehealth services and the waiting times one can expect for such items
 - Information on the regulation and inspection of services, i.e. the work of Healthcare Inspectorate Wales and the Care and Social Services Inspectorate for Wales
 - Signpost carers on to a local carer support agency and to appropriate national organisations supporting patients, users and carers for specific conditions
 - Information on hospital admission avoidance

- Information, advice and support on the availability of suitable local services, the quality and range of provision and how to choose and arrange provision of these services
- Information on the availability of crisis support and how to access it
- Information on the availability of re-ablement and intermediate care
- Help promote health and wellbeing for the carer and person(s) cared for
- Information on the organisation's complaints procedures and those of the Public Service Ombudsman for Wales
- Information for carers who wish to stop their caring role
- Signposting to appropriate programmes of support and learning, these may include training on:
 - ✓ safe lifting, moving and handling
 - ✓ medicines management including the safe administration of medication to the cared for person
 - ✓ relevant nursing skills
 - ✓ use of aids and adaptations
 - ✓ continence care
 - ✓ stress management
 - ✓ help with eating and drinking
 - ✓ dealing with the behavioural aspects of the cared for person
 - ✓ helping carers to look after themselves

Training Framework – Appendix 5

CARERS MEASURE – IDENTIFICATION, INFORMATION, SUPPORT AND CONSULTATION

CARERS MEASURES - EDUCATIONAL FRAMEWORK⁴



⁴ This framework has been adapted from the model used at Cardiff UHB

NARRATIVE TO ACCOMPANY FRAMEWORK

Level 1 Carer Aware

This programme would be aimed at all BCUHB staff. Local Authority, third sector staff and volunteers, contractors who have the interest in carers' issues. Outcomes of the programme would be to

- Able to define what is a carer is
- Able to identify and recognise carers issues
- Able to signpost accordingly

The course would be delivered as part of induction/mandatory training, integrated into other training opportunities and within primary care settings. Delivered through e learning, and or a corporately agreed PowerPoint presentation.

Level 2 Carer Identification and support

This programme would be targeted at Qualified Staff from all disciplines in the Health Board, Third sector managers and relevant Local Authority Staff

- ensure staff are able to signpost or provide information
- involve carers in relation to ongoing care/discharge planning care issues
- signpost carers to education and training regarding
 - Safe lifting
 - Help with eating and drinking
 - Hygiene
 - Administering Medicines
 - Confidentiality

Delivered by BCUHB Lead, LA Trainers, Third sector via Classroom based programmes which have been integrated into existing work streams integrated into other programmes yet to be identified, and via e –learning

Level 3 Complex needs and caring

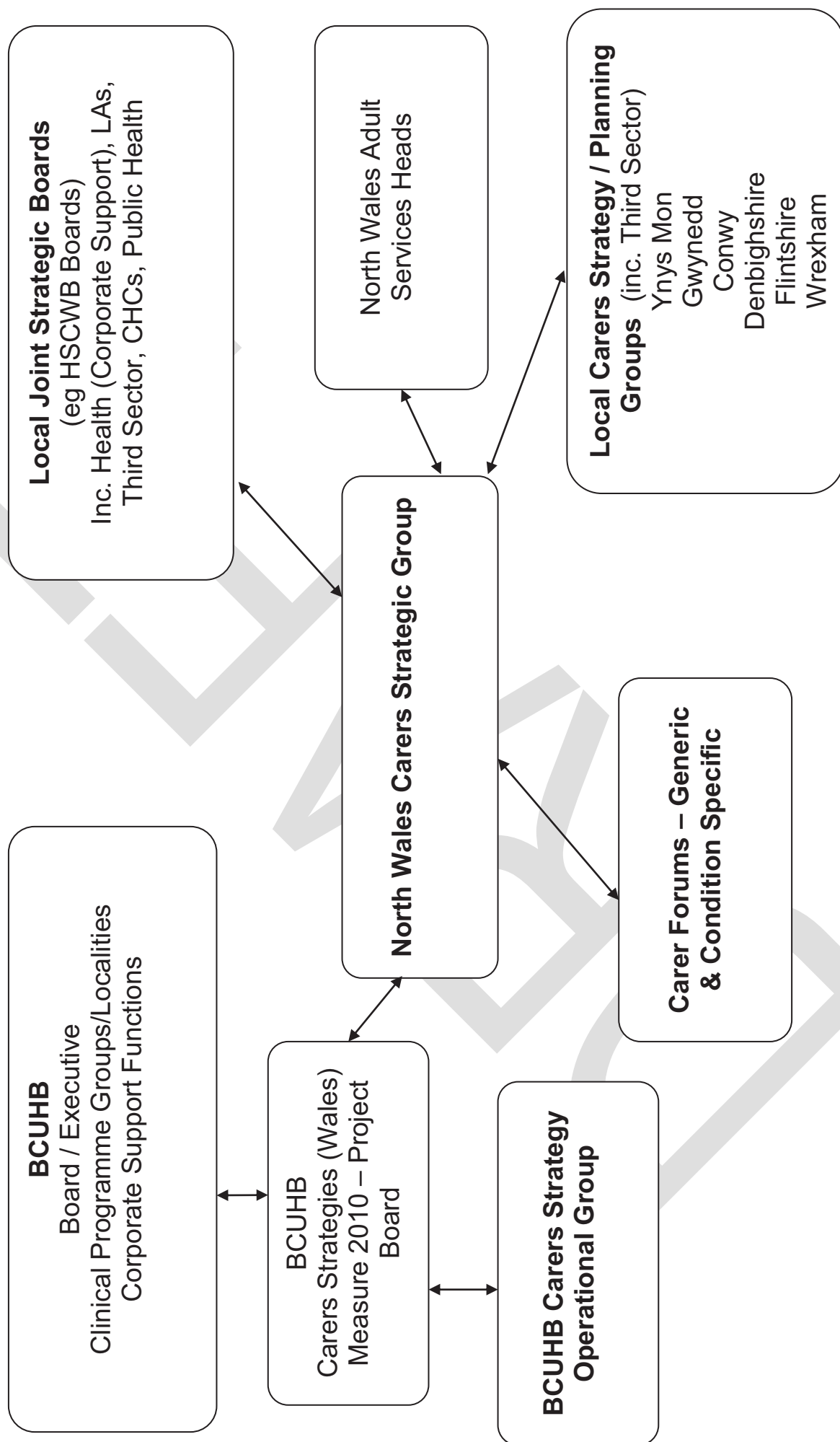
This programme would be for staff who are working closely with people who are undertaking complex caring roles. For example caring for those with physical and mental health issues requiring a high level of skill to maintain those cared for in their own environments.

The programme would build on level 1 and 2, and be delivered by BCUHB Lead, LA Trainers, and the Third sector, via Classroom based initiatives and E - learning.

CARING FOR CARERS

Is a programme delivered for carers to enable them to fulfil their caring role to the best of their ability, taking into account their own health issues. The outcomes would be that Carers feel educated and able to undertake safely, their caring role, feel supported and empowered. The content of the programme may include issues such as manual handling, nutrition and hydration, skin care, self care, welfare rights. It would integrate and enhance existing programmes such as the EPP. **Delivered by** BCUHB / EPP, Local Authorities, Carers Centre via Information sessions, Printed literature and development of WebPages.

Reporting Framework – Appendix 6



To comment on the content of this draft strategy or to seek further information; you can contact Dawn Cooper, Head of Service User Experience. 📞 01978 727432, or email dawn.cooper@wales.nhs.uk

DRAFT

LOCAL COMMISSIONING INTENTIONS – INFORMAL CARERS

| KEY SOCIAL CARE MESSAGES | COMMISSIONING INTENTIONS | AREAS FOR DEVELOPMENT |
|---|---|---|
| <ul style="list-style-type: none"> Establish stronger partnerships with carers to develop and improve access to integrated and personalised services to support them in their caring role; | <ul style="list-style-type: none"> Ensure that there is provision of easily accessible relevant information available to carers and that communication channels are known and useable; | <ul style="list-style-type: none"> Develop flexible and timely services; |
| <ul style="list-style-type: none"> Support carers by developing respite services and breaks from caring; | <ul style="list-style-type: none"> Local Authority to be proactive in strengthening the statutory right of carers to receive a carer's assessment. | <ul style="list-style-type: none"> Ensure carers have access to relevant information that supports them in their caring role; |
| <ul style="list-style-type: none"> Support carers to have a life of their own alongside their caring role; | <ul style="list-style-type: none"> Commission and provide a wide range of support services, that are reliable, flexible and adaptable, and that can be provided through a variety of mechanisms. Services to include provision of information and advice, provide meaningful breaks from caring during evenings and weekends, signposting, newsletter, deliver support and activities and reviewing carers needs on an annual basis. | <ul style="list-style-type: none"> Establish systems to ensure carers voices are heard in the planning and delivery of services; |

| | | |
|--|--|--|
| <ul style="list-style-type: none"> • Work with carers so that they are not forced into financial hardship by their caring role. | <ul style="list-style-type: none"> • To improve the wellbeing of carers and to better understand the characteristics and needs of the local population of carers. | <ul style="list-style-type: none"> • Training – well trained professionals who appreciate/ understand the impact of caring and how to support carers. |
| | <ul style="list-style-type: none"> • Provide preventative services to carers which are accessible within the community to include recreational and leisure opportunities to promote carer's health and wellbeing. | |
| | <ul style="list-style-type: none"> • To implement the Carers Strategies (Wales) measure | |
| | <ul style="list-style-type: none"> • To improve the range of and access to emotional support available for carers. | |
| | <ul style="list-style-type: none"> • Carers should be better able to combine paid employment with their caring role and able to re-enter the job market when their caring role has ceased. | |
| | <ul style="list-style-type: none"> • To promote training and employment opportunities for carers. | |
| | <ul style="list-style-type: none"> • Carers will be respected as expert care partners and will have access to the integrated and personalised | |

| | | |
|--|--|--|
| | <p>services they need to support them in their caring role.</p> | |
| | <ul style="list-style-type: none"> • Ensure carers have a voice in the planning and implementation of services. | |

Young Carers – Draft Service Specification

Eligibility Criteria: “Children or young people whose lives are restricted by the need to take responsibility for a relative (or significant other person) who is either chronically ill, suffering from a mental illness, has learning difficulties, has a physical disability, is elderly and infirm, or is suffering from HIV/AIDS or substance misuse”

- **Age range:** children and young people aged 8 years up to and including 18 years of age

Referral Process

- Self referrals
- From all statutory and voluntary organisations

General Aims of Service

1. To empower children and young people whose lives are affected by their responsibilities as a carer.
2. To provide a support service to actively promote the rights and needs of young carers both as children and carers and to enable their needs to be met within their own families and communities.
3. To provide a safe and supportive environment for young carers to meet with their peers.
4. To raise awareness of the rights and needs of all young carers.
5. To work with local statutory and voluntary sector organisations and schools to improve the understanding of, and strategies for, addressing the needs of young carers.
6. To assist in the task of providing a ‘normal’ childhood for young carers, encouraging them to participate in play and recreational activities.
7. To allow young carers to be heard and believed.
8. To enhance the health, welfare and safety of children and young people.
9. To reduce the risk of escalating demand on statutory services.
10. To provide access to high quality services and assist young carers to overcome the social, educational, physical, environmental and economic barriers that create inequality.
11. To provide direct and respite support for children and young people whose lives are affected by their care role and to give young carers a break from their caring responsibilities.
12. To signpost and / or provide information and support to carers about their rights and to services to support them in their role as carers

