

Public Document Pack



**Assistant Director, Governance and
Monitoring**

Julie Muscroft

Governance and Democratic Services

Civic Centre 3

High Street

Huddersfield

HD1 2TG

Tel: 01484 221000

Please ask for: Andrea Woodside

Email: andrea.woodside@kirklees.gov.uk

Monday 9 January 2017

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 17 January 2017**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft", on a light background.

Julie Muscroft

Assistant Director of Legal, Governance and Monitoring

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Cabinet Members are:-

Member

Councillor David Sheard

Councillor Shabir Pandor

Councillor Peter McBride

Councillor Naheed Mather

Councillor Musarrat Khan

Councillor Erin Hill

Councillor Viv Kendrick

Councillor Masood Ahmed

Councillor Graham Turner

Responsible For:

Leader / Strategy and Strategic Resources, New Council & Regional Issues

Deputy Leader / Strategy and Strategic Resources, New Council & Regional Issues

Economy, Skills, Transportation & Planning

Housing & Enforcement Management

Highways & Neighbourhoods

Family Support & Child Protection

Adults, Health & Activity to Improve Health

Community Cohension & Schools

Asset Strategy, Resources & Creative Kirklees

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

To receive apologies for absence of Members who are unable to attend this meeting.

2: Minutes of previous meeting

To approve the Minutes of the meeting of the Committee held on 28 November and 13 December 2016.

3: Interests

1 - 2

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

6: Public Question Time

The Committee will hear any questions from the general public.

7: Member Question Time

3 - 4

To receive questions from Members of the Council that were not considered at the Council meeting on 14 December 2016 due to time constraints. Therefore, in accordance with Council Procedure Rule 12 (8), the questions are referred to the next available Cabinet meeting for consideration.

8: Transformation of Daycare Services phase 5 (Little Jacks)

5 - 8

A report providing a final update about proposals for delivering the requirements of the Medium Term Financial Plan (MTFP) within the Council's agreed Childcare Commissioning and Market Management Framework. It specifically seeks approval to proceed with proposals at Little Jacks Daycare in Chickenley.

Officer: Carol Lancaster 01484 221000

Wards

Affected: Dewsbury East

9: Scrutiny Panel - Children's Services Findings Report 9 - 52

A findings report of the Ad Hoc Scrutiny Panel – Children's Services and a request that Cabinet approve a response to the recommendations of the Panel.

Officer: Penny Bunker 01484 221000

Wards

Affected: All Wards

10: Schools Forum - Schools funding Formula 2017-18 53 - 74

A report outlining the implications of changes to Education Services Grant for the Council and schools, the introduction of the proposed National Funding Formula, and to request that Cabinet approve the outline details of the Kirklees school funding formula for 2017/18 for submission to the Education Funding.

Officer: Liz Singleton and David Gearing 01484 221000

Wards

Affected: All Wards

11: Proposals for the future of the Young People's Activity Team (YPAT) in the context of the medium term financial plan 75 - 82

A report proposing options for consideration of the future of the Young People's Activity Team.

Officer: Michelle Cross 01484 221000

Wards

Affected: All Wards

12: Proposal for Early Help for Children, Young People & Families 83 - 116

A report seeking approval for the proposed future model for early help services.

Officer: Kathryn Loftus 01484 22100

Wards

Affected: All Wards

13: Outcomes of the statutory consultation affecting Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School. 117 - 132

A report on the outcomes of the statutory consultation on proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School to form a single Church of England voluntary controlled primary school for pupils aged 3-11 years.

Officer: Martin Wilby 01484 221000

Wards

Affected: Holme Valley North

14: Provisional Financial Settlement 2017-18; incorporating future year indicative amounts (multi-year settlement) 133 - 144

A report informing members of the key highlights from the National Government provisional settlement 2017-18, which sets out national funding allocations to each Local Authority for the forthcoming financial year (2017-18).

Officer: Debbie Hogg 01484 221000

Wards

Affected: All Wards

15: Calculation of the Council Tax Base 2017/18 145 -

A report setting out the various tax bases which will apply to the Kirklees area for the financial year 2017/18 in connection with the council tax.

Officer: Steve Bird 01484 221000

Wards

Affected: All Wards

16: Trade Waste Policy Review

157 -
168

A report seeking consideration and approval to amend part of the Trade Waste Policy for Kirklees Council following a recent review on organisations currently receiving free waste collection services.

Officer: Will Acornley 01484 221000

Wards

Affected: All Wards

17: Private Sector Housing Assistance Policy

169 -
196

A report seeking approval for an updated Private Sector Housing Assistance policy, in accordance with the requirements of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 which is referred to as the RRO.

Officer: Stephen Cale, Paul Howard and Karen Oates

Wards

Affected: All Wards

18: Rent Setting for Housing Revenue Account properties for 2017-18

197 -
202

A report seeking Member approval for a 1% reduction in dwellings rents in 2017/18; and for the proposed garage rents annual uplift of 2% in 2017/18 and similar for service and other charges.

Officer: Helen Geldart 01484 221000

Wards

Affected: All Wards

19: Commissioned Enforcement Partnership

203 -
216

A report requesting permission to commission a 12 month trial of joint working with a private enforcement company for the issuing and management of Fixed Penalty Notices (FPN) in relation to litter, dog and related environmental offences.

Officer: Robert Dalby 01484 221000

Wards

Affected: All Wards

20: Investment in Transformation

217 -
226

A report providing Cabinet with an overview of two transformation projects requiring investment on an invest-to-save basis as part of the New Council Programme.

Officer: Michelle Nuttall and Andy Brammall 01484 221000

Wards

Affected: All Wards

21: Proposals for the implementation of a revised Adult Social Care Charging Policy and Deferred Payment Arrangement Policy

227 -
236

A report outlining proposals for the implementation of a revised Adult Social Care Charging Policy for consideration and decision following the carrying out of a consultation exercise.

Officer: Damien Crowther 01484 221000

Wards

Affected: All Wards

22: Pioneer House, and Land Bradford Road Dewsbury

237 -
248

A report seeking approval for proposals and recommendations of the redevelopment of Pioneer House and the relocation of Kirklees College to provide a new education hub in Dewsbury.

Officer: Andy Jackson 01484 221000

Wards

Affected: Dewsbury East; Dewsbury South; Dewsbury West

23: Disposal of Land and Property Assets

249 -
260

A report with private appendix seeking Cabinet approval for the disposal of a number of land and property assets, on terms to be agreed by the Assistant Director of Place and Assistant Director Legal & Governance and in accordance with the current delegation scheme.

Officer: Joe Tingle and Stephen Stead 01484 221000

Wards

Affected: All Wards

24: Exclusion of the Public

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

25. Pioneer House

261 -
264

A private appendix relating to agenda item 22.

This Appendix is recommended for consideration in private because the information contained in it is exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. It is considered the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Officer: Andy Jackson 01484 221000

Wards

Affected: Dewsbury East; Dewsbury South; Dewsbury West

26. Disposal of Land and Property Assets

265 -
266

A private appendix relating to agenda item 23.

Appendix B of this report is recommended to be taken in Private because the information contained in it is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information contained in the report as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money and openness in Council decision making.

Officer: Joe Tingle and Stephen Stead 01484 221000

Wards

Affected: All Wards

KIRKLEES COUNCIL				
COUNCIL/CABINET/COMMITTEE MEETINGS ETC				
DECLARATION OF INTERESTS				
Name of Councillor				
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest	

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Cabinet – 17 January 2016

Written Questions to the Leader and Cabinet Members

The following questions from Members of the Council were not dealt with at the Council meeting on 14 December 2016 due to time constraints. Therefore, in accordance with Council Procedure Rule 12 (8), the questions are referred to the next available Cabinet meeting for consideration.

Councillors have been invited to attend the meeting to put their questions to Cabinet Members. Any questions shall only be responded to if the Member who submitted the question is in attendance to ask the question at the meeting.

(1) Question by Councillor N Turner to the Cabinet Member for Economy, Skills, Transportation and Planning (Councillor McBride)

“At the November Council meeting you stated that there wasn't enough evidence about the effects of the bus gates on town centre trade. Would Cllr McBride please tell us what research he intends to carry out in order to gather the appropriate evidence?”

Cabinet Member to Respond

(2) Question by Councillor Cooper to the Cabinet Member for Economy, Skills, Transportation and Planning (Councillor McBride)

“Please can the Cabinet Member give Council an update on action to protect the remaining Newsome Mills structures including the Clock Tower?”

Cabinet Member to Respond

(3) Question by Councillor Cooper to the Cabinet Member for Housing and Enforcement Management (Councillor Mather)

“Please can the Cabinet Member provide Council with an update on action to remove the festering rubbish at the illegal former Hunters waste site at Queens Mill Lane?”

Cabinet Member to Respond

(4) Question by Councillor Cooper to the Cabinet Member for Housing and Enforcement Management (Councillor Mather)

“Could Kirklees Building Services offer a better deal on a replacement boiler than the scheme being advertised to Kirklees Employees by Better Homes Yorkshire on the Councils Intranet?”

Cabinet Member to Respond

(5) Question by Councillor Cooper to the Cabinet Member for Housing and Enforcement (Councillor Mather)

“How will residents who don't have access to the internet get to know about their bin collection days once changes will only be available online?”

Cabinet Member to Respond

(6) Question by Councillor McGuin to the Cabinet Member for Housing and Enforcement (Councillor Mather)

“Can the Cabinet Member tell us whether the Council intends to take up their option to extend their waste contract with Sita?”

Cabinet Member to Respond

(7) Question by Councillor D Hall to the Cabinet Member Family Support and Child Protection (Councillor Hill)

“Whist acknowledging the efforts that Cllr Hill and the all-party development panel are making to set children's safeguarding services on a better footing for the future, would she tell us please what efforts are underway to investigate what lessons can be learned from failures in the service and its political leadership between 2011 and 2015?”

Cabinet Member to Respond

(8) Question by Councillor D Hall to the Cabinet Member for Economy, Skills, Transportation and Planning (Councillor McBride)

“Is Cllr McBride satisfied with the ongoing Local Plan consultation?”

Cabinet Member to Respond



Cabinet – 17th January 2017

Title of report: Transformation of Council Pre-school Daycare Services - Phase 5

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan?	Yes
Is it eligible for “call in” by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Sarah Callaghan (Jo-Anne Sanders) 5 th January 2017
Is it signed off by the Director of Resources?	Debbie Hogg (Carole Hardern) 4 th January 2017
Is it signed off by the Assistant Director - Legal & Governance?	Julie Muscroft (John Chapman) 5 th January 2017
Cabinet member portfolio	Cllr Masood Ahmed – Community Cohesion and Schools

Electoral wards affected: Dewsbury East

Public or private: Public

1. PURPOSE

1.1 This report provides a final update about proposals for delivering the requirements of the Medium Term Financial Plan (MTFP) within the Council's agreed Childcare Commissioning and Market Management Framework. It specifically seeks approval to proceed with proposals at Little Jacks Daycare in Chickenley.

2. KEY POINTS

2.1 The provision of childcare has two key objectives. Firstly, to support child development and improve long term outcomes for children; secondly, to support parents into employment or training, thereby reducing poverty and disadvantage in both the immediate and long term.

2.2 Statutory duties require local authorities to secure free early learning provision for each young child of a prescribed age. The duty does not require local authorities to directly deliver pre-school daycare services.

- 2.3 In addition, local authorities are required to secure, so far as is reasonably practicable, the provision of childcare, which is sufficient to meet the requirements of parents in order to enable them:
- a. To take up, or remain in work; or
 - b. To undertake education or training which could reasonably be expected to assist them to obtain work.
- 2.4 Medium Term Financial Plans (2012-14) agreed a proposal to deliver savings of £459k against the delivery of local authority childcare services. It was anticipated that this level of saving could be realised by the removal of funding and resultant closure of 3 Council day nurseries.
- 2.5 However, in January 2011 Cabinet agreed to take a phased review of all Council pre-school childcare services within an approved Childcare Commissioning and Market Management Framework. This allowed for decisions about future pre-school daycare services to be made based on sufficiency data, statutory duties and the Councils priorities.
- 2.6 Phase 1 and 2 of the review resulted in new models of delivery at Paddock, Staincliffe and Healey, Thornhill, Tiddlywinks and Chestnuts nurseries. Tiddlywinks Nursery was the focus of a cabinet paper in August 2016 and the proposal for closure was agreed; the nursery will close on the 31st March 2017. This leaves the local authority with responsibility for just one nursery; Little Jacks.
- 2.7 In February 2016, cabinet agreed to explore the option of a third party - Moor End Academy Trust taking on the delivery of this service.
- 2.8 A period of sustained consultation with parents, staff, Trade Unions and other Council colleagues has been undertaken.
- 2.9 Officers are at a point of advanced negotiation with Moor End Academy Trust and are seeking permission to finalise an agreement with the Trust should their Board approve the proposals.
- 2.10 Following Kirklees Cabinet approval to permit transfer, a report is expected to be presented to Moor End Academy Trust which seeks permission to accept transfer of Little Jacks nursery to the Trust.

3. IMPLICATIONS FOR THE COUNCIL

3.1 Legal Implications

The proposals support the requirements to meet the Councils statutory childcare sufficiency requirements. The Council has a duty to secure the provision of childcare where reasonably practical. It does not require the Council to directly deliver childcare services. Any failure in the childcare market now or in the future will require appropriate intervention by the Council's Childcare Sufficiency officer to ensure that the childcare market is managed effectively and that provision is commissioned through open and transparent arrangements.

3.2 Financial Implications

The proposals will generate required MTFP savings. The proposed implementation date is on or before March 31st 2017. Short term transitional support is likely to be required which will be found from within existing resources.

3.3 HR Implications

It is anticipated that once the transfer takes place, the opening hours of the nursery will reduce by one hour per day, therefore employees will have a reduction to their current working hours. Compulsory redundancies are not expected.

We will work with Trade Unions and HR from both the LA and the Academy Trust to ensure staff are supported throughout the transition and TUPE process for any staff currently employed.

3.4 IT Implications

N/A. There will be no requirement for any Council IT equipment.

3.5 Impact on Councils Priorities

The options proposed would secure childcare services in the area and ensure sufficiency of high quality childcare services for 2, 3 & 4 year olds. This supports the Councils priorities to improve life chances for young people by giving all young children a good start in life through the availability of high quality nursery provision. This proposal also supports the reducing poverty agenda by removing barriers to work for parents.

3.6 Equality Impact Assessment

Stage 1 and 2 Equality Impact Assessments have been completed and are available on request from the contact officer (see below). It is anticipated that existing parents using affected services will experience minimal change and the legal requirements for childcare providers to comply with equalities legislation remains.

4. CONSULTEES AND THEIR OPINIONS

- 4.1 The Children's Management Team and CHYPS Portfolio Holders have been consulted and are supportive of this proposal. Further consultation with stakeholders including parents, staff and trades union will be undertaken as appropriate.

5. NEXT STEPS

- 5.1 Following approval of the proposed option by Members the next steps will be to finalise the agreement with Moor End Academy. Subject to this agreement there will be a managed transfer of Little Jacks Nursery to Moor End Academy Trust on or before 31st March 2017.
- 5.2 Any variations to this proposed course of action will be reported to CHYPS management team and Portfolio Holders as appropriate.

6. OFFICER RECOMMENDATIONS AND REASONS

- 6.1 For members to approve the transfer of Little Jacks Nursery to Moor End Academy Trust.

7. CABINET PORTFOLIO HOLDER'S RECOMMENDATIONS

- 7.1 To support Officer recommendations. This proposal offers the best opportunity for the community of Chickenley and in particular, ensures that the needs of some of our most disadvantaged children and families have access to high quality early learning and

childcare opportunities. This option also supports the Councils priorities and statutory duties.

8. CONTACT OFFICER AND RELEVANT PAPERS

Carol Lancaster, Senior Manager - Early Learning and Childcare
E-mail: carol.lancaster@kirklees.gov.uk

9. ASSISTANT DIRECTOR RESPONSIBLE

Jo-Anne Sanders - Assistant Director Learning & Skills



Name of meeting: Cabinet

Date: 17 January 2016

Title of report: Ad Hoc Scrutiny Panel - Children's Services
Findings Report

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Is it in the Council's Forward Plan ?	Not applicable
Is it eligible for "call in" by Scrutiny ?	Not applicable
Date signed off by <u>Director</u> & name	
Is it signed off by the Director of Resources?	n/a
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Yes 04.01.17
Cabinet member portfolio	n/a

Electoral [wards](#) affected: N/A

Ward councillors consulted: N/A

Public / Private report: Public

1. Purpose of report

1.1 To present the findings report of the Ad Hoc Scrutiny Panel – Children's Services and request that Cabinet approve a response to the recommendations of the Panel.

2. Key points

2.1 Following a request from the Chief Executive it was considered important that the work of the Children's Services Development Board was subject to the independent challenge of Overview and Scrutiny. Consequently in May 2016 the Overview and Scrutiny Management Committee established the Ad Hoc Scrutiny Panel - Children's Services.

Terms of Reference of the Ad Hoc Scrutiny Panel

1. To consider the work programme of the Children's Development Board within the Term of Reference set for it.
2. To challenge the prioritisation of the work of the Board and contribute ideas on the achievement of the programme.
3. To comment on the performance framework developed to provide oversight for the work of the Board.
4. To assist the portfolio holders for Children's Services in providing Councillor input to the development programme.
5. To consider the fit of identified development work with the developing Early Intervention and Prevention (EI&P) approach within New Council Programme.

The Panel met between May and October 2016 to carry out its work and is now taking its findings through the decision making process.

2.2 Appended to this report is the findings report of the Scrutiny Panel. A summary of the recommendations arising from the investigation is set out on pages 36 – 38. A copy of the proposed response and supporting narrative will be circulated prior to the Cabinet meeting.

3. Implications for the Council

The recommendations made by the Scrutiny Panel reflect and complement areas that have already been identified as a priority by the Council.

4. Consultees and their opinions

Not applicable

5. Next steps

Following the decision of Cabinet, the report will be presented to Council to consider the findings. The Overview and Scrutiny Management Committee will consider monitoring requirements to ensure agreed recommendations are implemented. The Committee will also determine the scrutiny arrangements for areas of follow up work identified in the findings report.

6. Officer recommendations and reasons

That the Cabinet consider the findings of the AD Hoc Scrutiny Panel – Children's Services and approve its response to the Panel's recommendations.

7. Cabinet portfolio holder recommendation

Not applicable

8. Contact officer and relevant papers

Penny Bunker, Governance and Democratic Engagement Manager
Tel: 01484 221000

9. Assistant director responsible

Julie Muscroft, Assistant Director Legal, Governance and Monitoring

Report of Ad Hoc Scrutiny Panel - Children's Services

**Governance & Democratic Engagement Service
Civic Centre III
High Street
Huddersfield
HD1 2TG**

Tel: 01484 221000

Email: scrutiny.governance@kirklees.gov.uk

November 2016

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1. RATIONALE FOR THE REVIEW

1.1 With the impending retirement of the Director for Children and Young People and the Assistant Director for Families and Child Protection in March 2016, a casework audit was commissioned to sample casework being undertaken by social workers within the Children and Young People's Directorate. This work commenced in August 2015, with the aim that the findings of the audit would help inform areas of focus for the new directorate leadership team. In addition to the appointment of a new Director for Children's Services and an Acting Assistant Director, Family Support and Child Protection, political leadership has also changed with the appointment of a new Cabinet Portfolio Holder in May 2015.

The audit identified an inconsistency in casework management and recording. This meant that when assessed against current Ofsted criteria, some cases were deemed inadequate. Furthermore the current performance monitoring data had not been sufficient to highlight these discrepancies at the earliest opportunity. The Chief Executive was clear that the inconsistencies needed to be addressed and practitioners provided with the necessary support and tools to meet the required standards for casework management. In addition, with the appointment of a new Director for Children and Young People to bring a fresh perspective to practice in Kirklees, there was an opportunity to undertake wider development work as part of embedding an updated framework. A Development Board, led by the Chief Executive was established to prioritise and take forward a programme of development work.

It was considered important that the work of the Development Board was subject to the independent challenge of Overview and Scrutiny. Consequently in May 2016 the Overview and Scrutiny Management Committee established the Ad Hoc Scrutiny Panel - Children's Services with a very specific focus, as set out in terms of reference below.

2. TERMS OF REFERENCE & METHODOLOGY

2.1 Membership of the Ad Hoc Scrutiny Panel

Councillor Julie Stewart -Turner (Chair)
Councillor Robert Light
Councillor Andrew Marchington
Councillor Amanda Pinnock
Reverend Richard Burge - Statutory Scrutiny Co-optee
Dale O'Neill - Voluntary Scrutiny Co-optee

2.2 Terms of Reference of the Ad Hoc Scrutiny Panel

The approved terms of reference of the Ad Hoc Scrutiny Panel - Children's Services are set out below:

1. To consider the work programme of the Children's Development Board within the Term of Reference set for it.
2. To challenge the prioritisation of the work of the Board and contribute ideas on the achievement of the programme.
3. To comment on the performance framework developed to provide oversight for the work of the Board.
4. To assist the portfolio holders for Children's Services in providing Councillor input to the development programme.
5. To consider the fit of identified development work with the developing Early Intervention and Prevention (EI&P) approach within New Council Programme.

The Task Group was supported by Penny Bunker and Yolande Myers from the Governance and Democracy and Governance Service.

2.3 How the work was carried out:

The Panel used a range of methods to gather the evidence that has been used to inform this report. Between May and October 2016 the Panel held 11 meetings with the following people attending one or more meetings to give evidence on the work of the Development Board or one of the areas of focus:

Adrian Lythgo – Chief Executive (Chair of the Development Board)

Sarah Callaghan – Director for Children and Young People

Carly Speechley – Assistant Director, Family Support and Child Protection

Debbie Hogg – Assistant Director, Resources

Toni Traynor – Head of Service, Family Support and Child Protection

Bron Sanders – Independent Chair of Safeguarding Children Board (member of Development Board)

Chief Superintendent Steve Cotter – West Yorkshire Police (member of Development Board)

Marion Gray - Learning and Organisational Development Manager

Catherine Harrison – Principal Social Worker and QA Manager

Carol Lancaster – Head of Programme (Schools as Community Hubs)

Donald Cumming - Deputy Headteacher, Holmfirth High School

Site visits:

2 site visits were made to Family Support and Child Protection Services based at Riverbank Court, Huddersfield. One to meet with social work practitioners and a second to meet with first tier social work managers.

A visit was also made to the Multi Agency Safeguarding Hub also based at Riverbank Court, Huddersfield.

Supporting information:

The Ad Hoc Scrutiny Panel also considered a wide range of supporting information. This included the findings of the two part Munro Report, commissioned by national government to undertake an independent review of child protection.

The Ad Hoc Panel tracked the work of the Development Board through notes of meetings and the sharing of some performance information including data that enables managers to oversee aspects of casework management performance in line with practice expectations. A full list of the supporting information is attached at appendix 1 of this report.

3. BACKGROUND INFORMATION

3.1 Background to the Children's Services Development Board

The aim of the Children's Services Development Board is to provide a focus on Children's Services as part of the Council's wider strategies. Kirklees Council is moving towards embedding a New Council model that requires all staff to deliver high quality services to support children, adults and communities and help them achieve the best outcomes in life. An integral part of the new council approach is early intervention and prevention which enables communities to do more for themselves whilst keeping vulnerable people safe.

3.2 The Council needs to ensure that staff within Children's Services are equipped with the correct skills, knowledge and management support to fulfil their role in shaping the future of children and young people. The Children's Services Development Board was established to:

- Drive the delivery of the Development Plan to ensure that the highest quality services are delivered to children in need of help and protection, looked after children and care leavers in Kirklees
- Ensure that practice standards are improved with the aim to achieve excellence in practice.
- To bring about cultural change in order to cement the necessary changes for the long term.

The Children's Services Development Board meets on a three weekly basis to oversee a programme of improvement work and is able to allocate additional resources where appropriate. Performance measures have been established to ensure the board is clearly focused on seeing progress against the desired outcomes in the identified improvement areas.

It is envisaged that the development process will take up to two years with phases of work being staggered. The initial focus is on compliance, timeframes and ensuring that the voice of the child is heard within cases.

3.3 The detailed objectives of the Children's Services Development Board are:

1. To provide the framework for the delivery of excellence in social care practice and provision of the highest quality services for children, young people and their families
2. To keep children and young people in Kirklees safe
3. To oversee the implementation of the Children's Services Improvement Plan and provide assurance that service risks are being managed and are reducing
4. To ensure identified actions are carried out in a timely manner and demonstrate positive impact on children
5. To ensure member oversight and challenge for the Plan
6. To steer managers to demonstrate effective management grip of Children's Services
7. To identify and agree key performance measures which will demonstrate impact
8. To challenge the pace and quality of progress, in terms of both actions and the impact of those actions
9. To revise and amend actions where necessary to accelerate improvement
10. To report progress on implementation of the Plan to the Council's Executive Management Team and ensure alignment with New Council governance arrangements.
11. To report progress of the Plan to Children's Services Portfolio holder Briefings, Kirklees Children's Safeguarding Board, the Children's Trust, Council Scrutiny Committee as appropriate
12. To identify and monitor key risks associated with the implementation of the Plan
13. To monitor the financial implications of the Plan
14. To communicate effectively with all teams, partner organisations and other stakeholders

The Views of the Ad Hoc Scrutiny Panel on the work of the Children's Services Development Board

3.4 The Scrutiny Panel supports the rationale for establishing a Development Board to drive forward the changes to practice and other priority areas of improvement. Evidence indicates that the Development Board, led by the Chief Executive and the new Director for Children and Young People has created a momentum for change and provided a fresh perspective in addressing the priority areas of practice.

The energy and commitment of officers leading the work directed by the Board is very evident. It is beneficial that the work is supported by partners and an external consultant who have brought a different perspective and ensure the Board itself has an internal challenge. The Scrutiny Panel has seen evidence of the ongoing development of the Development Board's Plan.

The priorities and work of the Board have been informed by the findings of the ongoing audit of previous and current cases. The audit has found some areas of good practice but a significant percentage of cases have fallen below expectations and are deemed inadequate.

Keeping children and young people in Kirklees safe

3.5 It is an underpinning aim for all Kirklees councillors and council services to ensure that children and young people in Kirklees are safe. The panel recognises the difficult work environment of the social work teams and their commitment to the work that they do. The commitment of staff was strongly communicated to members of the Scrutiny Panel when they visited and spoke to frontline staff at Riverside Court.

Whilst acknowledging there have been problems with the structure and management of cases, when the Panel asked the question about the safeguarding implications, it was assured that from the cases sampled, no children had been harmed. Since new practice has been adopted there is an ongoing audit of casework. The Panel would like to continue to monitor the progress in raising the standard of casework.

The Panel agreed that the voice of the child had always been heard in Kirklees through various forums, but a more granular approach was looking at the voice of the child to be sure that it is making a difference to social work practice, and that the Council can measure the difference it was making to the children.

4. Providing the framework for the delivery of excellence in social care practice

4.1 The evidence indicates that the Board has developed a multi strand approach to ensure an updated framework is in place for the delivery of social care practice and the provision of services to children and young people and their families. The Scrutiny Panel has chosen to look in depth at the following areas of focus:

- Improving and embedding compliant practice standards
- Effective reflective management and supervision
- Referral thresholds and mechanisms
- Reviewing performance management information and processes
- Workforce Strategy
- Partnership working including the role of the Multi Agency Safeguarding Hub
- IT infrastructure to support casework management
- The ongoing management and sustainability of the measures and practice put in place as part of the development work

Improving practice

4.2 Given the issues raised by the casework audits, the Board recognised the need to prioritise the compliance and casework management issues. The Board prioritised the comprehensive Practice Standards document which was produced to provide staff with clarity on “what does good look like”. It provides guidance to all staff about standards and expectations which, once clearly understood and embedded, provides the yardstick against which performance can be measured and managed.

The Panel noted that in line with the requirements of the Munro Report, the voice of the child should be clearly heard and recorded as part of casework. Early audits indicate that there is a lack of consistency in recording the views of the child. Senior managers acknowledged that this must be a key area of improvement within Kirklees social work practice.

4.3 The Panel is impressed that the practice standards were put in place very early in the development process and welcomes the positive and supportive way in which they were introduced to staff. The panel also notes how staffing resources have been realigned to ensure that there are adequate resources to facilitate training in the new standards, both with formal sessions but also through the use of a peer mentoring approach.

4.4 When the practice standards manual was launched, all staff were given the opportunity to provide feedback to managers on the document. To support this, a number of staff focus sessions took place to ensure an ongoing dialogue with social workers. Feedback indicated that staff welcomed the document as it clearly set out practice expectations and as such staff could be confident they were meeting expectations.

When panel members met with staff at Riverbank Court, including some who had undertaken their training with Kirklees, it was emphasised that some staff felt the practice standards formalised what they were already doing.

4.5 It is the Panel’s view that of equal importance to the embedding of compliant practice standards is the need to ensure that the standards have been successfully implemented and continue to be followed. The Director for Children and Young People emphasised the parallel work to ensure that reflective supervision is also in place for all staff as a means of

monitoring compliance but also of embedding an on going reflective, learning culture within the service (see more information on support arrangements at section 5) .

The Ad Hoc Panel also considered the importance of appropriate case work volumes. It was noted that the statistical average case load is 18.5 cases per social worker. However in allocating caseloads there are other issues to be considered including adjusting caseloads for newly qualified social workers. Within social work there are a number of teams with individuals specialising in particular areas. Some teams carry heavier caseloads than others and cases vary in complexity. A report to the June 2016 meeting of the Scrutiny Panel indicated that the current workload position in Kirklees stood at approximately 300 cases per week, with an average of 17.5 cases per social worker. Newly qualified social workers have a target of 10 cases.

In June 2016 the Panel was also informed that the managers were beginning to review cases that were undertaken since the practice standards had been put in place.

Of equal importance to the Panel is the need to ensure that whilst procedures are compliant and there is demonstrable good practice in casework management, there is the same level of assurance for practice, ie when social workers are working directly with children and families. How will the service identify where improvement is needed?

Panel Findings

4.6 The Ad Hoc Scrutiny Panel is concerned at the results of the initial case audits and the volume of cases that fell below requirements and were rated inadequate. However it is noted that there were also examples of good practice amongst the case audits. The panel received assurance that no child had been unsafe as a result of the inadequate practise in some areas.

4.7 The Panel agrees that one of the immediate priorities of the Development Board is to address the fundamental casework assessment and management issues to ensure compliance and assurance that all referrals are being dealt with in a timely and appropriate way. Initial evidence indicated that practice is inconsistent but it can now be seen that the introduction of the standards manual and on going support to staff is helping to update standards in line with current procedural requirements and good practice.

4.8 The Panel supports the work to ensure that the voice of the child is reflected in casework. There needs to be a consistent approach adopted to ensure that casework accurately reflects the voice of all children of all ages, rather than being an interpretation or summary.

4.9 The Panel recognises the valuable and demanding work that social workers do and feels that the previous lack of a practice standards manual has compounded the pressure on staff. The Panel is greatly concerned that the recommendations arising from the Monro

Report had previously not been consistently embedded in practice. Although as Munro herself reflects;

“ Working Together to Safeguard Children is the core guidance for multi agency working. The document is now 55 times longer than it was in 1974. One of the reasons for this growth has been the inclusion of professional advice alongside statutory guidance.”

Consequently Munro stated that;

“ statutory guidance to become a shorter manual in which the core principles and rules are clearer to all professionals”.

This supports the approach taken by Kirklees in developing its practice standards manual.

4.10 The Panel welcomes that as a consequence of the outcomes of the case audits, a practice standards manual was developed to provide a comprehensive foundation and reference document for staff. Going forward there needs to be a clear mechanism for review of the document to ensure it is kept up to date and reflects any new legislative requirements or good practice guidance in a timely way.

The Panel recognises the need for the initial standards manual to be a comprehensive document. However it would be appropriate to have a more succinct “at a glance” guide for staff to ensure it continues to be a quick point of reference to check procedural issues. This point was also raised in conversations with staff.

4.11 The Ad Hoc Scrutiny Panel visited Riverside Court twice and spoke to frontline staff and, in a separate meeting, to first tier managers about the introduction of the practice standards and how it felt for them. The views of staff were largely positive and staff were “cautiously optimistic” for the future. Some staff indicated that it was positive to have clarity about standards and expectations. There were some reservations about the potential for new reporting requirements to impact on face to face time between social workers and their clients. The Panel notes this point and welcomes the introduction of a new IT system as an important step forward. It is hoped that once implemented, the new IT system and the resolution of other workforce issues should go some way to addressing these concerns.

The Panel **RECOMMENDS:**

1. That once the full practice standards document has been embedded, an “at a glance” summary version should be produced to act as more user friendly prompt for staff. The Scrutiny Panel would like to be given the opportunity to comment on the final draft of the summary practice standards document.
2. That the “at a glance” summary standards document be made accessible to all councillors to enable councillors to understand practice.

3. That a review mechanism is put in place to ensure that in future new legislative requirements affecting social work practice, including casework management, are embedded into practice standards in a timely way.

4. That a consistent approach is adopted to ensure that casework accurately reflects the voice of the child, rather than being an interpretation or summary.

5. Leadership, Management and Supervision

5.1 The Panel was informed that the Development Board recognises the need for more visible leadership within the service by senior officers in order to lead service change and ongoing improvement. Evidence presented indicated that the new senior managers at Director and Assistant Director level are now more visible in leading change in a supportive way. The Cabinet portfolio holder has also been proactive in ensuring there is more visible political leadership in this area.

5.2 The ongoing development and implementation of the updated approach to social work is underpinned by management and supervision arrangements. The Munro report reflects on the importance of effective supervision:

Good social work practice requires forming a relationship with the child and family and using professional reasoning to judge how best to work with parents. The nature of this close engagement means that supervision, which provides the space for critical reflection, is essential for reducing the risk of errors in professionals' reasoning.

The Development Board is overseeing a refreshed approach to supporting staff through the transition period and being clear about what staff can expect from management going forward. These include:

- A more visible senior leadership team. Including the Director, Assistant Director and Cabinet Portfolio holder meeting with staff and leading some of the development sessions.
- The clarification of the role of Principal Social Worker
- The introduction of Advanced Practitioners
- The use of performance clinics to focus on areas of practice
- The role of Independent Review Officers
- A consistent approach to supervision, i.e to ensure it is reflective

5.3 The following roles are integral to the development work:

Principal Social Worker:

One of the recommendations of the Munro report led to a requirement for local authorities to have a Principal Child and Family Social Worker (PSW). To quote Munro:

“... The role of Principal Child and Family Social Worker would take responsibility for relating the views of social workers to those whose decisions affect their work. ...”

The PSW provides feedback from front line social workers to managers and partners, including the Director of Children’s Services and the Chief Executive.

The designated PSW should be a senior manager with lead responsibility for practice in the local authority and who is still actively involved in frontline practice. In Kirklees the role was originally integrated into another senior role within the social work team. However given the breadth of development work, it was felt appropriate to establish a stand alone post of Principal Social Worker with the addition of a quality assurance role. The post has now been recruited to and reports directly to the Assistant Director for Families and Child Protection.

The PSW acts as a guardian of social work standards and has the responsibility to raise practice issues with the Chief Executive and the Director for Children and Young People. The PSW also attends some meetings of the Development Board. The PSW has responsibility for a team of auditors who continue to carry out a review of children’s case files.

When meeting with the PSW the Panel was advised that the PSW’s role involved ensuring that the workforce is skilled to do their job, which means supporting them to deliver good quality work. It was explained that although the PSW does not have her own caseload, she works closely with social workers in supporting their development. The PSW plays a key role in preventing a recurrence of inadequate practice issues.

Advanced Practitioners:

5.4 The role of Advanced Practitioner was introduced to Children’s Services to allow experienced social work practitioners who work alongside the Principal Social Worker, to support continuous practice improvement. As the service moves forward the support offered is expected to adapt to the changing needs of the workforce and service.

Advanced Practitioners work alongside social workers in a coaching and mentoring role to ensure they understand and deliver good practice. They support the practitioners to improve the quality and consistency of practice and embed learning into practice. This can be done through both individual and group learning. They are also working with Huddersfield University in the development of pre and post qualification training.

The Principal Social Worker advised the Panel that the Advanced Practitioners will be supporting the newly qualified social workers and although they did not have their own caseloads, they would co-work cases with other social workers to develop good practice. This would involve supporting, trouble shooting and one to one coaching of social workers to improve their skills. They will be undertaking training to deliver the ‘risk sensible model’ and it is anticipated that they will take the overall lead in training the workforce. The

Advanced Practitioners are seconded to the role for 12 months, at which point the role will be reviewed.

Performance Clinics

5.5 Performance clinics have been used to support the implementation of consistent standards. The clinics are held every month and led by the Assistant Director. Each clinic focuses on a specific area of practice, identified through the case audits and performance information. Managers must attend and dependent on the topic being considered, the relevant social work team will also be required to attend. Discussions aim to ensure staff have a full understanding of statutory requirements and good practice ways of working.

Areas of focus have included;

- Children who are missing
- Children at risk of CSE.
- Looked after Children Reviews
- Statutory Visits to Looked after Children and Young People
- Looked after Children who have experienced three or more placement moves
- Numbers of Looked after Children
- Numbers of Care Leavers – those accessing education, training and employment/those living in suitable accommodation
- Children subject to Child Protection Plans for more than 15 months
- Children subject to Child Protection Plans for a second time
- Single Assessments completed
- Referrals into Mash/Repeat Referrals/Response to Referrals within 24 hours
- Adoption Score Card Performance
- Social Work Caseloads

Independent Review Officers (IROs)

5.6 The Independent Review Officers main focus is to quality assure the care planning and review process for each child and make sure that the child's wishes are given full consideration. The role operates most successfully in a supportive culture where the role is valued by managers and staff. An effective IRO should be part of achieving improved outcomes for children.

Staff that spoke to the Panel appreciate the importance of the IRO role and said they welcome the independent challenge provided and the time to reflect on their approach to cases. Staff feel it is important to get guidance but there is a need to get the balance right so that the advice given adds value to the casework management process.

First tier managers

5.7 Integral to the successful implementation of practice standards is the use of reflective supervision led by first tier managers. The Development Board recognises that whilst the Supervision Policy makes it clear in respect of staff members, greater clarity is needed concerning how first tier managers /supervisors are supported. The Board agreed that something should be added to make it clear that supervisors are able to seek support and assurance elsewhere.

These concerns have also been mentioned at the Panel's site visit discussion with staff. Staff welcome the development work and the opportunity for reflective supervision but questioned what support is available to supervisors to help them in meeting expectations.

Findings:

5.8 The Panel is greatly concerned that the previous leadership of Children's Services had not identified and addressed the casework management issues at an earlier time. The previous political leadership (prior to the current portfolio holder) was not providing challenge or proactive, strategic leadership. Overview and Scrutiny had also not highlighted any concerns about casework management. The period coincided with the publication of the requirements arising from the Munro Review which have significant implications for the approach to social work practice. The evidence indicates that the service had been slow to embed changes to practice. The Panel feels that the previous senior leadership has not been driving the necessary strategic change in a timely way.

The Panel acknowledges that the Development Board recognises that there needs to be more visible, robust and challenging leadership within the service by senior officers and the Council needs to learn lessons from the past. The Ad Hoc Panel has seen that the Chief Executive, Cabinet portfolio holder, Director and Assistant Director are all providing more visible and proactive leadership since the development issues were identified. The Panel welcomes the approach of the new management team and the fresh perspective on practice in Kirklees.

It is felt that Children's Services has not been sufficiently embedded corporately within the Council but the new management team has recognised this and is working towards addressing the situation. Whilst the Panel welcomes the efforts of the new management team in this area, it considers it a major service weakness and wishes to monitor progress in this area.

5.9 The development work provides a range of support to staff to ensure that a good understanding of the practice standards is developed and appropriate supervision is in place which allows for reflection and ongoing learning.

The Panel welcomes the dedicated PSW post, recognising the importance of having a designated officer to oversee on going practice issues and ensure standards are maintained.

The PSW has a role to represent concerns of social workers to senior management . The Panel suggests this might be further extended to allow the PSW to also report concerns to the Cabinet Portfolio holder. The Panel understands the reasons why the PSW does not currently have a caseload however, in line with the Munro Report, the Panel feels that the PSW should have a reduced allocation of cases to manage. This is to ensure they maintain current practice skills and experience and are best placed to support other social workers.

The combination of the development approaches put in place by the new management team, is welcomed and feedback from staff shows that the different elements of support are valued. The Panel received specific comments on the peer mentoring role of the advanced practitioners and the use of reflective supervision. Staff appreciate that the new systems give time to reflect and space to think, whereas previously they felt that their time had been spent firefighting.

It is encouraging for panel members to hear the positivity of staff who feel that the service is going in the right direction. The Panel commends the hard work and commitment shown by staff at all levels to moving forward and addressing inconsistencies.

The Panel is mindful of the concerns highlighted about support for first tier managers who have both practitioner and supervisor roles. There is a balance to be struck in the future between investing resources in dedicated support to raise standards whilst still ensuring that there are sufficient resources to manage caseloads and maintain levels of expertise. Whilst future support arrangements have been recognised as an area requiring further consideration the Panel wishes to be further assured of the support that is being put in place for first tier managers.

5.10 Recommendations:

5. That the Ad Hoc Scrutiny Panel be provided with information on the support available to first tier managers.
6. The Scrutiny Panel recognises that sustaining the current high level of support to practitioners is very resource intensive. However the Panel recommends that when support arrangements are reviewed, including the future of the advanced practitioner role, sufficient support remains in place to ensure that standards are maintained.
7. That Overview and Scrutiny monitor the progress of embedding a corporate approach within Children's Services at regular intervals.
8. In recognising the importance of ensuring that the voice of social workers is heard the Panel recommends that there should be a mechanism in place to ensure an on going two way dialogue.

6. Referral thresholds and mechanisms

6.1 A further component of workflow and case management is the referral mechanism whereby new cases come into the social care system. The Kirklees Children's Continuum of Need and Response (CoNR) Framework is the local procedure to assist all those whose work brings them into contact with children, young people and their families to identify the level of help and protection required .

6.2 It was noted that the Safeguarding Children Board (SCB) had previously raised concerns about the timeliness of responding to referrals. This issue formed one aspect of the Development Board's work, with the Independent Chair of the SCB also attending board meetings.

As part of looking at how referrals are dealt with, members of the Scrutiny Panel visited the Multi Agency Safeguarding Hub (MASH) to talk to staff and look at the referral process.

6.3 In June 2016, the Development Board's consideration of referral information indicated a conversion rate of contact to referral of between 30% and 50%. It was anticipated that the introduction of a new Referral Contact Form would provide greater clarity in recording contacts and identifying formal referral as the appropriate action for the contact. The timeliness of referral decisions showed a consistent improvement with approximately 77% within timescale.

At the time of its June visit to the MASH, the Panel had concerns about how initial contacts were being managed, with the majority appearing to generate referrals for social worker assessment. Feedback from social work staff identified concerns about the appropriateness of some referrals. The Scrutiny Panel feels that the system was operating contrary to the principles of early intervention and prevention in not always signposting to the most appropriate level of intervention or support.

6.4 A priority review of the referral thresholds document was undertaken to help staff effectively sift initial referrals into the MASH. In July 2016 the SCB looked at the quality of information being referred and the development of a more explicit referral form. The new referral thresholds came into operation from the 1 August 2016 and aim to ensure that initial contacts generate an appropriate and proportionate response.

Findings:

6.5 On the visit to the MASH the Panel saw for itself the commitment of the staff involved in the MASH and the tangible benefits of the working in partnership approach (see also section 9 partnership working).

6.6 From the visit to the MASH and other anecdotal evidence it is apparent that historically a disproportionate number of initial contacts were being progressed as social

work referrals rather than being signposted to other more appropriate areas of support or early intervention. It was suggested that some referrals lacked sufficient detail to progress them, however this should be addressed by the use of the new referral process.

Current IT processes take a disproportionate amount of staff resources to input and extract information (see also section 10). There is further work needed across partners to understand the information sharing that is needed to work effectively and be able to identify issues relevant to initial contacts and subsequent referrals.

Early in the work of the Development Board the issue of progressing social work referrals in a timely way was identified. Given the volume of referrals, there is a need to ensure that social work resources are not being inappropriately used in filtering and redirecting contacts.

6.7 The Panel welcomed the introduction of new referral thresholds to help structure how initial contacts are filtered in a way that better links to the early intervention and prevention approach of New Council.

6.8 Recommendations:

9. Managers need to ensure that the revised referral approach reflects the principles of early intervention and prevention in seeking to direct contacts to the appropriate level of support.

The Panel **recommends** that Managers should continue to monitor the referral process to ensure that the new thresholds are being consistently applied. If successful, performance information should be able to evidence a reduction in the volume of initial contacts that generate a referral for formal assessment.

7. Reviewing performance management information and processes

7.1 Prior to the establishment of the Development Board, the outcome of the case audits indicated that current performance reporting arrangements were insufficient to identify significant underperformance. Previous quarterly performance information seen by councillors was limited and failed to identify underlying case management issues.

7.2 The Munro report highlights:

.... It is important that data allows the child's journey through the system to be mapped and that such data informs discussions about local practice, rather than being used as absolute indicators of 'good' or 'bad' performance. ...

..... Local authorities and their partners should use a combination of nationally collected and locally published performance information to help benchmark performance, facilitate improvement and promote accountability. It is crucial that performance information is not treated as an unambiguous measure of good or bad performance as performance indicators tend to be.

Munro recognises there is a balance to be struck in reducing “red tape” whilst still monitoring data that gives a picture of local practice. Evidence shows that the Development Board has recognised the need to comprehensively review the performance information that is needed moving forward.

7.3 The Development Board very quickly put in place a new data set around case management and introduced weekly compliance data on statutory processes and a narrative summarising progress in each area. The collection of the data was very resource intensive due in part to having to interrogate three different IT systems. The Panel is pleased to note that plans are in place to improve the IT position (see also section 10 of the report).

The Panel heard that the Board has also developed a high level dashboard that includes more operational information such as unallocated cases, life chances of Looked After Children, etc. It has been recognised that the data did not inform on the quality of information and case file review observations are needed to address quality issues. In March 2016 the service began the process of getting people trained up to review case files.

One of the early performance clinics focussed on performance information. The intention is that performance clinics will be held every month (see also section 5) and that performance data will inform the areas of focus for the clinics.

Findings:

7.4 The Panel feels that that the previous performance information was insufficient to identify significant concerns at an operational level. Neither senior officers nor councillors were aware of the level of inconsistency and under performance in case work management. However, once the issue had been identified senior officers and the new Cabinet Portfolio holder (and subsequently the Development Board) responded to address the issue and ensure that going forward an accurate picture of performance is available.

7.5 The availability of accessible performance data has been further hampered by the IT systems currently in use in the social work service. It continues to be resource intensive to extract the current range of data and the Panel wants to acknowledge the efforts of officers to ensure that this level of timely monitoring information is maintained.