Service Specification – see below

| Service | Service Provider responsibility | Commissioner responsibility | Outcome |
|--|--|---|--|
| <p>1. Awareness and Information for Young Carers</p> | <ul style="list-style-type: none"> • Raise awareness <ul style="list-style-type: none"> - of services that are available to young carers - that young carers are eligible for a carers assessment - that young carers should be involved in decisions about services to or for the person cared for • Provide Information to young carers about <ul style="list-style-type: none"> - Services that are available to support them in their caring role - Services that are available for the person cared for - What a carers assessment is and what the outcome might be and mean to them • Signpost and / or make referrals to <ul style="list-style-type: none"> - Other third sector organisations which can provide support them or the person being cared for - Statutory services to ensure that the young carer is receiving appropriate statutory services support | | <ul style="list-style-type: none"> • Young Carers are made aware of their rights to an assessment • Young Carers are aware of services which can support them in their caring role • The person cared for is able to access suitable and appropriate services |
| <p>2. Awareness and Information in Statutory Services</p> | <ul style="list-style-type: none"> • Raise awareness of young carers and their rights to information, support and carers assessments • Raise awareness of carers and their rights to information, support and carers assessments | <ul style="list-style-type: none"> • To explore opportunities for the service provider to access statutory services staff including: <ul style="list-style-type: none"> - Acute Hospital Sites - Community Health Services - Joint Health and Social Care services | <ul style="list-style-type: none"> • Statutory services staff are able to identify young carers and provide the appropriate information and / or support or are able to signpost young carers to services and information • Statutory services staff are aware of the requirements of the Carers Measure and their duty under it |
| <p>3. Referral management</p> | <ul style="list-style-type: none"> • A 100% response to referrals will be reached to meet service demand | <ul style="list-style-type: none"> • Social Work referrals will specify clear objectives and outcome in respect for each young carer. | <ul style="list-style-type: none"> • The Service Provider is clear about the service outcomes they are expected to achieve |

| | | | |
|--|--|--|--|
| | <ul style="list-style-type: none"> • A clear referral mechanism will be developed by the Service Provider to ensure all referrals are recorded, responded to and monitored • The Service will be accessible 37 hours per week from Monday to Friday with flexibility to provide some weekends and evening support where necessary • A workable reviewing mechanism will be developed with the Commissioner in respect of each young person with possible options to join other partners i.e. Education. | <ul style="list-style-type: none"> • Referring staff will keep the Service Provider informed and up to date with relevant events and changes in circumstances relating to young carers • Impact of the Service Provider's involvement is monitored in respect of each young person • Services are recorded on the Commissioner's client information system e.g. Paris / Integrated Children's System • A process for recording and identifying unmet need will be agreed with the Service Provider • Referring Social Workers will attend service reviews organised by the Service Provider regarding young carers receiving the service. A workable reviewing mechanism will be developed with the Service Provider with possible options to join reviews of young carers with other partners i.e. Education | <p>for each young person and how these will be measured</p> <ul style="list-style-type: none"> • Reasons for referrals of each young carers are clearly identified |
| <p>4. Access to Young Carers Assessment of Need</p> | <ul style="list-style-type: none"> • Every young carer referred to the service will have a "needs assessment" in accordance with the Framework Assessment • All assessments will be reviewed on an annual basis • Through needs assessment young carers will be signposted and offered activities that meet their needs • The Service Provider will strive to develop a service delivery plan or equivalent for every young carer • Assessments of need will be evaluated and reviewed including: <ul style="list-style-type: none"> ○ the impact of being a young carer, how existing services help, ○ waiting lists ○ unmet needs | <ul style="list-style-type: none"> • Contribute to the evaluation and review of young carers assessments where applicable including how support services help, waiting list, unmet need etc. | <ul style="list-style-type: none"> • Identification of support needs and timely access to support services that enables effective support provision to young people with caring responsibilities. |

| | | | |
|---|---|---|--|
| <p>5. Provision of flexible short break services which are responsive to carer needs and circumstances</p> | <ul style="list-style-type: none"> • A variety of short breaks will be provided to engage young carers in fun forms of exercise throughout term time and during summer holidays • Peer support groups will be held fortnightly (out of school hours during term time and in school holidays) of approximately two hours duration at a range of venues to suit the needs of young carers broken down as follows: Senior Groups, Youth Groups, Transition Groups, Junior Groups and 1:1 support • Transport to and from the groups will normally be provided except where appropriate and safe other arrangements are agreed with the parents. | <ul style="list-style-type: none"> • Explore links with local community establishments • Consideration to avoiding service dependency linking to the Young Carers Strategy and potential overlap of services. | <ul style="list-style-type: none"> • Young carers have a break from caring responsibilities and have opportunities to engage in fun activities. • Promote positive mental health in young carers. • Reduce isolation and social exclusion and enhance social and emotional wellbeing of young carers. • Provide opportunity for young carers to network with other young carers in a safe and comfortable environment. |
| <p>6. Individual Support and advocacy work</p> | <ul style="list-style-type: none"> • Individual support is offered to young people assessed, within the resources available to the project. | <ul style="list-style-type: none"> • Together with the Service Provider develop the monitoring information to improve understanding of the balance between group and individual work. | <ul style="list-style-type: none"> • Young people are able to access one to one assistance and support where required. • Young people are safeguarded and their welfare and emotional and mental well being is recognised. |
| <p>7. School holiday activity schemes</p> | <ul style="list-style-type: none"> • Holiday activities will be provided throughout the school holidays • A plan of all holiday activities will be made available to the Commissioner. | <ul style="list-style-type: none"> • Contributing to the system of regular evaluation of the quality of services provided by the Service Provider. | <ul style="list-style-type: none"> • Young carers have opportunities to engage in activities, participate in the local community, network with peers and have a break from caring. |
| <p>8. Awareness raising programmes in schools and across statutory and voluntary</p> | <ul style="list-style-type: none"> • A rolling programme of awareness raising events in different settings will be made in school assemblies, drop in sessions etc. • Young Carers leaflets will be distributed to all relevant agencies. | <ul style="list-style-type: none"> • Contributing to the system of regular evaluation of the quality of services provided by the Service Provider. | <ul style="list-style-type: none"> • An understanding of the service will be achieved across the authorities. • Young carers issues will be central to planning processes of agencies including Social |

| | | | |
|---|--|---|--|
| <p>agencies to promote the service</p> <p>9. Promote the participation of young carers in the development of services</p> | <ul style="list-style-type: none"> • Young carers will be consulted and their views will be used in the development and running of the service. • Feedback from young carers is used when developing new activity programmes and workshops. • Identify and encourage wider participation in local and national developments | <ul style="list-style-type: none"> • Young Carers views will be taken into account in Commissioner decisions and service planning. | <p>Services, Health and Education</p> <ul style="list-style-type: none"> • Young Carers are involved in shaping and evaluation of services to ensure services are tailored in accordance with the requirements of the user group. |
| <p>10. Staffing Requirements</p> | <ul style="list-style-type: none"> • The Service will comprise of the following: - ... - ... • A range of Casual Workers and volunteers involved with activity programmes and workshops. • Enhanced CBR checks for all people employed in the delivery of the service • Staff receive appropriate induction and training, e.g. staff will work towards obtaining NVQ level 3 in Health and Social Care. • Regular supervision of staff • Annual appraisal of permanent staff will be carried out • Staff development and learning portfolios are in place | <p>N/A</p> | <ul style="list-style-type: none"> • The service is managed and provided by a suitable number of trained staff/volunteers. |
| <p>11. The Service Provider will have appropriate quality assurance,</p> | <ul style="list-style-type: none"> • The Service Provider is proactive in identifying areas for improvement, through robust quality monitoring of outcomes achieved, meeting needs of young carers, evaluation of service delivery and management of resources | <ul style="list-style-type: none"> • Contributing to the system of regular evaluation of the quality of the services provided by the Service Provider. | <ul style="list-style-type: none"> • Sustained improvement of young carers service for children and young people is achieved regionally. |

| | | | |
|---|--|--|---|
| <p>representation and complaints policies in place</p> | <ul style="list-style-type: none"> The Service Provider evaluates the effectiveness of the overall running of the service (including training, development, staff turnover etc) The Service Provider will keep a file of all complaints/compliments received and actions taken | <ul style="list-style-type: none"> Develop future commissioning linked to the action plan requirements of the Young Carer's Strategy and Children's Commissioning Strategy The Young Carer's strategy is reviewed together with the Service Provider on a 6 monthly basis and helps to identify gaps in provision The Service Provider is involved in the development processes and consultation on future direction of the service | <ul style="list-style-type: none"> Commitment and strong partnership working will be developed between Commissioners and the Service Provider in order to continually improve and develop the running of young carers services |
| <p>12. Partnership Working</p> | <ul style="list-style-type: none"> Maintaining and developing Provider / Commissioner relationships to ensure continuous development and improvement of the young carers service | <ul style="list-style-type: none"> Undertake regular reviewing and monitoring of service performance and financial planning. | <ul style="list-style-type: none"> Financial monitoring measures during the current contract term will inform future commissioning and financial projections Ensuring efficiency, effectiveness and best value of commissioned services is achieved |
| <p>13. The Service Provider will maintain accurate financial information</p> | <ul style="list-style-type: none"> Accurate financial records shall be open for monitoring and review purposes by the Commissioner. | | |

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---------------------------------|--|
| COMMITTEE: | EXECUTIVE COMMITTEE |
| DATE: | 18 March, 2013 |
| TITLE OF REPORT: | 2013/14 Independent Sector Care Home Fee Levels |
| PURPOSE OF THE REPORT: | To consider the Fee Levels in respect of 2013/14 (independent sector residential and nursing homes) |
| REPORT BY: | HEAD OF ADULTS' SERVICES |
| CORPORATE DIRECTOR: | CORPORATE DIRECTOR – COMMUNITY |

A. 2013/14 CARE HOME FEE LEVELS – OLDER PEOPLE

1. Background

1.1 Fee levels in respect of independent sector care homes have historically been reviewed annually by the Local Authority to coincide with Central Government revision of benefit and pension levels which will apply this year from **Monday 8 April, 2013**

1.2 There are three significant issues to take into consideration this year when setting the fee levels for independent sector care homes:-

- The need to demonstrate that we have taken the costs of provision fully into account in determining our standard care fees. This need for transparency has been emphasised over recent years via Judicial Reviews across the Principality (Vale of Glamorgan and Pembrokeshire to cite but two Local Authority areas subjected to such legal challenge). These have decided in favour of the care homes on all occasions.

This demonstration of taking the costs of care provision into account in setting care fees has historically been applied by the Local Authority (since 2005/6) by means of a national toolkit adapted to reflect the profile of the local care home market. We are now of the view that this locally adapted toolkit is losing currency and is now **best achieved by the local application of an evolving regional fees methodology.**

- The current position of the Local Authority and the need to transform and re-model current service responses (our commissioning intentions underpinning our Strategy for Older People) which Elected Members will be au fait with. There is a need to realign activity and spend within Adults' Services to enable more investment in service models to maintain people in their own homes and local communities.
- To ensure that we can maintain the local status quo around third party top ups. On the basis of an historical 3 year fee settlement (commencing back in 2008/09), local providers have not been charging top ups in respect of local authority sponsored users during the past 5 financial years.

2. National Fee Submission – Care Forum Wales

2.1 Care Forum Wales have made a submission, which is attached to this report (Appendix 2). Their national claim is summarized in the table below:-

CARE FORUM WALES FEE SUBMISSION (NATIONAL - BASED ON CURRENT INDUSTRY NORMS): 2013/14

| Category of Home | Current Fees £/wk * | Care Forum Wales Claim (2013/14) | | Increase £/wk |
|---------------------|---------------------|----------------------------------|--------------|------------------|
| | | Floor £/wk | Ceiling £/wk | |
| Elderly Residential | 437 | 535 | 613 | 98-176 |
| EMI Residential | 455/472 | 551 | 629 | 96-174 79-157 |
| Elderly Nursing | 583 | 683 | 761 | 100-178 |
| EMI Nursing | 632 | 710 | 787 | 78-155 |

(* includes third party top-up premium of £25 residential / £35 nursing)

The cost of meeting this national fee claim is far beyond the capacity of the Local Authority's budgets for Older People.

The National Claim is based on the Joseph Rowntree toolkit. Care Forum Wales have included in their application of the toolkit allowances to meet the **cost of new pressures** as follows in respect of the coming financial year:-

Inflationary pressures -

- Staff costs – carers, catering, cleaning and laundry staff 1.8%
- Nursing, management and agency costs 1.3%
- Repairs and maintenance 3%
- Other non-staff costs 2.9%

Adjustments to the toolkit model –small items

- Welsh language measures – identified additional local costs
- Pension changes – automatic enrolment for large employers
- New regulation on sprinklers – additional costs for new buildings and conversions.

These adjustments have not been costed in the National claim.

3. Local Application of the Evolving North Wales Methodology

3.1 As previously reported to both the Executive Committee and the former Board of Commissioners, we have endeavoured during the past few years to apply the national Joseph Rowntree toolkit entitled “A Fair Price for Care” locally as a benchmark for fee discussions alongside local market indicators and the Authority’s commissioning strategies. This local application of the national toolkit is now losing currency and is no longer contemporary.

3.2 During 2011/12 and this current financial year, the Authority has been working with the other North Wales Local Authorities and the Health Service (BCUHB) to develop a regional methodology to inform fee setting. This evolving methodology is intended to:

- be underpinned by a transparent process;
- draw upon both national and local data sources;
- reflect the key messages emerging from Judicial Reviews in the Principality over recent years;
- consult with Care Forum Wales as the only available representative organisation for the independent care home sector.

3.3 The evolving methodology has been implemented by Flintshire, Wrexham and Denbighshire to date in order to inform fee setting in respect of the current year (2012/13) as well as the year to come. It is Gwynedd Council’s intention to adopt the methodology to underpin their fee setting from 2014/15.

3.4 Evolving North Wales Methodology

3.4.1 Throughout the development of the methodology, considerable emphasis has been given to improving the quality of care provided to residents of care homes. This has included a critical review of the number of hours required to support residents based on staff rota returns from a number of care homes. This local regional data was compared and contrasted with Care Forum Wales data on staffing hours (which itself was originally drawn from available national toolkits such as that published by Laing and Buisson in 2008).

3.4.2 The methodology takes into account research data provided by Care Forum Wales over the past three years. Some cost components of the Care Forum Wales data have been adjusted to reflect regional conditions. Overall however, the use of the Care Forum Wales data provides additional assurances that care fees will be set on a reasonable basis. Information has also been used from the Joseph Rowntree and Laing and Buisson organisations (both of which are well established and reputable in the field of care fees);

3.4.3 As referred to above, the regional evolving methodology has aimed to address matters arising from the recent Judicial Reviews in South Wales. These conclusions are summarised below:

- properly dealing with matters relating to capital costs and return upon investment;
- failure to use appropriate local data on average number of care hours spent on each resident/week;
- residents requiring nursing care also requiring more non-nursing care;
- need to take into account different sizes of care homes;
- impact of inflation;
- need for the existence of a robust methodology for setting care fee levels;
- evidenced formal consultation with care home owners.

3.4.4 The proposed methodology (APPENDIX 2) breaks down the fee paid per resident/week under three main headings:

- hotel;
- other;
- staff costs.

4.0 Local Market Conditions

4.1 There is an urgent need to revisit the volume and quality of the supply of residential/nursing home care beds both in the public and independent sectors. This needs to be undertaken within the context of a clear commissioning intention of ensuring an appropriate balance in market provision between services to enable individuals to be maintained at home and a range and breadth of quality services to support individuals who require care within residential/nursing settings. Diversification of function/service is another area requiring discussion and consideration with the care home sector.

This market positioning work will be progressed locally over the coming months as we propose to:-

- extend our consultation period in order to ensure full participation and input by individuals communities and key agencies (like Health, Third Sector, Independent Sector) to the process of delivering the Service vision and underpinning work programme in respect of older people.
- Influence to development and diversification of the local care sector market.

5.0 Nursing Home Fees

Nursing care home fees are made up of two components as described below:-

5.1 The Local Authority contribution (referred to as the **social care element**);

5.2 The NHS contribution (referred to as the **NHS Funded Nursing Care Contribution**) which is paid by Betsi Cadwaladr University Health Board.

Historically, the level of the NHS contribution has been set nationally but from April, 2007 discretion was given by the then Welsh Assembly Government to Health Boards to determine the level locally. This discretion has not however hitherto been exercised locally, with the Health Board adhering to the nationally published benchmark. We have not yet been formally notified of the Health Board contribution for 2013/14. The current level is £120.56 / week (2012/13) and will prevail until we are notified otherwise. It is also true to say that the Funded Nursing Care (FNC) component of the nursing home fee has remained at its current level for some years.

Members will recall that we were advised by Health Colleagues in North Wales that the FNC (Funded Nursing Care) element of the nursing home care fee has been subject to a national review by Welsh Government. It is unclear at the time of writing this report whether there will be any movement in the FNC level for 2013/14.

6.0 Additional Funds Available

The following additional funds are available to fund any increase in fee levels in respect of the 2013/14 financial year:-

- Inflation at 2.0% on Local Authority contributions towards the fees – this has been calculated on the basis of the increase in costs shown in the methodology;
- Additional client income (through increase in state benefits/pensions) which equates to £2.70 per person/week
- Health Board contribution to nursing home placements (paragraph 5 above, refer) – level in respect of 2013/14 yet to be confirmed
- Corporate contingency – further funds have been provided by the Authority to bring Anglesey fees into line with the evolving application of the North East Wales fees methodology.

7.0 Local Quality and National Strategic Drivers

- 7.1** We need to make the most effective and efficient use of our purchasing power and role as commissioners of care services in influencing the local care homes market. The Authority has published Quality Standards which need to be met for payment of the full fee. A reduction of £36 / week is otherwise applied.

- 7.2 The key quality principles within the Quality Premium underpin our local response to some major national strategic drivers influencing the delivery of quality social care services for older people-

- 7.2.1 **National Service Framework for Older People**
- 7.2.2 **Fulfilled Lives, Supportive Communities – Commissioning Framework Guidance and Good Practice**
- 7.2.3 **Dignity in Care Programme for Wales**
- 7.2.4 **Sustainable Social Services for Wales: A Framework for Action (National Assembly for Wales)**
- 7.2.5 **Residential Care for Older People in Wales (National Assembly for Wales Health and Social Services Committee)**

One of the key cross cutting themes in implementing the National Service Framework for Older People is dignity/respect in care. Our local priorities endeavour to reinforce this national priority.

- 7.3 These locally adopted key principles are also endorsed through the medium of recommendations contained within national reports made available in the public domain over recent years. They include-

- 7.3.1 **Care Homes for Older in the UK – A Market Study (Office of Fair Trading, May 2005);**
- 7.3.2 **A Fair Contract with Older People? A Special Study of People’s Experiences when Finding a Care Home (Commission for Social Care Inspection, October 2007)**

8.0 Fee Proposals

In applying the methodology in respect of 2013/14, the following elements have been included:-

- **Increase in the CRI , minimum wage, general building costs index and the average earnings index for Health and Social Care**
- **a Return upon Capital of 12%.**

Option 1 (National Claim)

Fund the Care Forum Wales Claim in full.

The total cost of meeting this claim would be £7.694m at the floor (20% increase) or £8.697m at the ceiling (40% increase) above the Authority’s care fee level which is approximately £1m and £2m respectively above the Authority’s fees budget.

Comment

The financial implication of this option far exceeds the Local Authority’s ability to fund.

Option 2

Apply the evolving North Wales fees methodology to reflect the four inflation factors (as set out in para 2.1) including a return upon capital of 12% and retaining a third party premium.

Application of this methodology results an overall increase of 4.4% which will be funded from the inflation allocation of 2% included in the budget, together with the further provision of 2.4% (158k) which has been provided Corporately to meet the additional cost of rationalising the 2013/14 fees.

This option is an affordable option for the Authority. The Authority would apply £25 (£35 for Nursing Homes) of this fee as a premium payable on condition that no third party top-up is levied.

This option would continue to honour the principles underpinning the fee agreement secured from April 2008 and with the aim of continuing to positively influence the levying of third party top-ups. It would also enable us to demonstrate and evidence that we have applied a methodology across both nursing and residential care in setting the fee levels in respect of 2013/14.

9.0 Summary of Options

| Category of Home | Current Fees £/wk | Option 1 (Claim) £ | Option 2 Increase £ |
|----------------------------|------------------------------|-----------------------------------|------------------------------------|
| Elderly Residential | 437 | 98-176 | +14 |
| EMI Residential | 455/472 | 96-174 79-157 | +38 +38 |
| Elderly Nursing | 583 | 100-178 | +43 |
| EMI Nursing | 632 | 78-155 | +18 |

10.0 Commissioning Considerations

- 10.1** The funding of Option 1 from Social Services budgets would significantly erode our purchasing budgets in respect of other care services for older people geared at supporting individuals to remain in their own homes (e.g. domiciliary care, day services, community meals, assistive technology etc). Adopting Option 2 is affordable and would maintain the Executive Committee's historical decision of applying a methodology as a benchmark to underpin fee negotiations and fee settlement.

10.2 Response of the Care Homes Sector

Based on the significant work progressed to date across the North East Wales Local Authorities, we have locally approached each individual care provider on the island with a view to advise on the proposals and canvas their opinions. The closing date set for written representations was 06/03/13, but no responses have been received.