Discussions with staff also highlighted the difficulties of the current IT system and the cumbersome way in which staff have to move between screens to input and retrieve information (see also section 10 on IT). The Panel welcomes the prioritisation of a procurement exercise to put in place a new IT system that will support the new ways of working. Subject to successful implementation, including data transfer and training, the IT system should make it easier to extract performance data to provide on going monitoring information.

7.6 The Panel agrees that an overhaul of performance information is required to ensure it is fit for purpose as the Council moves into a new way of working. The learning from the work in Children's Services should inform that cross Council work.

The role of councillors in performance management needs to be redefined and training made available so that they have the appropriate skills to undertake their responsibilities. Councillors have a range of roles, from Cabinet portfolio holder, to scrutineer and ward member and it is recommended that there is clarity around performance management responsibilities and the level of information appropriate to each role.

There are a range of internal and partnership bodies that Children's Services report to, including the Corporate Parenting Board, the CSE and Safeguarding Member Panel and the Children's Trust, but there does not appear to be a coordinated approach and clarity of roles across governance arrangements, including performance management responsibilities.

In light of the learning from Children's Services, the corporate approach to performance information needs to ensure that the Council is monitoring the right issues. There should be clarity about responsibilities for considering and challenging performance information at every level. Within Children's Services, consideration should also be given to governance arrangements to ensure the future role and function of bodies is clear and duplication avoided (see recommendation 27).

7.7 IT should be used to automate as much performance reporting as possible. The Panel consider that it is equally important that performance information is able to demonstrate good performance and achievements, not just non-compliance and under performance.

7.8 Recommendations:

10. That the future role of Councillors in performance management should be closely defined and that appropriate skills training be provided to enable them to undertake that role.

11. That Overview and Scrutiny continues to monitor the implementation and outcomes of the development work, for example the outcomes of the introduction the new IT system and the workforce strategy work, to ensure that the desired improvements are achieved and sustained.

12. That the Cabinet give further consideration to the corporate approach to performance management using the learning from Children's Services to inform the work.

8. Workforce Strategy:

8.1 A further priority focus for development work is workforce strategy. Like many councils, Kirklees faces challenges in the recruitment and retention of some levels of social workers. The Director for Children and Young People explained to the Panel that feedback from young people illustrated the importance they placed on the stability and continuity of social worker support. The example was given of young people requesting that social workers also complete an 'all about me' document, given that the children felt that they didn't know much about the social workers that they had a close relationship with.

8.2 The Panel was informed that Kirklees has a good record in recruiting newly qualified social workers (NQSW), with 12 having recently been appointed. The Principal Social Worker informed the Panel on work being undertaken as part of a teaching partnership with the Universities of York and Huddersfield. The work is continuing to grow year on year and involves working with undergraduates, giving tutorials, offering support and practice placements. This work has successfully attracted students to apply for positions within Kirklees. The work has enabled Kirklees to have an input into the Universities curriculum content, which means that a higher calibre of candidates are applying for jobs in Kirklees.

As part of the development work, a revised induction programme has been put in place for newly recruited NQSWs. The NQSWs are kept together and given work from across all service areas to gain a full understanding of the whole journey of a child, rather than having to choose a specialism too early in their induction. Managers and advanced practitioners are able to identify a "best fit" for the newly qualified social workers, and have discussions with them around which area to specialise in.

8.3 The Development Board's aim is for Kirklees to have a stable workforce. It is recognised that this will take time and officers estimated that it will take approximately two years if the workforce strategy is successful.

The national trend points to a social worker staying in front line social work for about 8 years. It is anticipated that there will be some staff turnover in Kirklees due to the change in working procedures. The common reasons for leaving are not salary increases, of up to £3K between authorities, but working conditions, manageable workloads and access to supervision.

8.4 The current challenge in Kirklees is recruiting Team Managers in such a competitive market. It was suggested that the turnover in staff is due to a number of factors, including experienced staff moving to other roles within Kirklees, staff moving to other authorities for a more competitive salary, some retiring, or leaving due to family commitments.

8.5 Whilst aiming to recruit permanent staff and move to a stable workforce, in the interim there is a the need to continue to use agency workers. The Panel was informed that historically there have been low levels of agency staff working in social work in Kirklees. The Panel heard differing perspectives on the use of agency staff with many views focusing on the lack of continuity for clients. Alternatively it was suggested that agency staff can bring a range of experience and different views to the service, which can be very positive.

Staff Development

8.6 The Panel heard from the Learning and Organisational Development Manager that although Kirklees has provided a significant amount of training in the past, this has evolved into a scattered and disjointed approach. The Workforce Strategy seeks to support the journey of staff throughout their careers. This will begin with the strengthened induction programme, with a clear career progression path, ensuring statutory requirements are met and Continuous Professional Development (CPD) is maintained.

8.7 The government is also introducing an accreditation scheme 'Putting Children 1st' but at the time of the discussion it was not clear what the overall scheme would look like going forward. All social workers will be required to commence the accreditation process by 2020 and it is important that Kirklees Workforce Strategy is aligned to the accreditation and external processes. Details of the initiative published in July 2016 indicate that it has 3 key principles:-

- People and Leadership
- Practice and Systems
- Governance and Accountability

The Panel notes that one of the benefits of the accreditation scheme is likely to be the retention of staff, given that social workers are unlikely to want to move authorities whilst the accreditation process is ongoing.

8.8 Kirklees has recognised that one of the ways to address the Team Manager recruitment issue is to develop current staff in a “grow your own” approach. Kirklees has joined the Aspiring Managers Training Programme which is part of the national Step Up Programme to progress staff.

Findings:

8.9 The Panel understands that both nationally and regionally there are challenges in the recruitment and retention of social workers. The panel supports the integrated approach to trying to address the issues within Kirklees, through a pathway of development and 121 support to help retain the staff we have and give them the ability to progress within the service.

The Panel would also support work at a sub regional / regional level, to try to work together rather than staff moving between authorities for a marginally better offer whilst no authority benefits from continuity.

8.10 The Panel notes that the current situation has led to an increase in the number of agency staff. The Panel welcomes efforts to address this situation as soon as possible, particularly from a client continuity perspective but also because of the financial implications for the Council.

8.11 The Munro report’s view of CPD is:

“ CPD takes many forms and this review supports more co-working on cases, on-the-job practice coaching, as well as more formal local teaching programmes in particular areas of knowledge, skill set and intervention methods....”

The Panel can see that Kirklees is putting in place a combination of formal training, on-the-job coaching and co-working on cases, whilst also seeking to influence pre and post qualification courses of study. It is seeking to provide NQSWs with the opportunity to train in all areas of social work prior to being matched to a specialist area. This approach is to be welcomed and the Panel hopes that in due course the service will be able to evidence that the strategy has been successful and staff have been retained by Kirklees and have progressed to more senior positions. The challenge will be in maintaining an appropriate level of support going forward.

Recommendations:

13. That in the interests of reducing dependency on agency staff and achieving a stable workforce, analysis should be undertaken to identify longer term sustainable, developmental support arrangements to help to retain and develop social workers in Kirklees.

9. Working effectively with Partners

9.1 The Panel also spoke to partners who share responsibilities in areas of child protection and work closely with social work practitioners and managers. As part of this strand of work the Panel also visited the Multi Agency Safeguarding Hub (MASH) to see how effectively staff from partner agencies are working together to support some of the development areas.

The MASH is a central resource which will receive all safeguarding and child protection enquiries and referrals. It is seen as a milestone in protecting vulnerable children in Kirklees. The MASH is an example of integrated working where professionals from Children's Social Care, Police, Health and Education work together to safeguard children and young people and provide a joined up service for families.

Staff within the MASH recognise the improved informal intelligence sharing and joined up approach that working together has brought. On the Panel's visit it was suggested that the work of the MASH could be further improved with the co-location of representatives of other significant partners, for example health.

West Yorkshire Police

9.2 The Panel met with Chief Superintendent Steve Cotter of West Yorkshire Police who is a partner member of the Children's Services Development Board. CS Cotter felt that the Development Board is key in establishing the important work and role of the MASH. The MASH enables partner co-location, shared training, informed changes to working practice and contributes to improved working relationships. Another important feature has been the willingness of partners involved in the MASH to challenge each other. Challenge meetings are held in Social Care to discuss outstanding caseloads and WY Police are now attending these meetings.

One of the major benefits of the MASH is that discussions are taking place "there and then" between the staff who are already in the room together. CS Cotter feels there is a very positive direction of travel for partnership working in Kirklees. At the time of the Panel discussion CS Cotter felt it would be useful to see third sector providers becoming part of the MASH. CS Cotter would also welcome the extension of the opening hours of the MASH and supported the MASH offering a 24 hour, seven days a week service.

Independent Chair of Kirklees Safeguarding Children's Board

9.3 Bron Sanders, Independent Chair of the Kirklees Safeguarding Children Board (SCB), met with the Panel to give her views on the work being undertaken by the Development Board of which she is a partner member. The Panel also explored how the work of the SCB linked to the priorities of the Development Board.

Ms Sanders explained the structure of the SCB and indicated that the main Board met approximately 5 times per year and is underpinned by a series of working groups that look in more detail at priority areas of work. One of the groups is evaluation and effectiveness which also carries out audit work and considers frontline practice. Ms Sanders welcomes the procurement of a new IT system and hopes that it will provide the more detailed performance information that the SCB requires. The SCB has been developing its own data set to cover the child's journey and currently has 2 years worth of data. It has proved difficult to get timely data.

9.4 Ms Sanders informed the Scrutiny Panel that as part of the SCB's audit work a concern had been identified about the time it was taking for children to be seen by a social worker. Ms Sanders had raised concerns with the Director and Chief Executive and welcomed the positive response which has informed the development work.

Ms Sander's view is that the Development Board is providing reassurance for the Safeguarding Children Board and that critical questions are being asked and the necessary changes put in place. Ms Sanders emphasised that a lot of good work has been undertaken, but it is critical to ensure that partners understand any changes so that they can address any impacts that directly affect them.

Ms Sanders commented on the limited opportunities for the SCB to engage with councillors. It was suggested that more opportunities to discuss the key issues being identified by the Board would be welcomed.

Schools as Community Hubs

9.5 The Panel noted that in September 2015 the Chief Executive met with school leaders to share the philosophy of Early Intervention and Prevention and promote the opportunities for working in partnership with schools.

The Council wants to engage with schools to help strategically shape future work. An example was given of recent work regarding a future contract for school nurses and health visitors. Schools are able to influence the shape of commissioning in such a way as to connect up resources so that they could be allocated and work in the most appropriate way.

The role of the Local Authority moving forward is to be supporting, enabling and where appropriate challenging, to facilitate the work of schools rather than to work in a directive

manner. Historically the Council had a directive approach but the skills within schools mean that such an approach is not appropriate moving forward.

9.6 Since the initial discussion, officers have been understanding in greater detail the scale and scope of what schools already do 'beyond the school gates', i.e. beyond the formal roles of teaching and learning. There are 60,000 children and families that currently go through the gates into Kirklees schools. Schools have a significant relationship with children and their families and are best placed to support those children and families at an early stage.

9.7 The Scrutiny Panel spoke with Alan Cumming, Assistant Headteacher from Holmfirth High School about the school's experience of being involved in the Early Intervention and Prevention work. Mr Cumming explained that it is an important part of the school's remit to work with families and communities given that well supported families and communities lead to children who will perform well within school. Significant emphasis is placed on engaging outside of academic issues, such as through community events, sports etc in order to build constructive relationships. Some schools have become part of community forums alongside faith and voluntary groups, working with the common aim of improving the community, to help people become more engaged in living healthy and happy lives.

9.8 The Panel considered the potential tensions between secondary and primary schools and noted that working together provided the chance to join things up, ensuring a 'bottom up' approach. By including the different levels of education in the Community Hub with community and agency support, there are opportunities to build trust with families which can have a positive impact throughout the family. The intention of the hub approach is to provide early support to break down barriers and help prevent families getting to the point of requiring more formal interventions.

9.9 It was noted that community hubs are not part of the Council, they are owned and driven by the schools. This enables schools to provide wrap around support and better co-ordination of resources within the hub area. They are helping the Council to shape its early help offer. The Council will facilitate and be an interface for the early help offer, once it has been determined. Approximately 50% of schools have become engaged in the community hubs work but all are at different stages.

9.10 The Panel commends the community hubs work and is keen that more schools become involved. It is suggested that the communication networks that engage with all schools, could promote the positive outcomes from the early intervention and prevention work. It is likely that schools will become persuaded to be involved as the advantages of the approach become more evident.

The panel discussed the role of schools in referring concerns and their interaction with the MASH. Mr Cumming explained the on-going communication with the multi-agency safeguarding hub including use of the new referral forms as part of normal practice. There

are daily conversations around specific issues. Again the difficulties of the use of different databases were highlighted, at times these are a barrier to seamless information, the example of missing pupils was highlighted.

Findings:

9.11 It is evident to the Panel that the staff and partners spoken to demonstrated an enthusiasm and commitment to the benefits of the MASH way of working. It is the view of the Panel that the MASH has provided a foundation for improved intelligence sharing which can continue to support safeguarding and an early intervention approach. The Panel commends the work of the staff who are working together to make the vision for integrated working a reality.

The Panel supports the ongoing development of the MASH, including proposals to relocate the MASH to a more central, accessible location with space to expand to support more corporate ways of working. The Panel views the MASH as a key component of early intervention and prevention in its role as the first point of contact for enquires. It is the Panel's view that there is an opportunity to further develop the MASH approach with the inclusion of other agencies.

Data and intelligence sharing has been identified as a key area for maximising the effectiveness of working together and safeguarding children. It is important going forward that wherever possible, unnecessary barriers to information sharing are addressed without compromising data security.

The Panel heard evidence of the new safeguarding referral process being used in schools and consider it important that it is rolled out and used consistently across all schools in the borough.

The Panel is encouraged by the progress of work to develop schools as community hubs. The Panel recommends that there is routine promotion of the success stories attributable to the community hub way of working. The Panel would like to see the community hub development support offer rolled out to all schools irrespective of their status.

9.12 The Panel notes the comments of the Chair of the Safeguarding Children Board that opportunities for greater engagement with Councillors would be welcomed. It was suggested that as a minimum, an annual private meeting with the Cabinet portfolio holder and the Scrutiny lead for Children's Services should be established. The Panel wants to see a mechanism whereby the SCB has the opportunity for informal dialogue to discuss concerns and the outcomes of pieces of work, at the appropriate level, including Chief Executive and Cabinet portfolio holder.

Recommendations:

14. That proposals for the development of the MASH should consider how best to integrate other partners and agencies, including the third sector, into the work of the MASH.

15. That as part of developing any proposals that have implications for joint working, communication with partners should be a priority to ensure that there is a shared understanding and commitment moving forward.

16. That consideration be given as to how the Safeguarding Children Board can engage both formally and informally with councillors to share information and discuss issues, as part of a formal governance review of Children's Services (see also recommendation 27).

17. That Children's Services positively promotes the "good news" stories arising from Community Hub work to highlight good practice and encourage others to see the advantages of the approach.

18. That the Council and its partners should review data and intelligence sharing arrangements as a priority, to ensure that the interests of safeguarding children are put first.

10. IT Infrastructure

10.1 At initial conversations with staff it was apparent that the IT systems used in social work did not support current practice. Practitioners are having to work across three incompatible systems to access the information they require. It is a fragmented and resource intensive approach which does not support new ways of working.

10.2 The Panel welcomes the early initiation of a procurement exercise to replace the IT system with a model that is fit for purpose moving forward. It is acknowledged that implementing a new process will be demanding on staff. Following initial training there will need to be clear expectations of how information will be updated and maintained.

10.3 The Assistant Director Financial Management is managing the IT procurement process and advised the panel that the Development Board has identified the core functionality and the specific issues that need to be addressed by a system. As part of the procurement process the Council has challenged suppliers to put forward solutions, rather than just listing functions. The system will include:

- Social work case management system
- Early help module
- Single view – to enable a professional to see an holistic view of a person across different multi-agency systems
- Integration – reducing the complexity of IT systems and enabling integration
- Mobile/off-line functionality – to enable practitioner use wherever they are working
- Finance module – integration with SAP
- Performance monitoring information

10.4 The Panel received information on the selected system which included a feature that enables a manager or practitioner to see the progress made across social work cases from referral to assessment and potentially the development of a child protection plan.

A further function, not previously available, will be the ability to create a network plan which puts the child at the centre and then illustrates the different relationships with family members and agencies. The new system also has a geogram facility which sets out family relationships and is a mandatory requirement for courts. The ability to have this function as part of the software will save time for practitioners.

10.5 The Ad Hoc Panel continues to look at the work tray alerts feature which provides a day by day list of tasks that are due, for example, setting up review meetings, undertaking single assessments for children and writing review meeting reports. The work tray alert will enable managers to understand workloads at any given time and will provide clear priorities for individual practitioners.

10.6 Performance monitoring information will be available through the system at both managerial and individual practitioner level. The financial abilities of the system included budget authorisation processes and budget statement summaries which will enable

practitioners to have an up to date understanding of ongoing costs against budget availability.

The “go live” implementation date for the new IT system will be between July and October 2017.

10.7 The Ad Hoc Panel recognises that the implementation of the new IT system and the confidence of the users of the software is critical to its success. Ms Hogg explained that a train the trainer programme is part of the procurement exercise. There will also be super users and floor walkers in place to support staff during early implementation.

Findings:

10.8 The Panel had the opportunity to see the current IT system in operation and spoke to staff about using the system. It is very obvious that the system is incompatible with the requirements of the role moving forward. It is resource intensive and frustrating to users. The Panel welcomes that an early procurement exercise to replace the IT system was actioned by the Development Board.

10.9 The Panel has received assurance that the new system should help to address many of the current concerns and hopes that it will come to fruition. It should support the ongoing provision of timely performance information to help managers ensure that standards are maintained and statutory compliance adhered to.

Staff have been through a period of intense change and development and there is a risk that the introduction of a new system, whilst welcomed, will be a further challenge and could impact on staff morale.

The Panel recognises the new IT system is one of a number of tools to support process but it should complement the development of social work practice so that staff are able to continually develop in their professional understanding and approach to working with children and their families.

10.10 The new system will drive the case management process and whilst providing clarity around tasks and deadlines, through the intray feature, it is likely that initially it will be very demanding on staff to adapt to the new way of working. The ongoing range of IT support, ie super users and floor walkers should help with the practical use of the system but managers will need to be mindful of other support to staff until they are confident in the use of the system and have adapted to the new way of working.

10.11 The Panel is disappointed that it is currently not possible to link the new IT system to partner systems, for example the IT systems used by GPs. The Ad Hoc Scrutiny Panel cannot reach a view on the ability of the IT system to deliver the required improvements until the system is in place and sufficient time has elapsed for it to have been embedded into practice.

Recommendations:

17. That there are realistic timescales around how long it will take to embed a new system and ensure staff are competent and confident in using the new software.
18. That there is initial close monitoring of the use of system to ensure that the use of the new IT system is successfully embedded into practice and becomes an integral part of process management.
19. That there is ongoing monitoring of the performance of the new IT system to ensure that it is meeting the Council's expectations and delivering the prescribed outcomes.
20. That once the IT system is embedded, there should be a review of the performance information available and how that is used to effectively improve the quality of social work in Kirklees, with the aim of maintaining consistent good practice social work and continually looking forward.
21. That the new IT system is also used to identify good performance, to feed into appraisals etc. and to be able to demonstrate the difference made.

11. Edge of Care

11.1 When members of the Scrutiny Panel met with staff, including first tier managers, the term Edge of Care was used to describe the early intervention activities that help children and their families at the earliest opportunity and wherever possible prevent the need for more formal social care interventions. Edge of Care services are aimed at preventing family breakdown through targeted support at an early stage; in some cases, services will assist children in care to return home safely where they can be supported by appropriate community based provision.

It was suggested to the Panel that the Edge of Care offer in Kirklees was not as well defined as some other local authorities. The Panel commissioned a report to better understand Edge of Care in Kirklees and consider bench marking information on good practice within other local authorities.

11.2 The report indicated that as at August 2016 there were 683 Looked After Children in Kirklees. The vision for edge of care in Kirklees is to develop an effective edge of care service which targets support at an early stage for families with multiple needs, preventing children and young people becoming looked after and keeping families together. By reshaping Kirklees models of delivery and working effectively with other services, Kirklees will be able to support families to stay together. Services will include temporary respite for families and therapeutic services to support family functioning and improve resilience.

The service will include temporary accommodation staffed by experienced practitioners who will provide behavioural and parenting support and respite to parents. A rapid response

service will use evidence based techniques to ensure that all family members access appropriate support and multi-systemic therapy will be provided to children and young people who would also be linked to targeted youth workers and community-based provision to maintain outcomes.

11.3 Kirklees Stronger Families Programme has also been operating since 2012 and has provided early help to prevent problems from escalating to statutory levels. The Programme has commissioned a range of provision including the Family Intervention Project (FIP) which provides intensive family support through a key worker.

11.4 The existing Legal Gateway Panel meets weekly to consider all cases where Social Workers are recommending children come into care; this is complemented by the Section 20 Clinic which is held monthly. At both meetings, checks are made to ensure that all early intervention and prevention services have been accessed and Kirklees has helped families to improve parenting, keep families together or reunite families wherever possible.

11.5 The Council is establishing an Edge of Care Panel to consider the cases of all children where there is a high risk that they will come into the care system; this includes those who have recently come into care on an unplanned/emergency basis. The panel will put in place the most appropriate and timely early intervention to maintain the children/young people in their families and out of the care system. The panel (comprising Head of the Stronger Families Programme, Early Intervention Services, Child Adolescent Mental Health Services, Looked After Children Nurse) will allocate intensive and focussed Edge of Care resources including support from the Family Intervention Project and specialist health and education support.

The Edge of Care Panel is also exploring alternative edge of care services including temporary accommodation to provide time and space for families and young people for brief periods with the aim of helping them to resolve issues quickly and return the young person home.

11.6 The report identified the following examples of good practice in Edge of Care services and options for future commissioning which included:

- Leeds: Family Group Conferencing
- North Yorkshire: Edge of Care services – rated by OFSTED as good or outstanding in every area
- Triborough Council, London: A new model in 2014 which increased referrals to early help services year on year
- Essex: Multi-Systemic Therapy
- Family Functioning Therapy – help for troubled young people and families to overcome delinquency, substance abuse and violence
- Intergenerational Mediation – to reduce the incidence of teenagers leaving home prematurely.

Findings:

11.7 Throughout the work of the Panel the importance of effective early intervention and prevention (EIP) approaches has been highlighted as a means of saving resources by avoiding the more costly social care interventions. It has been shown that not only is it a better use of resources but more importantly it often leads to better outcomes for children and their families. The Panel supports the move towards EIP but recognises that there are initial resource implications in establishing the range of low level interventions and realigning current approaches.

The panel believes that the Edge of Care offer is an important part of delivering an early intervention and prevention approach in Kirklees. The report commissioned by the Panel indicates that whilst there are examples of edge of care provision, the need to better coordinate and develop the offer has been recognised.

In considering the approach across Kirklees, the Panel encourages the engagement of all schools within the Edge of Care process.

Recommendations:

22. The Panel recommends that the Edge of Care model in Kirklees be clarified and enhanced, including consideration of whether good practice from other areas might be effectively adapted for use in Kirklees.

23. That as part of clarifying the Edge of Care approach, the role of Schools is considered and schools have the opportunity to be part of the approach.

12. Overall Conclusions on the priorities and work of the Development Board

12.1 In conclusion, the Panel welcomed the strong leadership shown by the Development Board to initiate the improvement work and inject pace and urgency to address the compliance and under performance issues that had been identified.

Under the new leadership team and the Development Board, the work has gathered momentum and there is evidence that staff are engaged on the improvement journey and starting to make the necessary changes to practice. A lot of change has happened in a very short period of time and there now seems to be a clearer ambition for children's services in Kirklees.

The Panel agrees with the areas prioritised by the Board and acknowledges that the volume of change will be on going for some time before it becomes embedded and is normal practice.

Challenges

12.2 The Panel recognises that there are significant challenges ahead to continue the transformation of the service. The Panel feels there is a significant challenge in sustaining progress at a pace that ensures staff remain "on board" and are able to continue learning and adapting their practice. The most important challenge is to ensure that changes are made to process and practice to improve the life chances of children in Kirklees.

12.3 It is important that not only is the voice of the child heard but that once the period of intense change is over, social workers also feel they continue to have the ability to raise concerns and influence change.

12.4 Effective performance management, underpinned by timely and targeted information is critical in ensuring that high standards and legal compliance are maintained. However the Council needs to be able to measure not only the quantitative compliance with process requirements but also the qualitative improvement of the service provided to children and their families. The new senior management team needs to ensure that a consistent and effective approach is in place to allow the early identification of concerns.

12.5 The Panel does not underestimate the size of the challenge within Children's Services. It is keen that the learning is captured from this work so that the wider organisation can benefit and it can inform ongoing organisational change.

12.6 The development work and the recent national spotlight on areas of Children's Services has highlighted the need to have clarity on the role of councillors and governance arrangements in respect of Children's Services.

Currently there are limited opportunities for councillors to learn about the operational challenges and understand the complexities in order to participate in a constructive and informed challenge. The nature of the relationship between officers and councillors is critical to moving forward, as highlighted by the Rotherham case where the need for trust and openness was identified.

All councillors need to have an understanding of their role in children's services issues and a basic awareness. It is suggested that this might be underpinned by the introduction of an information sharing protocol.

12.7 The Panel feels there is the risk of duplication within current governance structures relating to children's services areas. There is a need to develop structures that are fit for purpose within the new council model with clarity on where statutory responsibilities lie and the role of members within those bodies.

12.8 It is too soon for the Panel to be able to measure the impact of the changes that are being introduced and to be assured that the improvement can be maintained. The Panel has identified that there are areas that Scrutiny would wish to monitor and follow up on.

However the Panel suggests that early in 2018, when recommendations of OFSTED have been put in place and the new IT system is embedded, that consideration be given to having a peer review of child protection services in Kirklees Council .

Recommendations:

24. That early in 2018, in order to have an independent view of what has been achieved, consideration be given to having a Peer Review of Child Protection Services in Kirklees Council.

25. There is a need for better coordination of Children's Services governance arrangements. The Panel recommends that there is a review of governance arrangements within Children's Services to look at the effectiveness of current structures and options for developing a more coordinated and consolidated governance approach.

RECOMMENDATIONS

Set out below is a complete list of the recommendations made by the Panel. The response to the recommendations is summarised in the attached action plan.

1. That once the full practice standards document has been embedded, an “at a glance” summary version should be produced to act as more user friendly prompt for staff. The Scrutiny Panel would like to be given the opportunity to comment on the final draft of the summary practice standards document.
2. That the “at a glance” summary standards document be made accessible to all councillors to enable councillors to understand practice.
3. That a review mechanism is put in place to ensure that in future new legislative requirements affecting social work practice, including casework management, are embedded into practice standards in a timely way.
4. That a consistent approach is adopted to ensure that casework accurately reflects the voice of the child, rather than being an interpretation or summary.
5. That the Ad Hoc Scrutiny Panel be provided with information on the support available to first tier managers.
6. The Scrutiny Panel recognises that sustaining the current high level of support to practitioners is very resource intensive. However the Panel recommends that when support arrangements are reviewed, including the future of the advanced practitioner role, sufficient support remains in place to ensure that standards are maintained.
7. That Overview and Scrutiny monitor the progress of embedding a corporate approach within Children’s Services at regular intervals.
8. In recognising the importance of ensuring that the voice of social workers is heard the Panel recommends that there should be a mechanism in place to ensure an on going two way dialogue.
9. Managers need to ensure that the revised referral approach reflects the principles of early intervention and prevention in seeking to direct contacts to the appropriate level of support. The Panel recommends that Managers should continue to monitor the referral process to ensure that the new thresholds are being consistently applied. If successful, performance information should be able to evidence a reduction in the volume of initial contacts that generate a referral for formal assessment.
10. That the future role of Councillors in performance management should be closely defined and that appropriate skills training be provided to enable them to undertake that role.

Recommendations continued ...

11. That Overview and Scrutiny continues to monitor the implementation and outcomes of the development work, for example the outcomes of the introduction the new IT system and the workforce strategy work, to ensure that the desired improvements are achieved and sustained.

12. That the Cabinet give further consideration to the corporate approach to performance management using the learning from Children's Services to inform the work.

13. That in the interests of reducing dependency on agency staff and achieving a stable workforce, analysis should be undertaken to identify longer term sustainable, developmental support arrangements to help to retain and develop social workers in Kirklees.

14. That proposals for the development of the MASH should consider how best to integrate other partners and agencies, including the third sector, into the work of the MASH.

15. That as part of any developing any proposals that have implications for joint working, communication with partners should be a priority to ensure that there is a shared understanding and commitment moving forward.

16. That consideration be given as to how the Safeguarding Children Board can engage both formally and informally with councillors to share information and discuss issues, as part of a formal governance review of Children's Services (see also recommendation 27).

17. That Children's Services positively promotes the "good news" stories arising from Community Hub work to highlight good practice and encourage others to see the advantages of the approach.

18. That the Council and its partners should review data and intelligence sharing arrangements as a priority, to ensure that the interests of safeguarding children are put first.

19. That there are realistic timescales around how long it will take to embed a new system and ensure staff are competent and confident in using the new software.

20. That there is initial close monitoring of the use of system to ensure that the use of the new IT system is successfully embedded into practice and becomes an integral part of process management.

21. That there is ongoing monitoring of the performance of the new IT system to ensure that it is meeting the Council's expectations and delivering the prescribed outcomes.

Recommendations continued ..

22. That once the IT system is embedded, there should be a review of the performance information available and how that is used to effectively improve the quality of social work in Kirklees, with the aim of maintaining consistent good practice social work and continually looking forward.

23. That the new IT system is also used to identify good performance, to feed into appraisals etc. and to be able to demonstrate the difference made.

24. The Panel recommends that the Edge of Care model in Kirklees be clarified and enhanced, including consideration of whether good practice from other areas might be effectively adapted for use in Kirklees.

25. That as part of clarifying the Edge of Care approach, the role of Schools is considered and schools have the opportunity to be part of the approach.

26. That early in 2018, in order to have an independent view of what has been achieved, consideration be given to having a Peer Review of Child Protection Services in Kirklees Council.

27. There is a need for better coordination of Children's Services governance arrangements. The Panel recommends that there is a review of governance arrangements within Children's Services to look at the effectiveness of current structures and options for developing a more coordinated and consolidated governance approach.

Summary of background information

- The Munro Review of Child Protection – Part One – A Systems Analysis - Professor E Munro (October 2010)
- The Munro Review of Child Protection – Interim Report : The Child’s Journey – Professor E Munro (February 2011)
- The Munro Review of Child Protection – Final Report : A Child-centred System Professor E Munro (May 2011)
- Working Together to Safeguard Children – Department for Education (Statutory Guidance: March 2015)
- Process chart – mapping the pathways from MASH response and referral to early intervention and targeted support.
- The Kirklees Children’s Continuum of Need and Response (CoNR) Framework (August 2016)
- Child Protection and Family Support - Multi-Agency Referral Form (Revised August 2015)
- Presentation on the procurement exercise for the new IT system for casework management
- Team and Organisational Workforce Structure Charts (as at September 2016)
- Kirklees Council : Children and Families Service - Practice Standards Manual (March 2016)
- A One Minute Guide – the role of the Advanced Practitioner
- Notes of meetings of Kirklees Children’s Service Development Board
- Briefing paper on Schools and Community Hubs Programme
- Performance Monitoring Summary – Family Support and Child Protection
- OFSTED Inspection October 2011 - Safeguarding and Looked After Children – Summary of recommendations and implementation progress
- Flow Chart describing Intelligence Relationship between Early Help and Social Care (June 2016)
- Assured Safeguarding and Working Together (Produced by Sector Led Improvement – 2014)

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Name of meeting: Cabinet

Date: 17th January 2017

Title of report: Schools Forum: Report seeking approval for Kirklees School Funding Formula for the financial year 2017/18

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan ?	Yes
Is it eligible for "call in" by Scrutiny ?	Yes
Date signed off by <u>Director</u> & name	Sarah Callaghan (Jo-Anne Sanders) 6 th January 2017
Is it signed off by the Director of Resources?	Debbie Hogg (Carole Hardern) 6 th January 2017
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft (John Chapman) 6 th January 2017
Cabinet member portfolio	Cllr Masood Ahmed, Community Cohesion and Schools

Electoral [wards](#) affected: All Wards
Ward councillors consulted: None

Public or private: Public

1. Purpose of report

- To report on the continued implementation of the Kirklees schools funding formula during 2016/17 in line with Department for Education (DfE) guidance (2013)
- To report on the implications of changes to Education Services Grant for the Council and schools from 2017/18.
- To report on introduction of the proposed National Funding Formula, impacting on schools' formula funding from 2018/19.
- To recommend to Kirklees Cabinet the outline of the Kirklees school funding formula for 2017/18 in terms of:
 - a. Specific funding factors to be used and the estimated relative weightings and values of the funding factors
 - b. Exceptions applications to the Education Funding Agency (EFA)
 - c. Centrally retained Dedicated Schools Grant provision
 - d. De-delegation arrangements

- To request that the Cabinet approve the outline details of the Kirklees school funding formula for 2017/18 for submission to the Education Funding Agency (EFA) required by the set deadline of 20th January 2017.

2. Key points

- The Kirklees Schools Forum, as the main consultative group on revenue funding matters for the local authority and schools, helped to develop the current Kirklees funding formula which was introduced from 2013/14 for maintained schools and academies. This model continues to be the basis for funding allocations through to 2017/18.
- The last major change in the allocation methodology for the Dedicated Schools Grant funding to maintained schools and academies took place in advance of the financial year 2013-14. Dedicated Schools Grant (DSG) is the funding that is provided to the Council as the budget for statutory school age education (4-16 year olds). The funding provides additional education funding for children and young adults with special educational needs from birth to 25 years. In addition it also provides for free early years and childcare provision for 3 and 4 years olds, and disadvantaged 2 year olds.
- Major changes to the Education Services Grant have been announced for 2017/18. These include the cessation of the general services grant (for maintained schools) and placing of the retained services grant (for all schools) within the Dedicated Schools Grant. The Council budget will see an overall reduction of around £2.1m during 2017/18 – yet still retain significant statutory responsibilities.
- National consultations on funding are currently ongoing, and include:
 - The introduction of a National Schools Funding Formula currently delayed one year and planned to start to take effect from April 2018.
 - A National Early Years Funding Formula to be introduced from April 2017.
 - Consultation on funding for High Needs and the possible introduction of a national Funding Formula: as yet without a specified start date.

3. Schools' revenue funding issues for 2017/18, discussed with Forum and the school community, include:

- a. Current arrangements and impact on funding blocks for schools, high needs, early years in 2017/18
- b. Ongoing evolution of the low prior attainment factor
- c. Pupil –led factors and other non-pupil allocations
- d. Transitional lump sums for recently amalgamated schools
- e. Exceptions applications to vary pupil numbers for schools growing year groups
- f. Minimum funding guarantee
- g. Centrally-retained dedicated schools grants provision
- h. De-delegation arrangements

4. Submissions to the Education Funding Agency (EFA):

- a. Permission to make minor variations to the operation of schools block funding was submitted to the EFA by the deadline of **30th November 2016**. Exceptions requests are proposed relating to the operation of the minimum funding guarantee in 3 primary schools and one all-through school.
- b. The structure for the Kirklees 2017/18 funding formula and the values within the formula are required to be submitted to the EFA by **20th January 2017**, based on a dataset provided by the EFA from the October 2016 pupil census.

5. School funding implementation in 2017/18

- a. Schools funding is split into the three blocks: schools; high needs (special educational needs); and early years. Schools' funding was delegated within a framework of 12 permitted funding factors, calculated using standard data sources supplied by the EFA.
- b. It is proposed that, for 2018/19, the EFA will issue a 'shadow funding formula' that will enable Schools Forum to model the potential impact of the national funding formula alongside the locally agreed model. Under this 'soft funding formula' approach, local determination of the funding arrangements will continue through to the end of 2018/19, enabling a one year transition period during which schools' funding will be modelled on the national funding formula weightings, before the implementation of the full national funding formula approach in April 2019.

6. DFE ongoing reviews and consultations responded to by the LA and Kirklees schools:

- a. **National funding formula** In March 2016, the government launched the first stage of a consultation on the introduction of a national schools funding formula. This first stage focused on the principles that underpin the funding formula and the factors to be included. These factors largely match those currently used. The outcome of the first stage consultation was intended to inform the second stage which was to enable modelling of the impact of the factors on local school funding.
- b. The second stage of the National Funding Formula consultation was launched on the 14th December 2016. The consultation seeks views on the detailed proposals for the design of the new national funding formulae for schools, and for the central schools services block for local authorities. This consultation period ends on 22nd March 2017. The Council will have the opportunity to respond to this, and Schools Forum will be engaging with all stakeholders through representatives and Headteacher groups, during spring term 2017.

- c. **High Needs Funding:** In March 2016, a two-stage consultation intended to improve the way that high needs funding is distributed, and to consider other ways of supporting the administration of funding for pupils and students with special education needs (SEN) and disabilities, and for those who are in alternative provision. The first stage focused on the formula design; and the use of objective measures to determine the allocation to local authorities.
- d. On 14th December 2016. The Department for Education published 'Schools and high needs national funding formulae: Executive Summary'. The report indicates that Kirklees funding for high needs will increase by around 18%, equating to approximately £5m per annum, by April 2019. Interim arrangements for funding for 2017/18, through to April 2019, have yet to be announced.
- e. **Early Years Funding: 3-4 year olds:** In August 2016, consultation on the introduction of a new early years national funding formula for 3 and 4 year olds began, with a view to introducing changes from April 2017.
- f. All 3 and 4 year olds will continue to be eligible for 15 hours per week of free early education. This is a universal entitlement for all children. The new entitlement is an extension of the current entitlement and provides an additional 15 hours of free childcare for children that are eligible. The additional 15 hours will be available to families where both parents are working (or the sole parent is working in a lone parent family), and each parent earns, on average, a weekly minimum equivalent to 16 hours at national minimum wage or national living wage and less than £100,000 per year.
- g. In December 2016, the Department for Education published 'Early Years National Funding Formula: Operational Guide'. The guide is intended to help local authorities to plan the local implementation of changes to the early years funding system in the 2017/18 financial year. The report confirms that the funding rate for the additional 15 hr entitlement will be at the same rate as that for the existing 15 hr entitlement. Kirklees allocation for the additional 15 hr entitlement for September 2017 – March 2018 will be £3.14m.
- h. The formula to be used for funding local authorities consists of a universal base rate plus factors for: additional needs; measures of free school meals; disability living allowance; and English as an additional language. The formula also includes an area cost adjustment multiplier to reflect variations in local costs. This uses the General Labour Market measure to indicate staff costs and Nursery Rates Cost Adjustment (NRCA) to indicate cost of premises.

- i. The DFE has set a minimum funding rate of £4.30 per hour to local authorities, which they feel should allow local authorities the scope to pay providers an average funding rate of at least £4 per hour. In 2017/18, Kirklees will receive the minimum funding rate of £4.30, which compares with the current funding rate of £4.47 per hour i.e. a funding reduction of 4%
- j. A funding floor ensures that no local authority can face a reduction in its hourly funding rate of greater than 10% against its 2016-17 baseline. Transitional protections ensure that in any year, no local authority sees an annual reduction in their hourly funding rate of more than 5%.
- k. There will also be supplementary funding for maintained nursery schools for the duration of this Parliament, with the intention that authorities are able to maintain current nursery school funding levels.
- l. All local authorities should be funded by the early years national funding formula by 2019-20.
- m. **Early Years Funding: 2 year olds:** Funding for the most disadvantaged two-year olds is already allocated on a formulaic basis. The Government has however committed to uplift the average two-year old hourly funding rate from £5.09 to £5.39. Kirklees hourly funding rate for 2017/18 is £5.20.
- n. **Early years: Provision for disabled children and children with SEN:** The published operational guidance covers future provision for this group of children. It includes details on a separate Disability Access Fund for children claiming DLA and receiving free early education. There will also be a requirement for local authorities to establish an inclusion fund for 3-4 year olds with SEN taking up the free entitlement (free early education and 30 hours free childcare). For 2 year olds, an SEN Inclusion fund is optional, not compulsory.
- o. **Funding and local authority responsibilities:** The national funding arrangements, intended to be fully introduced from 2019, will modify the way current funding blocks operate.
 - i. **Schools block:** From 2019 the Council will no longer be responsible for working with Schools Forum to determine the detail of the formula funding approach. Instead, each school will be allocated funding based on the national formula. The mechanism, and responsibility, for the distribution of funding remains to be determined.
 - ii. **High Needs block:** In the future, it is indicated that the Council will retain responsibility for use of this funding block.

Currently, and potentially for one year only, the Council and Schools Forum have the ability to vire between this and other blocks. This funding will be distributed to support specialist provision in maintained schools and academies, including special schools.

- iii. **Early Years block:** From April 2017, it is indicated that, the Council will retain responsibility for use of this funding block. Funding from this block will be distributed to all early years providers, including academies, maintained schools, and private and voluntary sector providers.
- iv. **Central Schools' Services block:** A new funding block will be created to fund council education statutory responsibilities where these exist for both maintained schools and academies, related to the retained duties element of Education Services Grant.

7. Emerging changes in respect to Education Services Grant (ESG):

Education Services Grant is provided to cover Council statutory duties in relation to education. In 2016/17, the value of this grant to Kirklees was around £4.62m. ESG has two elements: the retained duties rate of £15 per pupil educated in local maintained schools and academies; and the general duties rate of £77 per pupil educated in schools the Council maintains.

- a. From 2017, the retained duties element will transfer to DSG: Central Schools' Services Block. The value of this within Kirklees is currently £986k, based on 2015/16 pupil numbers. Number of pupils have increased slightly, so it is likely that, based on the census in October 2016, the funding value will be proportionately higher.
- b. Given the current information, the LA proposal to Schools Forum in January 2017, will be for the full retention of the £986k (or final equivalent value) to ensure LA statutory duties are fulfilled during 2017/18.
- c. The implications of the 'Education Excellence Everywhere' white paper (March 2016) had included significant changes that would impact on the role of the Local Authority and the funding received to carry out these duties. Since the withdrawal of the paper, and the associated Education Bill, there has been no additional information to clarify how these duties can continue to be carried out by councils. However, changes have already been made to the funding of the general duties ESG, effectively, substantially removing a significant amount of this funding from Councils from April 2017. The value of this to Kirklees is currently approximately £3.34m with transitional protection in 2017/18.

- d. On 1st December 2016, the Department for Education published 'Schools revenue funding 2017/18: Operational Guide'. Within this is
- i. Transitional ESG general duties funding based on a reduced amount (from £77 per pupil to £50 per pupil) for the part of the year (April 2017 – August 2017). This equates to £1.3m. Therefore, over the full financial year, there is an overall loss of £2.3m to the Council for services for education. This is partly offset by the new School Improvement Grant of £400k over a full year. It would be possible to propose to Schools Forum that some of this loss of funding could be recovered from schools' budgets.
 - ii. The report announced the provision of two key funds to support ongoing school improvement within the system.
 - iii. The first key fund is the 'School Improvement Monitoring and Brokering Grant'. This grant supports local authorities to continue to monitor and broker school improvement support for weaker maintained schools. The Grant will be introduced in September 2017. The value of this Grant to Kirklees is expected to be around £400k in a full year (September 2017 – 18).
 - iv. The second key fund is the 'Strategic School Improvement Fund' which will be accessible, potentially through a bidding process, aimed at ensuring resources are targeted at the schools most in need of support to drive up standards, use their resources more effectively and deliver more good school places. It is likely this funding will be held nationally, and details relating to which organisations are allowed to bid, and how, are still to be confirmed.

8. DSG funding 2017/18

a. Overall summary relating to DSG revenue funding:

- i. **DSG Schools Block:** The 2017/18 per pupil unit of funding for the DSG Schools Block will be at the same cash value as in 2016/17. EFA requires at least 80% of funding to be allocated via pupil-led factors. In Kirklees in 2016/17 this was the case for 90.2% of schools block funding allocation.
- ii. The confirmed Schools Block allocation for Kirklees in 2017/18 has increased by £3.5m, due to increased pupil numbers, from £280.5m to £284m.
- iii. The confirmed allocation also includes a further approx. £1m transfer into the DSG Schools Block of the previously ESG retained duties funding allocation to the Council.

- iv. **Schools Block Funding Factors** remain unchanged with limited effect on funding mechanisms. The funding factors for Primary low attainment, based on the new assessment framework, now apply to pupils in Years 1-4; for pupils in Years 5 and 6 calculations are based on data from the old profile model.
- v. The premises rental factor still has an artificial limit imposed by the EFA in that it cannot be used in more than 5% of schools in the local authority. This may have an impact on use of rented mobile classrooms.
- vi. **Minimum funding guarantee:** The DfE has confirmed the 5-16 years minimum funding guarantee introduced in 2014-15 will continue into 2017/18, meaning that schools block funding per pupil received by a school cannot drop by more than 1.5% between 2017/18 and 2016/17. As for last year, scaling back of gains in funding per pupil, to meet the cost of the Minimum Funding Guarantee, will apply. This will affect both maintained schools and academies. For a brand new school the 'capping' and 'scaling' process, related to Minimum Funding Guarantee, does not apply.
- vii. **DSG High Needs Block:** Following a rise in the number of 0 – 25 year olds with SEN and in learning, the funding allocated to Kirklees for 2017/18 High Needs Block has increased proportionately from £33.4m to £34.4m.
- viii. **DSG Early Years Block:** will vary as it depends on the number of children taking up the free entitlement offer each term when adjustments are made by the EFA. The implications of the newly introduced Early Years National Funding Formula will take effect from April 2017. The initial allocation for 2017/18 to Kirklees is £27m, and this includes a £3.14m increase in response to the new extension to 30 hr provision for eligible families.
- ix. A national consultation on Early Years funding is currently underway with all providers, focused on the implications of the new formula. The consultation period runs through to the end of February 2017.