B. 2013/14 CARE HOME FEE LEVELS – OTHER CLIENT GROUPS

- 11.** It is proposed that the fees in respect of care homes providing for people with mental health needs, learning disabilities or physical disabilities should be set to retain differentials with reference to fees for older peoples' care homes.
- 12.** It should be noted that these fee levels are subject to negotiations on an individual basis and that the published fee serves as a benchmark which provides for the generality of needs within these client groups. Unfortunately and as previously reported, costs in the Mental Health Sector have increased significantly in recent years and continue to do so. Section 117 Aftercare arrangements apply for the majority of our users with mental illness. These arrangements do not allow the Local Authority to levy a client contribution therefore resulting in the Service absorbing the full cost of such placements.

C. RECOMMENDATIONS

The Executive Committee is requested to:-

- R1** Adopt the evolving North Wales fees methodology as implemented hitherto in Denbighshire, Flintshire and Wrexham to underpin fee setting on the Isle of Anglesey during 2013/14.
- R2** Endorse Option 2 in relation to the 2013/14 fee setting (as detailed in paragraph 8 of this report)
- R3** The established quality elements continue to be subject to a negative fee differential of - £36 /week as at present. This will be the subject of a fundamental review of our quality contract framework during 2013/14 as we prepare for the implementation of a North Wales pre-placement agreement underpinning residential/nursing placements.
- R4** Current practice for Service user groups other than older people be maintained as outlined in paragraphs 11 and 12;

BACKGROUND PAPERS:

Fulfilled Lives, Supportive Communities – Commissioning Framework Guidance and Good Practice (Welsh Government)

Sustainable Social Services for Wales: A Framework for Action (Welsh Government)

National Service Framework for Older People (Welsh Government)

| Version 13 -15/01/13 INDICATIVE FEES | | | APPENDIX 1 |
|---|------------------------------|---|---------------------------|
| The figures below do not include FNC elements. | | | |
| | Per service user per week | Basis 2013/14 | Indicative Fee 2013/14 |
| INDIRECT COSTS | | | |
| | | C.P.I. is 2.2% as at 30/9/12 | |
| Utilities | £24.73 | 2012/13 plus 9% | 26.95 |
| Electric | | | |
| Gas | | | |
| TV License | | | |
| Council Tax | | | |
| Water | | | |
| Telephone | | | |
| Registration (Professional Membership, CRBs etc) | £1.17 | CFW plus 2.2% | 1.19 |
| Recruitment | £2.25 | CFW plus 2.2% | 2.29 |
| Contract maintenance of equipment | £3.25 | CFW plus 2.2% | 3.32 |
| Maintenance of capital equipment | £19.93 | CFW plus 2.2% | 20.37 |
| Gardener /handyman | £7.47 | 1.8% Inflation | 7.60 |
| Furniture/Fittings including repairs and renewals | £6.31 | New CFW figure | 12.29 |
| Training | £2.23 | CFW plus 2.2% | 2.28 |
| Non prescription medical supplies | £3.37 | CFW plus 2.2% | 3.44 |
| Insurance | £5.62 | CFW plus 2.2% | 5.74 |
| Groceries & household provisions | £25.85 | CFW plus 2.5% | 26.5 |
| Total Indirect Costs | £102.18 | | £111.97 |
| Other Costs -standard for all categories of care | | | |
| Return on Investment | £97.79 | No uplift based on information from valuation | 97.79 |
| Additional Expenses (not covered elsewhere) | £6.47 | New CFW figure | 16.72 |
| Sub Total | £104.26 | | 114.51 |
| RESIDENTIAL STAFF COSTS | | | |
| Management /Admin | £13.15 | Based on CFW submission plus inflation | 45.00 |
| Registered Manager Costs | £44.51 | (/included in the above figure) | |
| Care Staff | £141.01 | 1.8% - based on CFW | 143.55 |
| Domestic Staff (cleaning and laundry) | £34.85 | 1.8% - based on CFW | 35.48 |
| Sub Total | £233.52 | | £224.03 |
| TOTAL 'BASIC' RESIDENTIAL / VDE | £439.96 | | £450.51 |
| EMI RESIDENTIAL | | | |
| Local/Central admin costs (e.g. office rent) | £13.15 | Based on CFW submission plus inflation | 45.00 |
| Registered Manager Costs | £44.51 | (/included in the above figure) | |
| Care Staff | £182.96 | 1.8% - based on CFW | 186.26 |
| Domestic Staff (cleaning and laundry) | £34.85 | 1.8% - based on CFW | 35.48 |
| Sub total | £275.47 | | £266.74 |
| TOTAL EMI RESIDENTIAL | £481.91 | | £493.22 |
| NURSING | | | |
| Local/Central admin costs (e.g. office rent) | £13.15 | Based on CFW submission plus inflation | 45.00 |
| Registered Manager Costs | £44.51 | (/included in the above figure) | |
| Care Staff | £195.22 | 1.8% - based on CFW | 198.74 |
| Domestic Staff (cleaning and laundry) | £34.85 | 1.8% - based on CFW | 35.48 |
| Sub total | £287.73 | | £279.22 |
| TOTAL NURSING | £494.17 | | £505.70 |
| EMI NURSING | | | |
| Local/Central admin costs (e.g. office rent) | £13.15 | Based on CFW submission plus inflation | 45.00 |
| Registered Manager Costs | £44.51 | (/included in the above figure) | |
| Care Staff | £218.79 | 1.8% - based on CFW | 222.73 |
| Domestic Staff (cleaning and laundry) | £34.85 | 1.8% - based on CFW | 35.48 |
| Sub total | £311.30 | | £303.21 |
| TOTAL EMI NURSING | £517.74 | | £529.69 |



Care Home Fees 2013/14

Care Forum Wales represents over 400 residential and nursing care homes in Wales. As you are considering your budget for 2013/4 we are writing setting out the pressures and costs on care homes for you to consider in your fee setting process.

We would remind you of the framework in which you make these decisions:

- The Fulfilled Lives, Supportive Communities Commissioning Framework and Guidance <http://wales.gov.uk/topics/health/publications/socialcare/circular/commissioningguidance/?lang=en>. We would particularly draw your attention to Standard 10: “Commissioners have understood the costs of directly provided and contracted social care services and have acted in a way to promote service sustainability.”
- The Guidance also requires in standard 4 the importance of working in partnership with others including providers: “Commissioning plans have been developed with partners and have involved all key stakeholders including users, carers, citizens and service providers in the statutory, private and third sector.”
- The Memorandum of Understanding *Securing Stronger Partnerships in Care* <http://www.wlga.gov.uk/english/health-social-services-publications/securing-strong-partnerships-in-care/> also says: “Rational fee-setting is vital to the sustainability and quality of care provision, and to the capacity of the Council to meet its full range of responsibilities and a wide range of needs, as well as to fix an acceptable level of Council Tax. It is essential that the specific issue of fee-setting is on the agenda for those regular local discussions between Council commissioners and independent providers of social care.”

As you will know there have also been a number of judicial reviews over care homes in both Wales and England. Resorting to legal action is never any care homes preferred action and we are sure that you will make appropriate efforts to consult and understand providers’ legitimate and future costs and act rationally so that such action is not necessary.

New pressures on care home costs

In this section we will cover:

- Inflationary pressures
- Adjustments to the toolkit model
- Welsh language measure
- Pension changes
- New regulations on sprinklers

Inflationary pressures

The costs that contribute to our calculation of care fees split into four categories:

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Care Forum Wales . Hillbury House . 2 Hillbury Road . Wrexham LL13 7ET
Ffon/Tel: 01978 755400 . Ebost/Email: mary@careforumwales.co.uk

A Company Limited by Guarantee No 3750314. Registered in England and Wales. Registered Office Hillbury House . 2 Hillbury Road . Wrexham LL13 7ET



- Staff costs:
 - Rates for carers, catering, cleaning and laundry staff are increased by 1.8% to mirror the minimum wage increase in October 2012
 - Nursing, management and agency costs are increased by 1.3% to reflect the average weekly earnings index for health and social care work increased 1.3% July 2011-12
- Repairs and maintenance – these areas have been increased by 3% in line with the Building Costs Index in the 12 months to the end of second quarter of 2012
- Other non-staff current costs the main ones of which are food and utilities have been increased by RPI which was 2.9% in the % in 12 months to August 2012. This is in line with previous years. However, it should be noted that the two major items contributing to care home costs are food and fuel. While food and non-alcoholic beverage inflation was only 2.5%, the inflation index for electricity, gas and other fuels over the same period was 10.2% meaning it is likely that care home inflation overall is significantly higher than 2.9%
- Capital costs where the land element has remained the same but the buildings costs have been inflated by the Building Costs Index which is 3% as above.

Adjustments to the toolkit model

The only adjustment undertaken this year relates to the line other non-staff current expenses. Although taken from the Laing & Buisson toolkit, the vagueness of this line had caused a lack of clarity with both commissioners and providers. Laing & Buisson simply state that this covers a range of small items, but not all corporate groups classify cost heads in the same way. We have reverted to the description used in 2002 that this line covers waste disposal, uniforms, linen & crockery, stationery and publications, motor & travel, subscriptions, sundry other items. Inflating the historic data on this gives us a figure of £17.42 which is more in line with care homes reported budgets.

The Welsh Language Measure

Care Forum Wales fully supports the rights of those receiving social care to communicate through their language of choice. Moreover, we appreciate that the vulnerable people for whom our members care can communicate their needs better in their first language and that this facility enhances their wellbeing. At the time of writing we remain unclear exactly what will be required of our members following consultation on implementation of the Welsh Language Measure. This and the variation in current requirements by different local authorities makes it difficult to cost accurately. However, we would ask that you assess your current requirements in line with the Welsh Language Measure and consider what, if any, additional costs you believe it will impose.

Pension changes

Automatic enrolment into a pension scheme for staff aged 16-74 who an employer deducts tax and NI for is being introduced from 1 October 2012 for employers with 120,000 staff or more. During



the 2013/14 financial year all employers with 250+ employees are being required to roll out the scheme and smaller employers are being to put systems in place in anticipation. We would therefore ask that consideration is given as to how this change will be taken into account in fee setting.

New regulations on sprinklers

While we are still in discussions with Welsh Government about the implementation of the new regulations on sprinklers they will come in in September 2013 which it seems will apply to any new builds or conversions. The cost of installing sprinklers is likely to be at least £3000 for each premises and potentially more as Dŵr Cymru tell us that across Wales water pressure is likely to be non-compliant 47% of the time and pumps may be needed as well.

Laing & Buisson with adaptations

Our recommendation remains that local authorities set fees using the Laing & Buisson toolkit commissioned by the Welsh Local Government Association, but take into account the changes in regulation since that was published in 2004, including modifications made by William Laing to the toolkit he produced in 2008 for England, which equally apply to Wales. We would also urge you to take into account local costs and circumstances as recommended by William Laing. In particular local land and building costs and staff wages and ratios are likely to vary. William Laing also found a significant increase in dependency between 2004 and 2008 which necessitated increased care hours per resident per week and has found a further increase in dependency in England in his new report for 2012. We believe this mirrors the situation in Wales and evidence from our members suggests this increase has continued. As thresholds for entering a care home increase, then increases in overall dependency levels are inevitable and this will require more care hours per resident to be paid for. Increased dependency also means that residents are likely to be in the care home for a shorter length of time which effects turnover and occupancy rate, again leading to increased costs. You will recall that in the judgement on the first Pembrokeshire judicial review case the judge declared that failing to take into account local staffing factors was an error in law. The Laing toolkit also uses as its basis larger homes. For most authorities in Wales the rural nature means that smaller local homes are required and costs may need to be factored up accordingly. We are happy to advise further on all these matters. We would also encourage your local authority to use a quality threshold within the fees, as recommended by William Laing, to incentivise meeting the National Minimum Standards for new care homes from 2002.