9. Exceptions applications to the Education Funding Agency:

a. **Lump sum transitional protection for amalgamated schools:**

Schools Forum has agreed exceptions applications to the EFA to seek permission to vary the operation of the minimum funding guarantee in the case of 4 schools. The variations will prevent anomalous outcomes in the standard calculation method. The schools affected are:

- i. **Denby Dale First and Nursery School:** The First School has recently taken on new nursery provision, accommodated in a rented modular building. Additional funding, to cover the cost of the rented building, has been provided. The standard calculation would interpret this as additional funding growth and instigate the minimum funding guarantee claw back. The exception application will ensure this funding is fully granted to cover the cost of the building
- ii. **Reinwood Infant and Nursery School:** There has been a temporary, 3 year, increase in pupil numbers within the Infant and Nursery School. In 2016/17, the pupils began to transfer to the Junior School. In the 2017/18 allocation, the Infant and Nursery School will no longer need to received additional funding for the rented building. The standard calculation would interpret this as a significant reduction in funding and allocate protection in line with the minimum funding guarantee. The exception application will ensure that the school is not unnecessarily protected for the planned reduction in funding and cost.
- iii. **Reinwood Community Junior School:** The Junior School has just increased pupils on roll as they move from the infant school to junior stage. The additional pupils are accommodated in the same rented modular building that had been used by the Infant and Nursery School. Additional funding, to cover the cost of the rented building, will be provided to the Junior School for the first time, in 2017/18. The standard calculation would interpret this as additional funding growth and instigate the minimum funding guarantee claw back. The exception application will ensure this funding is fully granted to cover the cost of the building.
- iv. **Royds Hall Community School:** The school is currently growing the Luck Lane primary phase of the all-through school. In 2016/17, pupils joined the school in year 2 for the first time. In 2017/18 additional funding will need to be factored in for pupils in year 3 from September. The standard calculation defines the all through school as a secondary provision and attempts to fund pupils at the higher secondary school rate. This exceptions application will ensure additional

pupils in September are funded at the appropriate primary age rate.

- v. The exceptions submissions to the Education Funding Agency were approved on 15th December 2016.

10. Centrally-retained Dedicated Schools Grant Provision (see Annex A)

- a. Schools Forum has previously agreed to the central retention of specific budget provisions before the schools block formula is applied across schools, including academies. The Local Authority is required to agree annually with Schools' Forum the amounts allocated to each budget line. The centrally retained budgets and proposals for 2017/18 will be agreed with Schools Forum, at their meeting on 13th January 2017, in relation to:
 - i. Pupil growth fund
 - ii. Falling rolls fund
 - iii. Servicing of Schools Forum
 - iv. School admissions, organisation and planning*
 - v. Historic DSG pension commitments
 - vi. School safeguarding officer*
 - vii. Primary and Secondary sector commissioning fund*
 - viii. Provision for central LAC / NEET
 - ix. National Copyright Licences
- b. *Schools Forum receives additional, regular monitoring reports in prioritised areas.
- c. From 2017/18, within the Schools Funding Operational Guide (EFA, November 2016), clarifies that arrangements relating to provision for the School Safeguarding Officer and Primary and Secondary sector Commissioning funds can no longer operate from within centrally retained DSG. Alternative arrangements for 2017.18 onwards will be considered within Schools Forum at the meeting on 13th January 2017.

11. De-delegation arrangements (see Annex A)

- a. Annual decisions on de-delegation are taken by local authority maintained primary and secondary schools. The de-delegated budgets are:
 - i. Schools contingency
 - ii. Free school meals eligibility checks
 - iii. Maternity / paternity leave costs
 - iv. Trade union duties*
 - v. Public duties
 - vi. International new arrivals*
- b. *Schools Forum receives additional, regular monitoring reports in prioritised areas.
- c. Ongoing discussions continue with regard to arrangements relating to de-delegation for funding for union duties.

- d. Forum is currently consulting on de-delegated budgets for 2017/18. This will include the potential for newly de-delegating school improvement services to maintained schools.
- e. Given the tightness of deadlines prior to the EFA submission, whilst consultation with secondary heads (KSHS) started 23rd November 2016, with primary schools this is only possible in the first week of spring term 2017.

12. Recommendations for 2017/18 DSG funding formula from Kirklees Schools Forum

- a. To recognise the EFA-approved exceptions applications to the relating to minimum funding guarantee adjustments above.
- b. To note the consultative process undertaken in collaboration with head teachers through the Kirklees Schools Forum to agree the details of the Kirklees funding formula
- c. To support decisions, in principle, relating to centrally-retained and de-delegated budgets for 2017/18 and acknowledge the systematic monitoring of the expenditure and impact by Schools Forum
- d. To approve, in principle, the final details of the Kirklees school funding formula for 2017/18 for submission to the Education Funding Agency by 20th January 2017.

13. Implications for the Council

Council priorities

- a) **Health and wellbeing:** The work of Schools Forum continues to support the Health and Wellbeing Strategy as schools work collaboratively to effectively manage resources available to Kirklees, particularly in early intervention and prevention; reducing inequalities and overcoming barriers to learning for children in their communities. Schools Forum will need to consider a future approach to continue to fund a Safeguarding Training Officer post focused on the provision of training and support for all Kirklees maintained schools and academies.
- b) **Early intervention:** For 2017/18 only, Schools Forum oversees school funding factors, and their subsequent impact on schools' budget, relating to groups likely to benefit from early intervention. These include those who have been eligible for free school meals; live within defined 'Income Deprivation Affecting Children Index' (IDACI) areas; are looked after; have low prior attainment; and who have English as an additional language. As part of the consultation process with maintained schools, Schools Forum will determine whether to continue to fund support for schools through the international new arrivals service.
- c) **Economic resilience:** The work of Schools Forum supports the local Economic Strategy in ensuring resources within schools, and use of funding to provide additional services from external providers, is focused on enhancing future employment prospects, skills and incomes. Through

balanced representation of schools leaders from across types and the age range of learning provision, local decision making is connected to the needs and priorities of all learners in the Kirklees community. The development of sustainable school improvement within Kirklees is an ongoing priority supported by the work of Schools Forum. The provision of high quality services, particularly in the agreed use of centrally-retained funding, is monitored by Forum to ensure impact and value for money.

- d) **Council Funding:** National funding, via the Education Services Grant (ESG), for Council statutory duties relating to education has changed. The Local Authority continues to be responsible for 2 types of ESG duties (retained duties and general duties) – but the funding for these has either been placed within school Direct Schools Grant (DSG) or removed completely. Meetings with Headteacher groups, and Schools Forum, are planned up to the deadline for returns to the Education Funding Agency on 20th January 2017 in order to present funding changes and to discuss securing funds for statutory duties. Annex 2 provides an overview of the meeting schedule.
 - a. **ESG and Retained duties** – for all schools (maintained and academies). This funding (£986k) will, from 2017/18, be held within the DSG funding. This funding will be retained by the Council in 2017/18 for LA statutory duties.
 - b. **ESG and General duties** – for maintained schools only. There is no longer any funding (was £3.6m) provided to the Council for these duties. Transitional funding, of £1.3m, to 31st August 2017 will be provided. Overall the Council will lose approximately £2.1m formally ESG funding during 2017/18, after the offsetting effect of the School Improvement Monitoring and Brokering Grant.
 - c. **School improvement Monitoring and Brokering grant:** Kirklees is expected to receive approximately £400k to monitor schools and broker support for weaker schools during 2017/18.

14. Consultees and their opinions

1. The Learning Board receives half termly reports on the work of School Forum through the Forum Chair.
2. Schools Forum will consult with school groups through Kirklees High School Headteachers, Primary Headteacher groups and School briefings. Non-school members from the early year's private and voluntary sectors, trades unions, and the Post 16 sector ensure consultation and feedback from their representative groups. Current discussions focus on the decisions required by the EFA for 2017/18 as well as the implications of changes to the ESG and negotiation on use of DSG and maintained school budgets to continue to fund statutory duties. Consultation on early year's funding (closing date February 2017), school national funding formula: stage 2 (closing date 2nd February 2017).

March 2017) and high needs national funding formula: stage 2 (closing date 22nd March 2017) are also planned for spring term.

3. Updates for the Portfolio Holder for Community Cohesion and Schools are provided regularly.

15. Next steps

1. Schools Forum will receive feedback from schools and non-school members at the next meeting on 13th January 2017 prior to the deadline for submission to the EFA on 20th January 2017.
2. Based on the EFA Funding timeline, it is expected that the local authority will inform maintained schools of their 2017/18 budgets by 28th February 2017. The EFA will inform academies of their budgets for this period by the 31st March 2017.

16. Officer recommendations and reasons

1. Note the changes required by, and impact of, DFE funding rules relating to Kirklees Schools funding formula and funding levels
2. Note the consultative process undertaken in collaboration with Headteachers, through Schools Forum, to oversee the ongoing impact of the agreed Kirklees funding formula.
3. Note the exceptions applications to the EFA
4. Approve continued use of the current Kirklees school funding formula for 2017/18 for submission to the Education Funding Agency.

17. Cabinet portfolio holder recommendations

- To note the changes to the Council budget with the cessation of ESG – funded general duties grant and the implications for the Council and schools budgets from 2017/18.
- To note the ongoing consultation with schools and other providers to ensure local response to national consultation relating to future funding.
- To support the officer recommendations above, and to thank Schools Forum members for their work.

18. Contact officer and relevant papers:

Liz Singleton
Deputy Assistant Director: Learning & Skills, Clerk to Schools Forum
Civic Centre 1
01484 221000
Liz.singleton@kirklees.gov.uk

David Gearing
Senior Finance Officer, Financial Management, Risk, IT and Performance
Civic Centre 1
01481221000
David.gearing@kirklees.gov.uk

19. Assistant Directors responsible:

Jo-Anne Sanders
Assistant Director: Learning & Skills
Directorate for Children and Adults
Civic Centre 1
01484 221000
jo-anne.sanders@kirklees.gov.uk

Debbie Hogg
Assistant Director, Financial Management, Risk, IT and Performance
Directorate Finance Resources
Civic Centre 1
01484 221000
debbie.hogg@kirklees.gov.uk

ANNEX A:**DEDICATED SCHOOLS GRANT SCHOOLS FUNDING BLOCK: CENTRAL
BUDGET RETENTION 2016-17 [for Maintained schools and Academies]**

Budget provision	£	EFA guidance
Pupil Growth Fund	600,000	Discretionary amount
Falling Rolls Fund	100,000	Discretionary amount
Servicing of Schools Forum	31,000	Budget cannot exceed previous year
School Admissions / Organisation & Planning	833,500	Budget cannot exceed previous year
Historic DSG pension commitments	170,400	No increase / no new commitments
School Safeguarding Officer	48,400	No increase allowed
Primary sector commissioning fund	171,500	No increase allowed
Secondary sector commissioning fund	278,800	No increase allowed
Provision for central LAC / NEET etc	45,100	No increase allowed
National Copyright Licence	293,400	Forum approval not required
TOTAL	2,572,100	

The total Schools Block of Funding within Kirklees' DSG allocation for funding year 2016-17 was £279,528,100. The centrally-retained budget total comprises 0.92% of this overall sum.

DE-DELEGATION 2016-17 [Maintained Mainstream Schools only]

Budget	Primary per pupil	Secondary per pupil	Notes
School Contingency	-£13.29	-£16.65	Compared to 2015-16 values of -£12.97 and -£16.25 respectively
Free school meals eligibility checks	-£1.03	-£1.29	
Maternity / paternity	-£16.25	-£20.37	
Trade union duties	-£5.72	£0.00	
Public duties	-£0.16	-£0.20	
International new arrivals	-£1.58	-£1.98	
TOTALS	-£38.03	-£40.50	Compared to 2015-16 values of -£37.71 and -£40.09 respectively

ANNEX B: Meeting Schedule

National Funding Formula 2017/18

Consultation meetings with Schools Forum, Headteacher groups and Early Years Providers

Schedule

Consultation focus	Meetings	Meeting date	EFA response date
Schools block	HT briefing	6 th January 2017	20 th January 2017
Central schools services block	KPH	12 th January 2017	
Early Years Block	Schools Forum	13 th January 2017	
Implications of National Funding Formula for the Council and schools from 2017/18	Schools Funding paper to Cabinet	17 th January 2017	
Early years block Early Years Single Formula: consultation feedback	Provider engagement events	w/b 23 rd January 2017	28 th February 2017
	Schools Forum	10 th February 2017	

ANNEX C: EDUCATION SERVICES GRANT: RETAINED AND GENERAL DUTIES SUMMARY

Retained duties: Funding previously allocated through the ESG retained duties rate will be transferred into the schools block. Local authorities will be able to fund central services previously funded within the retained duties rate (for all schools) with the agreement of Schools Forum.

General duties: funding previously allocated through the ESG general duties rate (maintained schools only) will cease at the end of this financial year. Local authorities will be able to fund these services from maintained school budget shares with the agreement of maintained school members of the Schools Forum.

The following tables show the split of services for all schools (left hand column) and those for maintained schools only (right hand column)

RETAINED DUTIES	GENERAL DUTIES
ESG DUTIES	
Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
<u>Statutory and Regulatory duties</u>	<u>Statutory and Regulatory duties</u>
Director of children's services and personal staff for director (Sch 1, 20a)	Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 1, 20c)
Planning for the education service as a whole (Sch 1, 20b)	Budgeting and accounting functions relating to maintained schools (Sch 1, 20d)
Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 1, 20d)	Functions relating to the financing of maintained schools (Sch 1, 20e)
Administration of grants (Sch 1, 20e)	Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 1, 20fii)
Authorisation and monitoring of expenditure not met from schools' budget shares (Sch 1, 20fi)	Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Sch 1, 20h)
Formulation and review of local authority schools funding formula (Sch 1, 20g)	
Internal audit and other tasks related to the authority's chief finance officer's responsibilities under Section 151 of LGA	Internal audit and other tasks related to the authority's chief finance officer's responsibilities

ANNEX C: EDUCATION SERVICES GRANT: RETAINED AND GENERAL DUTIES SUMMARY

RETAINED DUTIES

GENERAL DUTIES

ESG DUTIES	
Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
1972 except duties specifically related to maintained schools (Sch 1, 20i)	under Section 151 of LGA 1972 for maintained schools (Sch 1, 20i)
Consultation costs relating to non-staffing issues (Sch 1, 20r)	Functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Sch 1, 20j)
Plans involving collaboration with other LA services or public/voluntary bodies (Sch 1, 20v)	Investigations of employees or potential employees, with or without remuneration to work at or for schools under the direct management of the headteacher or governing body (Sch 1, 20L)
Standing Advisory Committees for Religious Education (SACREs) (Sch 1, 24)	Functions related to local government pensions and administration of teachers' pensions in relation to staff working at maintained schools under the direct management of the headteacher or governing body (Sch 1, 20m)
Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 1, 20w)	Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 1, 20n)
	HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and composition/organisation of staff (Sch 1, 20o); determination of conditions of service for non-teaching staff (Sch 1, 20p); appointment or dismissal of employee functions (Sch 1, 20q)
	Consultation costs relating to staffing (Sch 1, 20r)
	Compliance with duties under Health and Safety at Work Act (Sch 1, 20s)
	Investigation and resolution of complaints relating to maintained schools (Sch 1, 20t)
	Provision of information to or at the request of the Crown relating to schools (Sch 1, 20w)
	School companies (Sch 1, 20x)

ANNEX C: EDUCATION SERVICES GRANT: RETAINED AND GENERAL DUTIES SUMMARY

RETAINED DUTIES

GENERAL DUTIES

ESG DUTIES	
Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
	<p>Functions under the Equality Act 2010 (Sch 1, 20y)</p> <p>Establish and maintaining computer systems, including data storage (Sch 1, 22)</p> <p>Appointment of governors and payment of governor expenses (Sch 1, 26)</p>
<p><u>Education Welfare</u></p> <p>Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Sch 1, 10c)</p> <p>School attendance (Sch 1, 11)</p> <p>Responsibilities regarding the employment of children (Sch 1, 29)</p>	<p><u>Education Welfare</u></p> <p>Inspection of attendance registers (Sch1, 11)</p>
<p><u>Asset management</u></p> <p>Management of the LA's capital programme including preparation and review of an asset management plan, and negotiation and management of private finance transactions (Sch 1, 10a)</p> <p>General landlord duties for all buildings owned by the local authority, including those leased to academies</p>	<p><u>Asset management</u></p> <p>General landlord duties for all maintained schools (Sch 1, 10a (section 542(2) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:</p> <ul style="list-style-type: none"> • appropriate facilities for pupils and staff (including medical and accommodation) • the ability to sustain appropriate loads • reasonable weather resistance • safe escape routes • appropriate acoustic levels • lighting, heating and ventilation which meets the required standards • adequate water supplies and drainage • playing fields of the appropriate standards

ANNEX C: EDUCATION SERVICES GRANT: RETAINED AND GENERAL DUTIES SUMMARY

RETAINED DUTIES

GENERAL DUTIES

ESG DUTIES	
Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
	<p>General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc Act 1974).</p> <p>Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012).</p>
<u>Central support services</u> No functions	<u>Central support services</u> Clothing grants (Sch 1, 10e) Provision of tuition in music, or on other music-related activities (Sch 1, 15) Visual, creative and performing arts (Sch 1, 16) Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 1, 17)
<u>Premature retirement and redundancy</u> No functions	<u>Premature retirement and redundancy</u> Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 1, 25)
<u>Monitoring national curriculum assessment</u> No functions	<u>Monitoring national curriculum assessment</u> Monitoring of National Curriculum assessments (Sch 1, 23)
<u>Therapies</u> No functions	<u>Therapies</u> This will be covered in the high needs section of the regulations
<u>Additional note</u>	

ESG DUTIES	
Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
<p>Services set out in the table above will also include overheads relating to these services (regulation 8(11) already refers to this for schedule 2 services) for:</p> <ul style="list-style-type: none"> • Ensuring payments are made in respect of taxation, national insurance and superannuation contributions (sch 1, 20e). • Recruitment, training, continuing professional development, performance management and personnel management of staff (Sch 1, 20k) • Investigations of employees or potential employees, with or without remuneration (Sch 1, 20l) • Investigation and resolution of complaints (Sch 1, 20t) • Legal services related to education functions (Sch 1, 20u) 	

Table 6 Former ESG duties may be funded from centrally retained schools block funding with agreement of schools forum

Schools revenue funding 2017 to 2018: Operational Guide (updated November 2016)

ANNEX D: KEY REFERENCE DOCUMENTATION AND WEBLINKS

The following key reference documents are available on the GOV.UK website. Other, related documentation is also available on these weblinks.

1. [2017 to 2018 schools funding: historic commitments supplementary guidance for local authorities](#) (EFA Dec 2016)
2. [Schools revenue funding 2017 to 2018: operational guide](#) (EFA Dec 2016)
3. [Dedicated schools grant \(DSG\) 2016 to 2017 baselines and 2017 to 2018 funding: technical note](#) (EFA Dec 2016)
4. [Schools national funding formula: government consultation response - stage 1](#) (DFE Dec 2016)
5. [Schools National Funding Formula: Stage 2 consultation website](#)
6. [High Needs funding reform: Stage 2 consultation website](#)
7. [Schools and high needs national funding formulae: Executive summary](#) (DFE 2016)
8. [Schools national funding formula Government consultation - stage 2](#) (DFE Dec 2016 – closing date 22nd March 2017)
9. [High needs national funding formula and other reforms: Government response and new proposals for consultation – stage two](#) (DFE Dec 2016 – closing date 22nd March 2017)
10. [Early years funding: government consultation response](#) (DFE Dec 2016)
11. [EYNFF: operational guide](#) (EFA Dec 2016)
12. [Early years national funding formula \(EYNFF\): local authority allocations - 2017 to 2018 financial year](#) (EFA Dec 2016)
13. [High needs funding: operational guide 2017 to 2018](#) (EFA Nov 2016)

Name of meeting: Cabinet
Date: 17 January 2017
Title of report: Proposals for the future of the Young People's Activity Team (YPAT) in the context of the medium term financial plan

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name Is it also signed off by the Director of Resources? Is it also signed off by the Assistant Director (Legal, Governance & Monitoring)?	Richard Parry, Director for Commissioning, Public Health & Adult Social Care, 4 Jan 2017 Debbie Hogg, Assistant Director for Financial Management, Risk and IT, 4 January 2017 Julie Muscroft , 4 January 2017
Cabinet member portfolio	Cllr Erin Hill & Cllr Viv Kendrick

Electoral wards affected: All Wards affected
Ward councillors consulted: None
Public or private: Public

1. Purpose of report

- 1.1 As part of the Medium Term Financial Plan (MTFP), a total of £584k savings are expected to be made from the Young People's Activity Team (YPAT) budget for 2017/18 whole service savings. Approval was received by Cabinet members on 23 August 2016 to engage with users, carers and families of the YPAT service and with those who access the wider short breaks and respite offer in Kirklees. The purpose of this report is to provide an update for Cabinet members following the engagement exercise and to propose options for consideration.

2. Summary

2.1 What are short breaks and respite?

Short breaks and respite come in many different forms. They ensure parents/carers and families have the respite they need to meet their needs. This provides families with a break from caring whilst they are reassured that their child/family member is safe and enjoying new and positive experiences.

Examples can include:

- Support in the home (day or night)
- Activities outside of the home, including overnight stays
- Services that offer help and support to carers in the evenings or during school holidays

2.2 Currently, a range of short breaks provision exists for parents / carers of disabled children and young people in Kirklees.

Examples of these include:

- Universal – open access community based activities e.g. after school clubs, youth clubs, holiday play schemes;
- Buildings based provision for those with complex/specialist needs, e.g. Orchard View;
- Community based provision for those with complex/specialist needs, e.g. YPAT;
- Fostering (Disabled Children);
- Domiciliary care type support;
- Use of direct payments - personalised solutions.

2.3 The Young People's Activity Team (YPAT) service is one element of the short breaks offer in Kirklees and is for eligible disabled children with complex needs. However, in recent years there has been a lack of clarity about eligibility. It is a Council managed service that provides after school, youth, weekend and holiday clubs for disabled children and young people. It is based in Ravensthorpe in Dewsbury.

2.4 The service is accessed at present, by 148 disabled children and young people. The service also provides a weekend and youth club offer for 17 disabled adults, this is part funded via Carers Strategy monies.

2.5 The service currently employs 25 staff on a substantive contract and 61 staff on a casual basis. The service also deploys volunteers.

Demographic data

2.6 There is a growing population of children with a disability; in particular those with complex health needs. Children with the most complex needs are living longer and reaching adulthood. The Infant mortality rate is reducing,

In Kirklees, around 5,782 children are identified as having some form of special educational needs. The numbers of primary and secondary school children with a disability are below the England average, however the number of children with profound and multiple learning disabilities in special school settings in Kirklees are more than double the England average.

Legislation and National Guidance

2.7 SEND vision

Children and young people with SEND will:

- have a positive part to play in their communities and Kirklees should be a place where they are able to participate fully alongside others in the life of their community;
- be actively involved with their families and carers in the planning and delivery of services from all agencies;
- be able to get the best positive start in life and have the opportunity to achieve their full potential;
- be able to access holistic, flexible services that work in an integrated way with all agencies.

- 2.8 **The Breaks for Carers of Disabled Children Regulations 2011** prescribes the manner in which local authorities must make provision for short breaks for carers of disabled children and young people in their area. The regulations state that local authorities must have regard to the needs of those carers who would be able to provide care more effectively if they had breaks from caring and the needs of those carers who would be unable to continue to provide care unless a break were offered to them.
- 2.9 In performing their duty, the local authority must provide as appropriate a range of:
- daytime care in the homes of disabled children or elsewhere
 - overnight care in the homes of disabled children or elsewhere
 - educational or leisure activities for disabled children outside their homes
 - services available to assist carers in the evenings, at weekends and during the school holidays

Childcare legislation

- 2.10 The local authority has a statutory duty to secure sufficient childcare provision for children up to the age of 14 (18 for children with disabilities) to meet the needs of parents who require childcare in order for them:
- to take up, or remain in work; or
 - undertake education or training which could reasonably be expected to assist them into work

In securing sufficiency the Local Authority has to take account of the complexity of the local childcare market and must work in partnership with childcare providers.

- 2.11 The power to provide childcare directly is greatly restricted by the Childcare Act and local authorities can only provide childcare if it is satisfied that nobody else is willing to provide childcare, or if someone is willing, that in the circumstances it is more appropriate for the local authority to do so.
- 2.12 Kirklees Council has a legal duty to offer personal budgets under the legislation of The Children and Families Act 2014. The process used to establish the personal budget must be transparent so that individuals are clear how their budget was calculated and the method used is robust and consistent, so that people have confidence that the personal budget allocation is sufficient to meet their eligible unmet care and support needs
- 2.13 The council is facing increasing costs and demand for care and support services for children, young people and adults with a disability, whilst having significantly less funding available. We need to ensure the funding we do have is spent on the most appropriate service. In line with the Council's vision, legislation and feedback from parents/carers, the proposed future direction of travel for the short breaks and respite offer in Kirklees is:
- a move towards more family/home based/personalised support solutions
 - an expansion of the inclusive offer in the community (universal and targeted) and a refocus of buildings based respite for only those with the highest level of need.

Public Sector Equality Duty (PSED)

- 2.14 The Council must have due regard to the need to:
- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;

- foster good relations between people who share a relevant protected characteristic and those who do not share it.

2.15 The protected characteristics covered by PSED are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership (only in respect of eliminating unlawful discrimination).

Our approach

2.16 Following approval from Cabinet in August 2016, an engagement exercise was undertaken between the 7th September and 21st October 2016. A targeted approach was taken and a number of methods were used as part of this exercise.

These included:

- the use of an online survey - also available in paper format, including an easy read version;
- drop in sessions - held at various locations across Kirklees; with specific drop in sessions for those children, young people and families that access the Young People's Activity Team;
- feedback collated at individual's service reviews.

A total of 224 responses were received via the survey.

2.17 A high level review of the short breaks and respite offer in Kirklees has also been undertaken, this included a high level review of the Young People's Activity Team (YPAT) offer.

Findings

2.18 It is clear following the high level review, that there is a lack of clarity and consistency about the overarching short breaks and respite offer for disabled children, young people and their families. We need to ensure that the future short breaks and respite offer in Kirklees is fit for purpose.

2.19 Summary of key findings from the engagement exercise

- Short breaks and respite are invaluable for the service user, parents/carers and the family as a whole;
- Individuals are willing to travel, although not too far as it ceases to be worthwhile in terms of a break. Ideally provision is needed locally;
- More work is needed to make the direct payments process simpler & easier to use;
- Weekday, weekend and overnight stays rated as the most important;
- Individuals would like to see the increased use of a mainstream & specialist provision- e.g. special schools- wrap around provision/inclusive offer;
- Better information is needed about what's available & also in different formats;
- Processes & eligibility need to be made clearer;
- Gaps identified include the lack of provision for young adults & that individuals/families would like to see better child care provision after school, in the school holidays and at weekends;
- More support for parents/carers needed;
- YPAT service- highly valued by individuals/families that use the service. Frequent reference made to the staff being well trained in order to meet individual's needs;
- Increased need for enablement type services- skilling people for life.

2.20 Findings following a review of short breaks and respite in Kirklees (including YPAT)

- A significant number of disabled children, young people, adults and their families access a large variety and combination of the full range of short breaks and respite services on offer. This can restrict opportunities for other families in need. The Council's short break's policies haven't been sufficiently developed over time, in order to meet the level of demand and expectations and to ensure equity of provision, with the finances available;
- All the children using YPAT service have an eligible need. Indeed, many require a specialist service. This means that whole savings cannot be achieved by ceasing or significantly restricting the service, without a negative impact on families using the service and the potential to be non-compliant legally;
- The YPAT core offer is for disabled children and young people. However, there are a number of adults accessing this service. The adults offer (weekend and youth club) is currently part funded via Carers Strategies monies and is provided in addition to the core adult service offer;
- There is a complex relationship between respite and childcare. Historically, in some cases, the YPAT service has met the childcare needs of those parents/carers', that have been unable to source appropriate childcare places from schools and other childcare providers. The YPAT service, however, is intended to provide short breaks for parents / carers, not to provide childcare;
- The market is not yet shaped sufficiently to meet future demand for childcare and short breaks;
- Work has commenced on a children's Resource Allocation System (RAS), though this has yet to be implemented;
- There is no clear charging policy in place.

2.21 As a result of these findings we propose that:

- A more robust policy framework is developed as a priority. This includes the development of a charging policy and implementation of a Children's Resource Allocation System (RAS). This that will enable the Council to have a clear, transparent, fair and legally compliant offer. This will also ensure that the offer meets the needs of a growing population of disabled children and adults in an environment where the Council has significantly reduced resources. There will be a requirement to consult with users and families. Advice will be sought from the Council's Legal Services, as appropriate.
- Work continues with the Childcare Sufficiency team to ensure there is sufficient childcare available for all disabled children and young people up to the age of 18 years, in order to ensure that their needs are met- in line with legislation. New policy will need to be developed. As part of this proposal, there will be a requirement to review those that are accessing short breaks services for childcare reasons. The further development of the childcare market over time will see a reduction in the numbers accessing YPAT and other short breaks services for childcare reasons.
- We will continue to further market shaping work, so that it can be sufficiently shaped to meet future demand. Work is needed with local special schools, mainstream and community provision to further increase the short breaks and respite offer, closer to local networks, and increase choice and flexibility. This clearly links with the Early Help offer and the Community Plus theme of the Early Intervention and Prevention Programme.
- We will continue work on reviewing the direct payment process. This will need to be evaluated and the necessary steps taken to ensure that any issues are addressed. A detailed communication plan will need to be developed to ensure that all individuals and their families are clear on the process.

The proposals outlined above will make savings in the medium to longer term but will not take out the savings needed in the current Medium Term Financial Plan (MTFP).

- 2.22 Taking into account the feedback received from the engagement exercise and the findings from the high level review of the Council's short breaks and respite offer. We propose that the Council continues to provide the short breaks service offered at the Young People's Activity Team (YPAT) for disabled children and young people up to the age of 18 years, with the greatest level of need, in the short to medium term. This creates pressure on the budget, however, we propose that we will look to create savings/efficiencies where possible and further reduce the budget by the following, over the next 2/3 years;
- 2.23 Ceasing the service offered at YPAT to those over the age of 18 years. This service is provided in addition to the core adult services offer. Each adult accessing this service will have an individual review to ensure that any eligible needs are met by Adult Services. Carers will also be offered an assessment of their needs.
- 2.24 A review of the current YPAT staffing structure and rota arrangements to ensure the cost effective deployment of staff based on the needs of the service; maximising the productive use of staff time and skills for the benefit of users of the service.
- 2.25 A review the Council's building's based short breaks and respite delivery arrangements. There is a disparity between the staffing of children's and adult's provision. Further work is required in terms of analysis of job descriptions and roles and responsibilities in order to address this disparity. The financial impact of the above actions is as yet to be clearly defined, but would be expected to be significant.

3. Implications for the Council

- 3.1 Financial- It is clear that whole service savings are not achievable at this stage. This will lead to budget pressures in other service areas.
- 3.2 Some delayed savings will be achieved via ceasing the YPAT offer to adults, and service efficiencies; including a review of the short breaks buildings based offer. The proposed introduction of charges for some elements of service will offset this. Work to further develop the childcare offer for disabled children and young people will see a reduction in the number of families using the service for reason of childcare over time.
- 3.3 Ceasing the YPAT adults offer will be unpopular with service users, parents/carers and families. All of the adults accessing YPAT will have their needs individual needs reviewed before the service is withdrawn.
- 3.4 Further policy development work about the whole of the offer to parents of disabled children for short breaks/respite will ensure that there are clearer frameworks in place for decision making, increased transparency and accountability. The work to implement the Children's RAS, will ensure that there is a clear and transparent process in place for resource allocation, management and monitoring of spend.
- 3.5 The introduction of any charges as part of the implementation of a charging policy is likely to be unpopular. Feedback received as part of the engagement exercise indicated that some families were happy to pay additional monies for services, some were not. There is a risk of pressure on family finances if charges are introduced. Some families may choose not to access services because of cost, thereby there is a potential for additional pressure on them as parent / carers. We will consult with users and families, following advice from Legal Services, as appropriate.

- 3.6 There are HR implications and we will consult with staff and trade Unions in relation to these

4. Consultees and their opinions

- 4.1 Extensive engagement has occurred with service users, parents/carers and families, who have raised significant concerns about ceasing the YPAT service.
- 4.2 The Council's Early Intervention and Prevention and Redesign Boards have been consulted on these proposals and agree with the recommended option.
- 4.3 Engagement work has been undertaken with staff and Trade Unions.

5. Next steps

- 5.1 Should Cabinet agree with the proposals, the service would continue to be offered at YPAT for disabled children and young people up to the age of 18 years. Work would commence to:
- Cease the service offered to adults at Young People's Activity Team (YPAT)
 - Develop a more robust policy framework
 - Implement the Children's Resource Allocation System (RAS)
- 5.2 Work will continue:
- with the Childcare Sufficiency team, to ensure there is sufficient childcare available for all disabled children and young people
 - to further shape the market, so that it can be sufficiently shaped to meet future demand
 - to review the direct payment process
 - to further develop the Communications Strategy
 - to engage with staff and Trade Unions

6. Officer recommendations and reasons

- 6.1 Senior officers make the following recommendations:
- a) to continue to provide the short breaks service offered at the Young People's Activity Team (YPAT) for disabled children and young people up to the age of 18 years with the greatest level of need in the medium to long term.
 - b) to cease the service offer of YPAT to those over the age of 18 years and ensure each adult accessing this service receives an individual review to assess their eligibility and needs;
 - c) to ensure Carers of those outlined in (a) are offered an assessment of their needs;
 - d) to conduct a review of the current YPAT staffing structure and rota arrangements;
 - e) to conduct a review of the Council's buildings based short breaks and respite delivery arrangements, including review of job descriptions and roles & responsibilities;
 - f) to develop a more robust policy framework, including the development of a charging policy and the implementation of the Children's Resource Allocation System (RAS);
 - g) to continue to further shape the market, so that it can sufficiently shaped to meet future demand. This includes working with the Childcare sufficiency team, in order to ensure that there is sufficient childcare available for all disabled children and young people up to the age of 18yrs;
 - h) to continue to review the direct payment process with a view to developing a clearer process for individuals and families.

7. Cabinet portfolio holder's recommendations

Portfolio Holders for Children & Families and Adults, Health & Activity to Improve Health have confidence in the outcome of the engagement exercise and support the recommendations outlined in sections 2.21- 2. 25 in respect of:

- a) to continue to provide the short breaks service offered at the Young People's Activity Team (YPAT) for disabled children and young people up to the age of 18 years with the greatest level of need in the medium to long term.
- b) to cease the service offer of YPAT to those over the age of 18 years and ensure each adult accessing this service receives an individual review to assess their eligibility and needs;
- c) to ensure Carers of those outlined in (a) are offered an assessment of their needs;
- d) to conduct a review of the current YPAT staffing structure and rota arrangements;
- e) to conduct a review of the Council's buildings based short breaks and respite delivery arrangements, including review of job descriptions and roles & responsibilities;
- f) to develop a more robust policy framework, including the development of a charging policy and the implementation of the Children's Resource Allocation System (RAS);
- g) to continue to further shape the market, so that it can sufficiently shaped to meet future demand. This includes working with the Childcare sufficiency team, in order to ensure that there is sufficient childcare available for all disabled children and young people up to the age of 18yrs;
- h) to continue to review the direct payment process with a view to developing a clearer process for individuals and families.

8. Contact officer

Michelle Cross, Head of All Age Disability
Tel: 01484 221000
Email : michelle.cross@kirklees.gov.uk

9. Background Papers and History of Decisions

Cabinet Report, 23 August 2016

<http://democracy.kirklees.gov.uk/documents/s12824/Request%20for%20approval%20to%20engage%20and%20consult%20on%20the%20proposals%20for%20the%20future%20service%20offer%20for%20the%20You.pdf>

10. Assistant Director responsible

Sue Richards, Assistant Director for Early Intervention & Prevention

Name of meeting: Cabinet
Date: 17 January 2017
Title of report: Proposal for Early Help Offer for Children, Young People & Families

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes Significant impact on all wards Will save/spend in excess of £250k
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Richard Parry, Director for Commissioning, Public Health & Adult Social Care 9 January 2017
Is it also signed off by the Director of Resources?	Debbie Hogg, Assistant Director for Finance, Risk & IT, 9 January 2017
Is it also signed off by the Assistant Director (Legal, Governance & Monitoring)?	Julie Muscroft, 9 January 2017
Cabinet member portfolio	Portfolio Holders for Family Support & Child Protection AND Adults, Health and Activity to Improve Health

Electoral wards affected: All

Ward councillors consulted: All

Public or private: Public

1. Purpose of report

- 1.1 The purpose of this report is to seek approval from Cabinet on the proposed future model for early help services, including the proposed closure of designated Children's Centres and Youth Centre buildings. The model will be implemented following a service re-design process that will commence as soon as approval from Cabinet is granted.
- 1.2 Following feedback from the consultation exercise undertaken for 8 weeks from 27 September 2016, this report seeks to summarise what is meant by early help and to set out the contextual position in relation to the current and proposed future Early Help offer delivered by Kirklees Council and aims to describe the offer in its widest sense which includes delivery by partners.

1.3 Feedback from the consultation with members and the Public was broadly supportive of the proposed model – in particular the need to focus council resources on those with most needs. There was a clear message that the reach into communities and the more intensive people based interventions are more important than keeping council buildings. This has been fundamental to the recommendation set out below

1.4 The report makes two recommendations for the Council's Cabinet to consider.

2. Summary

2.1 A report was considered by Cabinet in September 2016 which set out the background to the service area, the need to make change to the provision of services to provide a more effective service within the budget restraints and set out the need to consult in order to make changes to this important service area. It set out the consultation proposals and agreed that the process should commence. This report sets out the outcome of the consultation and makes proposals about how the Council should proceed.

2.2 In line with the ambitions of the council to focus direct delivery on those activities for which it has statutory duties, whilst supporting and enabling individuals and communities to do more for themselves, and in order to achieve the agreed budget savings in the MTFP, the new proposed delivery model following consultation emphasises the council's role in building capacity in communities and through partners such as schools and Health. It will mean that Early Help will be delivered through area based working and in partnership with a wide range of other agencies. The ambition is for a fully integrated approach, and the proposals set out in this report represent the second stage in achieving this following an eight week statutory public consultation process.

2.3 There are currently 25 individual children centre buildings (although other community venues are also utilised), delivered through a lead and associate model, resulting in 15 groupings, each with an Advisory Board which oversee the governance of the Children Centre offer across each grouping. The Children's Centre core offer in the Dewsbury East and Dewsbury West groupings is commissioned through Action for Children. The youth service operates from four Youth Hubs and also uses three Mobile units to be able to target specific "hot spot" areas. Provision of Youth Activities is delivered from a further 25 locations across Kirklees (this includes utilising non-Council buildings)

2.4 In July 2016 public and staff engagement was conducted on the high level principles of the Early Help offer including the proposals for Early Help areas. Following this an 8 week consultation was undertaken that aimed to capture feedback on the detail of the Early Help offer including the proposals for buildings and changes to the offer such as ceasing of direct delivery of open access (universal) services and targeting resources to those most in need of support.

2.5 The methodology and findings from the public and partner consultation period are summarised and the responses to these are set out within the report.

2.6 Relevant Equalities Impact assessments have been undertaken (see section 4 and [Appendix 1a, b & c](#)), and the legal and financial implications are included in the report. It should be noted that there are other reports relating to the Voluntary and Community Sector and wider issues impacting this area which will be considered by Cabinet in due course.

Summary of recommendations

- 2.7 Having considered the contents of this report and the [attached appendices](#), Cabinet is asked to consider the following recommendations:

Agree the proposal to remodel the Early Help offer for families with children aged 0–19 years (up to 25 for young adults with learning difficulties and/or disabilities) as set out in the report and summarised below, having regard to the necessary Equality Impact Assessments and human resource implications and particularly the restructuring and reduction of the current workforce.

The Council intends to offer a **core offer** of Early Help services to those children, young people and families who need support from both the Community Plus and Targeted Offers which includes:

Community Plus Offer – Building community capacity to support children, young people and families. Step down from Level 2 to Level 1 of the CoNR (community plus to community)

Community Plus Offer – Support for Self-financing models of delivery – for example Duke of Edinburgh Award Scheme/Adventurous Activity

Targeted Offer - Intensive support programmes (one to one keyworker intervention)

Targeted Offer – Consultation, coaching and co-working (casework consultants)

Targeted Offer – Parenting programmes

Targeted Offer – Group Work for Vulnerable Groups

Information to support recommendations

- 2.8 The initial delivery model described in the consultation comprised:

- 3 Tiers/levels of support
- 4 Local areas and central hub sites
- 4 Children's centres
- Delivery sites

- 2.9 Following the outcome of the consultation:

We are still proposing

- 3 Tiers of support
- 4 Local areas
- 4 Children's centres

- 2.10 Changes to the Delivery Model:

Instead of keeping 17 delivery sites owned by the council, we proposed to move towards a position of the council owning and running fewer buildings and operating from more buildings that are not owned by the council.

The proposals therefore will allow the council, where it best meets the needs of communities to disinvest in the delivery sites.

These changes do not change the level of investment the council will make in the Early Help.

2.11 Why have we made this change?

- People told us the services and support are more important than buildings.
- People told us that having something close enough to home was important. The geographical nature of Kirklees means this would be impossible to achieve for everyone.
- It's apparent that there are a large number of community buildings that are available and appropriate for the council's services to be run in and from, and there is a desire to respond to the wishes of many who took part in the consultation to have things "accessible" close to home.
- The changes allow the council to be much more flexible about how it responds to the needs of children and families in local communities and makes best use of council resources.

2.12 Buildings in the new model

The Council consulted on an option to include 17 delivery sites 4 Childrens Centres and 4 central hub sites as part of a locality based model.

Feedback from members and the public was broadly supportive of the proposed model – in particular the need to focus council resources on those with most needs. There was a clear message that the reach into communities and the more intensive people based early interventions are more important than keeping council buildings

There was some debate with members and some comment from the public about whether the delivery sites were in the right buildings in the right place. There was concern that the buildings would be too far from some communities. It is apparent that with this number of buildings in a large area this will always be the case.

There was also feedback about the wide range of community buildings the council does not own – including schools where support is already offered and where there is a keenness to support early help models. Increased use of and support for these community buildings would make them more sustainable going forward and would increase the flexibility of the new model.

The logical conclusion is to recommend utilising the assets that sit within communities rather than keeping council buildings

This includes Health buildings, libraries, community buildings and partnerships with schools

2.13 To effectively support the emerging Early Help area model it is proposed that delivery of the Council's targeted offer moves towards a model that increases the use of space in community buildings as opposed to having a fixed portfolio of assets.

2.14 This would mean that in the new model current Children Centres and Youth Centres are redefined as either:

Central 'hub' site – This will be the main access point for local people requiring support in an Early Help area or for anyone wanting to find out information on a range of early intervention services locally.

Designated Children Centre building - This will be the only Children Centre registered with a unique reference number in accordance with Ofsted/DFE regulations.

Transitional delivery site - These are Council buildings used as part of the delivery of the Early Help offer. Delivery will also take place from other community venues (not specified here), a mobile option will also be utilised in some areas (specified below).

Buildings for alternative use - 5 of these buildings have been identified as being needed or are of interest to support additional school places in priority areas.

- 2.15 The proposal would be to include **four** central 'hub' sites and **four** designated Children's Centres across the four Early Help areas.

This will be a phased approach over the next 12 months to ensure that Council delivery beyond April 2018 will either be through rented community space or utilising the former children centre spaces via a range of agreements with school hubs or community groups. It is recognised that a small portfolio of council buildings will continue to be used in the short term to support the transition to the new model.

This phased approach will make use of the 17 delivery sites that were part of the consultation on the journey to the more flexible community model.

The council will work with interested partners and community groups over the next 12 months to negotiate and agree the future use of surplus buildings that ensure maximum usage and also that there is sufficient space available for the delivery of a wide range of services/activities in communities that deliver EIP outcomes.

3. Information required to take a decision – The Early Help Offer

3.1 Vision for children, young people and families

The vision is to work across Kirklees with partners and communities to support people and families to plan ahead, stay well and get support when they need it. Working together to keep people safe and help people in the most appropriate way with the resources we have available.

The two key aims of Early Help are to:

- Safely prevent family breakdown
- Maximise the independence of children, young people and adults

3.2 Aims & objectives

Early Help activities will promote better outcomes for children, young people, and their families by providing quick access to effective interventions from people with the right skills at the right time, before problems escalate, using the combined expertise of participating agencies.

- Better targeting of the most vulnerable families to meet their needs and address growing inequalities across Kirklees
- Delivering support to children, young people and their families across Kirklees in a creative, innovative, flexible way to those who need it most
- Save money and prevent duplication
- Address the quality improvement necessary to address OFSTED's priorities relating to health and protection

3.3 Priorities

To deliver these outcomes, we aim to have 3 key clear priorities that underpin decisions and delivery in relation to the proposed Early Help offer:

- Priority 1: Reduce the demand on acute and specialist (Complex Level) services and delivery of early help within reduced resources;
- Priority 2: Improve our ability to identify problems early, leading to improved targeting and better use of resources;
- Priority 3: Improve support through better integration with key agencies so that help is offered earlier, gaps and duplication are eradicated and opportunities to intervene early are maximised

3.4 Outcomes

Under the wider transformation of the council's offer the proposed new model will establish area based support, targeting resources effectively to deliver an agreed set of outcomes. These are known as the overarching Early Intervention and Prevention (EIP) outcomes but will be the basis for measuring the Early Help offer. They are:

- People find it easy to get the right kind of support information and advice when they need it
- Disabled people have the opportunity to live their life the way they want to
- Families have stable and strong relationships.
- People are working or have made progress towards finding meaningful employment, maintain a family and social life, contribute to their community
- People and communities are able to take control over their lives and be as independent and resilient as possible
- Carers are able to balance their caring role and maintain desired quality of life
- Children remain safely living with their family until they make a positive transition to adulthood
- People are financially resilient

3.5 In addition the following outcomes will be the focus of the children and families work linked to the Stronger Families programme:

- Children remain safely living with their family
- Family members are not involved in crime or anti-social behaviour
- Children & young people have access to and attend suitable full time education
- Family is free from domestic abuse or the abuse has significantly reduced in severity and frequency
- All family members have considered their health needs and taken steps to access the help they need
- Children, young people and adults and their carers find it easy to get the right kind of help when they need it
- Adults and young people in the family are working or have made progress towards finding work

3.6 The context for public services is changing. Both national and local policy is leading us towards an integrated public sector workforce. In particular in relation to health, social care and education through the 2012 Health and Social Care Act and the 2014 Children and Families Act. Integrated services will allow us to work with individuals holistically, within the context of their families and communities, at the same time enabling us to make efficiencies by reducing duplication.

- 3.7 The new Children's Service Ofsted Framework (2013) required a greater focus on outcomes and the needs of children and young people throughout their childhood journey. The framework explicitly focuses on measures around the impact of early help given, interests and voice of the child and inter-agency working. It recognises Children's Centres as a concept rather than a physical entity and acknowledges that different delivery models are used in different Local Authorities.
- 3.8 The recent OFSTED report into Children's Services found 'Health and Protection' to be inadequate and highlighted that opportunities had been missed to work appropriately with children at an earlier stage. The recommendations being made in this report are consistent with the service changes intended to address that finding.
- 3.9 Our proposed new model for Early Help will not be constrained by buildings and will aim to be much more responsive to need by being more flexible by utilising spaces within local areas that may not necessarily be a children or youth centre or even a Council owned building. The recent Ofsted report indicated a need to intervene earlier in families where issues are starting to emerge.
- 3.10 Many Local authorities have already moved to a model of integrated early help hubs or 'family hubs'. In October 2016 the Children's Commissioner published a discussion paper highlighting how 'family hubs' may have the potential to co-ordinate and support children in need. Initially proposed by the Centre for Social Justice in 2014, family hubs are described as *"local nerve centres, co-ordinating all family related support, including universal services and specialist help...meeting parents' most pressing needs"*. In July 2016 the all Parliamentary Group for Children Centres reported that the future of Children Centres lies in the reassignment of funding and redevelopment of services into the family hub model.
- 3.11 By building on the existing infrastructure of Children Centres and extending their offer to include support for parents, couples and children of all ages, family/early help hubs deliver holistic, early intervention services for the whole community. The Children's Commissioner believes that the introduction of family hubs is the clear next step to co-ordinate existing services and support thereby creating better information sharing networks, ensuring that children and families no longer go missing between services and making effective use of funds.
- 3.12 The reduction in resources available for local government means we must ensure we get better value for money, demonstrating better outcomes for children, young people and families and that services can evidence the impact they make.
- 3.13 Integrated working
The ambition for the Early Help areas is to bring together multi-disciplinary teams that will provide a range of early help intervention services for children and young people, pre-birth to 19 (25 years for disabled children) and their families. It is envisaged that the Council will work with partners and other VCSE organisations to look at service delivery from a range of sites within a local area. This will include options of utilising the new central 'hub' sites, the 4 designated children centres, the transitional delivery sites and other spaces and community buildings in a local area. This could be space currently being occupied or used by other agencies that have further capacity as well as looking at alternative space that can be utilised for delivery of services that makes better use of resources and make more sense for families in terms of location, access and offer.

Integrated teams are effective when partners are able to contribute fully to area based working arrangements to enable collaboration, be co-located and draw on shared plans with other area based services e.g. Healthy Child Programme, VCS and Schools.

It is the council's intention of the proposal for the Early Help areas to be linked with partner organisations in order to provide a whole family approach, commissioning a range of services locally. The Councils would need to have detailed conversations with potential providers that could be either co-located and/or deliver services from the central 'hub' sites and the community buildings across all 4 areas. It is planned that discussions would take place with health care providers, schools and VCSE organisations delivering a range of support to children, young people and families. It is expected that some services would be co-located and others would form a wider 'virtual' team, meaning that practitioners would be dispersed geographically to work across an area but would share the same assessment and case allocation processes.

The Council will need to work with partners to further define the detail of which services and teams that will contribute to the Early Help areas. From April 2017 the Early Help areas would initially consist of Council staff and work will be underway to move towards the integrated working ambition as set out within the Council's implementation plan.

An example of this is development work is taking place around the One Public Estate Programme which seeks to utilise Batley Town Hall. The Council has been successful in a joint bid with the West Yorkshire Combined Authority in securing £330k across the region. Kirklees has been awarded £75K to deliver more integrated and customer focused services and encourage publically funded services to co-locate and demonstrate service efficiencies. It also seeks to reduce running costs.

3.14 Design principles

Design Principles for the new Early Help model include:

- Getting in early to tackle problems before they escalate
- Using an asset based approach – building on the strengths of children and families
- Support for children and families where they want it, when they need it.
- Supporting inclusion and self-help – support access so more people can do more for themselves
- Effective collaboration between sectors and services
- Social Action as a model to help people help each other
- Community capacity building - using the skills, resources and assets of communities and individuals
- Increasing the options to signpost people to partner services for support
- A delivery model that is flexible and able to respond to need and less reliant on building assets
- A culture of continuous improvement to maintain effective services that work well
- Single Early Help approach to families utilising one key worker

3.15 Proposed four Early Help areas

The new Integrated Early Help offer is based on the creation of four Early Help areas:

- Batley & Spen
- Dewsbury & Mirfield
- Huddersfield
- Kirklees Rural

This would support:

- Better integrated delivery model
- Improve planning and understanding of local needs and local intelligence leading to more efficient use of reducing resources
- Improved targeting of resources to those families that need them the most
- Understanding and co-ordinating the whole local 'Early Help' resource.

3.16 Performance measures and benefit realisation

The Early Help Model is based on the success and evidence of the Kirklees Troubled Families programme, known locally as 'Stronger Families'. As well as intervening directly with families the Early Help offer will (if agreed) track and report on outcomes to evidence impact. Data that is gathered as part of each local Early Help Area will need to be appropriately analysed so that it becomes meaningful intelligence that can support local integrated planning and gap analysis.

Making use of intelligence at this local level supports the Council's wider intelligence vision; to use it to inform decision making, commissioning and service delivery in Kirklees to improve outcomes for local people and make best use of all public sector and other resources'.

The Early Help offer would build on the Stronger Families Outcome Plan where each outcome will have identified Key Performance Indicators (KPI's) along with the source of where the data/evidence can be found (this could be both qualitative and quantitative). Regular monitoring of the KPI's will be required and a frequent 'dashboard' would be produced in order to monitor and report on performance.

3.17 Proposed governance arrangements for the Early Help areas

Local leadership is critical to the success of this new model in terms of providing a whole system leadership approach that can harness the local resources and expertise of partners (including schools), agencies and the community as well as the Council. As with current arrangements of current Children's Centre Advisory Boards, the new Early Help areas will have similar governance arrangements, made up of partnership membership to form a board (Early Help Area Partnership Boards) that will have responsibility and accountability of overseeing local strategic planning around needs and co-ordination of resources to ensure outcomes are met to best effect.

The proposals for the governance arrangements of Early Help areas will support the Councils Duty Under 'Working Together to Safeguard Children' where section 10 of the Children Act 2004 requires each local authority to make arrangements to promote cooperation between the authority, each of the authority's relevant partners and such other persons or bodies working with children in the local authority's area as the authority considers appropriate. The arrangements are to be made with a view to improving the well-being of all children in the authority's area, which includes protection from harm and neglect.

The Early Help areas in the new model would work with partners to identify and assess the needs of children, young people and adults in the area; particularly the needs of the most disadvantaged and vulnerable.

It will require:

- Effective information-sharing and collaboration with local partners.

- Analysis of what services already exist locally and which additional services are needed to improve outcomes for all parts of the local community but particularly for those with the greatest needs
- Identification of and assessment of needs of individual families at greatest risk of poor outcomes
- To agree priorities for services and facilities with local partners and how these can be most effectively and efficiently delivered

The role and responsibilities of the four newly established Early Help Area Partnership Boards would include:

- Ensuring strategic alignment with Council and partner priorities
- Overseeing delivery of EIP outcomes
- Overseeing quality assurance
- Meeting Ofsted requirement of the area designated children centre
- Overseeing safe practice and delivery of interventions and support
- Supporting the use of data and intelligence to ensure local need is adequately met
- Enabling local stakeholders -including parents and families and service providers - to play an active role in service planning and review, policy development and local programming
- Bringing together partners and stakeholders to promote joint planning, working and collaboration
- Meeting the statutory requirements for Children's Centre Advisory Board
- Ensuring that the voice of service users is heard
- Contributing community knowledge and expertise to identifying local needs to support a range of service delivery plans.
- Agreeing the objectives for local Early Help service delivery plan
- Support the evaluation and review of services and activities, including programmes and quarterly and annual performance monitoring
- Manage any discretionary funding made available to the Board

Membership would be made up of (but not limited to) District committee rep (elected member), School as community hub reps (one for each school hub within early help area), Public Health, Locala, Early Help Service Manager, VCSE rep, Young person rep. Each area will define the local membership as required but the Board will agree to operate the Partnership board according to a Council led 'Statement of Purpose'.

The three levels of Early Help offer

3.18 Summary of the Community Plus offer

The Communities Plus level describes the ways that, in future, we would look to work with all relevant partners and agencies, in public, third and private sectors to direct the totality of our resources (paid, unpaid and in kind) to ensuring that we are preventing negative outcomes for target groups, and putting in place effective low level interventions and community based support – so that people can help themselves, people can help each other and all of our resources are deployed wisely into the activities and initiatives that deliver positive outcomes.

The Communities Plus level would aim to join up this provision for adults as well as children and families.

The offer can be described in 3 parts:

Working with Individuals

- Encouraging self-agency, self-sufficiency – enabling people to get the right information, tools and support to deal with their own needs and ambitions – online and offline
- Providing assistive support, where needed, to facilitate those with additional needs accessing information and tools for self-support – online and offline
- Peer-led/volunteer-assisted Personal Support Planning for people with low needs e.g. Coaching/motivational interviewing individuals to identify and act on the changes they want to make – online and offline
- Short term or low level need programmes of activity, targeted to our key outcomes; likely to be around tackling stressors/factors that increase likelihood of higher cost interventions: Poverty – e.g. money matters courses for personal budget planning for low incomes; Isolation – e.g. social prescribing activities; Ill-Health – e.g. healthy eating/cook –share-grow initiatives; Exhibiting behaviours - e.g. youth diversionary activities, emotional first aid

Working with Groups

- Encouraging and supporting groups and organisations to provide preventative activities and assist in reaching out and directing people to assistance that will enable them to maintain their own independence
- Encouraging and providing the support to groups and organisations to deliver peer support to individuals
- Encouraging and providing the support to groups and organisations to support each other and share resources and their learning
- Supporting organisations to be sustainable, deliver effective activities and reach as many beneficiaries as effectively as possible

Working with the wider Social Sector

- Encouraging collaboration, shared resourcing between larger organisations, and supporting smaller groups;
- Investing in key strategic infrastructure to support an effective, economically resilient third sector – capable of delivering on Early Intervention and Prevention outcomes:
 - Business Connection – capacity to link the Business Sector and Thirds Sectors to get more benefit from corporate social responsibility
 - Consortia and Network Capacity – capacity to bring organisations together to make bigger and better bids for external funds, or to work more effectively and productively with limited cash
 - Independent Volunteer Brokerage – supporting and channelling volunteers into opportunities that have an impact on key outcomes, or supporting those furthest from work to develop skills through volunteering

It is intended that the community plus offer will respond to support the communities escalating needs and more complex issues ensuring support is offered in a way that reduces with the need to request support from the targeted or complex offers.

Workforce that will deliver the Communities plus Offer

It is proposed that each of the four Early Help areas will have a workforce with a complementary mix of skills. To achieve the EIP outcomes required at Communities Plus level, we need a workforce that:

- advocates for and skilled in asset based approaches – focussed on mobilising on the skills and assets of individuals and communities – not their deficits, and building their personal resilience
- have the ability motivate, mobilise, organise and co-ordinate efforts across the community, volunteers and diverse stakeholders, at grass roots and organisational levels
- have high energy, strong interpersonal and problem-solving skills
- are empathic and able to relate to individuals, groups and organisations in a variety of different circumstances
- are analytical in approaching evaluation and delivery of practice
- committed to evidence-based community development methodologies
- are knowledgeable and understanding of the issues affecting the lives of the target populations and the services that impact on them
- are creative, flexible and supportive to volunteers, groups and individuals

3.19 The Community Plus offer, Targeted and Complex support will be integrated with people accessing support across all three levels appropriate to need.

3.20 Summary of the Targeted offer

The Targeted offer will focus on families with multiple vulnerabilities identified within the Stronger Families cohort. Using the Continuum of Need and Response Framework (see [Appendix 2](#)); these children and young people's needs will normally be assessed at the top of level 2.

The Stronger Families approach depends on breaking down professional barriers and achieving changes in partner organisations' culture so that all practitioners see their clients in the context of their whole family and are willing to work collaboratively with other service providers to help ensure better outcomes for all family members.

The Council proposes to invest in a workforce in the targeted offer that will be using evidence-based approaches to deliver targeted, family-centred support. This means using professional assessments in order to decide which intervention will work best for the families, and ensures families receive the support they need to make a difference to their lives and prevent them needing higher level more costly services.

The support offered at the Targeted level will be through one to one Key Worker Intervention. This is in line with the National evidence base relating to working with families with complex, multiple needs.

The evidence based approach has identified 5 family intervention factors which lead to positive outcomes which are:

- Dedicated workers, dedicated to families
- Practical 'hands on' support
- A persistent, assertive and challenging approach
- Considering the family as a whole
- A common purpose and agreed action

The keyworker workforce will deliver this evidence based approach that will focus on meeting the EIP outcomes in the new model. These interventions will be drawn from a menu of support activity within the Early Help areas, designed and tailored to meet specific needs.

Workforce that will deliver the Targeted Offer

It is proposed that, if agreed, each of the four Early Help areas will have a workforce with a complementary mix of skills. To achieve the EIP outcomes required, we need a workforce that:

- Understands complex and multiple needs and their impact.
- Is able to use persistent and proactive methods to engage with families who have complex and multiple needs.
- Understands a whole family approach to developing resilience, self-reliance and independent action.
- Is able to work with families in a multi-agency context to develop and implement collective agreements.
- Is able to facilitate change with families who have complex and multiple needs within agreed timescales.
- Is able to enable families with complex and multiple needs to take responsibility in managing and prioritising appointments.
- Knows how to work collaboratively with other agencies in engaging and supporting families when working with families with multiple and complex needs.
- Is able to reflect on own practice in use of persistent and proactive intervention methods when working with families.
- Is able to support families to address their anti-social behaviour and enable them to increase their positive behaviours.

We will offer the following intensive training and development to those staff who need it as part of the new Early Help service induction to ensure that there are constant and affective approaches to working with targeted families.

We understand that to support the model moving forward cultural change will be needed – building relationships rather than referrals and more collaboration across the system.

- Introduction to Stronger Families
- Motivational Interviewing
- Think Family Stronger Families approach or equivalent
- Developing Resilience
- Restorative Practice
- Safeguarding Skills
- Working Together
- Safeguarding Skills/Assessments Skills
- CSE Online

Other Training will be offered as required:

- Working with Parents Level 4 or equivalent
- Hidden Sentence Training
- Youth Mental Health First Aid

3.21 Summary of the Complex offer

The complex level of support is for those children, young people, adults and families, who by virtue of their health, disability, behaviour or family environment, require specialist or statutory assessment and/or intervention, such as those requiring safeguarding, being looked after, support for children and adults with complex disabilities. Using the Continuum of Need and Response Framework ([see appendix 2](#)) these children and young people's needs will be assessed at levels 3 and 4. A small number of these may require highly specialist services or intensive input from a number of agencies for a long period, or even specialist placement or secure provision.

The Early Help workforce within the Early Help areas will develop effective links with specialist (Complex) services for families in order to provide seamless support to families where their needs escalate and require statutory interventions and to support families when their needs deescalate and can be met at either the targeted or community plus levels.

In order to manage and reduce demand on the social care system the Early Help model is built on workers at all 3 levels of the offer working with families to build their resilience in order to manage down the need for high cost interventions where appropriate. This means that workers in the complex offer will work to reduce demand on complex services and for families and where appropriate take up support from the targeted offer and in turn those working in the targeted offer will work to support families to access more support, where appropriate from activities and groups in the community plus offer.

Our aim is to support families facing challenges in order to try and help them avoid getting into a crisis situation. We will provide specialist and statutory assessments and interventions at the right time and ensure that all teams involved are working together for the good of the family. We will always try to help families stay together, but ultimately our priority has to be the safety and well-being of children and young people. As a result, despite the amount of support we provide, some families will still require interventions such as Child Protection Plans to ensure the safety of the most vulnerable in our communities.

Contributing Programmes

The Early Help Model has two key contributing programmes of work which together to form part of the Kirklees Early Help offer.

3.22 Kirklees Integrated Healthy Child Programme

The Kirklees Integrated Healthy Child Programme (KIHCP). The very aim of this programme is “to act as a catalyst for change to the commissioning and provision of child and family-centred services, in order to deliver improved outcomes for children, young people, their families and their communities”.

Commissioners intend to use the KIHCP as the driver for the integration of a range of systems, interventions and services, building on the current relationships between these, in order to improve outcomes for children, young people, their families and communities, with a particular focus on mental and emotional health and wellbeing.

This aim covers the whole range of services and interventions for children and young people's health and wellbeing, from health improvement and prevention work (for example, Health Visiting Services and School Nursing Services), to support and interventions for children and young people who have existing or emerging health problems (for example, Child and Adolescent Mental Health Services).

There will be a particular emphasis on improving mental and emotional health and wellbeing and a focus on the impact on health and wellbeing of transitions between a child's stages of development.

KIHCP Commissioners expect KIHCP delivery staff to work closely with Early Help colleagues, working flexibly from shared spaces, including the broad range of council buildings as well as Health Centres, GP surgeries and community owned buildings, where appropriate and according to the needs and preferences of children, young people and families.

The Council's staff resource within the Early Help offer aims to work together with practitioners from the KIHCP to ensure that children's, young people's and family's needs are identified early and they get the right support, at the right time, reducing demand for social care services. The Early Help offer will incorporate and champion the KIHCP's 'way of doing things' and together the KIHCP and the Early Help practitioners will ensure they work to identify the needs of children and young people early.

3.23 Schools as Community Hubs Programme

The schools as community hubs programme is a school led/council facilitated programme based on collaborative partnership approaches. There is an ambition for all schools to be part of a community hub by September 2017.

Along with the Healthy Child Programme, School Community Hubs are integral to the councils approach to early intervention and prevention.

School community hubs are geographically based clusters of schools and their partners (e.g. adult learning, housing, public health, faith groups, the voluntary and community sector and private business).

The recent Early Help consultation and ongoing dialogue with school leaders have revealed emerging and significant opportunities for schools and their partners to deliver a broad range of EIP activity which support children, families and their communities. This approach aligns with the council's vision for communities to do more for themselves.

They have a stated ambition to work together to transform the current community offer to children and families so that it:

- Better meets the needs of children, families and communities;
- Prevents escalation of problems;
- Reduces demand for more specialist or statutory services at a later date;
- Builds resilience and independence
- Supports health and wellbeing.

However, without access to suitable accessible space from which to deliver, there is a significant risk that this offer to secure no cost/low cost support for children, families and communities will be lost. The success of school community hubs relies on the council's support and assistance in helping to secure suitable space for service delivery.

School community hub leaders are demonstrating growing confidence, willingness and capacity to co-ordinate, facilitate and lead the delivery of a vibrant community offer. They and their partners are reconfiguring their own significant resources to deliver on their ambition. The proposal for children's centre buildings supports the delivery of the broad rich community offer and facilitating the discussions as to how this can be supported through the use of surplus buildings.

How the council intends to fulfil statutory duties

3.24 Children Centres

All Local Authorities have a legal duty to provide sufficient access to services for families with children under the age of 5 years.

A Children's Centre core purpose is summarised as follows:

- To assess need across the local community
- To provide access to universal early years services in the local area including high quality and affordable early years education and childcare
- To provide targeted evidence based early interventions for families in greatest need, in the context of integrated services
- To act as a hub for the local community, building social capital and cohesion.
- To share expertise with other early year's settings to improve quality

Principles underpinning the core purpose are:

- Respecting and engaging parents
- Working in partnership across professional/agency boundaries

Statutory definition of a children's centre:

A Sure Start children's centre is defined in the Act as a place or a group of places; which is managed by or on behalf of, or under arrangements with, the local authority with a view to securing that early childhood services in the local authority's area are made available in an integrated way; through which early childhood services are made available (either by providing the services on site, or by providing advice and assistance on gaining access to services elsewhere); at which activities for young children are provided.

See [Appendix 3](#) for the core purpose of Children Centres

The current Children Centre Ofsted Framework is being revised, however the current version the following areas are inspected on:

- Access to services by young children and their families
- The quality and impact of practice and services
- The effectiveness of leadership, governance and management

To meet our statutory requirements the service needs to ensure they have clear structure of governance that provides appropriate challenge to ensure effective service delivery is being provided across all area hubs. This will be met through establishing Early Help Area Partnership Boards in each area. Leadership and management will ensure that all staff are sufficiently trained and that there are robust safeguarding policies and procedures in place, in line with Kirklees Safeguarding Board.

To meet the statutory guidance on Children Centres there needs to be access to universal provision, adult education and early childhood services including health and parenting support.

Partnership working will be key to the effective delivery of the Early Help offer. This approach is not the responsibility of one single agency, but a whole family approach owned by all stakeholders working with children, ensuring professionals offering Early Help are supported to provide the right services to families at the right time. We propose that the universal offer and adult education be delivered in partnership with other agencies such as health and education and community groups.

The offer will have robust intelligence and performance management process, to co-ordinate data and local knowledge across each Early Help Area, set priorities, focus resources such as community, for example community plus resources. Data will be monitored and services evaluated for impact. Effective challenge and monitoring will be given through leadership and governance.

The key measures in the Children's Centres offer are the collation of registration and reach data. Registration data is collected to capture family's details, and then used to identify target and vulnerable groups. Reach data captures how many children and adults access services; this is evidence to support the impact for target and vulnerable families. There is a current Ofsted requirement to attain a reach figure of 80% and registration and 65% reach to achieve a Good judgement.

To ensure we continue to identify and work with the target groups and individual families most in need of intervention and support, agreements must be in place with all services to share information, for example; live birth data and data on families with children under five who have recently moved into the area. Leadership and governance must ensure there is effective accountability to capture and share this data, as ensuring registration and reach information is regularly shared is imperative to meeting Ofsted requirements.

The developing schools as community hubs work are exploring ways of supporting families under two years, including private sector school nurseries and childminders, to work more effectively to coordinate the school readiness aspect.

3.25 Proposed four designated children centres and rationale

As part of these Early Help proposals the Council intends to keep 4 designated Children Centre Buildings ([see Appendix 4 for details](#)), one in each of the 4 Early Help areas.

These are proposed as:

Dewsbury & Mirfield Early Help Area

Designated Children Centre: **Dewsbury Moor Children Centre**

Batley & Spen Early Help Area

Designated Children Centre: **Birstall & Birkenshaw Co Location Children's Centre**

Huddersfield Early Help Area

Designated Children Centre: **Chestnut Children's Centre**

Kirklees Rural Early Help Area

Designated Children Centre: **Colne Valley Children's Centre (Slaithwaite Town Hall)**

3.26 Youth Provision

Section 507B of the Education and Inspections Act 2006 relates to local authorities' duty to secure services and activities for young people aged 13 to 19, and those with learning difficulties to age 24, to improve their well-being.

LA duty to secure, equality of access for all young people to the positive, preventative and early help they need to improve their well-being. This includes youth work and other services and activities that:

- Connects young people with their communities enabling them to belong and contribute to society, including through volunteering, and supporting them to have a voice in decisions which affect their lives;
- Offers young people opportunities in safe environments to take part in a wide range of sports, arts, music and other activities
- Supports the personal and social development of young people through which they build the capabilities they need for learning, work, and the transition to adulthood
- Improve young people's physical and mental health and emotional well-being;
- Help those young people at risk of dropping out of learning or not achieving their full potential to engage and attain in education or training;
- Raise young people's aspirations, build their resilience, and inform their decisions – and thereby reducing teenage pregnancy, risky behaviours such as substance misuse, and involvement in crime and anti-social behaviour.

Securing access to sufficient services and activities

The Government do not prescribe which services and activities for young people local authorities should fund or deliver or to what level. They should take the strategic lead to work with young people; the voluntary, community and social enterprise sector; health and wellbeing boards; schools and colleges; and agencies including health and police to:

- Understand the needs of local young people, particularly the needs of the most disadvantaged and vulnerable, taking full account of equality and diversity issues;
- Enable parents and communities to meet young people's needs wherever possible, and engage businesses and other employers to contribute funding and expertise to help enhance and sustain local provision;
- Plan how aspirational personal and social development programmes, including National Citizen Service, and youth work and youth workers can contribute to meeting the needs of young people and reduce demand for more specialist services;
- Determine the mix of open access, targeted, preventative and specialist provision needed to meet local needs, and how to integrate all services around young people;
- Decide what facilities are needed and how to make these available and accessible, wherever possible maximising the utilisation and potential of all local partners' assets;
- Determine which services and facilities need public funding and which can be secured through other means so that public funding is targeted primarily on young people at risk of poor outcomes;
- Determine which services and facilities can be delivered by third parties so that the local authority delivers directly only where it is clearly best placed to do so;
- Plan how to best support and grow the role of voluntary, community, and faith organisations, including through a transparent commissioning process, given the benefits the sector can bring to work with young people, families and communities;

- Agree priorities for publically funded services and facilities with local partners and how these can be most effectively and efficiently delivered, including considering with their employees the options for them to set up and transfer into a public service mutual in line with their 'Right to Provide';
- Ensure providers have the capacity and skills to deliver effective services to young people, by learning from good practice and developing their workforce;
- Publicise effectively to young people and their families the overall local offer of all services and activities available for young people locally;
- Put in place actively-managed systems for assuring the quality of local services and driving improvement, including in response to feedback from young people,
- Publish at least annually, details of the feedback young people have given on the quality of the local offer and of how they have influenced local decisions; and
- Publish at least annually, in a form that enables young people and others to hold them to account, their plans for improving young people's well-being and personal and social development, together with relevant funding and performance data.

3.23 Children and Young People with Special Educational Needs and Disabilities (SEND)

We want all Kirklees children and young people, including those with Special Educational Needs and Disabilities (SEND), to achieve the best possible outcomes and receive the support they need when they need it most. Access to the Early Help offer will be as inclusive as possible. We are committed to providing equal opportunities for all children and young people, regardless of race, culture, religion, language, gender or ability.

An engagement exercise has recently concluded on the short breaks and respite offer for disabled children, young people and adults in Kirklees. It is clear that further work is needed with local special schools, mainstream and community provision to further increase the offer locally and increase choice and flexibility. Further market shaping work will continue to ensure that the market can be sufficiently shaped to meet future demand.

Part of the Community Plus offer will be to support community organisations such as Duke of Edinburgh that deliver significantly to children and families with SEND.

3.27 The Stronger Families Approach – why it works in Kirklees

The Stronger Families approach means helping parents/families secure better outcomes for their children through more effective and better co-ordinated interventions from a wide range of services. Implementing Stronger Families practice depends on breaking down professional barriers and achieving changes in culture so that all practitioners see their clients in the context of their family and are willing to refer and work collaboratively with other service providers to help ensure better outcomes for all family members.

Family Characteristics

It is known that these families are often headed by adults who have experienced early loss, serious neglect, abuse and conflict in their relationships. They feel harshly judged and lack trust in those who are trying to help them. They, themselves lack confidence in their ability to change. Adult vulnerability plays a large part in shaping their response to services and there have frequently been previous unsuccessful attempts to address the families' difficulties.

During 2016 the Stronger Families programme's analysis of families with these kinds of multiple vulnerabilities showed that:

- 80% were headed by adults who were out of work and are disproportionately affected by welfare reforms

- 80% of those on benefits were unwell themselves or had caring responsibilities which prevented them from working
- 62% had experienced at least three serious problems over a minimum of six months
- 50% were or had been in touch with social work services
- 44% of families have poor health and many with poor mental health are not able to access the support they need quickly enough

There are various indicators that may suggest that a targeted offer would be required in order to meet a family's needs. This includes:

- Existing Team Around the Family (TAF) not being effective
- Multiple issues across number of family members
- Risk of escalation to statutory or specialist services
- Resistance or lack of engagement with practitioners
- Concerns regarding disguised compliance
- Current service offer not meeting the needs of the family
- Need for more intensive level of intervention
- Need for assertive engagement
- Need for robust risk management approach
- Consultation, coaching and co-working have been offered and more than this is needed

Family Intervention

The model of intervention is a whole family support intervention based on the model currently operated by the Family Intervention Project (FIP). This is in line with the evidence base relating to families with complex needs more generally and in successfully preventing children from entering the care system. The DCLG report highlights the 5 family intervention factors which lead to positive outcomes;

1. Dedicated workers, dedicated to families
2. Practical 'hands on' support
3. A persistent, assertive & challenging approach
4. Considering the family as a whole
5. A common purpose and agreed action

This echoes the messages from the earlier Ofsted report in 2012, which highlights the importance of a strong and persistent key worker and describes how successful services are supported by:

- Strong multi-agency working
- Clear and consistent referral pathways to services
- Consistent decision-making processes based on
- Thorough assessment of risks and strengths within the family network
- A prompt, persistent, and flexible approach, based on listening to families and building on their strengths
- Regular review of progress and risk factors;
- Robust risk management;
- Clear planning for case closure and for sustainability of good outcomes.

Feedback from families (both through service feedback and the Early Help consultation) was that they want one worker; they don't want to have to repeat their story or have lots of professionals coming in and out.

They want some practical support, such as help completing benefit forms, applying for housing, de-cluttering their homes; and they want to know what the bottom line is, so explaining consequences and challenging families is the way forward. Again relationships rather than referrals are a key element of this approach.

Model of Family Intervention

There are various ways a young person or family can access help from a Council practitioner in the Early Help model (this includes access to support from both the community plus and targeted offer):

1. A member of the public can request support directly via an Early Help central 'hub' site. A Council worker will triage the request or sign post as appropriate depending on their specific needs
2. An early help practitioner (council and non-council) may identify needs that require a targeted Early Help response – meaning that a universal/community or single agency response is no longer meeting the current identified needs. Requests for support can be made via a key contact within the Early Help Area or via the Multi Agency Safeguarding Hub (MASH)
3. A request for support may come directly from the MASH into the Early Help area's via an allocation meeting process to 'step down' cases from social care or to meet the needs of a family more appropriately (i.e. needs that do not require a statutory or specialist intervention)

The above are not exclusive and the principal of 'no front door is the wrong door' applies.

The Core Offer of Early Help

3.28 Community plus offer – Building Community Capacity to support children, young people and families

Utilising Community Co-ordinators

- Utilising area knowledge of community activity that already exists which could support family
- Linking with and brokering third sector support
- Signposting to single agency response with handover support
- Introducing resilience building techniques

3.29 Community Plus Offer – Self Financing Models of Delivery – Duke of Edinburgh Award Scheme / Adventurous Activity

The consultation process identified that a number of current service delivery elements could be delivered as a traded service model which would provide a cost effective method of contribution to delivering to EIP outcomes, including contribution to the local authority's Education Reform Act duties, and are therefore proposed for inclusion in the New Council Delivery Model. The Kirklees Duke of Edinburgh Award (DofE) provision falls into this category.

3.30 Targeted Offer – Intensive Support Programmes

Utilising Key Worker support:

- Working with families intensively
- Average of 9 months intensive work with a family (often step down support from Level 3)
- Manageable case load in line with national guidelines
- Direct work with the child, young person and family
- Average 2-3 visit per week

This intervention will support approximately 800 families per annum.

3.31 Targeted Offer – Consultation, Coaching and Co-Working Using Casework Consultants

- A way of working that is intended to support the transformation of the wider workforce
- Providing initial short term support to families who already have a single agency involved. A TAF will be established and the Lead Professional role modelled
- Providing timely advice and expertise to prevent escalation into more specialist and costly interventions
- Providing consultation: offering advice and guidance to colleagues in other services/agencies to identify ways to address needs
- Providing coaching: offering support to another worker to address or manage a particular issue (minimising referrals on)
- Providing co-working: joint visits, chairing review meetings to build a worker's confidence to undertake Lead Professional role

3.32 Targeted Offer – Parenting Programmes

Utilising Parenting support workers

- targeted programmes for families experiencing significant challenges in relation to, behavioural problems, domestic abuse and poor home conditions
- encourage and support families to develop resilience so that they can cope with challenges, and maintain their independence
- some accredited programmes enabling parents to gain a qualification

Our analysis shows that neglect and domestic abuse are the most common reasons for children being assessed as requiring a child protection plan. Our new Early Help offer intends to support families with these issues before they reach crisis, and require support from a social worker. Our targeting of those who require support will be more co-ordinated and based on identified need, particularly to those with multiple vulnerabilities.

Consultation feedback highlighted that 22% of respondents who took part in the survey had accessed parenting courses in the last 12 months and that around two thirds of respondents (67%) using Children's Centres stated that the proposed changes to open access services would have 'significant impact' for them.

A further 17% stated that the changes would have 'some impact'. Slightly fewer respondents stated that the proposed changes to parenting support would have 'significant' (53%) or 'some' impact (16%).

In line with our wider objectives, our new parenting programme offer will encourage and support families to develop resilience so that they can cope with challenges, and maintain their independence. Evidence tells us that good quality group work leads to better outcomes for families, improved communication, behaviour, self-awareness, consistency and efficacy. Families are more likely to move onto other opportunities through the social learning experience.

Reach from the 1st October 2015 and 30th September 2016 shows:

- 1308 carers in 1208 families were seen at Group work activities
- In these families there are 2403 children aged between 0 and 18 yrs who have benefitted from their parents attending these activities

Impact

Parents reported that following their attendance and learning during the programme:

- The CPP/CIN/TAF plan has been closed
- They have had a child/children returned to their care
- They are undertaking adult learning
- They have increased confidence and self-esteem in supporting their child's learning and development
- They are a positive role model for their children
- They have found employment
- They have utilised support around debt and feel more in control of their money
- They have moved house/area and now feel supported within their new community
- The behaviour of their children at home/school and in the community has improved significantly
- They have left an abusive/coercive relationship
- The family are safe from abusive behaviours
- Relationships within the home have improved and are stronger
- They are more active within their community and know where to access support
- Increased levels of resilience in parents/carers and their children
- Wellbeing and emotional intelligence has improved within the family
- Have more support for themselves and their child/children with Special education needs

The proposed offer is reduced but provides broad evidence based preventative programme menu to meet the needs of the families requesting Early Help. The menu of courses below will be focused and targeted on preventative outcomes for families on this tier of need before they reach crisis.

It is proposed that there will be a link to the Integrated Healthy Child Programme which aims to deliver an offer which support parents with understanding developmental changes and normal aspects of raising a child so there should be no need for this to be duplicated by the Early Help offer.

The new parenting support offer will include delivery of the following evidence based programmes ([See Appendix 5 for further detail and outcomes](#)):

- **Strengthening Families, Strengthening Communities** - *reduces family violence and conflict at home, school and in the community*
- **Steps** – *raises confidence and aspirations in the whole family*
- **Speakeasy**- *gives parents the confidence and skills to discuss sex and relationships including CSE and grooming*
- **SEN Family Links**- *positive behaviour strategies for parents with children who have additional needs*
- **Freedom**- *for women and their families who have/are experiencing domestic abuse*

3.33 Targeted Offer – Group Work for Vulnerable Groups

The Early Help Consultation Part Two (Kirklees, 2016) pp. 35-45 ([See Appendix 6](#)) provides a summary of feedback from young people in Kirklees in response to the Early Help proposals.

In general young people in Kirklees agree with the assertion young people need support even when they are not vulnerable enough and are supported so they do not enter services at a point when higher tier and costly services are required.

There are several young people's quotations that they would be negatively impacted on in many ways including their emotional health and further at risk, such getting involved in gangs and anti-social behaviour.

The report found (p.38):

"You know that you are going to go to this place at this time on this day." (Care Leavers Forum)

"It's obviously been a part of my adolescent life...dealing with family issues and coming here to get away from it has been a big help." (Crow Nest Park)

"I like coming here 'cos the staff are really nice and friendly." (Crow Nest Park)

"I respect the staff here; they are great role models and do a fantastic job with us." (Crow Nest Park)

By investing in preventative approaches in order to improve outcomes for young people and to reduce expenditure, this type of vulnerable group's provision can build links within the Early Help system so that young people are able to benefit from provision designed specifically for them.

The key is in the identification and subsequent engagement of these families. It is our proposal that this is more effectively done by trained staff who are aware of the signs of additional needs in all areas, and the tools in which to engage with them. This is a skill that comes through not only training but experience, and can be shared with others through the transitional community plus offer, however to lose this specific expertise before there has been time to embed this within communities will indeed create a further financial implications for the Local Authority in the future.

Cost Benefit Analysis

It has been estimated that this intervention can support 2200 targeted/vulnerable individuals in a 12 month period with a cost of £150 per individual. When you equate this to the impact of not intervening early the costs to the wider social system are heavy;

UNISON (The Damage – page 7, 2016) highlights:

An audit commission report in 2009 on the benefits of sports and leisure activities in preventing anti-social behaviour among young people estimated that a young person in the criminal justice system costs the taxpayer over £200,000 by the time they are 16. But one who is given the support to stay out of trouble costs less than £50,000.

It is proposed that the Council funds this vulnerable groups work for a period of 12 months (April 2017 – end of March 2018) to bridge the gap between current level of Council direct delivery and the transition to supporting communities to do more for themselves. During the 12 months the Council would undertake a robust evaluation of the effectiveness of using Council resources in this preventative way within the Early Help offer.

Options for additional work that can be self-funded such as parents and young people paying for group work where possible can be explored.

3.34 Interventions that reduce demand to social care/safely prevent family breakdown (not part of the Early Help core offer)

These interventions are highlighted as having either:

- A statutory duty to provide
- An evidence base in delaying or reducing demand on the social care system
- An evidence base in reducing family breakdown

These interventions will not form part of the Early Help Core Offer but will be provided by Children's Social Care:

- Family Group Conferencing
- Juvenile Referral Scheme
- Independent Return Interviews
- Traded School/Pupil Referral Service Offer

Detail of each intervention can be found in [Appendix 7](#)

3.35 Services/activities the council will no longer directly deliver

It is proposed that the Council moves towards a new model of Early Help as outlined in the report. Therefore all current services provided by the current EITS/IYSS service will move to the offers and delivery outlined in this report.

4. Implications for the Council

- 4.1 The Public Sector Equality Duty (PSED) means that the Council must have due regard to the need to "eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; foster good relations between people who share a relevant protected characteristic and those who do not share it."
- 4.2 The protected characteristics covered by the PSED are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership (only in respect of eliminating unlawful discrimination).
- 4.3 The Council has therefore carried out an Equality Impact Assessment (EIA) to help it take due regard of its public sector equality duties ([see Appendix 1a, b & c](#)).

EIAs were initially carried out in October 2015.

A single revised EIA for the Early Help offer was developed to support Cabinet's decision to proceed to the stage two consultations in September 2016. This took into account the results of the engagement exercise carried out in July 2016 with the public, staff and other stakeholders, and a number of other sources of data and intelligence.

This has been updated in the light of the findings of the stage two consultation and includes a more detailed analysis of the accessibility of the proposed sites. This revised EIA is provided as [Appendix 1a, b & c](#) to this report. Cabinet members are asked to consider the EIA carefully in reaching their decision.

4.4 Key findings of the EIA:

- There is the potential for a negative impact on certain protected groups of residents in certain geographical areas due to changes to the location of delivery sites etc. We have carried out detailed analysis of the accessibility of the proposed sites and proposed mitigation where necessary including the move to a more flexible model.
- The stage one engagement raised concerns that the increased role played by community run services may have a greater impact on certain protected groups if volunteers lack suitable training and supervision. This was reinforced in the stage two consultation as similar reasons were given for disagreement with the Community Plus approach. This will be mitigated by the adoption of a Quality Volunteer Management approach.
- It is possible that the proposals may have a negative impact on staff in certain protected groups (for example, the workforce is predominantly female). The stage two consultation did not provide any further insight into this, so we will need to do further analysis and consultation, and propose mitigation if necessary.
- It is possible that changes to activities for young people and open access activities such as “stay and play” could impact on fostering good relations. We will do further analysis and consultation, and propose mitigation if necessary.

We do not foresee any impact on ending unlawful discrimination.

4.5 Strategic implications

Transforming the way in which we deliver the Integrated Early Help offer and Children’s Centre Offer within the proposed 4 areas will support the Council in the delivery of its aim to be:

“A district which combines a strong, sustainable economy with a great quality of life, leading to thriving communities, growing businesses, high prosperity and low inequality where people enjoy better health throughout their lives”.

This is also a shared aim of the Kirklees Joint Health and Wellbeing Strategy and the Kirklees Economic Strategy.

4.6 The Future

It is envisaged that delivery under the proposed model will be reviewed after a 12 month period to ensure resources are appropriately deployed and there is positive, measurable impact in the services and delivery approach.

4.7 Workforce

The Council plans to implement a new workforce structure that will support both the community plus and targeted offers of the Early Help model. This has implications for the current staff who work in the affected staff teams as they will be required to go through a selection process for new posts in the new structure.

4.8 Financial

Capital Clawback

Steps will be taken to ensure that grant funded assets are still used to provide ‘early childhood services’ to mitigate against this risk. These do not have to be delivered directly by the council but should be considered when negotiating and agreeing future use of

buildings by a third party. This would be done to address the potential clawback of Sure Start capital grant. The DfE could otherwise invoke the capital clawback clause under the terms of the funding should the future use of the building be in breach of the original grant agreement.

4.9 Risks and issues

We are working with organisations such as the VCSE sector and schools to ensure that there is a sufficiently shaped market and other capacity by the end of this financial year which will help support the LA fulfil its statutory duties in providing adequate provision and the core offer.

A reduction in the number of staff will be managed through the Council's processes. Because of the scale of the changes, this will need careful management to ensure that sufficient staff will be redeployed or leave the organisation.

Transitional planning will need to be undertaken in order to ensure that the Central Hub sites are developed to deliver the offer.

Work will need to be undertaken with VCS grant and contract funded organisations to ensure they are able to decommission activity within timescales and will include planning any TUPE implications.

The complexity of the total change will need careful programme co-ordination to ensure that all dependencies are understood and managed.

5. Consultees and their opinions

- 5.1 Qa Research was commissioned by Kirklees Council to provide research support in connection with a statutory public consultation on proposed changes to children, young people and family support services in Kirklees.

Aims and objectives

- 5.2 The main objective of the consultation was to consult with members of communities in Kirklees over an eight-week period to understand their views and opinions on specific proposals to change the way in which children, young people and family support services are delivered in Kirklees.

Methodology

- 5.3 An engagement exercise preceded the statutory public consultation to gather views on the principles behind the proposed changes. Findings from the engagement phase revealed that the public required further detailed information on how the approach to early help could work in practice along with more detailed information on the proposed location of buildings within the Early Help areas. These findings informed the development of the statutory consultation phase.
- 5.4 A range of consultation opportunities were open to Kirklees residents over an eight-week period.
- A consultation booklet and questionnaire available was made available online at www.kirkleestalk.org and via Children's Centres and other community venues. A total of 1,323 responses were received.

- Focus group discussions. Qa Research & Kirklees Council facilitated 20 focus groups with users of Children's Centres and youth services.
- Public information sessions. Kirklees Council hosted 40 public information sessions across Kirklees.
- 23 Ward Councillor sessions.
- Other submissions. A range of other submissions were also received from users of youth services and Children's Centres, voluntary/community sector partners, Ward Councillors, and members of the public.

Part one engagement

5.5 The engagement exercise was designed to gather views on the principles behind the proposals to establish Early Help areas and ran over a four-week period during July and August 2016. A total of 216 responses were received. Key points to note from this exercise include the following:

- Overall, 86% of respondents agreed with the Council's vision for early help in Kirklees.
- Around two thirds (67%) of respondents were in agreement with the proposals to develop Early Help hubs, however 17% disagreed and 15% neither agreed nor disagreed with the proposals. Respondents indicated that they needed more information about the proposed location of the hubs and how the proposals would work in practice.
- The majority of respondents agreed with the Council's approach to Targeted (85%) and Complex services (88%), but fewer were in agreement with the Community Plus model (71%). Further comments indicated concerns around the role of volunteers within service delivery.

Consultation & Engagement Findings (See [Appendix 6](#) for full report)

5.6 Profile of survey respondents

- The majority of respondents were female (67%), in terms of age, just over a third (36%) were under 16, and a further 22% were aged 30-44. In total, 67% of respondents were White and around a quarter of respondents (23%) were Asian/Asian British.
- Overall, 40% of respondents were local residents, 32% used youth services, 29% were a full-time parent/carer for someone 0-19 years, and 7% described themselves as a Kirklees Council employee.

5.7 Current use of services

- Overall, 44% of respondents had used Children's Centre services. Of these, 70% were regular users (using services 1-4 times per week). Respondents were most likely to have accessed a Stay and Play session (61%). Around a quarter (24%) had used one stop shop services.
- Overall, 37% of respondents stated that they currently used services at youth centres in Kirklees. Respondents were most likely to be accessing mobile units (10%), Crow Nest centre (8%), the Young Batley Centre (7%), and Paddock Young People's Centre (7%).
- In terms of specific services used, respondents were most likely to be using youth clubs for those aged 13-19 years (24%) and the Duke of Edinburgh Award (24%). A further 12% were using sports and activity provision, and 10% were using junior youth clubs for those aged 8-12 years.

5.8 Impact of proposed changes to open access services

- Around two thirds of respondents (67%) using Children's Centres stated that the proposed changes to open access services would have 'significant impact' for them. A further 17% stated that the changes would have 'some impact'.

- Slightly fewer respondents stated that the proposed changes to parenting support would have 'significant' (53%) or 'some' impact (16%).
- Analysis of the survey results and findings from focus groups indicates that the main concerns around the potential loss of Children's Centre open access services include the impact on social and development opportunities for parent and child, the risk of parental social isolation, and loss of ad-hoc support and advice from staff.
- Overall, 63% of respondents using youth services stated that the proposed changes to open access services would have 'significant impact' for them. A further 18% stated that the changes would have 'some impact'.
- Analysis of the survey results and findings from focus groups indicates that the main concerns around the potential loss of open access youth services include the loss of activities and opportunities for young people, fewer safe places to go, and the loss of advice and support from youth workers.
- A majority of respondents stated that the following aspects were important to them when thinking about services for children, young people and families – 'clear information about what services are available' and 'support in a crisis' (86%), followed by 'services that I can access close to home' (85%), and 'access to support and advice from trained professionals' (84%). Respondents were less likely to say that 'free services' were of importance (79%).

5.9 Views on the principles behind Early Help areas

- Respondents were asked to what degree they agreed or disagreed with a series of statements about the principles behind the proposed Early Help areas. Levels of agreement were highest for the statement 'the Council should target support at the most vulnerable families' (60%); however, compared to the other statements, this statement also attracted the highest levels of disagreement (22%). The main area of disagreement related to the belief that all families need early support.
- Over half agreed that Early Help areas would help families access support in a more joined up way, would improve services for families and ensure that communities have services that meet the needs of the local population. However around a quarter neither agreed nor disagreed with these statements, and around a fifth disagreed.
- The main reasons for disagreement in relation to this series of statements were fairly similar; concerns about fewer services locally and the requirement to travel to access them; less support will be available/some people will be left out; services will be harder to access; a lack of open access/preventative services may result in missed opportunities to identify need.

5.10 Views on the proposed three levels of help (Community Plus, Targeted and Complex)

- Respondents were more likely to agree with the 'Complex' approach (72%) and the 'Targeted' approach (63%) and less likely to agree with the 'Community Plus' approach (45%). Levels of disagreement were highest for the Community Plus approach (21%) as were the proportion of respondents stating 'neither agree nor disagree' (34%) – this suggests a degree of uncertainty about the proposed model.
- Analysis of the survey results and findings from focus groups indicates that the main concerns around the Community Plus model are whether community and voluntary groups will be able to provide the services needed and whether there will be enough volunteers.