Care Forum Wales indicative fees and inflationary factors

With the provisos that local factors should be taken into account our inflating of the toolkit indicates fees should be in the region of:

Residential £535-613

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| | |
|-----------------|------------|
| EMI residential | £551-629 |
| Nursing | £683 - 761 |
| EMI nursing | £710-787 |

The full breakdown of costs contributing to these fees is supplied as an appendix.

Living wage

These costs are also based on existing staff terms of conditions. Our members would like to be able to offer improved staff terms and conditions to aid retention and increase staff morale. However, they recognise that in current economic circumstances local authorities may have some resistance to increasing fees to a level to allow for this. However, we know that some local authorities are considering implementing the living wage, and would urge those that do so not to forget the care staff in the organisations they are commissioning care from.

NHS contribution

We are aware that many within local government share our concern about the freeze of the nursing contribution from the NHS. However, we would remind you that Paragraph 37 of the *NAFWC 25/2004 NHS Funded Nursing Care in Care Homes - Guidance 2004* deals with the determination of the total amount to be paid for NHS Funded Nursing Care it clearly identifies that there should be no gap between local authority and NHS provision.

“37. Providers, local authorities and Local Health Boards will need to agree a total funding package that takes into account the NHS contribution. When making arrangements for residential care for an individual under the National Assistance Act 1948, local authorities are responsible for the remaining costs of accommodation and personal care. There should be no gap between local authority and NHS provision.”

EMH provision

We hear in many areas that commissioning plans identify a need for more EMH provision, but existing providers are often loath to move into EMH as they believe the increased fees paid do not reflect the increased costs. Laing allows for higher staff costs for EMH, but not for higher repairs and maintenance costs. Because of the nature of the client base we believe that unless high repairs and maintenance costs are paid it may be difficult to attract new entrants into this sector of the market. Whatever CSSIW decides on in the future regarding registration categories for EMH we believe there is an increased cost, both in terms of staffing and also repairs and maintenance costs for EMH residents, which needs to be included in fee calculations.



A sustainable social care sector

We recognise, of course, that this is a difficult time for local authority budgets, but in the care sector there is no fat to trim. Anything other than an increase to meet an increase in costs will hurt the vulnerable people we care for. Our members are getting increasing financial pressure from lenders, some of whom require a home to be profitable at 85% occupancy. Everyone wants to see a sustainable care sector for the point of view of residents and your commissioning plan no doubt requires one. As you will be aware the majority of care homes in Wales are SMEs and we hope your Commissioning Strategy will also take into account the effect on the Welsh pound and economic development within your area of how you commission your care provision. We are of course very happy to work with you in terms of identifying potential efficiency savings in the care sector.

Local determination

We are pleased that local government in Wales has signed up to the Memorandum of Understanding and look forward to working with you in the partnership approach set out there to ensure that we can meet the needs of those who need care in your area most appropriately.

We are concerned that we are seeing an increasing development by individual local authorities of their own questionnaires to local care homes to set fees. While we agree that it is important to take into account local factors we are concerned by the cost and complexity of some of these questionnaires and the fact that they often fail to take into account some items of legitimate expenditure. Questionnaires should be in a format that is easy for care providers to complete and it is important to consult with ourselves and local provider forums before issuing them. We are particularly concerned that capital costs are often not properly accounted for. In particular, capital costs should include the costs of the building, capital equipment and any equity capital contributed by the owner, as they are foregoing income by not using that capital elsewhere. There should also be a reasonable return on investment or profit to account for setting up and maintaining the business.

It should be emphasised the principles set out here and the importance of transparency and consultation in decision making also apply to domiciliary care provision and to care home provision for children and younger adults. Do not hesitate to contact me if you would like to discuss any of this further.

With all best wishes

Mary Wimbury
Senior Policy Adviser
Care Forum Wales

Care Forum Wales Toolkit Calculations 2013/14

| PERSONAL CARE FOR FRAIL ELDERLY PEOPLE | £ per resident per week, 2013/14 |
|--|---|
| Cost heads | |
| A) STAFF, INCLUDING EMPLOYERS' ON-COSTS | |
| Qualified nurse staff cost per resident (excludes supernumerary managers) | 0 |
| Care assistant staff cost per resident (including activities) | 184 |
| Catering, cleaning and laundry staff cost per resident | 35 |
| Management / administration / reception staff cost per resident | 75 |
| | 0 |
| Agency staff allowance - nurses | 0 |
| Agency staff allowance - care assistants | 3 |
| Training backfill | 4 |
| Total staff | £301 |
| B) REPAIRS AND MAINTENANCE | |
| Maintenance capital expenditure | 20 |
| Repairs and maintenance (revenue costs) | 12 |
| Contract maintenance of equipment | 3 |
| Total repairs and maintenance | £36 |
| C) OTHER NON-STAFF CURRENT COSTS AT HOME LEVEL | |
| Food | 27 |
| Utilities (gas, oil, electricity, water, telephone) | 25 |
| Handyman and gardening (on contract) | 8 |
| Insurance | 6 |
| Medical supplies (including medical equipment rental) | 3 |
| Registration fees (including CRB checks) | 1 |
| Recruitment | 2 |
| Direct training expenses (fees, facilities, travel and materials) net of grants and subsidies | 2 |
| Continence products | 0 |
| Other non-staff current expenses | 17 |
| Total non-staff current expenses | £92 |
| D) CAPITAL COSTS (12% Return on Capital) | |
| Land | £31 |
| Buildings and equipment meeting national minimum physical standards for new homes, extensions and 1st registrations since April 2002 | £152 |
| Total capital costs | £183 |
| | |
| Fair price for homes meeting all standards for 'new' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £613 |
| Maximum capital cost adjustment factor for homes not meeting physical standards for 'new' homes | -£78 |
| Fair price for homes which do not exceed the physical standards for 'existing' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £535 |

PLEASE NOTE THESE FIGURES ARE INDICATIVE AND MAY NOT REFLECT LOCAL COSTS

Sum of constituent figures and totals may also vary due to roundings.

| PERSONAL CARE FOR PEOPLE WITH DEMENTIA | £ per resident per week, 2013/14 |
|--|---|
| Cost heads | |
| A) STAFF, INCLUDING EMPLOYERS' ON-COSTS | |
| Qualified nurse staff cost per resident (excludes supernumerary managers) | 0 |
| Care assistant staff cost per resident (including activities) | 200 |
| Catering, cleaning and laundry staff cost per resident | 35 |
| Management / administration / reception staff cost per resident | 75 |
| Agency staff allowance - nurses | 0 |
| Agency staff allowance - care assistants | 3 |
| Training backfill | 5 |
| Total staff | £317 |
| B) REPAIRS AND MAINTENANCE | |
| Maintenance capital expenditure | 20 |
| Repairs and maintenance (revenue costs) | 12 |
| Contract maintenance of equipment | 3 |
| Total repairs and maintenance | £36 |
| C) OTHER NON-STAFF CURRENT COSTS AT HOME LEVEL | |
| Food | 27 |
| Utilities (gas, oil, electricity, water, telephone) | 25 |
| Handyman and gardening (on contract) | 8 |
| Insurance | 6 |
| Medical supplies (including medical equipment rental) | 3 |
| Registration fees (including CRB checks) | 1 |
| Recruitment | 2 |
| Direct training expenses (fees, facilities, travel and materials) net of grants and subsidies | 2 |
| Continence products | 0 |
| Other non-staff current expenses | 17 |
| Total non-staff current expenses | £92 |
| D) CAPITAL COSTS (12% Return on Capital) | |
| Land | £31 |
| Buildings and equipment meeting national minimum physical standards for new homes, extensions and 1st registrations since April 2002 | £152 |
| Total capital costs | £183 |
| Fair price for homes meeting all standards for 'new' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £629 |
| Maximum capital cost adjustment factor for homes not meeting physical standards for 'new' homes | -£78 |
| Fair price for homes which do not exceed the physical standards for 'existing' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £551 |

PLEASE NOTE THESE FIGURES ARE INDICATIVE AND MAY NOT REFLECT LOCAL COSTS

Sum of constituent figures and totals may also vary due to roundings.

| NURSING CARE FOR FRAIL ELDERLY PEOPLE | £ per resident per week, 2013/14 |
|--|---|
| Cost heads | |
| A) STAFF, INCLUDING EMPLOYERS' ON-COSTS | |
| Qualified nurse staff cost per resident (excludes supernumerary managers) | 127 |
| Care assistant staff cost per resident (including activities) | 218 |
| Catering, cleaning and laundry staff cost per resident | 35 |
| Management / administration / reception staff cost per resident | 45 |
| Agency staff allowance - nurses | 3 |
| Agency staff allowance - care assistants | 3 |
| Training backfill | 8 |
| Total staff | £440 |
| B) REPAIRS AND MAINTENANCE | |
| Maintenance capital expenditure | 20 |
| Repairs and maintenance (revenue costs) | 12 |
| Contract maintenance of equipment | 3 |
| Total repairs and maintenance | £36 |
| Food | 27 |
| Utilities (gas, oil, electricity, water, telephone) | 25 |
| Handyman and gardening (on contract) | 8 |
| Insurance | 6 |
| Medical supplies (including medical equipment rental) | 3 |
| Registration fees (including CRB checks) | 1 |
| Recruitment | 2 |
| Direct training expenses (fees, facilities, travel and materials) net of grants and subsidies | 2 |
| Continence products | 10 |
| Other non-staff current expenses | 17 |
| Total non-staff current expenses | £102 |
| D) CAPITAL COSTS (12% Return on Capital) | |
| Land | £31 |
| Buildings and equipment meeting national minimum physical standards for new homes, extensions and 1st registrations since April 2002 | £152 |
| Total capital costs | £183 |
| Fair price for homes meeting all standards for 'new' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £761 |
| Maximum capital cost adjustment factor for homes not meeting physical standards for 'new' homes | -£78 |
| Fair price for homes which do not exceed the physical standards for 'existing' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £683 |

PLEASE NOTE THESE FIGURES ARE INDICATIVE AND MAY NOT REFLECT LOCAL COSTS

Sum of constituent figures and totals may also vary due to roundings.

| <u>NURSING CARE FOR PEOPLE WITH DEMENTIA</u> | £ per resident per week, 2013/14 |
|--|---|
| Cost heads | |
| A) STAFF, INCLUDING EMPLOYERS' ON-COSTS | |
| Qualified nurse staff cost per resident (excludes supernumerary managers) | 127 |
| Care assistant staff cost per resident (including activities) | 244 |
| Catering, cleaning and laundry staff cost per resident | 35 |
| Management / administration / reception staff cost per resident | 45 |
| Agency staff allowance - nurses | 3 |
| Agency staff allowance - care assistants | 3 |
| Training backfill | 8 |
| Total staff | £466 |
| B) REPAIRS AND MAINTENANCE | |
| Maintenance capital expenditure | 20 |
| Repairs and maintenance (revenue costs) | 12 |
| Contract maintenance of equipment | 3 |
| Total repairs and maintenance | £36 |
| C) OTHER NON-STAFF CURRENT COSTS AT HOME LEVEL | |
| Food | 27 |
| Utilities (gas, oil, electricity, water, telephone) | 25 |
| Handyman and gardening (on contract) | 8 |
| Insurance | 6 |
| Medical supplies (including medical equipment rental) | 3 |
| Registration fees (including CRB checks) | 1 |
| Recruitment | 2 |
| Direct training expenses (fees, facilities, travel and materials) net of grants and subsidies | 2 |
| Continence products | 10 |
| Other non-staff current expenses | 17 |
| Total non-staff current expenses | £102 |
| D) CAPITAL COSTS (12% Return on Capital) | |
| Land | £31 |
| Buildings and equipment meeting national minimum physical standards for new homes, extensions and 1st registrations since April 2002 | £152 |
| Total capital costs | £183 |
| Fair price for homes meeting all standards for 'new' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £788 |
| Maximum capital cost adjustment factor for homes not meeting physical standards for 'new' homes | -£78 |
| Fair price for homes which do not exceed the physical standards for 'existing' homes in National Minimum Standards for Care Homes for Older People (Revised - March 2004) | £710 |

PLEASE NOTE THESE FIGURES ARE INDICATIVE AND MAY NOT REFLECT LOCAL COSTS

Sum of constituent figures and totals may also vary due to roundings.