5.11 Views on volunteers and volunteering

- Respondents were most likely to agree that volunteering can be a good way to learn new skills for work (77%), and over half were in agreement that 'community volunteers (supported by trained workers) are a good idea' (58%).

- Similarly, over half (56%) of respondents stated that they would be happy to use services delivered by voluntary/community sector organisations.
- However, it is evident that a substantial proportion of respondents would prefer to be supported by a paid professional (63%). Responses were mixed in terms of interest in volunteering, with 38% stating that they would be interested, 36% were unsure, and 26% stating that they would not be interested.
- Those in disagreement with the statements on volunteering and the use of volunteers shared similar concerns. For example, comments were made around the level of training/reliability of volunteers, a lack of continuity, and a general preference for paid professionals.

5.12 Views on the buildings proposals

- Overall, 59% of respondents were in agreement with the statement ‘the Council should focus on providing the right services, not keeping buildings open if they are not used often’.
- Views were mixed on the choice of Children’s Centres with 44% in agreement with the choice of Children’s Centres, 35% neither/nor and 21% in disagreement. Reasons for disagreement with the choice of Children’s Centres sites relate mainly to issues of transport and access and the overriding belief that the centres have an important role and should remain open.
- Views were also mixed on the choice of delivery sites - 36% were in agreement with the choice of delivery sites, 44% neither/nor and 19% in disagreement. Reasons for disagreement with the choice of delivery sites were similar to that for Children’s Centres along with the view that more sites in general were needed. Issues in relation to specific communities or buildings are included within the full report.
- Feedback from Ward Councillors on the proposals included:
 - *“Children’s centres are supposed to be about service delivery and outcomes – not buildings”.*
 - *“Need to link to existing community groups in outlying areas”*
 - *“The community plus offer needs to work to generate a comprehensive youth offer.*
 - *Keen for the new service to maximise the assets that already exist in the community”*
 - *“Service delivery priority not buildings”*
 - *“The buildings that the council owns are not as important as the reach and presence within local communities”*
 - *“Would like less buildings and more funds for service provision”*
 - *“Comfortable with options for children’s centres – keen to explore conversations with schools”*

5.13 General principles

As the part one engagement exercise revealed, there is an awareness that Kirklees Council, like many others, need to make financial savings. The engagement exercise presented the high level principles behind the proposed changes including:

- the rationale for providing early help
- the need to focus resources on the most vulnerable families
- the idea of area-based Early Help Hubs with an emphasis on services rather than buildings
- ‘three levels’ of help – Community Plus, Targeted, and Complex.

- 5.14 The majority agreed with the principles behind providing early help and adopting a ‘whole family approach’ but concerns were expressed around the accessibility and quality of services under an area-based hub model and people required more information on how the three levels of help (particularly Community Plus) would work in practice. These findings informed the development of the part two statutory consultation.
- 5.15 Findings from the statutory consultation reveal a similar picture in that there is an understanding of the requirement to make financial savings and support for the principle of early help and some support for focussing on the most vulnerable and prioritising services over buildings (where they are not used to their full potential). However, those responding to the consultation have expressed significant concerns in relation to some elements of the Early Help proposals – these are considered under the headings below.
- “Keen to support proposal that targets most deprived”; “It is important to use local knowledge to support”; “Proposals offer potential for improvement in services”*
- 5.16 Changes to open access provision
The consultation proposals presented the Council’s plan to no longer directly deliver open access provision at Children’s Centres and via the youth service but instead to support the development of this under the proposed Community Plus model.
- 5.17 Substantial proportions of those who access this provision (both parents and children/young people) felt that this would have a significant impact for them. Those who use the services spoke about the various benefits including positive social and developmental outcomes for parents and children who use the Stay and Play provision, and the emotional support, and access to a wide range of social and development opportunities provided by the youth service, e.g. youth club provision and specific programmes such as the Duke of Edinburgh Award.
- 5.18 Whilst there is some agreement that limited resources should be directed to the most vulnerable in society, there is also strong feeling amongst the parents and young people accessing these services that every parent or young person may need help managing the adjustment to parenthood or progression to adulthood. Linked to this is the view that open access services such as these are in themselves an ‘early help’ or ‘preventative’ service. Many people spoke about the fact that although they may not be currently vulnerable by their own or the Council’s definition there is the potential they could have been had they not been able to use the open access services.
- 5.19 Another key theme arising from the consultation feedback was the identification of need through the use of open access services and a concern that under the proposals there could be missed opportunities for this. Parents spoke about problems that they or their child were experiencing that were recognised by a worker during a visit to Stay and Play and in some cases were resolved very quickly through advice or information on the spot. Young people also spoke about the value of the support provided by youth workers to help them to address issues that they did not feel able to share with their school or families.
- 5.20 The issue of the potential for stigma in terms of accessing ‘targeted’ services was raised. Parents valued the ‘drop in’ nature of the Stay and Play and One Stop Shop services whereby they could, in a very subtle way, ask for help and receive it without the need for what they perceived as ‘formal’ identification. Young people also value the inclusive and accepting philosophy of the youth clubs where they can be themselves and engage positively with a diverse range of peers.

5.21 Three levels of help

The consultation findings show that there is general support for the Complex and Targeted models of support – with some reservations about how manageable the workload would be for a key worker. However, the response is more uncertain in relation to the Community Plus model. There is some support for the idea of trained volunteers supporting workers within services and for services to be delivered by community/voluntary sector organisations. However, there is concern that there will not be enough volunteers to support the services, that new community based services will take a long time to set up or may not happen at all. People struggled to visualise how this would work and to some extent this did not seem to be a tangible alternative. This was also a concern expressed by voluntary and community sector partners in terms of how this transition would be made and exactly what support would be available.

5.22 Issues of trust and continuity were also noted by parents and young people. Some young people had taken a while to develop a relationship of trust with a youth worker and were not sure that they would be able to relate in the same way to a number of volunteers.

Another theme arising from the consultation feedback was that some people simply preferred to be supported by a trained, paid, worker because they felt that working with families and young people was a skilled role that could not be easily filled.

5.23 Area specific issues

The consultation feedback shows that there is some support for the idea of services rather than buildings. This seemed more likely perhaps from the perspective of young people who valued the opportunities and support that youth clubs provided rather than the host building itself.

There were however some exceptions to this in areas where there is little community provision/alternative suitable buildings, e.g. Skelmanthorpe, Lowerhouses Lounge, or where the potential for the loss of open access services brings the operation of the building into question, e.g. Crow Nest.

5.24 Generally, parents who used open access services in Children's Centres earmarked for possible closure were disappointed and frustrated that the building may no longer be available. As the consultation findings have highlighted, services close to home are a priority for many parents who find it difficult to travel, particularly those in areas where public transport is limited. Many parents commented that the Children's Centres were purpose built and provided a safe play environment that would be difficult to replicate elsewhere. Consultation feedback highlighted some cases in which the Children's Centre fulfilled several functions and as such a potential closure could have a wider impact, e.g. Dewsbury Moor and Grange Moor.

6. **Next steps**

6.1 Upon receipt of approval to proceed, officers will commence the workforce redesign and implement the move to the new Early Help model outlined in the report.

7. **Officer recommendations and reasons**

7.1 Cabinet approval is sought to support the proposal to have the following **core offer** which will be known as the Kirklees Early Help offer.

The Early Help services for those children, young people and families who need support from both the Community Plus and Targeted Offers will include:

Community Plus Offer – Building community capacity to support children, young people and families Step down from Level 2 to Level 1 of the CoNR (See section 3.28)

Community Plus Offer – Support for Self-financing models of delivery – for example Duke of Edinburgh Award Scheme/Adventurous Activity (See section 3.29)

Targeted Offer – Intensive Support Programmes (one to one keyworker intervention) (See section 3.30)

Targeted Offer – Consultation, coaching and co-working (casework consultants) (See section 3.31)

Targeted Offer – Parenting programmes (See section 3.32)

Targeted Offer – Group Work for Vulnerable Groups (See section 3.33)

7.2 Cabinet approval is sought to support the proposal in relation to the buildings proposals as outlined in the report (section 2.12).

- To have **four** central ‘hub’ sites across the authority, one in each Early Help area.
- To have **four** ‘designated’ Children’s Centres, one in each Early Help area.
- That delivery of the Council’s new targeted Early Help offer moves towards a model that increases the use of space in community buildings to enable more flexible, needs led approach to service delivery and one that is not focused on buildings.
- It is recognised that a phased approach will be required and that a small portfolio of council buildings will continue to be used in the short term to support the transition to the new model
- Further reports will be brought back to Cabinet (as appropriate) in relation to assets and asset strategy

8. Cabinet portfolio holder’s recommendations

The Joint Portfolio Holders find it reassuring to hear that people value services more than buildings, as is reflected in the feedback contained in this report and its supporting documents, and acknowledge the large number of consultation responses which supported the proposed Early Help model and which we have used to inform our service delivery approach going forward.

The Joint Portfolio Holders fully endorse the principles and rationale of the approach, which will help us to continue to provide a good service despite the unprecedented levels of austerity.

Specifically, the Joint Portfolio Holders support:

8.1 The proposal to have the following **core offer** which will be known as the Kirklees Early Help offer.

The Early Help services for those children, young people and families who need support from both the Community Plus and Targeted Offers will include:

Community Plus Offer – Building community capacity to support children, young people and families Step down from Level 2 to Level 1 of the CoNR (See section 3.28)

Community Plus Offer – Support for Self-financing models of delivery – for example Duke of Edinburgh Award Scheme/Adventurous Activity (See section 3.29)

Targeted Offer – Intensive Support Programmes (one to one keyworker intervention) (See section 3.30)

Targeted Offer – Consultation, coaching and co-working (casework consultants) (See section 3.31)

Targeted Offer – Parenting programmes (See section 3.32)

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8.2 Cabinet approval is sought to support the proposal in relation to the buildings proposals as outlined in the report (section 2.12).

- To have **four** central ‘hub’ sites across the authority, one in each Early Help area.
- To have **four** ‘designated’ Children’s Centres, one in each Early Help area.
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- It is recognised that a phased approach will be required and that a small portfolio of council buildings will continue to be used in the short term to support the transition to the new model
- Further reports will be brought back to Cabinet (as appropriate) in relation to assets and asset strategy

9. Contact officer

Sue Richards, Assistant Director for Early Intervention & Prevention

Tel: 01484 221000

Email: sue.richards@kirklees.gov.uk

10. Background Papers and History of Decisions

Cabinet Report – 20 September 2016 – A Better Service for Children and Young People – proposals for consultation

<http://democracy.kirklees.gov.uk/documents/s13942/AA%20UPDATED%20FINAL%20REPORT%20EarlyHelp%20v3.0%20CABINET%2020160920%20FINAL.pdf>

11. Assistant Director responsible

Sue Richards, Assistant Director for Early Intervention & Prevention



Cabinet: 17 January 2017

Title of report: Report on the outcomes of the statutory consultation on proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School to form a single Church of England voluntary controlled primary school for pupils aged 3-11 years

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes.
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Sarah Callaghan (Jo-Anne Sanders) 4th January 2017
Is it also signed off by the Director of Resources?	Debbie Hogg (Carole Hardern) 4th January 2017
Is it also signed off by the Assistant Director (Legal Governance and Monitoring)?	Julie Muscroft (John Chapman) 5th January 2017
Cabinet member portfolio	Cllr Masood Ahmed – Community Cohesion and Schools

Electoral wards affected: Holme Valley North

Ward councillors consulted: Yes

Public or private: Public

1. Purpose of Report

The report details, for Members' consideration, the outcomes from the statutory consultation about proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School to form a single Church of England voluntary controlled primary school for pupils aged 3 -11 years from 1 May 2017 and seeks a decision on the way forward in light of the information received.

2. Background

2.1 The educational benefits of all-through Primary Schools

- Uninterrupted progress and continuity from early years to age 11. (Although it must be noted that transition from the nursery to reception is not automatic and a statutory school place must be applied for through the normal admissions process)
- A wider range of learning resources can be shared and the greater curriculum flexibility makes it easier to tailor learning experiences to meet individual needs - this is particularly important for children with Special Educational Needs.
- A wider age range of pupils can give more opportunities for social development which can raise self-esteem and help to promote responsible behaviour.
- Longer term relationships between the school, parents, carers and outside agencies to support pupils effectively from the Foundation Stage through to the end of Year 6.
- Staff have longer to get to know the children and the consistency of staffing and provision for children gives greater security for parents and carers.
- Children can attend the same school as older or younger siblings for longer.
- A single leadership team and governing body gives:
 - consistency in terms of policies, practice, standards and expectations;
 - clear improvement priorities;
 - common approaches to curriculum planning, assessment and target setting;
 - staff working within a larger team have more opportunities to take on responsibilities and undertake professional development;
 - more effective use of the accommodation, facilities and resources - reduced duplication and economies of scale.

2.2 The current pattern of primary schools in Honley

- Honley CE (VC) Infant and Nursery School provides education for 3 to 7 year olds (including 48 part-time early learning places for nursery children aged 3-4 years) with a Published Admission Number (PAN) of 66 pupils per year group.
- Honley CE (VC) Junior School provides education for 7 to 11 year olds with a PAN of 68 pupils per year group.
- The schools are approximately a 4 minute walk away from one another
- Both schools share the same Priority Admission Area (PAA) and serve the same community.

2.3 The proposal to develop an all-through primary school

There are strong collaborative partnerships between Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School, both schools working to provide the highest standard of learning experience to meet the needs of the pupils and the families of the local communities they serve. The council has a policy to explore opportunities for reducing transition points and has worked with school leaders, governing bodies and the Church of England Diocese of Leeds to establish all-through primary schools.

Reference Cabinet Report 18th October 2016 : The report requests approval to carry out a Statutory consultation on proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School to form a single Church of England voluntary controlled primary school for pupils aged 3 -11 years.

- 2.4 The new primary school would be in the existing buildings of Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School and cater for the same number of children as the current schools with an admission number of 66 places in Key Stage 1 and 68 places in Key Stage 2, preserving 470 primary school places, with 48 part-time early learning places for nursery children aged 3-4 years.
- 2.5 'Bringing together' means the joining of two or more schools into one, with a single Governing body and head teacher. The most equitable statutory route to achieve this outcome would be through the technical "closure" of Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School and to immediately open a new Church of England voluntary controlled primary school.
- 2.6 Any persons ('proposer') e.g. LA or diocese may publish a proposal, at any time, for a new school outside of the free school presumption and competitions process under section 11 of Education and Inspections Act 2006. The Secretary of State's consent is not required in the case of proposals for certain types of new schools outside the competition arrangements, such as Voluntary Aided schools, Infant/Junior amalgamations or a new school resulting from the reorganisation of existing faith schools in an area.
- 2.7 The most equitable way to amalgamate Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School would be to establish a new replacement school. Therefore, the linked statutory proposals that would be required to bring the schools together are: The Diocesan Board of Education within the Church of England Diocese of Leeds would propose a new replacement all-through Church of England primary school. The new school would continue in the existing buildings and on the same sites. The LA would propose the technical 'closure' of Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School.
- 2.8 On 18th October 2016 Cabinet members authorised officers to develop plans for a statutory consultation to begin in October to establish an all-through primary school for pupils aged 3 to 11, with a PAN of 66 in KS1 and 68 in KS2, providing 470 places with 48 part-time early learning places for nursery children aged 3-4 years by linked proposals:
- To establish a new Church of England voluntary controlled primary school with 470 places for 4 to 11 year olds and 48 part-time early learning places for nursery children aged 3-4 years
 - to discontinue Honley CE (VC) Infant and Nursery School
 - to discontinue Honley CE (VC) Junior School
- 2.9 Delegated authority was provided to the Director for Children and young people in consultation with the Cabinet Portfolio lead to:-
- develop consultation materials on the basis of the proposals
 - organise and carry out statutory consultation
- 2.10 Members requested officers report the outcomes of the statutory consultation to Cabinet for further consideration of the next steps.

3. Consultation Strategy and Methodology

- 3.1 A 6 week (term time) statutory consultation about bringing together Honley CE(VC) Infant and Nursery School and Honley CE(VC) Junior School to establish a new Church of England voluntary controlled primary school with 470 places for 4 to 11 year olds in the school and 48 part-time early learning places for nursery children aged 3-4 years, and about discontinuing both Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School, took place in collaboration with the Church of England Diocese of Leeds, between 31st October 2016 and 9th December 2016 to seek the views of parents/carers, school staff, professionals, governors, pupils, the local community and other stakeholders.
- 3.2 Consultation documents were written and produced in collaboration with the Church of England Diocese of Leeds with reference to the detail contained in the cabinet report from 18th October 2016.
- 3.3 Consultation documents were made widely available. Documents were sent to the families of pupils at both schools. Documents were also sent to school staff and to school governors via Royal Mail. Copies of the consultation document were also sent to ward members, Trade Union representatives, faith groups, neighbouring Local Authorities, early years providers and other key stakeholders. The consultation document was also made available on the Council's website, at each of the consultation events and by request. A complete list of distribution is attached at Appendix A
- 3.4 The consultation material consisted of the document 'Statutory consultation on: Proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School to form a single Church of England voluntary controlled primary school for pupils aged 3 -11 years', a copy of which can be found at Appendix B.
- 3.5 The consultation document outlined the proposals and a proposed timeline for developments. The document had a comprehensive response sheet. The response sheet asked whether people supported or opposed the proposals relating to creating an all-through primary school and the reasons for those views.
- 3.6 Response sheets could be completed in writing or electronically on the Council website. In addition, individuals were encouraged to feedback views either via email or letter. A 'Freepost' address was available for returning paper forms and/or letters to maximise the opportunities for receiving feedback to the proposals
- 3.7 The Council held two consultation 'drop-in sessions' for parents/carers and members of the community to enable individuals to speak with officers about the proposals in more detail (and in particular about the potential implications for them as individuals)

3.8 There were 22 attendees in total at the public consultation ‘drop-in’ sessions.

Table 1 – Consultation ‘drop-in’ sessions			
Date	Venue	Time	Attendees
17 November 2016	Honley CE (VC) I and N School	6pm – 7pm	11
18 November 2016	Honley CE (VC) Junior School	2pm – 3pm	11

3.9 The purpose of the meetings was for officers to support and advise and to offer clarification to groups and individuals about matters relating to the proposals, in order that they may form a considered view to enable them to respond on the matters on which they were being consulted by either completing the relevant feedback forms or responding via another medium such as email, letter etc.

3.10 Bespoke meetings for staff and governors at Honley CE (VC) I and N School and Honley CE (VC) Junior School were held at each school during the consultation period. The notes of these meetings are detailed in Appendix C.

3.11 Response to Consultation:

Attached at Appendix D is a comprehensive report which details the responses received to the consultation in full.

During the consultation period there were approximately 900 documents distributed either via Royal Mail, the schools or at the consultation events.

The Council received 45 responses in relation to this consultation. The types of stakeholders responding to the consultation are detailed in table 2 below.

Table 2 – Respondents		
Type of respondent	Number received *	% of total received
Parent/carer	35*	65 %
Governor	6*	11%
Member of staff	4*	7%
Pupil	0	0%
Local resident	6*	11%
Other	3	6%
Not stated	0	0%
Total	54	100%

**Some responses were received from individuals that categorised themselves as being multiple stakeholders*

Parents / carers responses:

Responses were received from 35 parents/carers from the schools shown in Table 3 below;

Table 3 – Schools for parents responding	
Number	School
6	Honley CE (VC) Infant and Nursery School
9	Honley CE (VC) Junior School
2	Both Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School

1	Honley High School
17	Not stated
35	Total

The responses from parents / carers are shown in table 4 below

Table 4 – Responses from parents/ carers	
Response	number
Strongly support	16
Support	14
Neither support nor oppose	3
Oppose	0
Strongly oppose	1
Not stated	1
Total	35

Governing Body / governor responses:

6 responses from governors were received: 5 strongly supported and 1 supported the proposal. Two governors identified themselves as a governor at the infant school, one as a governor at the junior school, one as a governor at both schools and two did not state at which school they are a governor.

Governor consultation meetings were held at both schools during the consultation period. Notes of these meetings are included in Appendix C.

Staff responses:

4 responses were from staff: 2 strongly supported and 2 supported the proposal. The 4 respondents did not state at which school they are staff members.

Staff consultation meetings were held at both schools during the consultation period with Human Resources and Trade Union representatives. Notes of these meetings are included in Appendix C.

Responses from local residents:

6 responses were from local residents: 3 strongly supported, 1 supported and 1 strongly opposed the proposal. 1 did not state their response.

Other responses:

3 responses were from stakeholders who identified as 'other'. 1 strongly supported the proposal, 1 supported it and the other did not state whether they supported or opposed the proposal.

4. Key Themes from the Consultation Responses

- 4.1 All responses and notes of meetings are included in full in Appendix C and D. A wide range of complex views have been expressed on these proposals and the following sections of this report do not try and summarise all views expressed by respondents. The responses have been analysed to identify key themes and these have been summarised along with an officer commentary on the issues raised. Some responses

raise important points as well as include helpful advice and information that would inform the ongoing process should the proposals be approved.

The feedback from the consultation features the following themes:-

Key Theme: Benefit of an all-through primary school	
Summary response	Officer commentary
<p>A large number of respondents agreed with the benefit of removing the transition point at age 7 by not having to apply to the Junior school. A number of respondents believed this would reduce the stress for parents.</p> <p>A respondent who supported the proposal stated that the all-through primary school would ease the worries of parents about getting a place in the Junior school and that siblings can all go to the same school.</p> <p>Many respondents who supported the proposal saw the benefit of having one leadership team across both schools, which would strengthen the transition process with assessments and better educational outcomes for pupils. One large school would create more opportunities for staff and attract a higher calibre of candidate.</p> <p>Some respondents who strongly supported or supported the proposals believed that bringing the schools together would create consistency of provision of welfare, such as safeguarding and SENCO provision. This would help with strategic planning by sharing resources and effective use of public funding such as the grounds, facilities, staff areas, ethos, vision and mission of both schools. Better communication and development for staff.</p> <p>A respondent who strongly supported asked if the school intends to reduce the PAN</p>	<p>As section 2.1 of this report and the consultation document explain, there are many potential benefits to all-through primary schools. There is strong evidence to suggest that the reduction in the number of transition points can improve educational outcomes for children and young people. The Council has successfully worked with several other pairs of infant and junior schools in recent years to amalgamate them into all-through primary schools.</p> <p>(Although it must be noted that transition from the nursery to reception is not automatic and a statutory school place must be applied for through the normal admissions process).</p> <p>A change of Pupil Admission Numbers (PAN) does not form part of the current proposals. However, the PANs of the existing schools</p>

<p>A respondent who opposed the proposal questioned what evidence there was that bringing both schools together would raise attainment for the pupils, and what other schools have undergone a similar process?</p> <p>A respondent commented that whilst in the consultation document there was reference to support children with SEN that children that were gifted should also be supported in the new school.</p>	<p>are slightly different so, if the proposals go ahead, there will be a different PAN for Key Stage 1 and Key Stage 2. At an appropriate time, Officers will work in collaboration with the Governing Body of the new school to review the PAN in the best interests of the school and the community it serves.</p> <p>Similar processes have taken place at Westmoor Primary School, St. Thomas CE (VC) Primary and the Windmill CE(VC) Primary. There is evidence to suggest that overall outcomes for young people have improved in terms of attainment and progress.</p> <p>Supporting the needs of every child is vital. The way a school is led and organised means that systems can be put in place to ensure each child's needs are met.</p>
Key Theme: Junior school	
Summary response	Officer commentary
<p>Respondents who supported the proposal expressed that previously they were not in favour of federating both schools, but now believe that it is the right time as the Junior school has raised its standards.</p> <p>A respondent who supported the proposal raised a concern that the Junior school had worked hard to raise standards, that the reorganisation could be a distraction and they did not want standards to drop.</p>	<p>Ensuring that standards of teaching and learning remain high at both schools will be a priority for senior leaders throughout the transition to the proposed new school.</p> <p>Kirklees Council have allocated additional resources to support both schools through this process.</p>
Key Theme: Infant school	
Summary response	Officer commentary
<p>Some respondents who strongly supported, or neither supported or opposed the proposal, believe that the Infant school provides a personal touch and individual approach and that they did not want to lose this if the schools become an all-through primary school.</p>	<p>Use of the existing buildings will continue and the current staff will transfer to the new school if the proposals go ahead. All-through schools provide an opportunity for staff to get to know children better, as the children are in one school with a common approach over a longer period of time. The way a school is led and</p>

Respondents commented on the very good early years setting.	organised means that systems can be put in place to ensure each child is known and valued as an individual.
Key Theme: Staffing	
Summary response	Officer commentary
<p>Many respondents who supported the proposal asked what the staffing and leadership structure would be. Would there be one Head and a Deputy Head to run the school? One respondent suggested bringing in a business manager along with the head teacher.</p> <p>A small number of respondents wanted to know who will line manage each site and what the SMT structure will look like.</p> <p>Some respondents who supported the proposal asked who would get the job of the new Head Teacher of the all-through primary school. Managing an Infant or a Junior school is very different to managing an all through primary school, therefore, they would want to see a head with experience of running a primary school.</p> <p>A number of respondents who supported the proposal were concerned that, currently, parents can go and talk to both head teachers. If there was one head teacher then their availability would become limited to one school.</p> <p>A respondent who supported the proposal raised a concern that if one of the current Head Teachers gets the job of the other this could be seen as a takeover.</p> <p>A small number of respondents in support of the proposal were concerned about staff who are on temporary contracts that expire during the process of the reorganisation and that the</p>	<p>This is still to be decided. There will need to be a process to select a Head Teacher. The process will be managed by the temporary governing body with professional advice provided by Kirklees Council. Over time, the Head Teacher of the new school will work with the governing body to review the staffing structure.</p> <p>The temporary governing body will fully consider the needs of the new all-through primary school and in the process to select a Head Teacher, the skill set required to ensure that the needs of the full age range are met.</p> <p>Existing staff will move to the new school and will be organised to support the needs of the same number of children in the same buildings. Staff would be organised within the new school to support the needs of the</p>

<p>reorganisation has left staff uncertain of their jobs. A suggestion was made that staff should receive more updates and communication from the governing body about job structure.</p> <p>Respondents who supported the proposal had mixed views on teaching different key stages. Some staff who responded were concerned, whilst others saw this as an opportunity to teach different key stages.</p> <p>A respondent who neither supported nor opposed the proposal stated that the lack of information shared with staff about staffing structure has led to staff feeling anxiety and strain about their jobs. Staff wanted governors to share information with the staff and suggested they listen to staff at both sites. They questioned how the reorganisation would affect personal development for staff.</p> <p>Some staff raised concerns about job security and did not want to see a reduction in staffing.</p>	<p>children and the community. Any future changes to the staffing structure would be fully consulted on and approved by the governing body of the new school.</p>
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Key Theme: Uniform

Summary response	Officer commentary
<p>A number of respondents who are in support raised concern about the school uniform and the cost.</p> <p>A respondent suggested changing uniform of both schools and that it should be a standard colour, so that parents can purchase uniform at the supermarkets.</p> <p>Another respondent wanted the uniforms to be in different colours for infant and junior so that they could clearly be identified.</p>	<p>Should the proposals go ahead, the future uniform policy will be agreed by the temporary governing body who will be able to take account of the views expressed in the consultation.</p>

Key Theme: Start and finish time of the new all-through primary school

Summary response	Officer commentary
<p>A respondent who neither supported nor opposed the proposal wanted the pick-up and drop off times to be different at each site, so that it would give parents time to</p>	<p>The temporary governing body will decide the pick-up and drop off times at each site and will be able to take account of the views expressed in the consultation</p>

move across both sites safely.	
Key Theme: C of E school	
Summary response	Officer commentary
A respondent in support of the proposal suggested that they would like to see more diversity in the religious elements taught at the new school.	<p>As inclusive communities, church schools encourage learning about and learning from other religions and fostering respect for other religions and world views.</p> <p>Learners are encouraged to recognise the values that are important to those of other faith traditions and those of none</p> <p>This is reflected in the SIAM (Statutory Inspection of Anglican and Methodist schools) inspection framework.</p>
Key Theme: Split site	
Summary response	Officer commentary
<p>Some respondents in support felt that the new all-through primary should be on one site, the two sites would be difficult to manage by one Head and it would be difficult to monitor consistency across two sites</p> <p>A small number of respondents wanted the new school to be on the Junior school site.</p> <p>A respondent who strongly opposed the proposal did not want to see children moving from one site to another during the school day and raised concern about safety on the roads and traffic.</p>	<p>The current proposals are for the all-through primary school to be on split sites. This does not preclude other options being explored at a later date. The need for significant investment may limit these options.</p> <p>The safety of children is paramount. Movement of children between sites is a matter for the leadership of the new school, supported by the governing body, who will use risk assessments to inform decision making.</p>
Key Theme: Community	
Summary response	Officer commentary
A number of respondents see the positives of bringing two schools together, as something that would be good for the whole community.	It is envisaged that the proposed all-through primary school would have an important role in the local community, as do the existing two schools now. The proposals aim to build on the existing strengths of the schools. The all-through school would ensure that there are sufficient places for children from the local community. The school would continue to be

	<p>a focal point for the community and be integral in ensuring local educational provision works effectively with local organisations and groups.</p> <p>As the work to develop Community Hubs continues there may be opportunities in the future to provide services in different ways.</p>
Key Theme: Cost	
Some respondents who supported the proposal believed that bringing the two schools together would save money and reduce cost.	There will be economies of scale opportunities for a larger school however, the proposal is about reorganising local schools to improve standards of education for current and future pupils and to maximise the efficient use resources available for learning and teaching.

4.2 Conclusions to be drawn from the statutory consultation

The conclusion to be drawn from the statutory consultation is that there is a good level of support from the large majority of respondents for bringing together the two schools and establishing an all-through primary school for 3-11 year olds in order to remove the transition at age 7 and bring greater continuity.

The schools serve the same families in the community and almost all children at the infant school move to the junior school. By bringing the schools together there will be greater consistency and sharing of resources across both sites.

The relatively low number of respondents indicates that the proposals are not contentious.

Concerns raised, such as questions about staffing structures, job security and new uniforms, can be effectively managed during a transition period.

5. **Equalities Impact Assessment**

5.1 The Equality Act 2010 places the Council under a duty - the Public Sector Equality Duty - to have due regard to the need to achieve equality objectives when carrying out its functions. An initial Equalities Impact Assessment has been carried out on the proposals. The following is a short initial analysis of the likely changes arising from the revised proposals.

5.2 Following the updates made to the EIA after the statutory consultation, the proposal to amalgamate existing provision is still intended, and is very likely to have a positive impact for pupils and their families living in the local area because the aims are to

retain and strengthen existing Church of England Voluntary Controlled places where they are needed, in line with the pupil demographic.

- 5.3 Bringing the schools together to create an all-through primary school is intended to have a positive impact for pupils attending the schools because the aims are to provide continuity of education in one primary school up to the end of Key Stage 2, thereby supporting an improvement in educational standards. No adverse impacts are highlighted as part of this proposal.

The initial EIA can be found here: <https://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactassessments.asp>

The EIA will continue to be review in the light of any decision taken by Cabinet

6. Implications for the Council

6.1 Council priorities:

Council policies affected by this proposal include the Children & Young People Plan. The proposals will support the Council priorities which are:

- **Health and wellbeing in Kirklees:** By 2020, no matter where they live, we want people in Kirklees to live their lives confidently, in better health, for longer and experience less inequality.
- **A strong economy for Kirklees:** We want Kirklees to be recognised as the best place to do business in the north of England and as a result, one where people prosper and flourish in all of our communities.

6.2 Human Resources implications:

There are likely to be Human Resource implications resulting from these proposals. To support positive arrangements to retain staff as part of amalgamating schools, Kirklees HR officers will provide technical advice and support any processes where required.

6.3 Financial Implications:

6.3.1 Revenue

The education budget that the Council receives from government can only be spent on education – so the proposals have no revenue impact for the Council. The budget received by a school is mainly determined by the number of pupils and this is not intended to change as a result of these proposals. Locally, individual schools currently receive an annual lump sum funding of £130,000. The continuing amalgamated school is allocated just a single lump sum payment in the funding formula.

6.3.2 Capital

There are no capital implications arising from this proposal.

7. Consultees and their opinions

- 7.1 The specific proposals have been shaped by the governing bodies, school leaders, the Local Authority and the Church of England Leeds Diocesan Board of Education. The Diocesan Board of Education and its officers have had regular discussions with officers of Kirklees Council about the proposals. The policy of Kirklees Council to explore opportunities for reducing transition points is supported by the Diocesan Board of Education. Officers have collaborated previously in establishing all-through CE VC primary schools and have proven protocols to support the whole school community and local families through the process of change in order to achieve this end for the long term benefit for all pupils.
- 7.2 A full statutory consultation about the proposals has been carried out for a period of 6 weeks from 31st October 2016 to 9th December 2016, involving all key stakeholders including: parents and carers, Governing Bodies, school staff, schools in the local area, ward members, wider community stakeholders and other interested parties. It was agreed that the responses received as part of this consultation would be reported to members to inform a decision on the next steps.

8. Next steps

- 8.1 Subject to decisions made by Cabinet, the indicative timeline for the next stages of the statutory processes are set out below:

Activity	Date
Cabinet Report seeking permission to begin consultation as part of the statutory processes	18 th October 2016
6 week statutory consultation collaboration with the Diocesan Board of Education within the Church of England Diocese of Leeds	31 st October - 9 th December 2016
Outcome report to cabinet and approval to next stage*	17 th January 2017
Publication of notices and 4 week representation period*	January - February 2017
Final decision by Cabinet*	April 2017
Implementation*	From 1 st May 2017

** These dates are subject to Cabinet approval and may change*

9. Officer Recommendations and Reasons

9.1 Cabinet is recommended to:

Note the responses to the statutory consultation about proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School by working in collaboration with the Diocesan Board of Education within the Church of England Diocese of Leeds to establish a new Church of England voluntary controlled primary school to:-

- cater for pupils aged 4 to 11, with a PAN of 66 for Key Stage 1 and a PAN of 68 for Key Stage 2;
- retain the 48 part-time early learning places for nursery children aged 3-4 years. Opportunities to further develop early learning and childcare services to meet future demand, including that presented by the introduction of 30 hours free childcare, and two year olds eligible to free early education, are not precluded by these proposals.

9.2 Request that officers take steps to carry out the next stage of the legal process to establish an all-through primary school for pupils aged 4 to 11, with a PAN of 66 in KS1 and 68 in KS2, retaining the 48 part-time early learning places for nursery children aged 3-4

- To establish a new Church of England voluntary controlled primary school
- To discontinue Honley CE (VC) Infant and Nursery School
- To discontinue Honley CE (VC) Junior School

9.3 The Diocesan Board Of Education within the Church of England Diocese of Leeds is working in partnership with the Local Authority. The Church of England Diocese of Leeds would act as the proposer of the new school; officers of the Diocesan Board of Education would work closely with the officers of the Local Authority, governors and staff of the three schools to bring about the successful implementation of this proposal.

9.4 Request officers to report the outcomes of the representations received during the statutory publication period to Cabinet for determination.

10. Cabinet Portfolio Holder's Recommendations

As a Council we are committed to improving the quality of education in our primary schools to give every child the best possible start.

We find that children are most likely to learn best when they are comfortable and settled in their schools with the teachers and staff that they know and when their parents have confidence in the school. It is clear that changing schools at age 7, to go from an Infant School to a Junior School is an unnecessary transition for children and families, which can hold up learning and progress until children settle in their new surroundings. While many children do adapt very quickly to these changes, some do take longer.

In principle, therefore, we are seeking, wherever possible, to change separate infant and junior schools into "all-through" primary schools that cater for children from age 3

up to age 11 as we think that this would give every youngster the best opportunities to achieve their potential. All-through schools can also bring other benefits and opportunities for pupils, families, staff and the community.

We would want to reassure parents that we are proposing to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School into one school so that families would gain the advantages of having a single school which would build on the strengths that currently exist.

For these reasons we support the officer recommendations to move to the next stage of the process and publish statutory notices and proposals.

11. Contact Officer

Martin Wilby
Kirklees Learning and Skills
Directorate for Children and Adults
Civic Centre 3
01484 221000
martin.wilby@kirklees.gov.uk

Assistant Director responsible

Jo-Anne Sanders
Interim Assistant Director for Learning and Skills
Civic Centre 3
01484 221000
jo-anne.sanders@kirklees.gov.uk

12. Background Papers

Cabinet report:

18 October 2016 - The report requests approval to carry out a Statutory consultation on proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School to form a single Church of England voluntary controlled primary school for pupils aged 3 -11 years

13. Appendices

- | | | |
|------------|---|---|
| Appendix A | - | Distribution List for consultation document. |
| Appendix B | - | Consultation Document. |
| Appendix C | - | Minutes of staff and governing Meeting at Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School |
| Appendix D | - | Detailed feedback received in response to consultation by stakeholder |



Name of meeting: Cabinet
Date: 17th January 2017

Title of report: Provisional Financial Settlement 2017-18; incorporating future year indicative amounts (multi-year settlement)

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan ?	Yes
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by Director and name	Debbie Hogg, 3 January 2017
Is it signed off by Assistant Director – Financial Management, IT, Risk and Performance?	Debbie Hogg, 3 January 2017
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft, 3 January 2017
Cabinet member portfolio	Cllr Graham Turner – Asset Strategy, Resources & Creative Kirklees (Arts)

Electoral [wards](#) affected: All

Ward Councillors consulted: All

Public or private: Public

1. Purpose of the Report

The purpose of this report is to inform members of the key highlights from the National Government provisional settlement 2017-18, which sets out national funding allocations to each Local Authority for the forthcoming financial year (2017-18), including indicative allocations for the following 2 years.

2. Summary

- 2.1 The provisional financial settlement for 2017-18 was announced on 15th December 2016. The link to the relevant financial settlement consultation report and

accompanying settlement documentation is set out below:

<https://www.gov.uk/government/collections/provisional-local-government-finance-settlement-england-2017-to-2018>

- 2.2 The provisional financial settlement was subject to a consultation period which ran from 15th December 2016 to 13th January 2017. Final settlement confirmation is expected in February 2017.
- 2.3 The key highlights contained in the provisional financial settlement are summarised in the following paragraphs.

MULTI-YEAR SETTLEMENT 'DEAL'

- 2.4 An Efficiency Plan was appended to the Council's budget update report 2017-21 to full Council on 12 October 2016, and subsequently submitted to the Secretary of State for Local Government. This was a condition Government set to give reasonable certainty regarding individual Council provisional funding allocations over the 2017-20 period; referred to as a 'multi-year' settlement deal. In total, 97% of England Councils submitted Efficiency Plans. Government had indicated that Councils who did not submit an Efficiency Plan would not have the same reasonable certainty about future year funding.
- 2.5 For many Councils including Kirklees, the multi-year provisional settlement only gives 'reasonable certainty' regarding the scale of continuing and significant funding reductions already assumed in existing budget plans, to 2020.
- 2.6 The provisional settlement relaxes the referendum rules on Adult Social Care precept to allow Councils to rise to a 6% increase by 2019-20 in two 3% increases, rather than three 2% increases. The 3% option allows Councils to front load increases to earlier years to generate additional revenue resources in those years to fund adult social care pressures. The financial impact of these 2 options, and other key settlement changes, are set out in the following sections.

NEW HOMES BONUS (NHB)

- 2.7 The 2015 Government spending review announced that £800m was to be re-directed from existing national NHB un-ring-fenced grant allocation to support £1.5bn improved better care funding over the next 3 years; about £90m in 2017-18, increasing to about £900m by 2018-19, and £1.5bn by 2019-20.
- 2.8 Following this announcement, there was a Government consultation setting out options to re-shape the existing NHB approach, in particular with the intention to:
- reduce overall costs by reducing number of years payments are made, and
 - reform the grant to better reflect Council performance on housing growth
- 2.9 The consultation response by Government was released simultaneously to the provisional settlement announcement on 15 December 2016, which included the following changes to NHB grant:

- i) reduction in number of years for which legacy payments are made, from 6 to 5 years in 2017-18;
- ii) reduction in number of years for which legacy payments are made from 5 to 4 years from 2018-19 onwards;
- iii) introduction of a baseline for housing growth for 2017-18, set at an initial baseline of 0.4% of the council tax base for 2017. Housing growth below this level in each authority will not receive NHB allocations. Government will retain the option of making adjustments to the baseline in future years in the event of a significant increase in housing growth;
- iv) from 2018-19 Government will consider withholding NHB payments from Councils that are not planning effectively (i.e. aren't making positive decisions on planning applications and delivering housing growth), as well as withholding payments for homes that are built following an appeal.

2.10 Government has indicated that as a result of the NHB changes set out in i) and iii) above, this has effectively released £240m at a national level in 2017-18, which has been re-directed to fund a one-off adult social care grant in 2017-18.

2.11 The reduction in number of years for legacy payments to 4 years from 2018-19 onwards, was already anticipated in updated budget plans presented to full Council on 12 October 2016. However, the specific reduction in legacy payments from 6 to 5 years in 2017-18 was not anticipated; neither was a 0.4% national baseline for housing growth. The net impact of the latter two changes is summarised at Table 1 below :

Table 1 - revised NHB grant allocations 2017-20

	17-18 £000	18-19 £000	19-20 £000
budget update report to full Council, October 16	(9,100)	(5,700)	(5,500)
Impact of provisional settlement	1,940	809	1,149
Revised NHB grant allocations	(7,160)	(4,891)	(4,351)

ADULT SOCIAL CARE GRANT

2.12 This is a one-off grant to be allocated to individual authorities in 2017-18 only, funded by the reduction to the overall NHB grant allocation in 2017-18. The grant allocation is based on the social care relative needs formula. As per Table 1 above, the Council's NHB grant allocation in 2017-18 has reduced by £1.94m, with a corresponding adult social care grant allocation of £1.87m; **a net reduction here of £7k on the Council's bottom line.**

SCHOOLS FUNDING INCLUDING EDUCATION SERVICES GRANT

2.13 Government has re-affirmed its commitment to a review of national formula funding allocations, with a proposed implementation of revised funding formula from April 2018. There is a separate report on this Cabinet agenda which sets in more detail, schools funding allocations for 2017-18, including the detail of an overall net

reduction to Education Services Grant (ESG) funding. The financial impact for the Council from the ESG funding changes is summarised at Table 2 below:

Table 2 –Education Services Grant (ESG) – funding impact

	17-18 £000	18-19 £000	19-20 £000
Budget update report to full Council, October 2016 ; ESG funding allocation assumed in MTFP	(4,726)	(4,726)	(4,726)
CHANGES			
ESG fallout	3,429	4,726	4,726
Re-direct to dedicated schools grant (DSG)	(986)	(986)	(986)
Re-direct to schools improvement grant	(250)*	(400)	(400)
Net reduction in funding	2,193	3,340	3,340
Revised Funding allocation	(2,533)	(1,386)	(1,386)

*part-year effect (academic year from Sept)

- 2.14 ESG funding was previously meant to contribute towards a range of statutory and regulatory services that Councils are required to provide, both in relation to maintained schools, and academies. Government had previously indicated that it would review the existing statutory role of Councils in conjunction with its intended review of ESG funding in its current form.
- 2.15 As part of the overall settlement announcement on 15 December 2016, Government has re-affirmed that there will be no reduction in the number of statutory or regulatory Council functions with regard to schools, but there has been an overall reduction in Council funding for these functions, as noted in Table 2 above.

COUNCIL TAX

- 2.16 The provisional financial settlement re-affirms the threshold for a local referendum for 2017-18 at 2% or above annual council tax uplift. Government guidelines on this are set out at Appendix A attached.
- 2.17 Government has also relaxed the referendum rules on the adult social care precept, which is in addition to the above 2% threshold. Individual Councils now have the flexibility to uplift the adult social care precept either by 2% each year for the next 3 years, or 3% each year for the next 2 years.
- 2.18 The 3% option would raise additional revenue funding of **£1.6m in 2017-18**, and **£3.3m in year 2**; £4.9m in total, due to the front loading of year 3's 2% to years 1 and 2. This is acknowledged to be a short-term additional revenue raising option only, as by year 3, either precept option will have delivered 6% over the 3 year period.
- 2.19 Government has decided not to introduce referendum principles for town and parish Councils for 2017-18, but may review this for future years if town and country parish precept uplifts are not deemed to be exercised with restraint.

BUSINESS RATES RETENTION SCHEME

- 2.20 Government has re-affirmed its commitment to implementing 100% business rates retention by April 2020 for all precepting Councils, with some early pilots starting in 2017-18 (e.g. Greater Manchester, Liverpool, City Region, Greater London Authorities, Cornwall Council, combined authority areas of West of England and West Midlands). It means that by April 2020, the Council's general fund net budget plans will largely be funded locally, from a combination of council tax and business rates as the primary funding sources.
- 2.21 The 2017 business rates re-valuation is also factored into the indicative funding allocations from 2017-18, with appropriate adjustments reflect Government's commitment to ensuring that at an individual authority level, the financial impact of the re-valuation on each Council's bottom line, is 'fiscally neutral', as it is a change outside any individual Council's control.

COUNCIL SPENDING POWER (CSP)

- 2.22 Council spending power (CSP) is a government measure of individual Council funding available to support its net budget plans, and it takes into account a range of funding sources. It is then expressed as an amount per dwelling per each authority. The basis of the Government calculation has been updated for 2017-18 to take account of changes in the New Homes Bonus Grant (see also para 2.9 earlier) and the inclusion of a one-off Adult Social Care Support Grant in 2017-18. The government measure also assumes that Councils will uplift their council tax by the normal referendum limit of 2% each year, and a further 2% per annum for the adult social care precept.

Authority level Core Spending Power tables and explanatory notes can be found at:

<https://www.gov.uk/government/publications/core-spending-power-provisional-local-government-finance-settlement-2017-to-2018>

- 2.23 The Council's budget update report to full Council on 12 October 2016 expressed the Government CSP measure in terms of spending power per head of population, as an alternative measure of relative spending power (*source- Leicestershire County Council national benchmarking tool*). Expressed per head of population, the Council was the 2nd lowest funded of the 36 metropolitan Councils, and 8th lowest of all Councils, nationally. The updated Government CSP calculations have not materially altered the Council's relative funding position.

3. Information required to make a decision

- 3.1 The funding allocations for the Council as set out in the provisional financial settlement, will be incorporated into the forthcoming annual budget report to Cabinet on 31 January 2017 and full budget Council on 15 February 2017, and subject to member consideration of the 3% adult social care precept option.

4. Implications for the Council

- 4.1 The overall revenue funding implications from the provisional settlement are summarised at Table 3 below, which highlights key funding changes across years compared to current budgetary assumptions.

Table 3 – settlement funding changes compared to current budgetary assumptions

	Headline funding changes	Funding (Gain)/loss compared to current budgetary assumptions - cumulative			
		17-18 £000	18-19 £000	19-20 £000	Total across years £000
	Un-ring-fenced New Homes Bonus Grant	1,940	809	1,149	3,898
	Adult Social Care grant	(1,870)	nil	nil	(1,870)
	Un-ring-fenced Education Support Grant (net funding loss)	2,193	3,314	3,314	8,671
	Net funding loss	2,263	4,123	4,463	10,849
PRECEPT OPTION 1	3% adult social care precept each year for the next 2 years; no uplift in year 3	(1,600)	(3,300)	300	(4,600)
PRECEPT OPTION 2	2% adult social care precept each year for the next 3 years	nil	nil	nil	nil
PRECEPT OPTION 3	0% adult social care precept each year for the next 3 years	3,000	6,200	9,500	18,700

- 4.2 The 3% precept option would enable the Council to raise an additional £4.6m over a 3 year period to help fund adult social care pressures.

Condensing the 6% precept uplift from 3 years to 2 years results in a small reduction in precept income in year 3 compared to current MTFP figures. This is because two 3% uplifts increase the Band D council tax by marginally less than three 2% uplifts.

- 4.3 The 2% option is already factored into updated budget plans to fund the costs of Government national living wage uplifts which affect social care provider costs. There is no additional revenue funding gain to the Council from this option.
- 4.4 The 0% option is included for completeness, to illustrate the revenue funding loss to the Council compared to current budget assumptions. Councils have the flexibility not to raise a precept annually, or increase it by less than the referendum limit annually.

- 4.5 Table 3 above indicates that as a result of changes to other grants, in terms of the Council bottom line funding position, the £4.6m revenue funding gains from the 3% option are more than offset by £10.8m revenue funding losses from other provisional settlement changes, over the 2017-20 period.
- 4.6 The above should also be set alongside the extent of existing and emerging service pressures and risks previously highlighted in the current budget round; in particular with regard to adult social care, family and safeguarding and the Council's waste contract. The provisional settlement announcement re-affirms Government's assertion that local residents should be expected to pay for the rising costs of adult social care through additional precept flexibilities, but in the context of the above, and other settlement funding losses, at best are a short-term or temporary measure.

5. Consultees and their opinions

Leading Council members from the all the political groups received a same day briefing by senior officers on 15th December 2016, highlighting the key headlines from the provisional financial settlement announcement. Subsequent to this, an all-party deputation letter was forwarded to the secretary of state for local government, seeking an audience to discuss the tenability of the funding position for the Council going forward, which is one of the lowest funded in the country per head of population. The letter is attached at Appendix B.

6. Next Steps

The funding allocations set out in the provisional financial settlement will be incorporated into the annual budget report to Cabinet on 31 January 2017 and full Budget Council on 15 February 2017, subject to member consideration of the adult social precept flexibility option.

7. Officer recommendations and reasons

For members to:

- Note the contents of this report, and consider options for the adult social care precept flexibility, and
- Note that officers will feed the funding changes highlighted in the provisional settlement 2017-18, into the budget papers being prepared for Cabinet on 31 January 2017.

8. Cabinet Portfolio Holder Recommendation

For Cabinet to:

- Note the funding changes arising from the provisional funding settlement 2017-18 and implications and impact on the Council's funding position, and
- To support the Council's deputation letter to the Secretary of State for Communities and Local Government

9. Contact Officer and Relevant Papers

Debbie Hogg,	Assistant Director, Financial Management, IT, Risk and Performance	01484 221000
Eamonn Croston	Strategic Council Finance Manager	01484 221000
SarahM Hill	Finance Manager	01484 221000

Background Papers & History of decisions

- Local Government Provisional Finance Settlement 2017-18
- Medium Term Financial Plan (MTFP) Update Report 2017-21 to full Council 12 October 2016; see link below (Agenda Item 6):

[Agenda for Extraordinary Council on Wednesday 12th October 2016, 3.00 pm | Kirklees Council](#)



**Department for
Communities and
Local Government**

Chris Megainey
Deputy Director, Local Taxation Division

**Department for Communities and Local
Government**

4th Floor, Fry Building
2 Marsham Street
London SW1P 4DF

Adrian Lythgo
Chief Executive
Kirklees Council

Fax: 020 7828 4903
E-Mail: council.tax@communities.gsi.gov.uk

www.gov.uk/dclg
Our Ref: CT referendums 2017-18

Dear Chief Executive,

Proposed council tax referendum principles for 2017-18

I am writing to inform you that on 15 December 2016, the Government published a consultation document and made a Written Ministerial Statement on the provisional 2017-18 local government finance settlement, which sets out its proposals regarding council tax referendum principles for 2017-18.

Having carefully considered the responses to the technical consultation (published on 15 September), the Government has decided to continue to allow local authorities to increase their council tax by less than 2% without having to hold a referendum. As last year, it is also proposed that shire district councils and lower-quartile Police and Crime Commissioners have the flexibility to set increases of 2% or £5, whichever is the greater.

The Government has also announced an increase to the flexibility offered on the use of the Adult Social Care precept. The policy intention set out at the time of the 2016-17 Settlement was that this would be 2% per year up to 2019-20. In recognition of the particular pressures on adult social care services, especially in the next two years, social care authorities will now be able to introduce the rise sooner. They will have the freedom to increase by up to 3% in 2017-18 or 2018-19, but still cannot exceed 6% in total over the three-year period. This means that the total rise in bills should not be any greater.

To ensure that councils are using income from the precept for adult social care, councils will be required to publish a description of their plans, including changing levels of spend on adult social care and other services. This must be signed off by the Chief Finance Officer (Section 151 Officer). Councils wishing to use the extra freedom to raise their precept by 3% instead of 2% in 2017-18 must also show how they plan to use this extra money to improve social care. The Department will write to adult social care authorities with further details on the conditions of the scheme and how we propose to implement them early in the new year.

Following the increase in the average Band D council tax level of 6.1% set by parishes in 2016-17, the recent technical consultation proposed an extension of referendum principles to larger, higher-spending town and parish councils. Following careful consideration of responses, the Government has decided to defer the setting of referendum principles. However, the Government has issued a challenge to town and parish councils to demonstrate restraint when increasing precepts that are not a direct result of taking on additional responsibilities.

The consultation on the provisional 2017/18 local government finance settlement is open until 13 January 2017. The consultation document and individual local authority exemplifications are available to view at www.gov.uk/government/collections/provisional-local-government-finance-settlement-england-2017-to-2018.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'C' followed by a long horizontal stroke and a large loop.

CHRIS MEGAINY
Deputy Director
Local Taxation Division

APPENDIX B

Councillor David Sheard Leader of the Council

Leadership Office
1st Floor South
Civic Centre 3
High Street
Huddersfield
HD1 2TG



Tel: 01484 221780

david.sheard@kirklees.gov.uk
www.kirklees.gov.uk

Our ref: DS167/JBa

19 December 2016

The Right Honourable Sajid Javid MP
Secretary of State for Communities and
Local Government
House of Commons
London
SW1A 0AA

Dear Secretary of State

Local Government Finance Settlement – Kirklees Council

Following last week's Local Government settlement we, as the Group Leaders on Kirklees Council, would like to meet you in the representations period to highlight the impact of the settlement on Kirklees and, in particular, the very significant financial risks being carried by the Council because of our funding base.

This is based on the review of Core spending power per head of population, which indicates that Kirklees is the eighth lowest of all Local Authorities nationally, and the second lowest of the Metropolitan Authorities.

Consequently we have limited opportunity to address the very real pressures we face in adults and children's social care within the resources of the 4 year settlement.

We look forward to your early reply.

Yours sincerely

Councillor David Sheard
Leader of the Council

Councillor David Hall
Leader of the Conservative Group

Councillor Andrew Cooper
Leader of the Green Group

Councillor Nicola Turner
Leader of the Liberal Democrat Group

Councillor Charles Greaves
Leader of the Valley Independent Group

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Name of meeting: Cabinet and then Council

Date: 17th January 2017 then Council 18th January 2017

Title of report: Calculation of Council Tax Base 2017/18

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes. The calculation of the council taxbase affects all wards in the Kirklees area
Is it in the Council's Forward Plan ?	Yes
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by Service Director & name	Debbie Hogg – Assistant Director – Financial Management, Risk, IT and Performance – 5 January 2017
Is it signed off by the Assistant Director –Financial Management, Risk, IT and Performance?	Yes
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft – 6 January 2017
Cabinet member portfolio	Cllr Graham Turner

Electoral [wards](#) affected: All

Ward councillors consulted: N/A

Public or private: Public

1. Purpose of report

To seek approval of the Council for the various taxbases which will apply to the Kirklees area for the financial year 2017/18 in connection with the council tax. The Council is also required to confirm the continuation of the current local Council Tax Reduction Scheme (CTRS) (agreed at full Council on the 14th January 2015).

2. Key points

Section 67(2) of the Local Government Finance Act 1992 requires that the tax base for council tax should be approved by the Authority (i.e. the Council).

The regulations covering setting the taxbase are covered and updated under Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

Members should be aware of the provisions of Section 106 of the Local Government Finance Act 1992, which applies to members where –

- (a) they are present at a meeting of the Council, the Cabinet or a Committee and at the time of the meeting an amount of council tax is payable by them and has remained unpaid for at least two months, and
- (b) any budget or council tax calculation, or recommendation or decision which might affect the making of any such calculation, is the subject of consideration at the meeting.

In these circumstances, any such members shall at the meeting and as soon as practicable after its commencement disclose the fact that Section 106 applies to them and shall not vote on any question concerning the matter in (b) above. It should be noted that such members are not debarred from speaking on these matters.

Failure to comply with these requirements constitutes a criminal offence, unless any such members can prove they did not know that Section 106 applied to them at the time of the meeting or that the matter in question was the subject of consideration at the meeting.

In determining the level of local taxation, each local authority calculates a tax base annually so that, once the level of expenditure has been approved, the determinations of the level of local taxation becomes an arithmetical exercise.

The council tax base for an authority is the amount of income which would be received by levying a council tax of £1.00 on band D properties and taking into account the differential rates which would be applied to properties in the other bands.

In view of the fact that there are Parish and Town precepts, it is necessary to calculate a taxbase for:

- a) the whole of Kirklees; and
- b) each parish and town council area

The valuation listing received from the Inland Revenue places each domestic property in Kirklees into one of eight valuation bands.

In order to calculate the taxbase, the following factors must be taken into account and applied to the valuation bandings:

- a) Fixed ratios between valuation banding;
- b) Number of exempt properties;
- c) Number of properties eligible for a discount;
- d) Number of appeals against bandings which will be successful;
- e) Number of new properties which will be added to the list during the year; and
- f) Council Tax Reduction Scheme (CTRS) - continuing the same scheme as 2016/17 at 20%

g) An allowance for losses on collection.

For the purpose of calculating the taxbases, it should be noted that a collective adjustment has been made to the current taxbase as at 30 November 2016 116,961.47 for factors d, e, f, and g) above. The overall collective adjustment for 2017/18 has been calculated at 1.359490438% to take into account the above listed factors and adjustments in the taxbase. The council taxbase as set out in the report will be used to inform the demand on collection fund amount to be considered at full budget Council on 15 February 2017.

The Council will adopt an additional annual percentage increase in council tax as a result of the Adult Social Care precept; this is in line with the percentage allowed by Government. The decision on the precept will be decided by Council on the 15 February 2017.

It is recommended that the 2017/18 taxbase for the whole of Kirklees area, and the taxbases for the five Parish and Town council areas be approved as follows:

Whole of Kirklees	115,371.39
Denby Dale	5,630.20
Holme Valley	9,787.38
Kirkburton	8,761.33
Meltham	2,707.33
Mirfield	6,515.37

In order to demonstrate the methodology used in the calculation, the Appendices shows the current number of properties in each band, the current effect of discounts, exemptions and the collective adjustment referred to earlier in the report. This is broken down into the Whole of Kirklees and the five Parish and Town council areas above.

3. Implications for the Council

The decision to agree the tax base determines the levels of income received by the Council through the levy of council tax for residents of Kirklees.

4. Council Priorities

The setting of the taxbase is related to the annual budget process.

5. Legal implications

The Council must consider any legislative changes as part of the council taxbase setting process, as any changes will materially affect the council taxbase. Any legislative changes (if any) have been considered and incorporated in the council taxbase setting process.

6. Equality and Diversity

The setting of the taxbase is related to all domestic properties in Kirklees and is not based on individual circumstances. It applies to every property.

7. Consultees and their opinions

Debbie Hogg – Assistant Director – Financial Management, Risk, IT and Performance, Eamonn Croston, Strategic Council Finance Manager and Councillor Graham Turner support the calculations and judgments made in determining the taxbase.

8. Next steps

- Cabinet to agree council tax base
- Full Council to agree and approve the report
- Agree the level of council tax base for 2017/18

9. Officer recommendations and reasons

It is recommended that the 2017/18 taxbase for the whole of the Kirklees area, and the taxbases for the five Parish and Town council areas be approved as follows:

Whole of Kirklees	115,371.39
Denby Dale	5,630.20
Holme Valley	9,787.38
Kirkburton	8,761.33
Meltham	2,707.33
Mirfield	6,515.37

These figures are based on the current CTR scheme. If there are any member alterations to the taxbase figures then continued delegated powers be given to Assistant Director – Financial Management, Risk, IT and Performance to adjust taxbase to reflect any changes made.

9.1 CTR Parish Grant

Agree to pass on the full Government CTR grant to Town and Parish Councils at the same level as previous years, despite caseload falling as set out in the table below.

	CTR Parish Grant
Parish split for 2017/18 based on original allocation	£71,733.00
Denby Dale	£17,609.73
Holme Valley	£19,820.23
Kirkburton	£19,039.91
Meltham	£7,054.13
Mirfield	£8,209.01
	£71,733.00

If there are any member alterations to the taxbase figures then continuing delegated powers be given to Assistant Director – Financial Management, Risk, IT and Performance to adjust tax base to reflect any changes made. Also for the

calculation of the taxbase pursuant to Section 3 1B(1) and S 67 (1) & (2A) of the Local Government Finance Act 1992. This will be new S151 officer under the new structure.

10. Cabinet portfolio holder recommendation

It is recommended that full Council approve the taxbase report for 2017/18.

11. Contact officer and relevant papers

Steve Bird – Head of Welfare and Exchequer Services

Mark Stanley – Senior Manager Welfare and Exchequer Services

12. Assistant Director responsible

Debbie Hogg – Assistant Director – Financial Management, Risk, IT and Performance

Kirklees Metropolitan Council

Council Tax Base Calculation for whole of Kirklees 2017/2018

Tax Band (1)	Number of Properties (2)	Number of Exempt Properties (3)	Number of Taxable Properties (4)	Number of Properties with Discounts Equated to 25% Discount (5)	Reduction in Tax Base due to Council Tax Reduction (6)	Number of Properties with Empty premium Equated to 50% extra charge (7)	Effect of Discounts & Empty premium on Number of Taxable Properties (8)	Fixed Ratio (9ths) (9)	Band 'D' Equivalent (10)	
Band A Disabled	105	0	105	8.50	22.97	0.00	73.53	5	40.85	
A	83,925	2,931	80,994	10,274.50	19,311.25	225.50	51,632.87	6	34,421.92	
B	34,340	808	33,532	2,983.50	3,610.51	60.50	26,998.49	7	20,998.83	
C	31,279	651	30,628	2,088.50	1,881.27	38.00	26,696.23	8	23,729.98	
D	16,435	339	16,096	884.75	563.26	15.00	14,662.99	9	14,662.99	
E	11,223	95	11,128	466.25	228.35	10.50	10,443.90	11	12,764.77	
F	5,056	26	5,030	211.00	49.92	8.50	4,777.58	13	6,900.95	
G	2,070	17	2,053	86.50	22.63	4.50	1,948.37	15	3,247.28	
H	110	3	107	10.00	0.05	0.00	96.95	18	193.90	
	184,543	4,870	179,673	17,013.50	25,690.21	362.50	137,330.91		116,961.47	
Less : collective adjustment									1.3594904%	1,590.08
Council Tax Base for KMC - Chargeable Dwellings Band 'D' Equivalent									115,371.39	1p rounding

APPENDIX A

2017/2018
Less : collective
adjustment

Based on Option 4 114,519.2 (before
CTR 134,485.2) Losses 2.8517751

APPENDIX E

For comparison
2016/2017
Less : collective
adjustment

0.02851775

0.028517751

285.18%

2016/2017
% increase

Band 'D' Equivalent (10)	
41.77	-2.21%
33,532.75	2.65%
20,673.38	1.57%
23,384.11	1.48%
14,454.61	1.44%
12,430.06	2.69%
6,675.31	3.38%
3,140.47	3.40%
186.74	3.83%
114,519.20	2.13%
3,265.83	-51.31%
111,253.37	3.70%

2017/2018
Less : collective
adjustment

For comparison
2016/2017
Less : collective
adjustment

2016/2017
% increase

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 50% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent	Band 'D' Equivalent	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(10)	
Band A Disabled	5	0	5	0.25	1.49	0.00	3.26	5	1.81	1.90	-4.74%
A	1,932	34	1,898	222.00	380.63	5.50	1,300.87	6	867.25	863.89	0.39%
B	1,218	17	1,201	115.50	95.69	3.00	992.81	7	772.19	761.64	1.39%
C	1,191	6	1,185	82.25	54.57	1.00	1,049.18	8	932.60	914.39	1.99%
D	1,401	9	1,392	72.50	33.17	1.00	1,287.33	9	1,287.33	1,258.67	2.28%
E	903	5	898	34.00	11.90	1.50	853.60	11	1,043.29	1,029.50	1.34%
F	384	1	383	19.75	4.60	0.00	358.65	13	518.05	495.99	4.45%
G	163	0	163	5.50	1.63	0.00	155.87	15	259.78	245.87	5.66%
H	13	0	13	0.25	0.00	0.00	12.75	18	25.50	26.00	-1.92%
	7,210	72	7,138	552.00	583.68	12.00	6,014.32		5,707.80	5,597.85	1.96%
Less : collective adjustment									1.3594904%	77.60	
Council Tax Base for Denby Dale Parish Council - Chargeable Dwellings Band 'D' Equivalent									5,630.20		
										159.64	-51.39%
										5,438.21	3.53%

2017/2018
Less : collective
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 50% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
Band A Disabled	5	0	5	0.50	1.53	0.00	2.97	5	1.65	
A	2,712	51	2,661	340.25	498.50	13.00	1,835.25	6	1,223.50	
B	2,158	37	2,121	208.50	133.71	7.50	1,786.29	7	1,389.34	
C	2,578	23	2,555	190.75	114.79	6.50	2,255.96	8	2,005.30	
D	1,648	16	1,632	94.75	45.25	1.00	1,493.00	9	1,493.00	
E	1,647	15	1,632	72.50	26.73	2.50	1,535.27	11	1,876.44	
F	915	3	912	31.25	4.02	0.50	877.23	13	1,267.11	
G	403	1	402	13.25	5.19	1.00	384.56	15	640.93	
H	13	0	13	0.50	0.00	0.00	12.50	18	25.00	
	12,079	146	11,933	952.25	829.72	32.00	10,183.03		9,922.27	
Less : collective adjustment									1.3594904%	134.89
Council Tax Base for Holme Valley Parish Council - Chargeable Dwellings Band 'D' Equivalent										9,787.38

For comparison
2016/2017
Less : collective
adjustment

2016/2017
% increase

Band 'D' Equivalent	(10)
	1.51
	1,182.37
	1,372.77
	1,964.20
	1,473.87
	1,833.22
	1,231.14
	623.88
	25.00
	9,707.96
	276.85
	9,431.11

9.27%
3.48%
1.21%
2.09%
1.30%
2.36%
2.92%
2.73%
0.00%
2.21%

-51.28%

3.78%

2017/2018
Less : collective
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 50% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
Band A Disabled	2	0	2	0.25	0.75	0.00	1.00	5	0.56	
A	2,331	139	2,192	274.75	404.09	8.50	1,521.16	6	1,014.10	
B	1,984	22	1,962	203.25	145.92	2.50	1,615.33	7	1,256.37	
C	2,478	16	2,462	172.25	105.77	3.50	2,187.48	8	1,944.43	
D	1,748	103	1,645	93.25	34.68	1.50	1,518.57	9	1,518.57	
E	1,369	5	1,364	55.25	15.88	0.50	1,293.37	11	1,580.79	
F	717	2	715	25.25	6.88	0.50	683.37	13	987.09	
G	343	2	341	11.00	1.00	0.50	329.50	15	549.17	
H	17	0	17	1.50	0.00	0.00	15.50	18	31.00	
	10,989	289	10,700	836.75	714.97	17.50	9,165.28		8,882.08	
Less : collective adjustment									1.3594904%	120.75
Council Tax Base for Kirkburton Parish Council - Chargeable Dwellings Band 'D' Equivalent										8,761.33

For comparison
2016/2017
Less : collective
adjustment

2016/2017
% increase

Band 'D' Equivalent	
(10)	
0.53	5.66%
993.30	2.09%
1,247.80	0.69%
1,928.32	0.84%
1,503.28	1.02%
1,571.67	0.58%
948.64	4.05%
533.58	2.92%
30.00	3.33%
8,757.12	1.43%
249.73	-51.65%
8,507.39	2.98%

2017/2018
Less : collective
adjustment

For comparison
2016/2017
Less : collective
adjustment

2016/2017
% increase

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 50% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
Band A Disabled	2	0	2	0.00	0.00	0.00	2.00	5	1.11	
A	1,242	17	1,225	157.25	268.61	5.00	804.14	6	536.09	
B	527	3	524	47.50	37.19	0.50	439.81	7	342.07	
C	927	9	918	61.25	33.08	1.00	824.67	8	733.04	
D	385	1	384	20.00	8.17	0.50	356.33	9	356.33	
E	405	1	404	15.50	5.77	0.00	382.73	11	467.78	
F	151	1	150	6.00	0.59	0.50	143.91	13	207.87	
G	56	0	56	1.00	0.69	0.50	54.81	15	91.35	
H	5	0	5	0.50	0.00	0.00	4.50	18	9.00	
	3,700	32	3,668	309.00	354.10	8.00	3,012.90		2,744.64	
Less : collective adjustment									1.3594904%	37.31
Council Tax Base for Meltham Parish Council - Chargeable Dwellings Band 'D' Equivalent										2,707.33

Band 'D' Equivalent	
(10)	
1.11	0.00%
519.41	3.21%
333.05	2.71%
718.08	2.08%
351.94	1.25%
468.32	-0.12%
195.91	6.10%
84.17	8.53%
4.50	100.00%
2,676.49	2.55%
76.33	-51.11%
2,600.16	4.12%

2017/2018
Less : collective
adjustment

Tax Band	Number of Properties	Number of Exempt Properties	Number of Taxable Properties	Number of Properties with Discounts Equated to 25% Discount	Reduction in Tax Base due to Council Tax Reduction	Number of Properties with Empty premium Equated to 50% extra charge	Effect of Discounts & Empty premium on Number of Taxable Properties	Fixed Ratio (9ths)	Band 'D' Equivalent
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Band A Disabled	5	0	5	0.50	0.00	0.00	4.50	5	2.50
A	2,531	45	2,486	356.00	584.04	9.50	1,555.46	6	1,036.97
B	1,484	14	1,470	155.75	136.26	2.50	1,180.49	7	918.16
C	2,572	18	2,554	188.25	124.04	1.50	2,243.21	8	1,993.96
D	1,117	6	1,111	61.50	21.37	0.50	1,028.63	9	1,028.63
E	773	2	771	36.25	11.69	0.50	723.56	11	884.35
F	358	1	357	13.00	4.06	0.00	339.94	13	491.02
G	147	1	146	5.75	1.00	0.00	139.25	15	232.08
H	12	2	10	1.25	0.00	0.00	8.75	18	17.50
	8,999	89	8,910	818.25	882.46	14.50	7,223.79		6,605.17
Less : collective adjustment									1.3594904%
Council Tax Base for Mirfield Parish Council - Chargeable Dwellings Band 'D' Equivalent									89.80
									6,515.37

For comparison
2016/2017
Less : collective
adjustment

2016/2017
% increase

Band 'D' Equivalent	
(10)	
2.37	5.49%
1,016.71	1.99%
902.46	1.74%
1,973.94	1.01%
1,010.60	1.78%
860.92	2.72%
466.80	5.19%
229.50	1.12%
17.50	0.00%
6,480.80	1.92%
184.82	-51.41%
6,295.98	3.48%

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Name of meeting: Cabinet
Date: 17 January 2017
Title of report: Trade Waste Policy Review

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes Impact on a limited number of Third Sector organisations across the District.
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Key Decision – Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name Is it signed off by the Assistant Director - Financial Management, Risk, IT & Performance? Is it signed off by the Assistant Director - Legal, Governance & Monitoring?	Jacqui Gedman - 09.01.17 Debbie Hogg - 06.01.17 Julie Muscroft - 05.01.17
Cabinet member portfolio	Councillor Musarrat Khan - Highways and Neighbourhoods

Electoral wards affected: Residents are not affected. A limited number of Third Sector organisations across the District will be affected.

Ward councillors consulted: Briefings provided to all Parties in Dec 2015/Jan 2016.

Public or private: Public

1. Purpose of Report

The purpose of this report is to amend part of the Trade Waste Policy for Kirklees Council following a recent review on organisations currently receiving free waste collection services.

2. Summary

The Trade Waste Collection & Disposal Service

The Council operates a trade waste collection and disposal service on a commercial basis. This is a waste and recycling collection service available to non-domestic properties within the District. The offer of a trade waste service to wider businesses in Kirklees helps to:

- support local business by offering competitive waste disposal rates;
- optimise Council resources needed for statutory waste collection services; and
- generate an income to support service budgets.

Trade waste collection and disposal rates are reviewed and agreed each year to ensure that the service delivers the income required and rates are competitive in the open market.

Associated Statutory Requirements

As part of the Controlled Waste (England & Wales) Regulations 2012, and the Environmental Protection Act 1990, the Council has a statutory obligation to collect and dispose of waste from some types of non-domestic properties whereby waste is classified by government as 'household waste'. The types of non-domestic properties defined within this category in Schedule 1 of the Controlled Waste Regulations, are as follows:

- a place of worship;
- a residential hostel which provides accommodation only to persons with no other permanent address or who are unable to live at their permanent address; and
- a charity shop selling donated goods originating from domestic property.

Currently the Council provides free unlimited waste collection and disposal services to some of the above organisations.

The same set of regulations also state that the Council can charge for collection of waste from the following groups:

- a residential hostel which provides accommodation only to persons with no other permanent address or who are unable to live at their permanent address
- a charity shop selling donated goods originating from domestic property
- Waste from premises occupied by—
 - o a community interest company (being a company which is registered as such with the registrar of companies), or
 - o a charity or other not for profit body, which collects goods for re-use or waste to prepare for re-use from domestic property.

The regulations state that the Council cannot charge for disposal of waste from group (a) above and cannot charge for disposal of waste from groups (b) and (c) above where materials have originated from non-domestic properties.

Currently the Council provides free and unlimited waste collection services to some of these types of organisations.

The service also allows some Third Sector¹ organisation to deliver unlimited quantities of waste to the Council's Waste Transfer Stations (WTS) in Huddersfield and Dewsbury. This waste is disposed by the Council free of charge to the organisation.

Trade Waste Policy Review

In a recent review of the trade waste service, associated statutory requirements were revisited. Statutory requirements as defined by regulation were compared to actual service operations. It was noted that a number of organisations (defined in relevant regulation as non-domestic) have been receiving a free waste collection and/or disposal service for a number of years. This service offer is historical, dating back to when the Waste Disposal Authority transferred to Kirklees Council from West Yorkshire Waste Management. In 1998, the number of organisation

¹ See Appendix 1 for further information on Third Sector organisations.

supported and subsequent financial implications on the service were much lower than today, as is evidenced in Appendix 2 “Policy for Charging Registered Charities and Approved Voluntary Organisations for Waste Disposal”, dated 10 July 1998. The net subsidy shown in Appendix 2 which reflects the Council’s position at the time was £4,767.

Most supported ‘non-domestic’ organisations are Third Sector organisations. To date, this free provision has never been reviewed against Council priorities, nor has the policy differentiated between types of organisation or size of turnover.

The service is currently providing free waste collection and disposal services to various Third Sector organisations at a cost of approximately £285,000 per annum. The level of continued support to Third Sector organisations proposed in the review of trade waste policy outlined below would result in an overall approximate income of £170,000 per annum to offset these costs.

3. Information Required to Take a Decision

In order for a decision to be taken, Cabinet members must gain an understanding of the above financial savings, Council implications, and impact on the Third Sector as set out below.

4. Implications for the Council

New Council and Third Sector

In the next financial year, there will be a number of changes to how the Council funds and works with communities and Third Sector organisations. These changes include:

- a reduction to grant giving by an estimated 44%;
- charging market rates for rental properties;
- changes to legislation covering rate relief; and
- discretionary rate relief for charities.

At the same time, the Council is aiming to support communities and the Third Sector to have a more active role in the community.

In future, the Council’s approach will be to provide more targeted support in the following ways:

- Through direct investments: Making sure that we are investing in approaches that have a proven impact and a solid evidence base;
- By developing a mutual ability to be more collaborative: Influencing the sector to spend its own time and resources on things we can no longer afford to fund; and
- Building on shared values, mutual respect and trust.

This is reflected in the Kirklees Third Sector Strategy 2014 and New Council Target Operating Model.

Proposed changes to trade waste are therefore one part of this complex picture but in the context of our ambition to behave as one Council and maximise our total spend and influence, should be reviewed alongside the above priorities. When seeking to charge Third Sector organisations for trade waste services, the Council must be aware of organisations funded by other Council services. The services provided by some of these organisations are serving a key role in both Economic Resilience and Early Intervention and Prevention priorities. Some of

these organisations may face significant financial challenges if they currently receive free waste collection and disposal and are asked to pay for collection costs. For the purposes of this paper, we are calling these groups 'Vulnerable Organisations'. These organisations have been identified based on limited information currently available to the Council therefore estimates are indicative.

Early research has been completed to determine the social value² of Third Sector organisations. Some preparatory work has been completed aimed at applying social value to identify Vulnerable Organisations by implementing the following review criteria:

- Does the group or organisation have a shared mission with the Council?
 - o This is primarily to ensure the Council is supporting charities, groups and organisations that are working to improve the lives of Kirklees residents. This is known as the 'wider community benefit' test. (This excludes animal or wildlife charities.)
 - o If so, which priority? Which geographical area?
- Does the group or organisation have a turnover of over £1 million?
 - o Many registered charities or social enterprises may have significant resources and do not require a discount in order to provide the social value we seek. An exception to this exclusion applies when there is a valid reason to review the local branch or facility only, rather than the parent organisation (e.g. Local Scout Group rather than the parent International Scouting Body). Another exception applies when there is a significant risk that a key organisation would close or withdraw from Kirklees and the value of the service provided against Council priorities exceeds the value of the Council resource.
- Does the following apply to the group or organisation:
 - o Does it deliver within a high priority area at exceptional cash value?
 - o Is it a priority service and does it have no other funding routes available?
 - o Is the loss of this activity likely to destabilise other key delivery priorities? (e.g. a community centre where other activities are based)
 - o Is it a niche or bespoke priority service requiring additional or temporary support in order to develop?
 - o Does it require initial support through provision of core funding but can become sustainable in 1-3 years?
 - o Does it provide a high priority service and does it seek to be grant funded by another part of the Council to pay waste collection and disposal costs?
- Would this charge have a disproportionate impact on groups with protected characteristics or impact on good relations with groups with protected characteristics?

To provide grants to Third Sector organisations, we currently run a system called GAP (Grant Access Point) where we verify that an organisation or group is a registered charity (or if unincorporated has a charitable purpose), and assess the strength of the group's governance and financial management arrangements. This enables us to track funding from a variety of Council sources and once registered a group's status does not need to be reviewed for 3 years.

² See Appendix 1 for further information on 'social value'.

It is proposed that Vulnerable Organisations which support key Council priorities are considered within the Trade Waste Policy change proposals.

5. Consultees and Their Opinions

An Equality Impact Assessment was completed in September 2014. The resulting score indicated a very low impact and low risk with due regard to protected characteristics. Therefore, it was not required for the assessment to progress beyond stage 1.

Service officers briefed each of the political party groups in January 2016: Labour, Conservative, Green and Independent. A presentation was provided at each briefing and feedback was received. Following all briefings, a follow-up e-mail was sent to all Councillors requesting feedback on waste changes, including the Trade Waste Policy change proposal.

In December 2016 all affected third sector organisations were sent a letter informing them of proposed policy changes. If the change becomes effective from July 2017, this provides affected organisations with 6 months' notice. If this policy is approved by Cabinet in January 2017, affected Third Sector organisations will have 5 months' notice of the final decision. A second letter will be sent to affected Third Sector organisations shortly after the Cabinet decision. As explained in section 6 below (Minimising Impacts to the Third Sector), the most vulnerable Third Sector organisations affected by the policy change will have an opportunity to receive some support.

6. Next Steps

Proposed Policy Changes

As explained in Section 2 above, the waste from some non-domestic properties is categorised by regulation as 'household waste' which includes places of worship, residential hostels, and charity shops. Whilst the Council cannot charge for disposal of this waste, it can charge for collection.

There are 207 locations across 165 organisations (some of which are not Third Sector) in Kirklees that currently receive free collection and disposal services at a cost to the service of approximately £285,000 per year. It is proposed that these organisations are charged the standard trade waste rates, which are competitive and reasonable when compared to market rates. The standard trade waste rates will be reduced to reflect the Council's obligation to pay the cost of disposal.

Some Third Sector organisations deliver their waste to the Council's Waste Transfer Station (WTS) sites. Direct deliveries to the WTS sites do not allow the Council to clearly determine the source of materials. It is therefore proposed that this waste is no longer disposed free of charge. As part of the new policy, it is proposed that any deliveries to WTS sites are private waste disposal arrangements between Suez (the Council's Waste Disposal Contractor) and the individual organisations. The vast majority of the waste currently delivered to the Council's WTS sites originates from a single organisation that operates across England with their material sorted at a national sorting facility within Kirklees borders.

Minimising Impacts to the Third Sector

It is accepted that Vulnerable Organisations provide valuable services that support the Council's key priorities, as outline in Section 4 above. It is proposed that these organisations continue to

receive a limited free waste collection service and will have access to waste minimisation workshops, as explained below. The budget available to affected Vulnerable Organisations will be capped at £30,000 and the mechanism for delivery of this decided by Cabinet as part of the wider strategy of supporting the third sector.

The Council's VCS Link Team and the Waste Strategy Team will work together to support valued services to communities provided through Third Sector organisations. This support will be provided through a series of educational workshops aimed at waste minimisation, recycling, reuse, and how to generate value from waste (e.g. potential income for items such as scrap metal and rags).

Proposed Timescales

December 2016	Letter to affected organisations (notification of a proposed policy change)
January 2017	Report to Cabinet
January 2017	Letter to affected organisations (details of change)
January 2017	Proactively contact organisations most affected
February 2017	Commence workshops (waste minimisation advice)
01 July 2017	Implement policy change

7. Officer Recommendations and Reasons

Summary of Budget Review

		Current		Proposed from July 2017		
		Uncharged Income	Service Cost	Non-Chargeable Income	Service Budget Savings	Potential Chargeable Income
1.	207 non-domestic properties (some of which are not Third Sector) currently receiving free waste collection and disposal services.	142,387		85,432		56,955
2.	'Vulnerable Organisations' offered free waste collection and disposal, and must participate in educational workshops to minimise waste arisings. The free service provision will be capped per organisation at a collection frequency and tonnage level to be determined by waste services. The overall budget will also be capped at £30,000.	26,909		30,000		
3.	Disposal of waste direct delivered to the Council's WTS sites.		115,661		115,661	
	Total	£169,296	£115,661	£115,432	£115,661	£56,955

All above figures are based on actual trade waste collection from 2015/16 and current chargeable rates. Collections vary each year.

Recommendation 1: That the Council charges standard trade waste rates to all Third Sector organisations, excluding disposal costs (as per statutory requirements). If all organisations remain as 'Trade Waste Customers', this could result in an estimated income intake of up to £56,955.

Recommendation 2: That a budget of £30,000 is allocated to meet the costs for Vulnerable Organisations requiring support. That authority is delegated to the Head of Environment & Greenspace to amend the mechanism for identifying Vulnerable Organisations and delivering

this budget to match any future strategy or policy for supporting the third sector as decided by Cabinet.

Recommendation 3: That Third Sector organisations are no longer allowed to deliver waste to WTS sites under the Council's waste disposal contract. Any waste delivered to these sites is a private arrangement between the organisation and the Council's contractor, Suez. This could result in an estimated budget savings of up to £115,661 (based on 2015/16 waste arisings).

8. Cabinet Portfolio Holder's Recommendations

The Portfolio Holder, Councillor Musarrat Khan, is in agreement with the report and would like Cabinet Members to approve the recommendations in Section 7.

9. Contact Officers

Will Acornley, Head of Environment & Greenspace
01484 221000, will.acornley@kirklees.gov.uk

Lory Hunter, Commercial & Technical Development Officer
01484 221000, lory.hunter@kirklees.gov.uk

10. Background Papers and History of Decisions

See Appendices 1 and 2 attached.

11. Assistant Director responsible

Joanne Bartholomew - Assistant Director - Place
01484 221000, joanne.bartholomew@kirklees.gov.uk

Appendix 1 – Definitions

Third Sector:

The parts of the economy comprising non-governmental, not-for-profit organisations and associations including charities, voluntary and community groups, social enterprises, cooperatives and faith-based social action.

In Kirklees this is approximately 2,282 incorporated and unincorporated groups, approximately 4% of the economy and 7% of the workforce.

Social Value:

The national Social Value Act (2012) prompted Kirklees Council to adopt a Social Value policy, ratified by Cabinet in December 2013. This policy covers the way that Kirklees Council will invest its resources to achieve both value for money and social value.

The current identified priority social value outcomes for Kirklees are:

- *Supporting the Kirklees economy* - this includes the impact of the Kirklees pound, promoting employment in Kirklees and supporting youth employment – the Third Sector makes up about 4% of the Kirklees economy, 7% of the workforce
- *Reducing demand for public services* in Kirklees by maximising the impact of our actions on increasing resilience and independence - the Third Sector plays a key role in enabling communities to do more for themselves and each other and provides cost effective services to help this as well as generating income and directing volunteer hours for this outcome

Councils across the UK have all struggled to be able to demonstrate how they are effectively implementing the Social Value Act, however we in Kirklees have been working on a number of ways, through procurement as well as reviewing how we invest to totality of our resources (money, time and in kind) in the Third Sector for maximum impact.

AGENDA ITEM NO12

KIRKLEES METROPOLITAN COUNCIL

POLICY (WASTE MANAGEMENT) SUB-COMMITTEE

10 JULY 1998

POLICY FOR CHARGING REGISTERED CHARITIES AND APPROVED VOLUNTARY ORGANISATIONS FOR WASTE DISPOSAL

A REPORT OF THE ENVIRONMENTAL SERVICES MANAGER

EXEMPT INFORMATION

(This report is recommended for consideration in private because the information set out in the accompanying report is exempt information within Part 1 of Schedule 12A of the Local Government Act 1972 namely information relating to the amount of any expenditure proposed to be incurred by the Authority under any particular contract for the acquisition of property or the supply of goods or services and information relating to the financial or business affairs of a particular company).

1.0 PURPOSE

- 1.1 To seek approval from Members for
- (a) the continuation of the West Yorkshire Waste Management policy of charging registered charities and approved voluntary organisations a reduced rate for the disposal of self delivered wastes.
 - (b) the proposed level of charges.

2.0 SUMMARY

- 2.1 West Yorkshire Waste Management Joint Committee (WYWMJC) levied reduced waste disposal charges on registered charities and approved voluntary organisations for the disposal of wastes. This report seeks Member approval for the implementation of a similar policy in Kirklees.

3.0 RECOMMENDATIONS

- 3.1 That Members approve the policy of charging registered charities and approved voluntary organisations a reduced waste disposal charge for wastes they deliver to Kirklees Waste Services Ltd (KWSL) transfer stations or third party landfill sites contracted to KWSL.
- 3.2 That Members approve a charge of £8/tonne to registered charities and approved voluntary organisations for the disposal of their direct delivered wastes.

4.0 BACKGROUND

- 4.1 Kirklees Metropolitan Council took over responsibility for waste disposal from WYWMJC on 1 April 1998.
- 4.2 WYWMJC levied a reduced waste disposal charge on registered charities and approved voluntary organisations delivering their waste to WYWM reception points. The WYWM rate was 25% of the full trade waste charge. The charging scheme was based on vehicle type, see Appendix A for details.

5.0 INFORMATION

- 5.1 Approximately 250 tonnes of waste direct delivered by charities and approved voluntary organisations was disposed of at WYWM sites in Kirklees in the 1997/98 financial year.
- 5.2 The disposal of wastes delivered by registered charities and approved voluntary organisations is included in the KMC contract with Kirklees Waste Services Ltd (KWSL), so disposal costs will be paid by KMC at contract rates. It is proposed to charge charities and approved voluntary organisations by the tonne, rather than by vehicle type as per the WYWM system. This is considered to be a more accurate and hence fairer charging method, and corresponds with the KWSL contract measurement system. KMC will collect the approved charge from charities and approved voluntary organisations on the basis of information supplied by KWSL.
- 5.3 The commercial rate which KMC should charge is considered to be £32.00 per tonne for direct delivery disposal, see Appendix B for the build-up of this rate. It is proposed to charge registered charities and approved voluntary organisations 25% of this rate, i.e. £8/tonne.

6.0 IMPLICATIONS

- 6.1 Policy
The implementation of a new policy is the subject of this report.
- 6.2 Resources
The estimated first year cost of the proposed subsidy to registered charities and approved voluntary organisations is £4,767 (see Appendix C for details), and this can be accommodated within existing revenue provision. The cost will increase in future years in line with contract payments, inflation, and any landfill tax increases. It is considered appropriate for the authority to implement the resulting increases in charges to registered charities and approved voluntary organisations to be delegated to the Environmental Services Manager.
- 6.3 Management, Monitoring and Review
Management, monitoring and review of waste disposal activities is undertaken by the Waste Disposal Manager.

SIGNED BY:

JANET L RUSSELL
Environmental Services Manager

AUTHOR/CONTACT OFFICER:

MIKE PROUD (ext 6888)
Waste Disposal Manager

BACKGROUND PAPERS

Report and minutes of WYWMJC, 13 September 1996.

REP3.SAM

Direct Deliveries from Registered Charities and Approved Voluntary OrganisationsComparison of WYWM policy with KMC proposals

Comparison of Charges	Actual WYWM charge in March 1998		Proposed KMC maximum charge (ie if vehicle fully loaded) at a rate of £8 per tonne	
Type of Vehicle	LANDFILL SITE	TLS	LANDFILL SITE	TLS
Escort Van type; max. load 0.8 tonnes	£4.26	£4.26	£6.40	£6.40
Transit Van, minibus, type; max. load 1.6 tonnes	£11.49	£19.36	£12.80	£12.80

Notes

1. All prices exclude VAT.
2. All prices include Landfill Tax at £7/tonne.

Appendix BEWS commercial charging rate for direct delivered wastes

	£
Year 1 contract rate	20.07
Asset return	1.00
Landfill tax	7.00
Administration (15%)	4.21
	<u>£32.28 per tonne</u>

Appendix CAmount of subsidy to registered charities and approved voluntary organisations

Approximate tonnage: 250/year

Year 1 contract payment by KMC : $250 + @ £20.07 = £5017.50$
 plus tax $250 + @ £7 = £1750.00$

£6767.50

Recovered from charities : $250 \text{ t } @ £8.00$ £2000.00

Net subsidy = $6767.50 - 2000 =$ **£4,767**

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Name of meeting: Cabinet
 Date: 17th January 2017
 Title of report: Private Sector Housing Assistance Policy

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Key Decision - Yes Private Report/Private Appendix - No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman - 09.01.17
Is it signed off by the Assistant Director - Financial Management, Risk, IT & Performance?	Debbie Hogg - 04.01.17
Is it signed off by the Assistant Director - Legal, Governance & Monitoring?	Julie Muscroft - 04.01.17
Cabinet member portfolio	Councillor Naheed Mather - Place Housing & Enforcement Management

Electoral wards affected: All
 Ward councillors consulted: None (N/A)
 Public or private: Public

1. Purpose of report

- 1.1. To obtain Cabinet approval for an updated Private Sector Housing Assistance policy, in accordance with the requirements of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 which is referred to as the RRO.
- 1.2. The report seeks approval to adopt this updated policy which reflects the current strategic priorities of the Council. The policy enables the Council to continue to offer and administer assistance, primarily around grants and loans for the purpose of adaptations to the homes of disabled people living in the private sector, and to vulnerable households where there is a demonstrable severe financial hardship.

- 1.3.** The report sets out proposed actions for dealing with any future amends to the policy.

2. Summary

- 2.1.** The Council is required to have a policy in place which says how it deals with housing in the private sector, including the provision of housing assistance.
- 2.2.** The requirement to do this was strengthened by the (Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. This policy also covers home adaptations, principally Disabled Facilities Grants.
- 2.3.** The policy must conform to a number of requirements as set out by the above Order. The Council's existing policy was approved by Cabinet in 2003, with further detail considered and approved by Cabinet in 2004. The policy has not been updated since and so it is now out of date and no longer compliant.
- 2.4.** The report explains the main aspects of the proposed updated policy, references the key changes and seeks Cabinet approval to adopt and implement this updated policy.
- 2.5.** The main changes to the 2016 policy are the removal of references to specific private sector grants. Local Authorities' statutory powers to provide renovation grants and home repair assistance were revoked by government in 2003. Such grants included improvement grants for landlords, grants for owners of empty properties, grants for the tackling of overcrowding, and private sector housing loans to improve properties.
- 2.6.** Table A below summarises these changes and the relevant approval date by Cabinet. The table sets out what is included in the 2016 policy.
- 2.7.** The provision of adaptations funded by mandatory Disabled Facilities Grants (DFG's) remains unaffected.
- 2.8.** The policy makes no changes to what the Council is obliged to provide, by way of mandatory adaptations, as these must be provided. It sets out that where the Council may wish to use its discretion under the RRO to provide assistance; this will be focussed on enabling the needs of vulnerable people where there is a risk to their health and wellbeing, and where this is the most appropriate option for the Council to take.
- 2.9.** The 2016 policy reflects the Council's move away from the provision of financial assistance for homeowners to renovate their properties, to a focus on improving the living conditions of properties through a range of advice, assistance, signposting and support and in line with the Council's key strategic ambitions for the improved health and wellbeing and economic resilience of its residents.

- 2.10** In addition, the updated policy outlines the current operational arrangements within the Council's Housing Services (Housing Solutions and Accessible Homes teams) for the provision of private sector housing advice, assistance and support for those disabled people who are seeking support with adaptations or a move to a more suitable home.