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---|---|
| Report to | EXECUTIVE COMMITTEE |
| Date | 18TH MARCH 2013 |
| Subject | AMENDMENT TO THE CONSTITUTION OF TAITH |
| Portfolio Holder(s) | COUNCILLOR BOB PARRY |
| Lead Officer(s) | DEWI R WILLIAMS |
| Contact Officer | DEWI R WILLIAMS |
| Nature and reason for reporting | |
| To gain Executive approval for a change to the Constitution of TAITH, the Transport consortium for North Wales. | |

| A – Introduction / Background / Issues |
|---|
| <p>The purpose of the report is to advise the Executive of proposed changes to the delivery of bus subsidy funding from the 1 April 2013, to highlight the implications of a budget cut in the available funding for bus subsidies and to seek approval for revised management arrangements linked to the delivery of a new bus funding scheme via the Regional Transport Consortia. The paper also seeks approval to change the Constitution of TAITH to allow the delivery of the new scheme in North Wales.</p> <p>There are two grant schemes currently provided in support of bus services by the Welsh Government. These are Bus Services Operators Grant (BSOG) and Local Transport Services Grant (LTSG). BOSG is provided directly to bus operators by the WG and takes the form of a subsidy for fuel usage. LTSG is provided to local authorities to support local bus networks and these are tendered by local authorities and procured from bus companies on a route by route basis. The total combined value of these grants in the 2011-12 financial year was £33 million. In January 2012 the Minister for Local Government and Communities announced a proposed budget reduction of between 25% and 27% to the two funding schemes.</p> <p>Subsequent to the announcement a transitional funding period whilst the grant was maintained was agreed by the Minister subject to a review of the future funding of bus services across Wales. It was finally confirmed for the remainder of the 2012-13 financial year that a cut of approximately 9.5% would apply, from 1 October 2012, which equates to a 20% cut in bus funding for the second half of the financial year.</p> <p>The Minister for Local Government and Communities also initiated a Funding Review, led by a steering group comprising the Welsh Government and the Regional Transport</p> |

Consortia (RTCs), with significant input from the Confederation of Passenger Transport (CPT).

Driven by the Welsh Government's case for change, difficult decisions were embraced by the Steering Group and a report was sent to the Minister by the agreed date. The report has subsequently been approved by the Minister and a new scheme called Regional Transport Services Grant will be in place from the 1 April 2013. The key principles of the new arrangements are to be:

- Regional Transport Consortia will be responsible for administering the new Regional Transport Services Grant (RTSG) scheme, which will take over from BSOG and LTSG, from 1 April 2013;
- Consortia will develop a Regional Bus and Community Transport Network Strategy in 2013/14, setting out outcomes consistent with national and regional transport priorities;
- Consortia will monitor performance against outcomes, and publish results in their Annual Progress Report;
- Consortia will be responsible for administering the reimbursement paid to operators under the concessionary bus travel scheme in their area from 1 April 2013.
- The new scheme will have a total budget of £25m for the 2013-14 financial year.

Substantial work needs to be undertaken to ensure that the consortia, local authorities and operators are ready to operate the new system by 1 April. Plans for managing and resourcing these new responsibilities are being developed by a Task and Finish Group comprising of two senior Transport Officers seconded from Ynys Môn and Conwy.

B- Considerations

Issues remain to be addressed about the timing, resources and joint working arrangements, as the redirection and reduced level of funding will have a major impact on the commercial network and local authority supported services. Their apportionment will need to be determined and understood in advance of 1 April 2013. Substantial work needs to be undertaken to understand the current levels of BSOG support for commercial and supported services, to determine the actual levels of funding for the commercial mileage element of the new grant and funding levels available to local authorities for supported services. The degree of joint working with the Welsh Government needs to increase substantially to undertake this work in the time available.

To mitigate or at least reduce those risks, it has been agreed that the introduction of the new system can take place on a phased basis. For example the regionalisation of the LTSG can proceed as scheduled on 1 April 2013, whilst the changes to BSOG could be introduced over a 12 months period. This makes sense. It would allow sufficient time to fully understand and implement the administrative procedures necessary to undertake the proposed changes, allow the development and agreement of the quality outcomes of

the new scheme, and more importantly, ensure that the effects of the reduced funding levels, and the impact, specifically of BSOG on the commercial network, would be fully understood and taken into account when producing the Regional Bus and Community Transport Network Strategies.

There is a risk that the new proposals will have impacts on existing bus networks during the transition period. There will inevitably be a reduction in the number of commercial services operated across the region, which will place pressure on the supported network. The level of unhypothecated funding allocated by local authorities will also come under pressure as the impact of the changes and the reduced budget impact on networks. There will need to be a close working relationship between TAI TH and the Local Authorities to manage the potential changes and minimise the impact as far as is possible.

The Consortia are not currently structured to manage the delivery of bus funding and neither is this role contained in the current remit for TAI TH as defined by its Constitution. Local Authorities currently manage the delivery of LTSG but are not resourced to manage the delivery of BSOG which is currently managed by the Department for Transport. The following actions are proposed.

1. The current TAI TH Constitution limits the role of TAI TH to that set out by the aims and objectives set out on paragraphs 3.1 and 3.2 of the Constitution. It is proposed to amend the Constitution by the insertion of the additional objective below into paragraph 3.2.5 of the document.

To administer commission and deliver bus funding grants and bus network strategies for the region.

A revised draft version of the Constitution is available in the Members' Lounge with the proposed amendments shown in red. The current constitution is available on the Taith website http://www.taith.gov.uk/wp-content/uploads/2012/01/Taith_Constitution_2006.pdf The intention of the change is only to enable the delivery of the new scheme approved by the Minister to take place. Any additional changes to the role of TAI TH would require the further approval of the partner authorities.

The current constitution also defines the TAI TH area as excluding the Meirionnydd area of Gwynedd. As revenue budgets for bus services are difficult to disaggregate, a change will be needed to allow TAI TH to deliver the bus funding changes in Meirionnydd, subject to Gwynedd agreeing this is the preferred approach. Revised working to allow this change to happen have been included in the draft TAI TH Constitution document.

As implementation of the new scheme progresses alternative arrangements will need to be developed in partnership with authorities across North Wales to manage the future delivery of the new scheme.

| C – Implications and Impacts | | |
|-------------------------------------|---|-------------|
| 1 | Finance / Interim Head of Function (Resources) and Section 151 Officer | |
| 2 | Head of Function Legal & Administration / Monitoring Officer | |
| 3 | Human Resources | |
| 4 | Property Services (see notes – separate document) | |
| 5 | Information and Communications Technology (ICT) | |
| 6 | Equality (see notes – separate document) | |
| 7 | Anti-poverty and Social (see notes – separate document) | No Comments |
| 8 | Communication (see notes – separate document) | |
| 9 | Consultation (see notes – separate document) | |
| 10 | Economic | |
| 11 | Environmental (see notes – separate document) | |
| 12 | Crime and Disorder (see notes – separate document) | |
| 13 | Outcome Agreements | |

Ch - Summary

Members are invited to:

1. Note the new arrangements for the delivery of bus funding that will be in place from the 1 April 2013 following the approval of the bus funding report by the Minister for Local Government and Communities.
2. Approve the proposed additional clause to be inserted into the TAITH Constitution to allow the delivery of the new scheme by the Consortium.
3. Note that further work will be progressed to identify new management arrangements for the delivery of the new scheme during the initial implementation and transitional period for Regional Transport Services Grant.

Financial Considerations

The paper gives an update on progress with the bus funding review that will have significant consequences for TAITH and the partner Local Authorities

There are significant financial consequences from the report, and there will be further work carried out to develop a full analysis of the issues.

Payment of future bus revenue grants to TAITH will have implications for TAITH and for the workload of the financial host authority (Flintshire County Council).

Payment of future bus revenue grants to consortia will have staffing implications.

The reduction in LTSG and BSOG will make it more difficult to achieve RTP objectives and may impact on the level and provision of bus services across North Wales.

D - Recommendation:

That the Committee approve the change to the Constitution of TAITH.

Name of author of report: Dewi R Williams

Job Title: Head of Service (Highways & Waste Management)

Date: 26th February 2013

Appendices:

Background papers

TAITH Constitution

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| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---|---|
| Report to | EXECUTIVE COMMITTEE |
| Date | 18TH MARCH 2013 |
| Subject | UPDATE ON COLLABORATION ON HIGHWAYS ON TRANSPORTATION SERVICES |
| Portfolio Holder(s) | COUNCILLOR BOB PARRY |
| Lead Officer(s) | DEWI R WILLIAMS |
| Contact Officer | DEWI R WILLIAMS |
| <u>Nature and reason for reporting</u> | |
| To provide a progress update on the collaboration programme for Highways and Transport series across Wales. | |

| A – Introduction / Background / Issues |
|---|
| <p>The Compact was signed by the Welsh Local Government Association on behalf of all local authorities in Wales in July 2011. One of the principal items in the Compact is “Regional Planning Management and Delivery of Strategic Highways”. This covers roads, for which the Welsh Government are the Highway Authority and the remainder for which the 22 local authorities are the Highway Authority. The roles of Welsh Government, Local authorities, Trunk Road Agencies and the Regional Transport Consortia will be considered, to ensure a coherent planning and delivery framework is achieved across Wales.</p> <p>Following the signing of the Simpson Compact, a Compact Steering Group was established, consisting of WG/WLGA/RTC representatives, to co-ordinate the delivery of the Compact commitments related to Highways and Transport Services.</p> <p>The Minister for Local Government and Communities has stated his position on Highways and Transportation collaboration:</p> <ul style="list-style-type: none"> • 22 local authorities working independently is not supported • The joint working arrangements currently in place, based around the Regional Transport Consortia, are to be explored for further development. • Joint Transport Authorities or the use of “powers of direction” have not been ruled out by WG which in effect removes control of Transportation services from Local Authorities |

- Change must lead to improvement in services or efficiency savings or both
- There are differences within and between regions and these differences need to be taken into account

B- Considerations

2.1 Current Situation

A wide ranging consultation exercise was undertaken, including workshops throughout Wales, engaging with key stakeholders and practitioners, including: regional directorate groupings; heads of service; the joint Committees and Corporate Management Boards set up to represent the Regional Transport Consortia. Through this approach both levels of government were able to identify (supported with evidential examples), the challenges and opportunities within the current arrangements and suggest effective ways forward.