Table A

Area of Activity	2003	2004	2016
Private Sector Housing Activity, 2003 Cabinet			
Advice and signposting	yes	yes	yes
Approve renovation grants received prior to July 2003	yes	no	no
Continue grants in the Highfields renewal area until 2006	yes	yes	no
Housing Health and Safety Grant	yes	yes	no
Group repair/Block repair Grants	yes	yes	no
Creative Housing Grants (eg knocking back to backs into one)	yes	yes	no
Empty Property grants	yes	yes	no
External Fabric Grants in Renewal Areas	yes	yes	no
Private Sector Housing Activity, 2004 Cabinet – EPS Committee			
Grants for Accredited Landlords	-	yes	no
Revision to Empty property grants	-	yes	no
Overcrowding Grants	-	yes	no
Loan products to address lack of decency	-	yes	no
Provide advice and assistance for home owners	-	yes	yes
Accessible Homes Activity, Cabinet 2003			
Mandatory Disabled Facilities Grants (DFG's)	yes	yes	yes
Discretionary DFG's exceeding mandatory limit (then £25,000)	yes	yes	no
Discretionary loans (Social Services assistance to cover means tested contribution)	yes	yes	no
Grants for discretionary adaptations	yes	yes	yes
Provision of discretionary relocation grant/loan assistance	yes	yes	yes
Accessible Homes Activity, 2004 Cabinet – EPS Committee			
Discretionary Disabled persons relocation Loan (detail)	-	yes	yes
Discretionary Disabled Person relocation Grant (detail)	-	yes	yes
Offsetting of costs (clarified in 2016 policy)	yes	yes	yes
Relocation Assistance	-	yes	yes
¹ Discretionary assistance to cover a means tested contribution	-	-	yes

¹ Social Services authorities have a duty to ensure that the assistance required by disabled people is secured (Chronically Sick & Disabled Persons Act 1970, now replaced by the Care Act 2014). This includes those cases where the help needed goes beyond what is available through a DFG, or where DFG is not available for any reason, or where a disabled person cannot raise their assessed contribution ("Home Adaptations for Disabled People – A detailed guide to related legislation, guidance and good practice 2015")

Discretionary assistance to cover a means tested contribution was therefore not part of the Private Sector Housing Assistance policy in 2003 / 2004. It is proposed to add this duty, which the Local Authority still has, into the refreshed policy, so that the council may consider alternatives as detailed on page 14 of the policy.

3. Background

- 3.1.** The RRO came into force on 18th July 2002. It allowed Local Authorities to develop and adopt policies for housing assistance in the private sector to suit their individual areas, whilst at the same time, recognising that it is primarily the responsibility of homeowners to maintain their own homes.
- 3.2.** The RRO notes that some home owners, particularly elderly people and vulnerable groups such as people with disabilities may not have the necessary resources to be able to keep their homes in good and safe repair. Such action will support independence, health and wellbeing for these groups of people.
- 3.3.** This action includes the provision of home adaptations for disabled people, and any assistance the Council may want to give, which is over and above its mandatory obligation.
- 3.4.** The RRO says that local authorities may offer discretionary assistance in the form of grant, a repayment, a charge on the property or a combination of these, provided that the Council has published a policy which meets a number of conditions, including saying how it intends to use its discretionary powers.
- 3.5.** Legal opinion of the existing policy, which was approved by Cabinet – Education and People Services Committee on 8 September 2004 is that it requires updating as it does not take account of changes in legislation or the Council's current approach to private sector housing assistance. This leaves the Council vulnerable and potentially open to legal challenge.
- 3.6.** Since 2004, minor policy amendments have been approved by Cabinet, but the main published policy has not been changed to take account of these amends.
- 3.7.** In addition, this policy was adopted at a time when central government policy towards private sector housing meant that grants and loans were available for homeowners to renovate their homes and improve property conditions.
- 3.8.** This position has changed. The government discontinued funding for the private sector renewal programme from March, 2011. Generally, grants and loans are no longer offered to home owners, with the exception of Disabled Facilities Grants (DFG's) in the case of home adaptations for disabled persons to carry out works.
- 3.9.** The statutory requirements for a DFG remain, and applicants are financially assessed to determine their eligibility to grant assistance. This financial assessment does not apply in cases where the adaptations are for disabled children.

- 3.10** The RRO does recognise that the mandatory DFG requirements are unlikely to meet all eventualities for meeting people's needs when they have a health condition or disability, and the Council's Private Sector Housing Assistance policy must clearly set out what additional help the Council will provide, to meet these needs.
- 3.11** For adaptations which cost in excess of the national mandatory limit of £30,000, the updated policy sets out that this can be dealt with via equity based loan for home owners. This loan is subject to qualifying criteria and is known as a Home Appreciation Loan (HAL). The HAL arrangements are administered by Sheffield City Council, across the Yorkshire and Humber region for participating authorities, and are subject to individual legal agreements which are in place. The loan amount is between £2,000 and £30,000 and is secured against the property.
- 3.12** The updated policy also sets out the Council's approach to other aspects of adaptations, including consideration given where the grant applicant wants an alternative adaptation (typically, an extension rather than internal conversion works) and wishes to pay the additional costs over and above the amount payable via the DFG. Again, qualifying criteria and conditions are in place to deal with this.
- 3.13** The Council's Housing Services, Accessible Homes Team administers Disabled Facilities Grants in Kirklees. The team works to ensure that disabled people live in homes that are safe and suitable for their and their family/carers needs. This may be provided through adaptations, equipment, moving to a more suitable home or by signposting people to other forms of support.
- 3.14** Although the policy that this report deals with is the Private Sector Housing Assistance Policy, for information Members are asked to note that the Accessible Homes Team provides a tenure neutral approach with regards to assessment, means testing and provision of home adaptations. This means that irrespective of the tenure of the property to be adapted, a consistent approach is used across the board; this is in line with good practice. ('Home Adaptations for Disabled People, A Detailed Guide to Related Legislation, Guidance and Good Practice' - published by the Home Adaptations Consortium in 2013).
- 3.15** Wider social care legislation places a duty on local authorities to consider meeting the needs of disabled people where an adaptation cannot be provided. For example, a person may not be able to obtain the financial assistance of a Disabled Facilities Grant if they have been financially assessed as having a high contribution to make. In such circumstances, the local authority may consider other options, as detailed at page 14 of the policy.
- 3.16** This duty is not new. It has been a duty of Local Authorities under the Chronically Sick & Disabled Persons Act 1970, now the Care Act 2014. It is proposed to add this existing and continuing duty into the Private Sector Housing Assistance policy, so that it can be discharged by the offer of an

equity based loan in such circumstances that a disabled person can prove that they cannot raise their assessed contribution.

- 3.17** Since the introduction of the Chronically Sick & Disabled Persons Act 1970, no requests to the Authority for such assistance have been accepted.
- 3.18** The RRO gives local authorities more flexibility in developing policies which deal with poor housing conditions, including working in partnership with others. An example might be the partnership we have with private landlords, which supports the Council's focus on preventing homelessness and ensuring as wide a range as possible of the right kind of housing options, to meet peoples housing needs.
- 3.19** This work includes working with owners of privately rented accommodation to enable good quality of housing and tenancy management within the private rented sector.
- 3.20** Work is ongoing within the Council's Housing Solutions Service to develop approaches which tackle barriers to enabling people being able to access suitable and sustainable housing choices, and which facilitate appropriate housing options.

4 Impact/Outcomes

- 4.1** Having an up to date Private Sector Housing Assistance policy in place which is evidence based, aligns to and supports the Council's strategic objectives, and which meets all the RRO requirements means that the Council may legitimately exercise its power to provide financial assistance to the most vulnerable individuals and households where this is necessary and appropriate.
- 4.2** The type of circumstances where the Council may choose to exercise this power include where essential repairs are needed to improve living conditions within a person's home, for example to reduce or prevent accidents where there is a risk to health and wellbeing because of excess cold caused by inadequate heating, or where adaptations are needed that exceed or are outside the scope of, Disabled Facility Grant assistance.
- 4.3** The intention of the Private Sector Housing Assistance policy, and in line with the requirements of the RRO, is that it acts as a framework for decision making, whilst avoiding a blanket "no assistance" policy which would be statutorily unacceptable.
- 4.4** The policy notes that individual cases can be considered on a "by exception" basis, where circumstances such as risks to an individual's health and wellbeing exist.
- 4.5** In line with the Council's duty under the Equality Act 2010, a Stage 1 Equality Impact Assessment (Screening Tool) has been completed to assess the likely impact on equality groups.

This indicated that the proposal is likely to have little or no impact on groups. No further equalities impact assessments are therefore required. The Equality Impact Assessment is attached as an appendix to this Cabinet report.

5 Evaluation

- 5.1** The Private Sector Housing Assistance policy will be monitored and reviewed in line with other relevant council policies and the Council's Housing Strategy, to ensure that it continues to meet and support the broader strategic intentions of the Council.

6 Implications for the Council

- 6.1** Legal - The Council is currently at risk of a legal challenge as it does not have an up to date Private Sector Housing Assistance policy in place which sets out the circumstances under which it will provide housing assistance and the form that the assistance will take.
- 6.2** The updated policy is compliant with the requirements of the RRO and accurately reflects the Council's approach to supporting households in the private sector. If approved, this will enable the Council to continue its housing activity within the private sector, in line with its strategic priorities.
- 6.3** Financial - there are no new or additional financial implications for the Council as a result of this updated policy.

7 Consultees and their opinions

- 7.1** Legal advice has been sought and provided in respect of the need for the Council to have a robust and refreshed policy in place, as outlined above. This advice includes barrister's advice, commissioned by the Council's Legal Services following a potential legal challenge related to the previous (2004) policy. That advice has been incorporated into the updated 2016 policy.
- 7.2** The Cabinet portfolio holder, Cllr Mather, has been briefed on bringing the Private Sector Housing Assistance Policy up to date.

8 Officer recommendations and reasons

- 8.1** That Cabinet approve and adopt the updated Private Sector Housing Assistance policy which is attached to this Cabinet report. This will ensure that the Council has an accurate and up to date policy which supports its strategic intentions for the provision of housing assistance in the private sector.

- 8.2 That authority to make future minor amendments to the Private Sector Housing Assistance Policy is delegated to the Assistant Director, Place (or responsible officer) in consultation with the Portfolio Holder.
- 8.3 That authority be given to revoke the (existing) 2004 Policy and replace it with the new 2016 Policy, to take effect from 18th January 2017.
- 8.4 These recommendations are made to ensure that the Council is meeting its statutory duty to have an up to date Private Sector Housing Assistance policy in place, which meets all the requirements of the Regulatory Reform Order 2002.

9 Cabinet portfolio holder's recommendations

- 9.1 Councillor Naheed Mather asks, that Cabinet approve and adopt the updated Private Sector Housing Assistance policy which is attached to this Cabinet report.
- 9.2 In addition, Councillor Naheed Mather asks that authority to make future minor amendments to the Private Sector Housing Assistance Policy is delegated to the Assistant Director, Place (or designated person with responsibility for Housing) in consultation with the Portfolio Holder.
- 9.3 Councillor Naheed Mather asks that authority be given to revoke the 2004 Policy and replace it with the new 2016 Policy, to take effect from 18th January 2017.

10 Next steps

- 10.1 Once approved, this policy will become immediately effective and will replace the existing 2004 policy.
- 10.2 Officers will arrange for the appropriate publication of the updated 2016 policy on the Council's website, and will ensure that a copy of the policy is available for inspection free of charge, as required by the RRO.

11 Contact officers

Stephen Cale/Paul Howard, Operational Managers, Housing Services
 Email: stephen.cale@kirklees.gov.uk / paul.howard@kirklees.gov.uk
 Tel: 01484 221000

Karen Oates, Housing Commissioning Manager (Access to Housing)
 Email: karen.oates@kirklees.gov.uk
 Tel: 01484 221000

12 Background Papers and History of Decisions

- Regulatory Reform (Housing Assistance) (England and Wales) Order, 2002
- Report to Cabinet - 16th April 2003 - "Private Sector Housing Policy"
- Report to Cabinet - Education & People Services Committee - 8th September 2004 - "Private Sector Housing Strategy & Policy Development"

13 Assistant Director responsible

Kim Brear
Assistant Director - Place
Tel: 01484 221000
Email: kim.brear@kirklees.gov.uk

APPENDIX 1



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Kirklees Council Private Sector Housing Assistance Policy#

1. Introduction

Kirklees Council's Private Sector Housing Assistance Policy sets out the ways in which we deal with housing in the private sector, including the provision of housing assistance. The Policy is based on the Council's statutory powers and links to and supports the Council's strategic priorities and objectives as set out in the Economic and Health and Wellbeing Strategies and in the Kirklees Council Housing Strategy. As such, it reflects the evidence base which has informed these strategies. These include the Kirklees Strategic Housing Market Assessment (SHMA) 2015 and the Kirklees Joint Strategic Assessment (KJSA) 2016 and the Private Sector Stock Condition Survey 2016.

2. Policy Statement

The key purpose of the policy is to set out how the Council will improve living conditions in the private housing sector by providing assistance to residents and landlords in relation to them:

- Finding and keeping an affordable and suitable home.
- Adapting or improving their home.
- Repairing and managing living accommodation.

The policy has regard to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, the Housing Grants, Construction and Regeneration Act 1996 and the Housing Act 2004 which are referenced below.

2.1 Power to provide financial and other assistance

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 ("the 2002 Order")¹ gives a power to local authorities for the purpose of improving living conditions in their area by enabling a local housing authority to provide, directly or indirectly, assistance to any person for the purpose of enabling them:

- (a) to acquire living accommodation (whether within or outside their area);
- (b) to adapt or improve living accommodation (whether by alteration, conversion or enlargement, by the installation of any thing or injection of any substance, or otherwise);
- (c) to repair living accommodation;
- (d) to demolish buildings comprising or including living accommodation;
- (e) where buildings comprising or including living accommodation have been demolished, to construct buildings that comprise or include replacement living accommodation.

The power to acquire living accommodation (at (a) above) may be exercised to assist a person to acquire living accommodation only where the Council -

- a) Have acquired or propose to acquire (whether compulsorily or otherwise) their existing living accommodation; or
- b) Are satisfied that the acquisition of other living accommodation would provide for that person a benefit similar to that which would be provided by the carrying out of work of any description in relation to their existing living accommodation.

¹ 2002 No. 1860

Kirklees Council Private Sector Housing Assistance Policy#

Assistance may be unconditional or subject to conditions, including conditions as to the repayment of the assistance or of its value (in whole or in part), or the making of a contribution towards the assisted work; but before imposing any such condition, or taking steps to enforce it, a local housing authority shall have regard to the ability of the person concerned to make that repayment or contribution.

Before a local housing authority provide assistance to any person, they shall—
(a) give to that person a statement in writing of the conditions (if any) to which the assistance is to be subject; and
(b) satisfy themselves that that person has received appropriate advice or information about the extent and nature of any obligation (whether financial or otherwise) to which he will become subject in consequence of the provision of assistance.

In relation to adapting or improving living accommodation, repairing living accommodation and demolishing buildings (at (b), (c) and (d) above) the Council may not provide assistance for the purposes of the same unless it is satisfied that the owner of the accommodation concerned has consented to the carrying out of the assisted works.

The assistance that may be provided under the 2002 Order is separate to and in addition to assistance provided in the form of Disabled Facilities Grants available under the Housing Grants, Construction and Regeneration Act 1996.

Conditions apply to the exercise of the powers under the 2002 Order. These will be set out in more detail below where relevant.

The Order provides a general power enabling local housing authorities to provide assistance for housing renewal. The power enables Local Authorities to give assistance to persons directly, or to provide assistance through a third party such as a Home Improvement agency, specialist financial intermediary or other special purpose vehicle. Assistance can be given to pay for any fees and charges associated with the assisted works. Assistance given under the general power may be unconditional or subject to conditions, for example the requirement to repay a grant if the property is sold within five years.

This policy meets the requirements of the 2002 Order and sets out under what circumstances the Council may provide assistance to home owners for housing renewal, repair and adaptation, through grants, loans, a charge on the property, or a combination of these.

This policy is designed to provide guidance for both officers of the local authority and members of the public seeking assistance. It sets out, at least in broad terms, how the Council will exercise its powers under the 2002 Order. The Council should emphasise that the local authority retains discretion in all cases but will seek to exercise that discretion in accordance with the overarching purpose of improving living conditions and the Council's aims and objectives as set out in the Housing Strategy.

Cabinet agreed on 17 January 2017 that authority be delegated to the Assistant Director of Place or designated person with responsibility for Housing, in consultation

Kirklees Council Private Sector Housing Assistance Policy#

with the Portfolio Holder, to make future minor amendments to the Private Sector Housing Assistance Policy in order to comply with legislation, guidance and case law.

3. Kirklees Council Housing Services – Our Role

The Housing Solutions Service (HSS) and Accessible Homes (AHT) teams within the Council's Housing Services are the main source of cross tenure housing related information and advice for residents and others in relation for example to renting in the private sector or with housing associations (registered providers), hostel accommodation and the provision of an assessment, adaptation and rehousing service for disabled people in Kirklees regardless of their age.

The teams provide information and advice in relation to the assistance available under the 2002 Order. In addition home owners or tenants will be signposted to any sources of funding that may be made available under the 2002 Order or other statutory provision which may be available at any given time.

Housing Solutions Service provide customers with:

- Access to housing information and guidance.
- Advice on a range of cross tenure housing options.
- Assessment of housing need including the prevention of and assessment of homelessness.
- Information and advice to private sector landlords and tenants and some home owners.
- Housing related support to enable vulnerable people to maintain their accommodation.
- Advice on maintenance/crowding issues if requested by home owners.

Accessible Homes provide customers with:

- Individual and holistic assessments of people in their homes,
- Advise and equipment to assist individuals, their family and carers,
- Minor adaptations (a minor adaptation is less than £1,000),
- Major adaptations provided through Disabled Facilities Grants (DFG) (a major adaptation is £1,000 or more), in accordance with the Housing Grants, Construction and Regeneration Act 1996.
- Other major adaptations for Local Authority tenants.
- Means testing of eligible applicants (not children).
- Advice and support for those people in unsuitable accommodation to rehouse to alternative accommodation more suited to their needs.

4. The Private Sector Housing Assistance Policy

The Council has discretion to provide assistance for the purpose of improving living conditions in Kirklees, to support its current corporate priorities. The Council will consider the financial and other circumstances of individual applicants in each case.

Kirklees Council Private Sector Housing Assistance Policy#

Assistance under the 2002 Order is set out in the Policy Statement.

Assistance may be provided in any form, not just financial assistance.

The Council may take the form of security in respect of the whole of any assistance.

Where any such security is taken in the form of a charge on any property, the Council may at any time reduce the priority of the charge or secure its removal.

The Council may require any person seeking assistance to give such information or evidence as the Council reasonably requires for purposes connected to the exercise of its power to provide such assistance within such period as is reasonable.

Should appropriate funding become available, the Council will look to utilise it, within the broader objectives of this policy and its corporate priorities at that time.

4.1 Private Rented Sector

The Council will continue to drive improvements in the Private Rented Sector (PRS) through advice and assistance to private landlords and tenants. This can be both reactive, responding to tenants complaining of disrepair, and through proactive interaction with private landlords. We will:

- Inspect properties and assess them using the Housing Health & Safety Rating System (HHSRS), Housing Act 2004, to identify health and safety hazards within the property. Initially, the inspecting officer will advise and assist the landlord to eliminate or significantly minimise the hazards identified. In addition to advice and encouragement, the full range of legislative enforcement tools available at the time will be considered in securing appropriate works. A similar approach will be taken in cases of threatened or actual harassment or illegal eviction relating to occupiers of privately rented domestic accommodation.
- Provide advice and assistance on accessing privately rented accommodation for clients assessed by the council as homeless, or threatened with homelessness. We will also liaise with private landlords to ensure that properties are free from significant HHSRS hazards and will facilitate a sustained tenancy. We will work closely with both the landlord and prospective tenant to establish and maintain successful tenancy outcomes.

The key outcomes include:

1. Raising / improving standards in the private rented sector.
 2. Accommodating tenants in PRS who may otherwise have occupied a unit of council owned stock.
 3. Reducing the period of use of temporary accommodation by increasing numbers of properties available to eligible potential tenants.
- Assisting potential tenants into PRS by the provision of appropriately available products such as a "Bond Guarantee" who may otherwise have found themselves unable to access reasonable quality privately rented homes.

The Council will also use its powers under the 2002 Order where possible as part of its overall strategy to improve living conditions in the private rented market subject to the conditions and procedure outlined in this Policy.

4.2 Kirklees Accreditation Scheme

The Council's Accreditation scheme encourages participating owners of homes in the PRS to meet acceptable property and management standards, improving the quality of rental accommodation available in the area. It is also a 'kite-mark' acknowledging that the property and management is of an acceptable standard. This can be used by the landlord for marketing and promotional purposes.

Properties identified by and used by the HSS to secure private rented accommodation for people in housing need will be 'pass ported' onto the accreditation scheme.

The service also encourages positive dialogue and relationships between the Council and owners-managing agents in the PRS.

4.3 Empty Homes

The Council's strategy on empty homes is to bring as many properties back into use as possible through a combination of support and advice to homeowners and working in partnership with relevant organisations such as Registered Providers (RPs) and local community organisations. We will:

- Encourage owners of empty properties to bring homes back into use. So as to increase the overall housing stock by utilising existing property, and reducing crime and anti-social behaviour which is often associated with empty domestic properties.
- Monitor referrals and complaints about empty domestic properties. So as to wherever possible ascertain the owner's intentions for the property; and take where necessary action, as appropriate, using current relevant legislation to ensure properties remain secure and safe.
- Publicise and proactively encourage owners of empty property to take up any relevant financial assistance available at any given time, which may be of a national or local nature.
- Liaise with owners of empty homes to encourage them to bring their property back into use. Signpost owners to appropriate advice and any incentives available. As a last resort take enforcement action, if it is considered appropriate and necessary, based on legal remedies available at any given time, and depending on individual circumstances.

4.4 Houses in Multiple Occupation (HMO)

The Council's duties and responsibilities in relation to HMO come from the Housing Act 2004 and relevant guidance. The Council's key focus is to identify, and ensure compliance of, statutory licensable HMO. We will:

- Promote the fact that it is the responsibility of owners of licensable HMO to ensure that they hold the appropriate licence and adhere to the necessary conditions.

Kirklees Council Private Sector Housing Assistance Policy#

- Process the necessary licence application and ensure the required property and management conditions are met.
- Monitor property and management standards within HMO in accordance with legislation and maintain a proactive inspection programme prioritised on a risk assessment basis.
- Monitor HMO occupancy levels, ensuring that room sizes and amenity standards are adequate for the number of occupiers, and that no more than one person shall occupy any bedroom unless they are a member of the same household.
- Respond reactively to complaints received about HMO, using informal action to resolve complaints. Where necessary and appropriate, we will consider all options, available at the time, to ensure compliance.
- In some cases inspect those HMO that do not require a license and take action wherever necessary to make sure they are maintained to a good standard and are well managed.
- Continue to liaise/work with other relevant bodies, for instance fire service, educational establishments, to ensure compliance with relevant standards, minimise risk to occupiers and raise standards where appropriate and necessary.

4.5 Home Adaptations

The Council recognises the growing challenges presented by an ageing population and the increasing number of children with severe disability living longer and the demands this places on all services. Making changes to homes so they are more accessible enables disabled children and adults to lead more independent lives. Adaptations and equipment can restore dignity, improve safety and make life easier for both disabled people themselves and for their carers. In addition they can be crucial in avoiding a move into care or in enabling someone to leave hospital.

Funding is available to help with the cost of providing home adaptations for some disabled people. Disabled Facilities Grants (DFG) are the way that major adaptations in the private sector are funded. Adaptations to council houses are progressed in the same way as for private sector housing adaptations but are funded differently by the Council.

Aids and minor adaptations may be available in certain circumstances under Part 2 of the Community Care (Delayed Discharges etc.) Act (Qualifying Services) (England) Regulations 2003. This may allow the Council to provide aids or minor adaptations to properties as long as it is for the purposes of assisting with nursing at home or aiding daily living. There is no charge for this but the aid or adaptation should not cost more than £1,000. Help with adaptations may also be available as part of a community care package provided by the Council's social care services.

The following information is anticipated to meet the Council's responsibilities regarding the above.

Disabled facilities grants

Disabled facilities grants (DFG) are financial grants provided by the Council to help with the cost of adapting a property to meet the needs of a disabled occupier.

To be eligible for a DFG, you must be one of the following:

- an owner occupier;
- a private tenant;
- a landlord with a disabled tenant;
- a local authority tenant; or
- a housing association tenant.

Some occupiers of caravans and houseboats are also eligible.

If one of the above is applying for the grant for someone in the household who is disabled, this must be stated on the application for the DFG.

The maximum DFG is £30,000. This amount is set out in the Disabled Facilities Grant (Maximum Amounts and additional purposes) (England) Order 2008. (2008 No. 1189)

A person is 'disabled' for the purposes of a DFG application if-

- Your sight, hearing or speech is substantially impaired;
- you have a mental disorder or impairment of any kind;
- you are substantially physically disabled by illness, injury, impairment present since birth, or otherwise; or
- you are registered (or could be registered) disabled with the social services department.

A disabled person may get a DFG to help him or her in a number of ways, including the following:

- easier access to and from the property (such as widening doors or installing ramps);
- making the property safe for the him or her and others living with them (such as a specially adapted room where a disabled person could be left safely unattended or providing improved lighting for a disabled person with sight problems);
- easier access to a room used or that can be used as the principal family room;
- easier access to a room used or that can be used as a bedroom.
- easier access to a room in which there is a lavatory, bath or shower (such as by providing a stairlift);
- providing a room in which there is a lavatory, bath or shower, and wash-hand basin;
- the use of a lavatory, bath or shower or wash-hand basin;
- to assist with preparing and cook food;
- by improving or providing a suitable heating system; using a source of power, light or heat (for example adapting heating or lighting controls to make them easier to use);

Kirklees Council Private Sector Housing Assistance Policy#

- easier access and movement around the home to enable the disabled person to care for someone dependent on them, who also lives there (such as a child, husband, wife or partner); or
- easier access to the garden or make access to the garden safe - the garden can include a yard, outhouse or other facility within the boundary of land attached to your dwelling. It can also include a balcony or land next to the mooring of a houseboat.

Applicants should not have any work carried out on the property until the Council approves the DFG application. If the work is urgent, the applicant should contact the Council to discuss this. The applicant will also need to ensure that separately any planning or building regulations approval needed is obtained.

A DFG is mandatory (i.e. you are entitled to one if you satisfy the conditions for it) but in order to approve an application, the Council must be satisfied that the works are both 'necessary and appropriate' for the needs of the disabled person, and 'reasonable and practicable' in relation to the property.

In order to check whether the works are necessary and appropriate, the Council may ask for an assessment to be completed, such an assessment may be provided by an Occupational Therapist or such other person deemed adequately trained and supported to undertake such an assessment on behalf of the Council.

The DFG will be means-tested save in two broad circumstances –

- (a) when the disabled person is a child - there is no means test for a DFG if an application is made for the benefit of a child or young person under the age of 19 and in receipt of child benefit (for people under the age of 19 and not in receipt of such a benefit contact the Council for advice),
- (b) eligible works costing less than £1,000.

There is a statutory 6-month time limit for the Council to give a decision in relation to an application for DFG assistance. This starts from the date of the formal application. Sometimes the Council may specify a date of payment for the grant, but this should be no later than 12 months from the date on which the application was made.

Works should be undertaken by the contractor specified on the formal DFG approval. Should the specified contractor be unable to do the work or where the disabled person requests a change in contractor this should information or request should submitted to the Council's AHT. A surveyor in the AHT will consider such requests and may reissue a revised DFG approval specifying the new contractor.

Requests for adaptation work to be undertaken by family members should be made to the AHT. Where such requests are made the Council may only consider allowing for the cost of materials in the formal DFG approval.

The grant will only be paid when the Council is satisfied that the work has been completed to their satisfaction and in accordance with the grant approval. Payments will generally be made directly to the contactors (or agents) specified on the DFG approval. Interim payments may be considered by the AHT at certain stages of the adaptations as they progress. The availability of stage payments should not be assumed and the disabled person or their family must satisfy themselves in this

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regard at the outset. It is the disabled person or their family's responsibility to ensure that they instruct their agent and/or contractor accordingly.

Any contractors, including agents, undertaking DFG are employed by the disabled person and/or their family directly and not the council. Although work has to be completed to the satisfaction of the council the council are not responsible for supervising the works as they progress.

Discretionary assistance

In some cases, the cost of adaptations will exceed the £30,000 maximum imposed by the legislation. In those cases additional financial assistance may be available under Council's discretion pursuant to the 2002 Order.

The following is a summary of the mandatory assistance available and also the further assistance available using the powers afforded by the RRO 2002;

- **Minor adaptations** (all tenures)
Mandatory works costing less than £1,000 are funded without any test of resources being undertaken.
- **Major adaptations/DFG's** (all tenures)
Mandatory work costing between £1,000 and £30,000 are funded subject to a test of financial resources (adults only). The requirement to means test children for adaptations was removed in December 2005. *The Housing Renewal Grants (Amendment) (England) Regulations 2005 (SI 2005/3323)*

The local authority reserves the discretion to impose a limited charge on a property provided with a DFG, if it is sold or otherwise disposed of within 10 years. Where this charge is imposed the DFG must have exceeded £5,000 and the maximum charge allowable is £10,000. The total charge therefore allowable is between £5,000 and £10,000. It is expected that the local authority may only consider imposing such a charge where the provision of a DFG is seen as increasing the value of the property, for example those instances where the floor area has been increased or where additional facilities such as bathrooms or wc's have been provided. Such a charge may also be considered where the disabled person or their family have chosen to offset the cost of eligible expense towards their preferred scheme as detailed on page 14 of the policy.

This is a general consent given to Local Authorities and is cited as the Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 and came into force on 22 May 2008.

The imposition and subsequent repayment of such a charge will be determined on a case by case basis reflecting the individual circumstances of each applicant. Subsequent repayment of a charge will take into account sections 3. (2) (a) and 3. (2) (b) i-iv of the above citation. Further information regarding this can be obtained by contacting the AHT.

- **Adaptations costing in excess of £30,000 – Home Appreciation Loans**

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Situations may arise where adaptations are deemed 'necessary and appropriate' and 'reasonable and practicable' but where the cost is estimated to exceed £30,000 which is the mandatory limit set by the "Disabled Facilities Grant and Home Repair Assistance (Maximum Amounts and Additional Purposes order) (England) Order 2008".

For discretionary funding to be considered in these circumstances the AHT will have considered the following;

1. Are adaptations considered 'necessary and appropriate' and 'reasonable and practicable?'
2. Are there no other options available within a reasonable timeframe such as rehousing? Consideration in this respect will be had to things such as giving and/or receiving care, where this might influence/limit an area of choice. If children are involved consideration will also be given to schooling which may also influence areas and availability for rehousing.
3. Do families wish to fund the adaptations in excess of the mandatory amount themselves?
4. The amount of resources available to the household to fund costs in excess of £30,000 themselves.

If the above have been considered and the options exhausted then discretionary assistance (subject to the availability of resources) can be considered, this is generally where the total cost of adaptations does not exceed £60,000). This assistance is in the form of an equity based loan known as a Home Appreciation Loan (HAL).

For home owners a HAL will be considered as the method of funding adaptations where the total cost of adaptations is between £30,000 and £60,000 i.e. above the mandatory grant limit. The amount of HAL funding is generally limited to between £2,000 and £30,000. There are no monthly repayments to be made with a HAL but the loan is secured by a charge on the property and is repayable in the future upon sale or transfer of ownership.

There are qualifying criteria for a HAL including, the person/family should be unable to access commercial borrowing. If the disabled person is a child then the parents should be unable to access commercial borrowing. For detail of other criteria to access a HAL the Operational Handbook should be used.

HAL's are administered by Sheffield City Council on behalf of Kirklees Council in accordance with the signed Handbook which covers HAL provision across a number of Yorkshire and Humberside authorities.

Consideration may be given to providing HAL funding that exceeds the £2,000 and £30,000 or which is outside the funding criteria set out in the Handbook. The AHT Manager in consultation the Loan Manager at Sheffield City Council will consider such requests. The final decision regarding requests for funding outside the criteria detailed in the Handbook will rest solely with the Council and are likely only to be considered where savings to other areas, for example adult/children social care can be evidenced.

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A HAL is only available to home owners. For local authority tenants, Registered Provider tenants and private sector tenants contact AHT for further guidance and information.

- **Discretionary Relocation Assistance**

Where a person is not eligible for a DFG or where the costs of adaptations to their existing home are higher than the combined DFG and any discretionary financial assistance, the Council may also consider providing financial assistance to help adapt another property under a Discretionary Relocation Assistance loan or grant. Such assistance is potentially available under the Council's discretionary powers under the 2002 Order.

In such circumstances a discretionary grant can be made available to cover any equity shortfall in buying an alternative property. The maximum amount of discretionary assistance should not exceed £30,000. The total amount of assistance available for the new property is £60,000 (up to £30,000 in mandatory adaptations and up to £30,000 relocation assistance).

To consider such situations the following information will be taken account of:

1. The cost of adaptations at the existing property,
2. The cost of adaptations at an alternative property,
3. The amount of mortgage at the current property,
4. The amount of equity available at the current property,
5. Confirmation of the maximum available mortgage,
6. The type, location and cost of suitable alternative properties.
7. That adaptations are considered 'necessary and appropriate' and 'reasonable and practicable'.

(Where the disabled person is a child, the financial circumstances of the parents will be used to consider the above)

Applications for this type of assistance should be made to and considered by the appropriate Heads of Service (Housing and either Adults or Children's Services) or their designated person.

Relocation assistance is not available to help someone onto the property ladder or to improve someone's position on the housing ladder. An alternative property must be considered the most cost effective way of meeting the needs of the disabled person and any adaptations required must be deemed 'reasonable and practicable'.

Discretionary Relocation Assistance is bespoke to the individual circumstances of the applicant and will be subject to a legally binding written agreement. The Council will begin by considering whether to offer a loan which would be repayable by agreed instalments paid back to the Council every month. The loan would be secured by way of charge against the property. If the Council considers that a loan is not appropriate a grant may be made available secured by way of legal charge against the property. The decision as to whether to offer a loan or a grant is within the complete discretion of the Council based on consideration of the facts of each individual case.

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If the situation arises where adaptations and relocation costs are in excess of £60,000 but are still deemed to be the only way of meeting the person's needs these cases should be submitted to the senior managers mentioned above for consideration. In considering such requests the Managers will have regard to the full circumstance surrounding the disabled person and their family, including housing and social care considerations.

- **Discretionary DFG's**

If AHT consider that work is required which falls outside of section 2 of the Housing Grants, Construction and Regeneration Act 1996 (purposes for which mandatory grant may be given) then this can be considered under the Council's discretion pursuant to the 2002 Order on a case by case basis by the AHT in consultation with the appropriate Housing and Adult / Children Manager or nominated officer. This work may include:

1. Vehicular hard standings, dropped kerbs,
2. Additional facilities such as wc's,
3. Other adaptations (or partial adaptations) may be considered where, following assessment it can be demonstrated that an adaptation could result in either greater independence for the disabled person or where savings to the council can be achieved, for example savings to adult/children's social care.

- **Relocation Expenses (all tenures)**

Assistance with the costs of relocation (subject to the availability of resources) to an alternative property can be considered pursuant to the 2002 Order.

The maximum amount of relocation assistance is £5,000 and will cover things such as removal company costs, carpets, curtains, the cost of redirecting mail and reconnecting essential services. It is not available to cover legal costs or stamp duty.

Such assistance may only be considered where a person's home is adaptable and where the cost of relocation plus the costs of adaptations at an alternative property are less than the cost of adapting a person's current home.

Relocation expenses may also be available to assist someone to move from an adapted home which is no longer needed by the occupant and where this is required by someone who needs those adaptations.

- **Offsetting of costs**

Where a disabled person and/or their family want to undertake works over and above what is determined as 'necessary and appropriate' and 'reasonable and practicable' by the AHT then this can be considered. Typically (but not exclusively) this kind of 'offsetting of cost' may arise where the disabled person wishes to build an extension in lieu of an internal adaptation. Any request to offset the cost towards an alternative scheme will be considered subject to the following:

1. Any additional costs envisaged or incurred in the provision of an adaptation costing more than the eligible expense (as determined by the AHT) have to be met by the disabled person and/or their family.

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2. Any costs associated with employing an agent will be at the risk of the disabled person and/or their family.
3. Any alternative scheme proposed by the person or their family must be approved to meet the assessed needs of the disabled person. This will be determined in all cases by the Council. AHT will take all factors into account in determining such a request including relevant Building, Planning and Housing legislation.
4. Contractors and agents working on such schemes are employed by the disabled person or their family directly and not the council and in all cases the disabled person or their family will be responsible for meeting any additional costs incurred. This also applies where an alternative scheme fails to proceed and the disabled person becomes liable for any abortive costs associated with their preferred scheme.
5. The AHT will not be obliged to support such cases with the planning authority (where appropriate) if an alternative scheme of adaptations not requiring planning approval are deemed 'necessary and appropriate' by the AHT.
6. A disabled person or their family may be asked how such additional works will be funded.
7. As with any DFG, works should not commence until such time as formal approval is given by the Council and work should only be undertaken by the contractors and/or agents specified on the approval.
8. Requests for stage or interim payments once building work is progressing may be considered by the AHT but may only be offered at certain stages, for example when a building or extension is wind and weathertight. The availability of stage payments should not be assumed and the disabled person or their family must satisfy themselves in this regard at the outset. It is the disabled persons or their family's responsibility to ensure that they instruct their agent and/or contractor accordingly.

The option of 'Offsetting of costs' will only be considered where the service user's proposed scheme clearly meets the needs of the service user as determined by the assessor and surveyor in the local authority AHT.

- **Assistance with meeting the means tested contribution/consideration of other assistance**

Where a disabled person has a means tested contribution towards their assessed adaptations and they can demonstrate that they have no savings or investments, where they cannot access any commercial borrowing, or cannot access other sources of funding then the Council may:

1. In the cases of home owners consider offering a HAL to cover such instances,
2. Where it is a local authority tenant, waiving such contribution,
3. Negotiation will be required with the provider, where a tenancy is with a registered provider.
4. Other tenures such as private rented will require careful consideration of factors such as length of tenure on a case by case basis.

Should the situation arise where adaptations which are estimated to cost in excess of the mandatory £30,000 and where the disabled person is unable to

Kirklees Council Private Sector Housing Assistance Policy#

fund the shortfall (including being unable to access a HAL), these will not normally be considered. However, the AHT Manager, relevant Adults Manager, or Children's Manager may consider funding adaptations over the statutory mandatory limit subject to the availability of resources.

In these circumstances it will have been demonstrated that all avenues such as rehousing have been exhausted and the only way of meeting the disabled person's needs is to adapt the property and the cost is above £30,000. All social, financial circumstances and any alternatives will need to be considered in such cases, and this is only likely to be considered where alternatives to adaptations would lead to greater expense for the local authority in other areas, for example residential or social care.

- **Other tenures of housing**

Discretionary relocation assistance and HAL are only available to homeowners.

For other tenures, such as assured or shorthold tenancies from Registered Providers, including housing associations where adaptations are considered not 'reasonable and practicable' or only adaptable at high cost, AHT will work with the owner of the property and the individual and their families to either agree funding or assist to secure appropriate alternative accommodation. This could be in either the social or private rented sector.

Notes

No financial assistance will be paid towards works covered by insurance or which are the subject of litigation proceedings. In any such circumstances where it later emerges that financial assistance has been obtained in these circumstances, the Council may demand repayment of the amount of the assistance, plus compound interest.

Where in such circumstances mandatory adaptation works are necessarily carried out prior to resolution of any such claims, repayment may be sought following settlement of claims. In such instances the council may require an individual written agreement with the recipient of financial assistance.

9. Monitoring and Review

This policy will be monitored and reviewed in line with other relevant Council policies and where significant legislative or other changes occur the Council will consider whether relevant provisions should be incorporated into this policy. Any such provisions will be considered by the relevant Cabinet portfolio holder(s) before changes to the policy are made and publicised as appropriate.

10. The Policy and Contact details

The Private Sector Housing Assistance Policy is available on the Council's website www.kirklees.gov.uk click on 'Housing'.

Enquiries about further details regarding this policy should be made in the first instance to the following:

Private Sector Housing

Housing Solutions Service,
Civic Centre 3,
High Street,

Home Adaptations

Accessible Homes Team
Flint Street
Fartown

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Huddersfield HD1 2YZ
Telephone 01484 221350

Huddersfield, HD1 6LG
Telephone 01484 225335

EQUALITY IMPACT ASSESSMENT FRONT COVER

Service Details

Housing Services

Ref No.

(to be allocated by the equality and diversity team)

Directorate:	Service:
Place	Housing
Lead Officer:	Service Area/Team:
Helen Geldart	Housing Solutions Service & Accessible Homes Team
Officers responsible for Assessment:	Date:
Karen Oates, Stephen Cale, Paul Howard	05.12.16

About the proposal

What are you planning to do?

☐ Change/Reduce

☐ Remove

☐ Introduce or charge

X **Review**

None of the above

WHAT

☐ Service provision to the public

X **Policy**

☐ Employment Practice/Profile

Assessed level of Impact

☐ High

☐ Medium

X **Low**

Budget Affected

☐ Capital

☐ Revenue

How has this issue come about?

☐ Budget Proposal

☐ New funding/Grant Aid

☐ Service Plan

X **Legal Duty**

☐ Loss/reduction in funding

Other (please state) _____

Proposal detail (give a brief outline of what this is about – no max words)

The proposal is for the Private Sector Housing Assistance Policy to be brought up to date in line with current operational arrangements. The policy does not propose any changes to these arrangements, but if adopted by Cabinet, means that it is properly aligned with how housing assistance is provided in Kirklees Council.

Who is the proposal likely to impact?

☐ Age

☐ Marriage & Civil Partnership

☐ Religion & Belief

- ☐ Disability
 ☐ Pregnancy & Maternity
 ☐ Sex
☐ Gender Reassignment
 ☐ Race
 ☐ Sexual Orientation
 Other (please state)

Not applicable

Which ward area(s) is this likely to affect? All
Have any of the following been completed?

- ✓ Stage 1 Screening Tool
 X Stage 2 Legal Compliance
 X Stage 3 Customer focus assessment

Is the proposal likely to have an adverse impact on compliance with the Public Sector Equality Duty?

	Y	N
Ending Unlawful Discrimination, harassment & Victimisation	<input type="checkbox"/>	X
Promoting Equality of opportunity	<input type="checkbox"/>	X
Foster Good Relations	<input type="checkbox"/>	X

List any supporting documents

Cabinet report 17th January 2017

Authorisation

Sign off by lead officer (name)	Signature	Date
Helen Geldart	<i>H. E. Geldart</i>	7.12.16
Sign off by Assistant Director (name)		Date
Kim Brear		
Proposed Review Date		
In line with other relevant council policies and the Council's Housing Strategy		

Further Authorisation

Authorising Body	Signature	Date

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Name of meeting: CABINET
Date: 17 January 2017

Title of report: Housing Revenue Account (HRA) rent and service charge setting report and key housing challenges

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan ?	Yes
Is it eligible for "call in" by Scrutiny ?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman – 9 January 2017
Is it signed off by the Director of Resources?	Debbie Hogg – 5 January 2017
Is it signed off by the Assistant Director - Legal Governance and Monitoring	Julie Muscroft – 6 January 2017
Cabinet member portfolio	Cllr Naheed Mather Housing and Enforcement Management

Electoral [wards](#) affected: All

Ward councillors consulted: None

Public or private: PUBLIC

1. Purpose of report

- 1.1 To seek Member approval for a 1% reduction in dwellings rents in 2017/18 and for the proposed garage rents annual uplift of 2% in 2017/18 and similar for service and other charges with the exception of Extra Care services which have a proposed annual uplift of 2.58%.
- 1.2 To provide context in terms of the key challenges facing housing including the 1% rent reduction.
- 1.3 To set out the full schedule of proposed weekly dwelling rent, service and other charge increases to Council tenants for 2017/18, noting that these will be calculated on a basis that matches the billing periods to the number of weeks in the year (i.e. 52 weeks for 2017/18) - Appendix 1.

2. Context

- 2.1 This report provides the financial context and basis for the annual setting of rents and service charges as well as for the HRA budget which will be considered by Council in February 2017.
- 2.2 The Government has confirmed it has clear expectations of a revised national rent setting policy. The expectation is that Councils will implement a 1% reduction in rents for 4 years from April 2016.
- 2.3 HRA self-financing was implemented in April 2012. National government rent policy at that time allowed for annual rent uplifts at Consumer Price Index +1%; longer term outlook for tenants was a financially viable HRA which would enable the Council and its key ALMO partner to :
- Service HRA debt
 - Maintain current stock at decency standard over the long term
 - Provide a high quality housing management & housing repair service
 - Explore opportunities for additional strategic investment e.g. New Build.
- 2.4 In July 2015 the government introduced new rent setting measures under the Welfare Reform and Work Act 2016, for social housing landlords to reduce the rent payable by tenants by 1% each year between April 2016 and April 2019. As a result a fundamental review of the HRA commenced last year with HRA planning now focussing on year two of the 4 year reduction. The implications for the HRA linked to the 4 year rent reduction policy are summarised below.
- The HRA is a ring-fenced account. It has to live within its means. Its main income source is rents.
 - Future year HRA rental income forecasts prior to the July 2015 government announcement had assumed annual rent uplifts based on CPI +1%. These forecasts have now been re-cast in light of the 1% rent reduction announcement.
 - This change in government rent policy has significant financial implications for the HRA. This is set out in a simple table below :

Financial year	Annual rent forecasts before the 1% rent reduction announcement	Annual rent forecasts after the 1% rent reduction announcement	Annual HRA rental income loss
2016-17	£84.4m	£82.8m	-£1.6m
2017-18	£85.9m	£81.7m	-£4.2m
2018-19	£87.8m	£80.6m	-£7.1m
2019-20	£90.0m	£79.5m	-£10.5m

- 2.5 In addition to the rent reduction policy a number of key policy announcements have been made following the enactment of the Welfare Reform and Work Act 2016 and the Housing and Planning Act 2016. The implications of the new legislation have been included within the 30 year financial modelling for the HRA and are summarised below in section 3. A key objective is to deliver a balanced 30 year HRA business plan. The budget proposals for 2017-21 result from a joint review of the HRA with Kirklees Council and KNH. The initial target, as reported in the 2016/2017 report to Tenants and Residents Committees, identified a savings gap of approximately £6m but to ensure that additional pressures are considered this has been revised to £12m. This target saving is in line with current information available on national policy changes and welfare reform.

- 2.6 Rental Income will reflect the 1% rent reduction (as in the above table) until 2019/2020 when we assume that inflation (currently CPI) will be applied.