The compact Steering Group felt that the constraints of current arrangements are:-

- Inability to effectively respond to reducing funding levels
- Limited strategic approach to planning & selection of investment interventions in Wales
- Disjointed approach, to planning, management & delivery of transportation in Wales
- Duplication of resources due to current delivery structures
- Inability to develop or retain officers with specialist knowledge & skills
- Inefficient/ineffective procurement
- Limited baseline data & benefits accrued from investments
- Variation across Wales in some areas, in standards & policies which are not justified in improving outcomes at a local level
- Resilience – ability to discharge statutory duties placed upon organisations

Using the information and views gathered, the Steering Group prepared a detailed document “The High Level Review of Transport & Highway Services Report” which includes the outcomes of the workshops, including the All Wales Consultation Workshop held in September 2012. This document highlighted that more needs to be done to ensure our services are responsive, appropriate and sustainable.

The attached Strategic Programme for Change Report (SPfCR) was completed by the Steering Group using the evidence base from the High Level Review document and aims to establish the case for change and the way forward in relation to modernising and improving the way highways and transportation services are planned and delivered. The main focus of the document is to set out clearly the strategic case for change. It provides:

- An assessment of the current service provisions and governance arrangements against set objectives and associated criteria;
- Sufficient information to allow a decision to be made as to whether further work should be undertaken on assessing the business case for change
- Recommendations for the next steps.

Detailed within the change report is a programme of 10 high level workstreams which are recommended for further investigation over a two year period, commencing immediately and scheduled for completion in 2014:

Workstream 1 – Strengthen governance arrangements for regional collaboration, policy & strategy

Workstream 2 – Establish a planning framework for the next National & Regional Transport Plans.

Workstream 3 - Redefine the status of roads making up the Welsh highway network

Workstream 4 – Re-allocate responsibilities for the various categories of the highway

Workstream 5 – Develop business cases for further collaborative working on a regional – sub regional basis

Workstream 6 – Introduce arrangements for Welsh Government & local government to share their professional skills

Workstream 7 – Introduce a programme to roll out procurement processes that have secured efficiency savings at a national, regional & local level.

Workstream 8 – Establish minimum operational & maintenance standards & policies & rationalise specification for the network

Workstream 9 – Increase resilience to delivery planned and non-planned events

Workstream 10 – Introduce a requirement & system to produce, record & compare outcomes & outputs against investment.

2.2 Next Steps

Approval was sought from WLGA Council on 22nd February 2013, to further investigate the 10 workstreams over the next two years by developing business cases to ascertain if there is merit in implementing changes to the areas identified. Any new arrangement must be capable of meeting the following high level objectives:

- Leadership/Governance – Shared governance arrangement which are robust, effective & fit for purpose providing strategic leadership, clear accountability & effective scrutiny
- Efficiency - Will deliver more for less
- Effectiveness/Innovation - Improving service delivery by introducing effective and innovative objectives and targets, collaborative working; knowledge sharing and problem solving

2.3 **Resource Implications**

Welsh Government, Welsh Local Government Association and Local Governemnt are all contributing resources to the programme. It is considered that the resource requirements to complete the Strategic Programme for Change Reprot can be met by these organisations, however, to progress the workstreams further will require additional resources.

2.4 **The Quick Wins**

In addition to the 10 workstreams detailed above the RTC's have been asked to deliver a number of collaborative projects as "Quick Wins". TAIH is currently exploring the following proposed collaboration models:-

2.4.1 **Road Safety**

Collaboration arrangements have been put in place; each authority is responsible for leading on a road safety theme under the strategic direction of a regional Road Safety Board comprising of local authorities, thePolice and North Wales Fire Service.

2.4.2 **Public Transport**

The outcome from a study of the existing arrangements, together with proposals to share skills and resources is currently being developed. An Outline Business Case will be brought to all local authorities in TAIH in the near future for consideration and approval.

2.5 **Bus Funding**

A further "Quick Win" has been introduced by the Minister which relates to the funding of bus services across Wales. The Bus Service Operators Grant (BSOG) and the Local Transport Services Grant (LTSG) are the two main sources of grant funding. Up until now, LTSG has been allocated to local authorities by the Welsh Government on a formula basis whilst BSOG was a Department for Transport administered fuel duty rebate for operators. The Welsh Government have advised that between 2011/12 and 2013/14 the combined grant funding from these two sources will reduce by 25% from £33m to £25m.

A Bus Funding Review Steering Group was established by the Minister and supported by a Technical Group, consisting of Welsh Government, local authority representatives from Regional Transport Consortia and the Confederation of Passenger Transport.

The Group's report proposed a number of changes which have been approved by the Minister and will take effect from April 2013. Other changes require a longer lead and further work will be undertaken during the transition year 2013/14 and may extend into 2014/15.

The board changes to bus funding arrangements which will take effect from April 2013 are:

- A single, new funding scheme will replace the current BSOG and LTSG with a working budget assumption of £25 million (from the total of previous grant schemes amounting to c£33m). This allocation will support commercial and non-commercial services. The working title of this new grant scheme is the Regional Transport Services Grant.
- The financial year 2013/14 will be a transition year for the new scheme to allow the network to adjust to the new levels of available public funding; including the future level of RSG, which local authorities may continue to provide additional support for public transport from.
- Subject to their respective approval, the RTCs will be responsible for administering the new scheme from 1 April 2013. This role for TAITH is not currently covered by its Constitution, so a change will have to be approved by each of the six authorities before April 2013.
- During the transition year 2013/14 RTCs (together with their partners) will prepare Regional Bus and Community Transport Network strategies, providing an overview of the existing bus and community transport network (for both commercial and supported services) together with the objectives and priorities for the network. This will then inform funding allocation towards services across the region.

3.1 Implications for Local Authorities/Regional Transport Consortia

In a short timescale, RTCs and their constituent local authorities will need to establish the tasks that they may take on within the current legal and governance framework identify resources and establish appropriate systems to manage the additional tasks. WG expect that the additional costs associated with administering the Regional Transport Services Grant will be met from the fee paid by the Welsh Government to local authorities for administering the free concessionary bus travel scheme and are not proposing to make other resources available.

The reduced funding will make it difficult to maintain services, improve quality and grow bus service usage. As a result of the reduction of the 'former' BSOG element, some commercial services may become uncommercial, resulting in bus operators withdrawing services. RTCs and local authorities will also have less funding available for services. Local authorities could face local pressures to bridge the gap created by a reduction in available funding, using individual local authority budgets to ensure that support for specific subsidised, socially necessary routes continue. In a recent letter to the RTC's Welsh Government sought assurance that the RTC will have appropriate arrangements in place by April 2013 to implement the bus grants.

In this letter, Welsh Government also indicated that, "we should consider how we can identify the level of unhypothecated funding used to support local bus services at the local authority level and how this can best support the new working arrangements."

| C – Implications and Impacts | | |
|-------------------------------------|---|-------------|
| 1 | Finance / Interim Head of Function (Resources) and Section 151 Officer | |
| 2 | Head of Function Legal & Administration / Monitoring Officer | |
| 3 | Human Resources | |
| 4 | Property Services (see notes – separate document) | No Comments |
| 5 | Information and Communications Technology (ICT) | |
| 6 | Equality (see notes – separate document) | |
| 7 | Anti-poverty and Social (see notes – separate document) | |
| 8 | Communication (see notes – separate document) | |

| C – Implications and Impacts | |
|-------------------------------------|--|
| 9 | Consultation (see notes – separate document) |
| 10 | Economic |
| 11 | Environmental (see notes – separate document) |
| 12 | Crime and Disorder (see notes – separate document) |
| 13 | Outcome Agreements |

| CH - Summary |
|---|
| <p>The pace of change is being driven by Welsh Government and upheld with the threat of the introduction of regional level Joint Transport Authorities, if the major collaborative programme is not implemented speedily.</p> <p>There will be a review of the governance arrangements necessary to oversee and take forward the collaborative programme of change and its implications on the Regional Partnership Board, the TAITH Joint Committee, the local authorities and the officer structures necessary to manage these arrangements.</p> <p>At the WLGA Council meeting on 22nd February 2013, Councillors representing local authorities were asked to approve the Strategic Programme for Change report. This will not commit local authorities to anything, other than give agreement for Business Cases to be developed for the workstreams, before being brought back to local authorities for formal approval, should the Case for Change be proven.</p> |

| D - Recommendation |
|---|
| <p>That the Strategic Programme for Change report and further exploration of the 10 workstreams is approved.</p> <p>That further reports are brought to the Executive and Scrutiny for consideration of the Business Cases, before any changes to current working practices are introduced.</p> |

Name of author of report: Dewi R Williams
Job Title: Head of Service (Highways & Waste Management)
Date: 27.02.2013

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| Appendices: |
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|--------------------------|
| Background papers |
| |

AGENDA ITEM NO.

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|---|--|
| Report to | EXECUTIVE |
| Date | March 18, 2013 |
| Subject | Payments to Outside Bodies - Education / Leisure and Culture : Recommendations for payments in 2012-2013 |
| Portfolio Holder(s) | Portfolio Holders : Cllr. Goronwy O.Parry MBE (Education), Cllr. Trefor LI.Hughes (Leisure) |
| Lead Officer(s) | Dr.Gwynne Jones (Director – Lifelong Learning) / John Rees Thomas – Head of Service – Leisure and Culture |
| Contact Officer | John Rees Thomas – Head of Service – Leisure and Culture |
| <p>Nature and reason for reporting : The Authority annually makes payments through the Education Service and the Leisure and Culture Service to external organisations involved with the provision of a range of educational and youth service related services together with local arts and culture organisations. Payments are made to organisations operating in areas which the Authority wishes to support. Authorisation is required to enable officers to progress with payments to the organisations. The proposed allocation of Education / Leisure and Culture Grants for 2012-2013 are set out in Appendix 1.</p> | |

| A – Introduction / Background / Issues |
|---|
| <p>Grants to the Arts For 2011-2012, the accepted recommendation was to allocate the budget in full. Recommendation for 2012-2013 : It is recommended that the grant aid awarded to the local organisations is maintained at the 2011-2012 level. The overall allocation is reduced by 5% as a consequence of reducing the Leisure and Culture Service’s expenditure against certain headings.</p> <p>Youth Service and Community For 2011 - 2012, the accepted recommendation was to allocate the budget in full. Recommendation for 2012-2013 : It is recommended that the grant aid awarded to the organisations is maintained close to the 2011-2012 level. Please note that the grant aid to both Urdd Gobaith Cymru and the Anglesey Federation of Young Farmers Clubs is subject to a formal agreement. The overall allocation is reduced by 4%.</p> |

Schools Discretionary Exceptions Budget

For 2011 - 2012, the accepted recommendation was to allocate the budget in full.

Recommendation for 2012-2013 : It is recommended that the grant aid awarded to the local organisations is maintained at the 2011-2012 level.

Historically annual payments to a number of organisations, namely, CLEAPSE, CEWC, CBAC / WJEC, Performing Rights, Copyright Licensing Agency, Misc. Licences appeared on the annual list of grant allocations to be approved. These payments, in fact, represent annual subscriptions for operational services provided to the Education Service. As such it is proposed that they are no longer presented for annual approval. This category can be seen in the attached table, for information, Part B (2) Schools Discretionary Budget [Subscriptions].

B - Considerations

The presentation of this report - Payments to Outside Bodies - Education / Leisure and Culture : Recommendations for payments in 2012-2013 – to the Executive Committee is extremely late this year.

Given the restrictions imposed by the 'pre-election period' it is considered prudent to recommend, for 2012-2013 only, the recommendation as set out in recommendation D1 below.

C – Implications and Impacts

| | | |
|-----------|--|--|
| 1 | Finance / Section 151 | |
| 2 | Legal / Monitoring Officer | |
| 3 | Human Resources | |
| 4 | Property Services | |
| 5 | Information and Communications Technology (ICT) | |
| 6 | Equality | |
| 7 | Anti-poverty and Social | |
| 8 | Communication | |
| 9 | Consultation | |
| 10 | Economic | |
| 11 | Environmental | |
| 12 | Crime and Disorder | |
| 13 | Outcome Agreements | |

CH - Summary

The report provides recommendations with regard to Payments to Outside Bodies - Education / Leisure and Culture : Recommendations for payments in 2012-2013, as detailed in Appendix 1.

D - Recommendation

D 1. To delegate the decision on the recommendations set out in D2 below, for this year only, to the Director of Lifelong Learning / Head of Service – Leisure and Culture in consultation with the Head of Service – Finance.

D 2.(a) **Grants to the Arts - Recommendation for 2012-2013** : It is recommended that the grant aid awarded to the local organisations is maintained at the 2011-2012 level. The overall allocation is reduced by 5% as a consequence of reducing the Leisure and Culture Service's expenditure against certain headings.

(b) **Youth Service and Community - Recommendation for 2012-2013** : It is recommended that the grant aid awarded to the organisations is maintained close to the 2011-2012 level. Please note that the grant aid to both Urdd Gobaith Cymru and the Anglesey Federation of Young Farmers Clubs is subject to a formal agreement. The overall allocation is reduced by 4%.

(c) **Schools Discretionary Exceptions Budget - Recommendation for 2012-2013** : It is recommended that the grant aid awarded to the local organisations is maintained at the 2011-2012 level.

Name of author of report : John Rees Thomas
Job Title : Head of Service – Leisure and Culture
Date : 07/03/2013

Appendices:

Appendix 1. Education / Leisure and Culture Grants : Proposed allocation for 2012-2013

Background papers

None

| Atodiad 1. Grantiau Addysg / Hamdden a'r Celfyddydau : Dyranriad ar gyfer 2012-2013 Appendix 1. Education / Leisure and Culture Grants : Proposed allocation for 2012-2013 Rhan A : Grantiau i'r Celfyddydau : Dyranriad ar gyfer 2012-2013 / Part A : Grants to the Arts : Proposed allocation for 2012-2013. | | | | |
|--|--|--|---|--|
| Enw'r Corff / Name of organisation | Pwrpas y corff / grant : Purpose of organisation / grant | Dyranriad / Allocation 2011-2012 | 2012 – 2013 Argymhelliad / Recommendation | |
| 1 Theatr Ieuencid Môn / Anglesey Youth Theatre | Theatr Ieuencid Cymunedol / Community youth theatre | £2,900 | £2,900 | |
| 2 Theatr Fach Llangefni | Theatr Gymunedol / Community Theatre | £2,650 | £2,650 | |
| 3 Theatr Bara Caws | Cwmni drama cydweithredol / Community drama company . | £4,200 | £4,200 | |
| 4 Dawns I Bawb | Cwmni dawns gymunedol yng Ngogledd Orllewin Cymru / Organisation for community dance in North West Wales. | £3,200 | £3,200 | |
| 5 Canolfan Ucheldre Centre | Cefnogi costau craidd Canolfan Ucheldre / Support for core costs at Canolfan Ucheldre | £47,000 | £47,000 | |
| 6 Fforwm Celf Ynys Môn / Anglesey Arts Forum | Fforwm Gelf Ynys Môn hyrwyddo'r celfyddydau ar Yr Ynys / The Anglesey Arts Forum promote the arts on Anglesey. | £1,600 | £1,600 | |
| 7 Ensemble Cymru | Sefydlwyd Ensemble hyrwyddo cerddoriaeth siambr / Ensemble Cymru promotes chamber music. | £2,100 | £2,100 | |
| 8 Papurau Bro | Papurau newydd cymunedol Cymraeg eu hiaith / Welsh language local community newspapers. . | £4,000 | £4,000 | |
| 9 Cyhoeddiau Lleol / Local Publications | Cefnogi cyhoeddi llyfrau o ddiddordeb lleol. / Support the publication of books of local interest. | £3,120 | £1,500 | |
| 10 Gweithgaredd Celfyddydol Adrannol / Departmental arts activities | Cefnogi ystod o brosiectau celf o fewn y gymuned / Support for a range of arts projects within the community. | £5,260 | £3,000 | |
| | | Total : 2011 - 2012 £76,030 | Total : 2012 - 2013 £72,150 | |

Rhan B : Cyllidebau Ysgolion Lleol Canolog / Part B : Schools Discretionary Exceptions Budget

| | Enw'r Corff / Name of organisation | Pwrpas y corff / grant : Purpose of organisation / grant | Dyranriad / Allocation 2011-2012 | 2012 – 2013 Argymhelliad / Recommendation |
|---|--|--|--|---|
| 1 | Mudiad Addysg Grefyddol Cymru / Religious Education Movement Wales | Paratoi deunyddiau a hyfforddiant ar gyfer dysgu Addysg Grefyddol / Preparation of teaching and training materials for Religious Education teachers | £915 | £915 |
| 2 | Canolfan Genedlaethol Addysg Grefyddol / Welsh National Religious Education Centre | Darparu cefnogaeth arbennigol I athrawon Addysg grefyddol / Specialist support for RE teachers | £1,343 | £1,343 |
| 3 | Cwmni'r Fran Wen | Theatr mewn addysg / Theatre in education | £23,730 | £23,730 |
| 4 | Paid Cyffwrdd Dweud – CAIS – Don't Touch Tell | Perfformiadau ynglyn a Addysg Cyffuriau I ysgolion cynradd / Drug education performances in primary schools | £3,240 | £3,240 |
| 5 | Cymdeithas Chwaraeon - Môn ac Eryri – Schools Sports Societies | Er hybu gweithgareddau chwaraeon ysgolion yn sirol / To organise school sports events | £4,286 | £4,286 |
| 6 | Cymdeithas Llywodraethwyr Cymru / Governors Wales | Darparu cefnogaeth I Lywodraethwyr / Support for school Governors | £930 | £930 |
| 7 | WASSACRE | Cymdeithas CYSAGau Cymru / Wales Association of SACRE's | £410 | £410 |
| | | | Total : 2011 - 2012 £34,854 | Total : 2012 - 2013 £34,854 |
| Rhan B (2) : Cyllidebau Ysgolion Lleol Canolog [Tanysgrifiadau] / Part B (2) : Schools Discretionary Exceptions Budget [Subscriptions] | | | | |
| | Enw'r Corff / Name of organisation | Pwrpas y corff / grant : Purpose of organisation / grant | Dyranriad / Allocation 2011-2012 | 2012 – 2013 Argymhelliad / Recommendation |
| 1 | CLEAPSE | Cyngor I ysgolion ar agweddau dysgu gwyddoniaeth, yn arbennig agweddau diogelwch / Advice and support for schools on science matters with particular emphasis on safety | £690 | £690 |
| 2 | CEWC | Addysg mewn dinasyddiaeth byd / Council for Education in World Citizenship | £500 | £500 |

| | | | | |
|---|---|--|---|---|
| 3 | CBAC / WJEC | Cost gwasanaethau yn ymwneud a'r Gymraeg a Diwylliant Cymru a'r celfyddydau menegiannol yn unol a chytundeb lefel gwasanaeth / Cost of services in relation to Welsh language and Welsh culture and the expressive arts in accordance with a Service Level Agreement | £48,560 | £48,560 |
| 4 | LSI The Education Network TEN | | £1,130 | £1,130 |
| 5 | Hawlaï Perfformio / Performing Rights | | £3,860 | £4,020 |
| 6 | Trwyddedau Hawlfraint / Copyright Licensing Agency | | £10,370 | £10,780 |
| 7 | Trwyddedau Cyffredinol / Misc. Licences | | £9,590 | £9,980 |
| | | | Total : 2011 - 2012 | Total : 2012 - 2013 |
| | | | £ 75,660 | £ 75,660 |
| Rhan C : Gwasanaeth Ieuencid a Chymuned / Part C : Youth Service and Community | | | | |
| | Enw'r Corff / Name of organisation | Pwrpas y corff / grant : Purpose of organisation / grant | Dyranïad grant / Grant allocation 2011-2012 | Argymhelliad Grant / Grant recommended 2012-2013 |
| 1 | Urdd Gobaith Cymru | Cyfraniad tuag at gyflogi swyddogion datblygu / Contribution to the employment of development officers | £20,880 | £20,380 |
| 2 | Ffederasiwn Ffermwyr Ieuanc Ynys Môn / Anglesey Federation of Young Farmers Clubs | Cyfraniad tuag at gyflogi swyddogion datblygu / Contribution to the employment of development officers | £20,880 | £20,380 |
| 3 | Y Sgowntiaid / Scouts | Cyfraniad at gost rhedeg y mudiad yn y Sir / Contribution to the cost of running the organisation in Anglesey | £760 | £710 |
| 4 | Y Geidiaid / Guides | Cyfraniad at gost rhedeg y mudiad yn y Sir / Contribution to the cost of running the organisation in Anglesey | £760 | £710 |
| 5 | Ymddiriedolaeth Cerdd Ynys Môn / Anglesey Music Trust | Cyrsiau haf I blant yr Ynys Môn / Summer Courses for Anglesey pupils | £550 | £514 |
| 6 | Gwobr Dug Caeredin - Trwydded Sirol / Duke of Edinburgh Award - County licence | | £1,610 | £1,000 |

| | | | |
|--|--|---------------------------------------|---------------------------------------|
| | [Flaenoriol: Cymdeithas Gweithgareddau Ieuencid Cymru / Gweithgareddau Chwaraeon / Previously : Youth Events Wales/ Sporting Activities] | | |
| | | Total : 2011 - 2012 £45,440 | Total : 2012 - 2013 £43,694 |
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