3. Housing challenges and context

Housing and Planning Act 2016

- 3.1 The Housing and Planning Act confirmed a number of measures that will have an impact on the HRA, policies and Kirklees approach. These include:
- i. The sale of high value vacant local authority homes to fund right to buy for housing association tenants, likely to be from 2020/21. (High cost levy)
 - ii. The ending of 'life time tenancies' for council tenants and the introduction of fixed term tenancies, likely to be between 2 and 10 years.
 - iii. The opportunity for Council's to implement a voluntary 'Pay to Stay' rent policy for high income households, the additional rent collected by local authorities, minus an administration fee, to be paid to central government.

Universal Credit and Welfare Reform and Work Act 2016

- 3.2 The impact of the move towards Universal Credit has not been fully felt yet in Kirklees, although recent announcements have confirmed that the rollout of Universal Credit to all new claimants will commence in November 2017. There will be a significant resource implication to deal with the new claimants receiving Universal Credit. Due to the waiting period of around 6 weeks before the first payment is made it is inevitable that those people in receipt of Universal Credit will have rent arrears. There will be major strategic and operational challenges in dealing with the estimated total of 10,000 claimants in Kirklees Council tenancies as Universal Credit continues to be rolled out in Kirklees over the next 4 years. The rollout of UC increases the risks associated with managing HRA cash flow and income collection rates.
- 3.3 The Welfare Reform and Work Act 2016 confirmed a number of measures that will have an impact on the HRA, policies and Kirklees approach. These include:
- i. The 1% reduction in rent referred to above.
 - ii. The capping of Housing Benefit to cover rent and service charge payments in council housing to Local Housing Allowance rates.
 - iii. The reduction to £20,000 of the annual benefit cap limit for those out of work.
 - iv. The freezing for 4 tax years of some social security benefit.

4. Proposed Rent & Service Charge

- 4.1 The new average weekly HRA dwellings rent for 2017/18 is £69.89, based on a 52 week billing period, and incorporating the compulsory 1% rent reduction.
- 4.2 It is proposed that the annual increases to average weekly garage rent and service and other charges for 2017/18, as attached at Appendix 1, continue to be uplifted in line with the same Retail Price Index (RPI) figure (September snapshot) used to inform the annual rent restructure calculation, which for 2017/18 is 2%; again calculated over a 52 week billing period, and charges for Extra Care Services are uplifted by 2.58%.
- 4.3 The proposed changes to rent and service charges for 2017/18, as set out above, will be effective from 3rd April 2017.

5. Implications for the Council

- 5.1 The rent reduction and wider key housing challenges set the broader financial context for the HRA budget discussions in February 2017.
- 5.2 The proposed 1% rent reduction for 2017/18 will directly impact on around 30% of Council tenants not in receipt of housing benefit.
- 5.3 As part of HRA self-financing, central government's debt settlement allocation to Kirklees was £216 million. This was based on a nationally modelled assumption that Kirklees HRA would have sufficient future rental income streams to be able to service this level of debt, provided it continued to uplift rents annually in line with national rent guidelines.
- 5.4 The current HRA business plan is based on a prudent servicing of the £216 million debt settlement figure, and the fact that future rental income streams need to be sufficient to enable the Council to build up resources to be able to maintain existing housing stock at a level of decency over the longer term.
- 5.5 The impact of the 1% rent reduction on the 30 year business plan represents a significant business risk to the Council.
- 5.6 By year 2019/20, there will be an annual reduction of £10.5m in rental income. The amount lost over the next 4 years = £23.4m.
- 5.7 Initial proposals for dealing with the forecast deficit on the HRA include:
 - By 2019/2020 the revised KNH management fee (reflecting the new financial structure) is to be reviewed following the successful merger of Building Services and KNH.
 - Income streams will be reviewed to propose that full cost recovery is achieved.
 - There will be a detailed review of the stock condition survey data that will inform investment costs requirement to maintain future levels of decency.
- 5.8 The Equality Act 2010 (Section 149) requires the Council to have due regard to the need to:
 - a) eliminate discrimination; harassment, victimisation, and any other conduct that is prohibited by or under the Act;

b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

It is believed that the proposals to change rents and other charges set out in this report will not have an unduly adverse impact on any persons in any of the 7 protected characteristics namely, age, disability, gender reassignment, pregnancy and maternity, race, religion, or belief, sex and sexual orientation. All tenants affected by any approved changes to rents and other charges will be notified of the specific changes to their charges and be provided with information and guidance on how to access information and guidance on housing and other benefits.

Equality Impact Assessments in relation to the initial proposals for dealing with the forecast deficit outlined above are being developed and will as appropriate be considered as part of the budget setting discussions during February 2017.

6. Consultees and their opinions

- 6.1 Awareness of the 1% rent reduction has been raised through a dialogue with Tenants and Residents Committee (TRC) briefings during November and December 2016 on the proposals contained in this report. TRC were supportive of the HRA budget proposals set out in light of the financial challenges facing the HRA as a result of the 1% annual rent reductions to 2020 and other national policy changes, and as well, acknowledging of the opportunities from the recent Building Services / KNH merger. Individual tenants will be formally notified of the approved changes by letter and in accordance with the statutory 4 week notice period.
- 6.2 It is intended that there will be further member, senior officer and other key stakeholder briefings through 2017 to continue to assess the future opportunities for the HRA and key sensitivities impacting on longer term HRA business plan forecasts.

7. Next steps

- 7.1 In order to comply with the requirements of the Local Government and Housing Act 1989 to have a balanced HRA and the Welfare Reform and Work Act 2016 to reduce rents payable for social housing by at least 1% from April 2016 and subject to Cabinet approval, Council & KNH officers will prepare for the implementation of rents and service charge changes from 3rd April 2017 as set out in Appendix 1 and the issuing of prior notification letters to individual tenants in accordance with the statutory 4 weeks notice period.

8. Officer recommendations and reasons

- 8.1 That Members, in order to comply with the requirements of the Local Government and Housing Act 1989 to have a balanced HRA and the Welfare Reform and Work Act 2016 to reduce rents payable for social housing by at least 1% from April 2016, approve the proposed rent and service charge changes from 3rd April 2017 for 2017/18 which are contained within this report.
- 8.2 That Members note that the national and local financial challenges outlined above in preparation for HRA budget discussions in February 2017.

9. Cabinet portfolio holder recommendation

- 9.1 That the proposed dwelling rent and garage rent and service and other charges set out in the report be approved and be effective from 3rd April 2017.
- 9.2 That the national and local financial challenges outlined in the report are noted in preparation for the HRA budget discussions in February 2017.

10. Contact officer and relevant papers

Helen Geldart
Head of Housing Services
Tel: 01484 221000
email: helen.geldart@kirklees.gov.uk

11. Assistant director responsible

Kim Brear
Assistant Director - Place
Tel: 01484 221000
email: kim.brear@kirklees.gov.uk

Appendix 1 - Schedule of Weekly Rent and Service Charges for 2017/18

	Schedule as at 4 th April 2016 £		Schedule as at 3 rd April 2017 £		Increase %
RENTS					
Average Dwelling Rent Split:	70.60		69.89		-1.0
Average 1 Bedroom Rent	61.99		61.37		-1.0
Average 2 Bedroom Rent	73.31		72.58		-1.0
Average 3 Bedroom Rent	82.52		81.69		-1.0
Average 4 and Over Bedroom Rent	87.14		86.27		-1.0
Garage Rents (Excl VAT)	4.67		4.76		2.0
Housing Benefitable Service Charges					
Concierge	1.98 to 12.89*		2.02 to 13.15*		2.0
Door Entry Systems	0.35		0.36		2.0
Communal Cleaning	0.80 to 6.19*		0.82 to 6.31*		2.0
Communal Cleaning (contract extension)	1.37		1.40		2.0
Window Cleaning	0.17 to 2.06*		0.17 to 2.10*		2.0
<u>Sheltered Housing:</u>					
Scheme Management	11.34		11.57		2.0
Scheme Coordinator	4.18		4.26		2.0
<u>Furnished Tenancies:</u>					
1 bed property	15.58		15.89		2.0
2 bed property	21.15		21.57		2.0
Single Person (old charge)	12.25		12.50		2.0
Family charge (old charge)	15.58		15.89		2.0
PFI Service Charges					
Communal Cleaning	8.75 to 11.93*		8.93 to 12.17*		2.0
Communal Utilities	1.80 to 9.56*		1.84 to 9.75*		2.0
External Lighting (General Needs Only)	1.40 to 2.09*		1.43 to 2.13*		2.0
Grounds Maintenance	2.36 to 6.14*		2.41 to 6.26*		2.0
Intensive Housing Management (Extra Care Only) Range	20.36 to 51.96*		20.89 to 53.30*		2.58
Management and Admin	1.06 to 1.07*		1.08 to 1.09*		2.0
Night Time Security (Extra Care Only)	13.57		13.92		2.58
Property Management (Extra Care Only)	17.85		18.21		2.0
Extra Care Communal Maintenance	4.19 to 9.58*		4.27 to 9.77*		2.0
Other Charges					
Parking Spaces	4.02		4.10		2.0
Older People Support	6.95, 17.11		6.95, 17.45		2.0
Sheltered heating :					
Bedsit	8.43		8.60		2.0
1 bed	9.67		9.86		2.0
2 bed	10.84		11.06		2.0
3 bed	11.91		12.15		2.0

* Indicates the range of different charges for the service in different locations that will be changed by the set %.



Name of meeting: Cabinet
Date: 17 January 2017
Title of report: Commissioned Enforcement Partnership

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan ?	No
Is it eligible for "call in" by Scrutiny ?	Yes
Date signed off by Director & name Is it signed off by the Assistant Director Resources - Financial Management, Risk, IT and Performance? Is it signed off by the Assistant Director - Legal, Governance & Monitoring?	Jacqui Gedman - 09.01.17 Debbie Hogg - 05.01.17 Julie Muscroft - 09.01.17
Cabinet member portfolio	Cllr Naheed Mather - Place Housing & Enforcement Management

Electoral [wards](#) affected: ALL
Ward councillors consulted: N/A

Public or private: **Public**

1. Purpose of report

- 1.1 This report is requesting permission to commission a 12 month trial of joint working with a private enforcement company for the issuing and management of Fixed Penalty Notices (FPN) in relation to litter, dog and related environmental offences.

2. Key points

2.1 Background

- 2.1.1 The Council has a responsibility to ensure that the district is kept clean, with one strand of this tackling littering, dog fouling and associated environmental offences, which are covered within criminal legislation.
- 2.1.2 The Council has a reducing enforcement presence, with an establishment number of 13 specific dog warden/waste enforcement

officers presently reduced to 6 as a result of the proposed service changes. These changes are expected to be in the order of 12 months away.

- 2.1.3 One part of the duties of the team was patrolling and issuing FPN's for littering and dog related offences such as dog fouling and dogs off leads. However capacity to do this has significantly been impacted by the reduction in staff, to the extent that this activity is no longer possible.
- 2.1.4 The patrolling and issue of FPN's was part of a wider strategy to tackle littering and dog fouling in the district running in parallel with education and physical support such as provision of bins at points of assessed need, dog bag dispensers, and signage.
- 2.1.5 The vast majority of tickets were issued by members of the Street Scene Action Team with partners issuing a small number, so the cessation of this activity due to resources has had a significant impact on this area of work.
- 2.1.6 There is the opportunity to commission on a trial basis a company who supply a service to local authorities patrolling and issuing fixed penalties for littering and similar offences, (see appendix one for offences and penalties) they then manage the case file until the fine is either paid or the matter is ready for prosecution
- 2.1.7 This service would include the supply of staff – both street based patrols, management and back office support who will provide support to manage other fixed penalties that are issued by enforcement officers for offences that the external provider do not cover.
- 2.1.8 The enforcement team are currently being trained and authorised to present at magistrates court, simple non contested cases to enable the anticipated increased workload to be dealt with as economically as possible and to minimise the requirement for additional resources in legal services. Even if the decision is not to go forward with a commissioned external provider following the trial, this approach will still be of benefit and achieve efficiency savings.
- 2.1.9 There are two significant changes to the protocols on discharging these offences by means of a fixed penalty under this suggested commissioned approach; the early repayment discount would be removed as would the restorative justice option to attend a good citizen course.
- 2.1.10 The Equality Impact Assessment is attached (appendix 2) which shows that the impact of this does not specifically impact on any identified group, and the intended greater rate of offenders caught has a positive impact on certain groups, for example reduction in dog fouling has a positive impact on wheelchair users.
- 2.1.11 Any income generated would be proposed to be used to carry out environmental deference and enforcement activity.

2.2 Recommendations

- 2.2.1 To give permission to undertake a 12 month trial of a suitable service provider, to see if this has a positive impact on the actual and perceptual issues around littering and dog fouling and related issues, and then undertake a wider procurement exercise to gain a commissioned partner going forward to manage these offences if the impact is seen to be beneficial.

3. Implications for the Council

- 3.1 Financial - There is a saving of support capacity that is being given by the commissioned firm within the overall package to support other enforcement activity. The contract will be cost positive and any surplus will be used to support activities.
- 3.2 Resource - There is some resource implication for the procurement exercise, but after that this scheme is resource positive with the embedded staff releasing business support capacity from FPN management.
- 3.3.1 Legal and reputational risk – This has been put in place in a number of other authorities as a response to reduced internal capacity, and as such is now a tested method of this enforcement delivery. The legal implications of case mismanagement or challenge are reduced with body cams worn by staff, and the experience of people whose central role is the issue and management of Fixed Penalty Notices for a focused number of offences.
- 3.3.2 There is the further impact of the withdrawal of the early repayment option and the opportunity to access the restorative justice route via the good citizen's course, which for these offences would be withdrawn to meet the business model of a service supplier.

4. Consultees and their opinions

- 4.1 The Unions have been informed of the proposals which are to supplement the existing enforcement work undertaken by the council as regards location based ASB, and is not replacing existing service provision.

5. Next steps

- 5.1 Undertake the procurement exercise with the exemptions granted as a trial to see if the approach can be successful within Kirklees to reduce the actual and perceptual issues around litter and dog related offences

6. Officer recommendations and reasons

- 6.1 That Cabinet approve the recommendations to go forward with a commissioned enforcement service supporting the other in house environmental enforcement work and to authorise the AD Place and the AD Legal Governance and Monitoring to make consequential changes to the FPN protocol.

7. Cabinet portfolio holder recommendation

- 7.1 Councillor Naheed Mather, the portfolio holder for Housing and Enforcement Management supports the officer recommendations and would ask, that Cabinet approve the recommendations to go forward with a commissioned enforcement service, supporting the other in house environmental enforcement work and to authorise the AD Place and the AD Legal Governance and Monitoring to make consequential changes to the FPN protocol.

8. Contact officer and relevant papers

Officers:

Rob Dalby – Parks and Greenspaces Manager – Streetscene and Housing,
Tel: 01484 221000
Email rob.dalby@kirklees.gov.uk

<https://www.gov.uk/guidance/litter-and-refuse-council-responsibilities-to-keep-land-clear>

9. Assistant director responsible

Joanne Bartholomew - Assistant Director Place
Tel 01484 221000
Email joanne.bartholomew@kirklees.gov.uk

Offence / Issue	Legislation	Fixed Penalty levels	First response	follow up	Escalation
Littering (age 18 and over)	s. 87 Environmental Protection Act (1990)	FPN £75	Details taken by authorised officer at time of offence & send FPN	N/A	Prosecution £2500
Commercial sale of multiple vehicles on the highway	s.3 Clean Neighbourhoods and Environment Act (2005)	FPN £ 75	First offence issue warning letter	Issue FPN on second and subsequent offences	Prosecution £ 2500
Repair of Motor Vehicles on the highway for gain	s.4 Clean Neighbourhoods and Environment Act (2005)	FPN £ 75	First offence issue warning letter	Issue FPN on second and subsequent offences	Prosecution £ 2500
Proposed Public Space Protection Order: Drinking alcohol in public (designated areas only)	s. 59 Anti-social Behaviour, Crime and Policing Act (2014)	FPN £75	Authorised officer asks person to stop drinking and may require surrender of alcohol.	Details taken by authorised officer at time of offence & send FPN	Prosecution £500
Proposed Public Space Protection Order: public urination or defecation (designated areas only)	s. 59 Anti-social Behaviour, Crime and Policing Act (2014)	FPN £75	Details taken by authorised officer at time of offence & send FPN		Prosecution £1000
Distributing printed material within the designated control area (Inside Huddersfield ring road + springwood Car park) or having large accumulations of flyers left on street	s.94b Environmental Protection Act (1990)	FPN £ 75	Check if distribution is authorised / is business distributing via street promotion if not follow code	N/A	Prosecution £ 2500
fly posting on highways street furniture	s.132 Highways Act (1980)	£100	Issue one FPN for all adverts on first offence and make clear all subsequent offences will be dealt with as per follow up	issue FPN for every illegal advert on second offence	Prosecution £ 2500
Proposed Public Space Protection Order: Dog Fouling/Not having means to pick up/Dog in exclusion zone/Dog not on lead	s. 59 Anti-social Behaviour, Crime and Policing Act (2014)	FPN £75	Issue of FPN	N/A	Prosecution £1000

A guide to equality Impact Assessments (EIAs)

What are Equality Impact Assessments (EIAs)?

- EIAs are a **tool to help you analyse and make more considered decisions** about changes to service delivery, policy and practice. An EIA will help you to identify how specific communities of interest may be affected by decisions and to consider any potential
- EIAs can also help to improve or promote equality by encouraging you to **identify ways to remove barriers and improve participation** for people with a protected

Why do we need to do Equality Impact Assessments (EIAs)?

- Although not a mandatory requirement, EIAs provide important **evidence** of how we have considered the implications of service and policy changes and demonstrate how we
- The three main elements of the **Public Sector Equality Duty** are:
 - ✓ Eliminating discrimination
 - ✓ Promoting equality of opportunity
 - ✓ Fostering good relations
- In fulfilling our Public Sector Equality Duty we must ensure that we demonstrate that we have followed a number of key **principles** (based on previous case law):
 - ✓ Knowledge
 - ✓ Timeliness
 - ✓ Real consideration
 - ✓ Sufficient information
 - ✓ No delegation
 - ✓ Review
 - ✓ Proper record keeping
- We need to provide evidence that we have given **due regard to any potential discriminatory impact on people with protected characteristics** in shaping policy, in
- We must always consider whether a service change, decision or policy could have a discriminatory impact on people with protected characteristics, not just any impact that is the
- The EIA tool allows us to **capture, demonstrate and publish our rationale** of how we have considered our communities and legal responsibilities under the Public Sector
- **But above all, EIAs are about understanding and meeting the needs of local people and supporting us to deliver our vision for Kirklees.**

When do we need to do Equality Impact Assessments (EIAs)?

- Whenever you plan to **change, introduce or remove** a service, activity or policy.
- At the **VERY BEGINNING** of any process of:
 - ✓ Budget setting
 - ✓ Service review (including changes to employment practice)
 - ✓ Planning new projects and work programmes
 - ✓ Policy development and review
 - ✓ Procurement or commissioning activity

Who should do it?

- Overall responsibility for EIAs lies at a **service** level. A lead officer should be appointed from the service area that is making a proposal and all decisions should be

- Those directly affected (partners, stakeholders, voluntary groups, communities, equality groups etc) should be engaged with as part of the process.

How should we do it?

- Our EIA process has two stages:
Stage 1 - initial screening assessment
Stage 2 - further assessment and evidence

EIA STAGE 1 – SCREENING TOOL (initial assessment)

The purpose of this screening tool is to help you consider the potential impact of your proposal at an early stage.

Please give details of your service/lead officer then complete sections 1-3:

- 1) What is your proposal?
- 2) What level of impact do you think your proposal will have?
- 3) How are you using advice and evidence/intelligence to help you?

You will then receive your stage 1 assessment score and advice on what to do what next.

Directorate:	Senior Officer responsible for policy/service:
Place	Will Acornley
Service:	Lead Officer responsible for EIA:
Environmnet and Greenspace	Rob Dalby
Specific Service Area/Policy:	Date of EIA (Stage 1):
Environmental enforcement	16-Nov-16

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section

1) WHAT IS YOUR PROPOSAL?	Please select YES or NO
To introduce a service, activity or policy (i.e. start doing something)	NO
To remove a service, activity or policy (i.e. stop doing something)	NO
To reduce a service or activity (i.e. do less of something)	NO
To increase a service or activity (i.e. do more of something)	NO
To change a service, activity or policy (i.e. redesign it)	YES
To start charging for (or increase the charge for) a service or activity (i.e. ask people to pay for or to pay more for something)	NO
Please briefly outline your proposal and the overall aims/purpose of making this change:	
<p>To introduce a commissioned service with a third party company to issue and arrange fixed penalties for , littering and dog related offences, with the removal of early repayment discounts for these offences and the opportunity to abate the offence by attendance on a good citizens course.</p>	

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2) WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...		Level of Impact
		Please select from drop down
Kirklees employees within this service/directorate? (overall)		Neutral
Kirklees residents living in a specific ward/local area?		Neutral
Please tell us which area/ward will be affected:		all
Residents across Kirklees? (i.e. most/all local people)		Neutral
Existing service users ?		Neutral
Each of the following protected characteristic groups ?		Please select from drop down
<i>(Think about how your proposal might affect, either positively or negatively, any individuals/communities. Please consider the impact for both employees and residents - within these protected characteristic groups).</i>		
...age	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...disability	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...gender reassignment	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...marriage/ civil partnership	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral

...pregnancy & maternity	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...race	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...religion & belief	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...sex	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...sexual orientation	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral

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3) HOW ARE YOU USING ADVICE AND EVIDENCE/INTELLIGENCE TO HELP YOU?		Please select YES or NO
Have you taken any specialist advice linked to your proposal? (Legal, HR etc)?		YES
Do you have any evidence/intelligence to support your assessment (in section 2) of the impact of your proposal on...	...employees?	NO
	...Kirklees residents?	YES
	...service users?	YES
	...any protected characteristic groups?	YES
<p>The introduction of a third party and removal of early repayment and good citizen course avenues of abatement of the offence does not impact on any specific group, as the offences of littering and dog fouling / dogs off leads are completely reactive and based within the open environment. The existing appeal process will continue, allowing any special circumstances to be considered, with the final check and balance being the court to decide guilt or innocence if contesed, and to apportion punishment as appropriate if found guilty.</p>		
		Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal on the different groups of people outlined in section 2?		NOT AT ALL
To what extent do you feel you have considered your Public Sector Equality Duty?		FULLY

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STAGE 1 ASSESSMENT

IMPACT	RISK
Based on scoring of 1) and 2)	Based on scoring of 2) and 3)
0	8
SCORE (calculated) Max = - / + 32	SCORE (calculated) Max risk = - / + 40

You need to move on to complete a Stage 2 assessment if:

The final Impact score is negative and or the Risk score is negative.

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Name of meeting: Cabinet
Date: 17th January 2017
Title of report: Investment in Transformation

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes Both the expenditure and potential savings are above £250k
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name Is it also signed off by the Assistant Director (Financial Management, Performance, Risk and IT)? Is it also signed off by the Assistant Director (Legal, Governance & Monitoring)?	Jacqui Gedman – 9 January 2017 Debbie Hogg – 6 January 2017 Julie Muscroft – 9 January 2017
Cabinet member portfolio	Cllr Graham Turner - Asset Strategy, Resources and Creative Kirklees

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

1. Purpose of report

1.1 The purpose of the report is to provide Cabinet with an overview of two transformation projects requiring investment on an invest-to-save basis as part of the New Council programme. Specifically:

- to gain approval for the investment and ongoing costs required to make the Council “Mobile and Agile”. This will be achieved through the creation of a technology-enabled workforce, and by transforming the Council’s organisational culture and ways of working to enable Kirklees to be a mobile, agile and paper-lite organisation.

- to update Cabinet on the appointment of Deloitte as the Council's Transformation Business Partner. Deloitte have been selected following a competitive procurement process and are supporting the Council to identify and deliver further savings in support of the Medium Term Financial Plan.

2. Summary of recommendations

Having read this report and the accompanying appendices, Cabinet are asked to:

- 2.1 approve proposals to invest the existing identified capital and revenue expenditure, together with additional revenue provision in essential updates to the Council's IT infrastructure and Mobile and Agile technologies.
- 2.2 note the selection of Deloitte as the Council's Transformation Business Partner.
- 2.3 note that future costs of working with Deloitte as the Transformation Business Partner will be funded from the New Council Development Reserve.

3. Key points

The New Council Programme has been developed to transform what the organisation does and how it does it in the face of an unprecedented level of financial challenge. This necessarily includes modernising our working practices, and embracing new ways of doing things to make the organisation and its workforce as efficient and productive as possible.

This supports the Council's statement in the Corporate Plan 2016-17, that:

"We will have to make some unavoidable reductions to services, but will continue to make these difficult decisions based on what is valued most by local people and we will continue to explore new and innovative ways of doing things."

3.1 Mobile and Agile

Investment in technology is key to this and can fundamentally change the way that the Council operates. For example, it can enable Kirklees to be a mobile, agile and paper-lite organisation, rather than fixed to offices and dependent on paper. It can also help us to collaborate and communicate effectively, spend more time on productive front-line activities and less on back office administration.

The business case for the Mobile and Agile project is orientated around the delivery of the technology needed for large elements of the Council's workforce to work from anywhere, anytime, and with any partner at will, with full functionality and without the need for physical documents, space within or access to a civic building.

Enabling secure, seamless, and fully functional working 'in the field', without the need to return to base for information, files, receiving new assignments, and to access IT systems will mean services can be delivered in citizens' homes, within communities and at partner locations, allowing delivery of an equal or better service, yet with improved outcomes, increased speed and at reduced cost.

The proposal addresses the need to invest in technologies that not only are key to delivering the new capabilities described, but are a "critical response activity" to

the aging desktop estate and corporate desktop software, email services, and the ongoing high cost of desktop equipment provisioning.

This approach fulfils the Council's aspirations under the New Council Target Operating Model, Economic Resilience Programme, Early Intervention and Prevention Programme and will enable a large proportion of Service Change Plans.

3.2 Transformation Business Partner

Although the Council has implemented a large number of service changes and begun to deliver on plans for organisational transformation, its budget position has continued to decline.

This is largely due to:

- delays in implementing some savings plans
- demand pressures across Adults and Children's Services
- a higher reduction in public health grant than expected
- additional and unexpected costs required to support improvement work in Children's Services
- an underlying budget gap, at £28m in 2017-18, increasing to £65m by 2020-21.

In response to this, the Executive Team have identified the need to procure third party support to provide the Council with the capacity and capability needed to quickly identify savings that can support the Council to bridge its funding gap (including in 2017/18). Internal resources are at full capacity, and it is difficult to recruit permanent staff who have the experience necessary to identify and implement changes at the pace required to deliver savings in the MTFP.

Following a competitive procurement process using Crown Commercial Service's Consultancy One framework, Deloitte were identified as the preferred supplier based on quality (60%), price (30%) and interview (10%). The team from Deloitte is due to commence working with the Council in early January 2017.

Their first priority is to undertake a robust and transparent diagnostic to identify areas where there is the greatest opportunity to make substantial cashable savings across council services. The principle areas of focus for this work will be Adult and Children's Social Care, where demand pressures are significant. However, all services will be looked at, including corporate services.

This initial diagnostic process is scheduled to take 4-6 weeks and be completed by the end of February. At the end of the diagnostic phase, a long list of options will be presented to the Executive Team. From this, a final list of projects will be agreed and a contract negotiated with Deloitte for resources required to support implementation. The Executive Team will also identify where opportunities could be implemented by internal Council teams without the need for Deloitte's support.

To make sure that limited resources are used effectively and this work delivers value for money, the contract with Deloitte has been developed on a risk and reward basis. This means that the fee paid to Deloitte will be dependent on the level of savings achieved and the Council will be guaranteed to make greater savings than the cost of undertaking the work. This approach allows the Council to benefit from specialist knowledge and expertise with much reduced financial risk.

The existing New Council Development Reserve will be utilised to pump-prime this work on an invest-to-save basis.

4. Information required to take a decision

4.1 Mobile and Agile

Historically, the Council has funded its IT Desktop Estate on a reactive capital basis. This means that periodically, when the software and equipment reached the end of its supported life, a capital investment was made followed by several years of “leveraging the investment”.

The worldwide technology market has since moved towards a “Revenue Model”, where the software elements of the investment are now based on a “per user, per month” cost and where organisations only pay for what they actually use. The new investment is required in respect of revenue rather than capital funding.

While this new model requires the Council to continuously pay to keep its infrastructure online, it also means that the latest functionality, features and security protection will always be available and that payment can be constantly adjusted as the organisation changes in size, so we only pay for what we use and need.

This global shift towards a revenue model means that it is not possible for the Council to have a ‘do nothing’ option. Effectively, the product that we currently use will no longer be provided or supported. To do nothing and maintain current systems would therefore result in the Council rapidly losing its IT capability:

- 2016 – email loses ability to be supported,
- Jan 2020 – Desktop Software Support Ceases,
- October 2020 – Microsoft Office Support Ceases,
- Jan 2020 – The Council will lose its PSN and N3 certification and lose its DWP and NHS network access, together with access to any other public sector systems, resulting in significant operational and reputational risk.

Given the size of the Council’s infrastructure (over 6500 staff using PCs), it will take around 2 years to implement the new technology across the organisation. Commencement of the project from the beginning of 2017/18 is therefore imperative.

At the same time as making this unavoidable update to its IT infrastructure, the Council has also identified an opportunity to use this update to support its journey to ‘New Council’ ways of working. Specifically, it has been identified that investment in Mobile and Agile technology could deliver the following functionality:

- **Making the Workforce fully Mobile and Agile:** Staff are able to work from any partner, home, field or remote location with the full functionality to fully execute their role without the need to return to a base or undertake previously essential travel.
- **Making the Council Paper-lite:** All mail, files, archives, operational documentation are captured, stored and delivered to the place of need fully electronically, dispensing with production, storage, archiving, retrieval, and

transport costs, together with relieving many current document archiving issues and risks.

- **Making the Council Collaborative:** Staff are able to work closely with partners at disperse locations , fully functionally and effective regardless of their location, preferred technology, or security level, enabling decreased travel and associated time, and subsequently increased time collaborating and delivering.
- **Keeping the Council Enabled:** The Council is able to continue delivering effective services by ensuring that the technology barriers of an out of date infrastructure do not impede delivery, and ensuring that the Council remains secure and compliant with its desktop estate while operating in more open environments.

It is fully recognised that investment in technology alone will not deliver the anticipated benefits and that cultural change is also essential. To that end, an organisational development programme will support the implementation of the technology so that staff have the complementary skills, behaviours and expectations needed to reap the benefits of mobile and agile working.

5. Implications for the Council

5.1 Mobile and Agile

The need for investment is unavoidable without losing the Council's corporate IT capabilities. However, there is an opportunity for the Council to maximise the value for money of this investment by delivering Mobility, Agility, Paper-lite Operation and Collaboration, at a point price below the cost of simply renewing the existing arrangements.

A number of options were considered, concluding in a proposal that delivered the highest number of benefits for the lowest cost.

- **Option A (recommended option)** – largely funded from existing spend, with additional revenue provision ranging from £430K in the first year to £816K following full implementation, and with full benefits and a positive return on investment above the cost.
- **Option B** costing 40% more to deliver all benefits but using legacy technology
- **Option C** costing 19% more to maintain legacy systems and not deliver any of the benefits or New Council functionality.
- **Option D** costing £0 – BUT to do nothing would result in a rapid timeline to the Council losing its IT capability;
 - 2016- email loses ability to be supported
 - Jan 2020 - Desktop Software Support Ceases
 - October 2020 - Microsoft Office Support Ceases
 - Jan 2020 - As a result, the Council will lose its PSN and N3 certification and lose its DWP and NHS network access, together with access to any other wider public sector systems, resulting in significant operational and reputational risk.

After considering all options, **Option A** was identified as the preferred option based on an assessment of the functionality it will deliver, the costs of implementation and the benefits that will be realised.

5.2 Cost and benefits profile

To implement Option A, there are elements of capital investment required, and these can be met from existing budget allocation. Partial funding for the revenue costs has also been identified, through efficiencies and re-allocation of existing resources. However, a shortfall of revenue funding exists, as indicated below:

	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Costs	808,000	1,082,000	1,615,000	1,542,000	1,318,000	1,168,000
Less Budget in Place	-808,000	-652,000	-652,000	-652,000	-502,000	-352,000
Funding Shortfall	0	430,000	963,000	890,000	816,000	816,000

Benefits	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Decommissioned IT	0	0	0	-96,000	-96,000	-96,000
Corporate Productivity (conservative 0.5% change)		-480,000	-960,000	-960,000	-960,000	-960,000
Reduction in Corporate Travel (conservative 5% of 2016 spend)		-94,000	-94,000	-94,000	-94,000	-94,000
Asset Building Savings (realised through Office Accommodation Strategy)			-350,000	-700,000	-700,000	-700,000
Total Benefits		-574,000	-1,404,000	-1,850,000	-1,850,000	-1,850,000

5.3 Benefits

In calculating the benefits of this investment, estimates have been deliberately conservative and efforts have been made to avoid 'double counting' of benefits. In a number of cases, this investment will enable existing savings in the MTFP to be achieved. For example, the programme will assist in the Asset /Building savings realised within the Office Accommodation Strategy of circa £350K for 2018-19, and £700K for 2019-20 and ongoing.

Direct cashable benefits include:

- Increasing workforce productivity – for example, staff are able to undertake more site visits each day if they do not need to come back to the office to pick up files, type up case file notes etc.
- Reducing the necessity for business travel
- Decommissioning of IT Systems
- Reduced number and cost of devices
- Reduced printing, paper, postage, storage and logistics
- Simplification of IT Support

Other, non-cashable benefits include:

- Moving the Council's Desktop IT Estate to a Supported Platform (essential)
- Elimination of the technology barrier that ties the workforce to civic buildings
- Potential to rationalise the Council's requirement for office accommodation and realise re-sale value (enabling the Office Accommodation Strategy)
- Greater ability to collaborate with partners and the public
- Digitising incoming, outgoing mail and distribution
- Electronic Document Management – supporting the Council's ability to process work electronically, with less data entry required and reduced risk of human error
- Allowing the secure use of privately owned, partner owned, or cheapest possible council owned devices
- One device for everything, rather than multiple devices and cost per officer
- Collaboration with anyone, anytime, from any location
- Data security using a "Secure Walled Garden" to prevent data leakage and protect information.

5.4 Transformation Business Partner

Procuring external support from a Transformation Business Partner will require investment from the Council. The exact costs will depend on the scope of work agreed after the diagnostic phase. The contract with Deloitte has been designed to deliver maximum value for money and to ensure that Council staff are both utilised and upskilled through the process. It is important that the partner leaves the Council in a strong position to implement continuous improvement in the longer term.

This diagnostic phase will run for 4-6 weeks from early January.

The full cost of support from Deloitte will be dependent on the programme of work agreed at the end of this period. Every effort will be made to ensure value for money by targeting Deloitte's involvement on projects where their involvement is essential to success. For example, where the Council does not have the capacity or capability to make the required changes in the timescales required. All work will be delivered on a risk and reward basis to ensure that the Council achieves greater benefit than the cost of undertaking the work.

The scope of work for the provider is:

5.5 Adults and Children's Social Care:

To provide an understanding of opportunities to reduce demand, deliver cashable and non-cashable savings from 2017/18, which bring a positive return on investment, consistent with the Council's priority outcomes and target operating model.

To provide an understanding of the opportunities to improve flow and productivity, reduce preventable demand on services from people who are likely to need to use services in the near future and to ensure that, where services are required, they are delivered and managed in the most cost effective way consistent with high quality person centred practice.

- 5.6 **Other services:** To undertake a Council-wide diagnostic to identify priority areas where there is the biggest opportunity to:
- improve the efficiency and effectiveness of services by building a better understanding of current and future demand, and how this can be effectively managed.
 - reduce demand for services from the public, for example by changing behaviour and expectations (reducing littering, increasing recycling etc.)
 - increase income (for example from traded services, or increased council tax revenue)
 - reduce expenditure that supports an individual's personal income (for example welfare services) by improving their overall financial situation.

6. Consultees and their opinions

6.1 Mobile and Agile

The Mobile and Agile approach was proposed within the ICT Strategy for Kirklees in order to address requirements of the New Council Target Operating Model, and across most Service Change Plans within the Authority.

An extensive engagement with across the Council including Place, Adult Social Care, Children's and Young People, Resources, the Redesign Board, Corporate Management Group, and Executive Team has revealed both a strong appetite for this capability, and a recognition of this being essential to enable efficient future working models to enable "New Council".

The Mobile and Agile approach has been universally accepted as an essential enabler for "New Council" change programmes, together with recognition over there being no option but to act, as a result of the Council's existing infrastructure approaching a "Cliff Edge" in 2019/20.

6.2 Transformation Business Partner

Prior to the commencement of the formal procurement process, a market engagement activity was undertaken to gain feedback from providers on our proposals. Feedback was used to inform and improve the final procurement documentation.

7. Next steps

7.1 Mobile and Agile

- 7.1.1 Proceed with the pilot technology implementation in key areas of the Authority
- 7.1.2 Make additional revenue provision within the IT Service to allow for a two year implementation, followed by sustained support going forward.
- 7.1.3 Make the organisation ready to fully utilise and benefit from the new capabilities and use to inform future service design.

7.1.4 Commence with a 2 year implementation at the beginning of 2017/18

7.1 Transformation Business Partner

7.2.1 Complete the diagnostic phase of the programme – by end Feb

7.2.2 Agree a programme of work with identified cashable savings - by end March.

7.2.3 Engage elected members, partners, staff and other stakeholders in the development of agreed transformation projects

7.2.4 Provide Executive Team and elected members with the information required about progress, benefits and risks to make informed decisions about implementation.

8. Officer recommendations and reasons

Having read this report and the accompanying Appendices, Cabinet are asked to:

8.1 approve proposals to invest existing capital and revenue, plus additional revenue provision in essential updates to the Council's IT infrastructure and Mobile and Agile technologies.

8.2 note the selection of Deloitte as the Council's Transformation Business Partner.

8.3 note that future costs of working with Deloitte as the Transformation Business Partner will be funded from the New Council Development Reserve.

9. Cabinet portfolio holder's recommendations

The Portfolio Holder requests that Cabinet gives approval for the recommended approach and allocation of resources.

10. Contact officer

Michelle Nuttall, Head of Transformation
Andy Brammall, Head of IT and Change

11. Assistant Director responsible

Debbie Hogg – Assistant Director – Financial Management, Performance, Risk and IT
Joanne Bartholomew – Assistant Director (Place), Chair of the Redesign Board

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Name of meeting: Cabinet

Date: 17th January 2017

Title of report: Proposals for the implementation of a revised Adult Social Care Charging Policy for consideration and decision following the carrying out of a consultation exercise

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports?)</u>	Key Decision – Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Richard Parry, Director for Commissioning, Public Health and Adult Social Care
Is it also signed off by the Director of Resources?	Assistant Director for Finance, Risk & IT, Debbie Hogg, 9 January 2017
Is it also signed off by the Assistant Director (Legal, Governance & Monitoring)?	Julie Muscroft, 9 January 2017
Cabinet member <u>portfolio</u>	Adults, Health & Activity to Improve Health AND Asset Strategy, Resources and Creative Kirklees

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

1. Purpose of report

The purpose of the report is:

- (i) to provide Cabinet with an evaluation of the results and comments from the recent consultation on the proposed revised Adult Social Care Charging Policy
- (ii) to seek approval to the implementation of the proposed revised Adult Social Care Charging Policy including the charging schedule.

2. Summary

The proposed revised Adult Social Care Charging Policy was considered at Cabinet on 3 October 2016 and Cabinet gave its approval to the carrying out of public consultation exercise. The consultation duly took place between 10th October and 12th December 2016.

The proposed revised Adult Social Care Charging Policy comprises of three separate policy documents and a charging schedule, the policy documents being: the Adult Charging policy document; the Deferred Payment Scheme policy document; and the Client Financial Affairs Debt Recovery policy document.

550 people completed the consultation questionnaire and the detailed feedback is contained in the Analysis report ([Appendix A](#)), and the list of comments (Appendix B).

Based on this feedback, Cabinet should review the key changes being recommended within the new Policies and consider the options being put forward.

The consultation questions were designed to look at the main areas of proposed change to the existing charging policy to deal with the new powers and responsibilities arising from the Care Act and to address operational practice issues that have arisen with the current policy. The main areas covered by the consultation were:

1. The removal of a discounted rate for respite stays of up to 7 nights of each respite stay
2. To consider a charge for the administration of Appointeeships
3. To consider charging for setting up Deferred Payment Agreements and charging interest on the monies loaned under a Deferred Payment Agreement
4. To consider a charge for arranging services for self-funders for non-residential services (i.e people who have the finances available to pay for all of their care);
5. To consider a charge for some missed services,(i.e where the service is retained for the client or where the provider passes on the charge to the council);
6. Continue not to charge for services for carers, this is to recognise the ongoing valuable contribution of unpaid carers;
7. Longer period between bills for low cost services like Carephones; and promotion of Direct Debit when paying for care services;
8. To receive public comments on the three policy documents.

The final question was designed to gain feedback on all the policy documents that are comprised in the proposed revised Adult Care Charging Policy.

3. Information required to take a decision

The Care Act 2014 gives all authorities with adult social care responsibility the ability to charge for some adult social care services, as long as the charges are reasonable and appropriate and that people are not made to pay more than they can afford.

The report and its appendices provide the results of the consultation feedback and Cabinet should have regard to this in considering each of the recommendations.

Charges for Adult Social Care are means tested and the amount that an individual pays is dependent on their ability to pay.

4. Implications for the Council

Adult Social Care along with all other Council services is under ever tighter financial pressure.

The Care Act 2014 gives all authorities the ability to charge for some services, as long as the charges are reasonable and appropriate and that people are not made to pay more than they can afford.

Should the Council proceed with the proposals for the new Adult Social Care Charging Policy, it would make use of this ability to charge for services to at least partially offset the costs incurred in providing these services.

The exact offset depends on the demand for adult social care services, the impact that changes in charging may have on demand and the specific financial circumstances of each individual who is contributing to the cost of their service.

- The removal of the discounted rate of £20 per night respite charge for the first 7 nights of each respite stay. Expected reduced cost of approximately £80k per year.
- Charging for appointeeships. Expected additional revenue of approximately £90k - £110k per year.
- Charging for Deferred Payment Agreements. Expected additional revenue of approximately £30k - £40k per year.
- Charging for arranging services for Self-funders. Expected additional revenue of approximately £20k - £30k per year.

5. Consultees and their opinions

The open survey mainly consisted of an online form that was accessible from a number of engagement pages and was advertised in local media.

Service users were notified of the survey through the distribution of postcards and letters, along with a random selection of other Council service users.

An option of a paper based version was offered. The timescale for the consultation was extended by three weeks to include an Easy Read version of the survey to better allow customers with a Learning Disability to understand the proposals.

A detailed summary of the results of the consultation activity can be found in [Appendices A and A1](#) of the report.

The survey consisted of:

- 8 questions based on key proposals to change the existing charging policy
- 1 open question inviting comments on the Adult Care Charging Policy, Deferred Payment Scheme Policy and associated Client Financial Affairs Debt Recovery Policy and the proposed table of fees and charges.
- 1 question asking the demographic of the person completing the form

550 people completed the survey and of these, 230 included a comment in the open question box.

It is clear from the overall comments made that there is concern about the fundamental principle of asking people to contribute towards the cost of care services and a sense that it is inequitable, particularly for people with higher incomes or levels of savings. This issue has been the subject of considerable national policy debate in recent years but no clear resolution has been reached. National changes were proposed for implementation as part of the Care Act but these were subsequently deferred until after 2020.

The following feedback is provided and recommendations are made following analysis of the consultation feedback. Members are asked to consider these recommendations along with the consultation results and comments.

1. The removal of a discounted rate for respite stays for the first 7 nights of a stay. i.e. (£20 per night)

The statistical analysis shows that in general there was a slight majority 45% who “strongly support” or “support a little” this decision. This compares to 41% of respondents who don’t support the decision

The comments made regarding this proposal were in the main, unsupportive. The general theme of these was that higher costs may dissuade service users and families from using respite care and thus placing further pressure on carers.

The current arrangements are, however, inequitable as an individual who takes 14 nights respite as a single block pays (subject to the outcome of means testing) more than an individual who takes the same number of nights but as 2 or more blocks, each of which is less than 7 nights.

The officer recommendation is to continue with the proposal to remove the discount rate for respite care. This will mean all service users will pay what they have been assessed (means test) as being able to afford, up to the full cost of the service regardless of how many nights they have in each respite block.

2. To consider a charge for the administration of Appointeeships

The analysis shows that in general, the respondents are slightly against this proposal with 49% (“don’t support” or “don’t really support”)

38% of respondents (“strongly supported” or “supported a little”)

The comments made regarding this proposal were in the main, unsupportive, with a number of people expressing concern for those vulnerable service users who may not have a choice but to use this service who, under the proposal would have to pay an administration charge.

This administration charge is designed to allow the Council to continue to support this non-statutory function, supporting some of its most vulnerable service users.

The proposed charge will be small and will only be payable by those service users with the means to pay it, and it will not exceed the cost of the service. The Council does not have to provide this arrangement and could require individuals who need it to use other organisations or professionals (which would likely carry a greater cost or be less convenient).

The officer recommendation is to continue with the proposal to ensure we can continue to provide this service. The Care Act also allows for service fees and charges but no exact level is suggested or implied.

3. To consider charging for setting up Deferred Payment Agreements and charging interest on the monies loaned under a Deferred Payment Agreement

The analysis of this question shows that respondents are largely against this proposal with 61% of respondents (“don’t support” or “don’t really support”) this change and 28% of respondents supported the proposal.

However, the majority of comments behind the negativity are not all linked to the proposed administration charge and interest payable on the loan. Rather they appear to be based on the view that using the equity that an owner occupier has in their home to pay for their social care costs is inequitable. This is a national policy issue rather than a local one.

Although a number of people did comment on the proposals expressing concern that people would potentially get into further debt.

In making this facility available, the Council incurs costs and carries risk. Individuals could use other methods to borrow money against the value of their property but this is likely to be more expensive.

We accept the sale of a house to use to pay for care costs is perhaps not a popular idea. There was also concern expressed in the feedback that some people might attempt to pass on their homes to family members to avoid further payments, and expressed concern that this proposal would not be applied fairly.

The officer recommendation is to continue with the proposal to charge a fair and reasonable administration charge and interest on the loan, as outlined in the Care Act and in the accordance with the Deferred Payment Scheme policy. This will ensure we can continue to provide this service and help people avoid the enforced sale of their home at an early stage. This will be a voluntary service and should be taken following independent financial advice.

4. To consider a charge for arranging services for self-funders for non-residential services (i.e people who have the finances available to pay for all of their care)

The analysis of this question shows that respondents are largely against this proposal with 59% of respondents (“don’t support” or “don’t really support”); and 30% of respondents in support of the proposal.

The reasons for respondents being against this proposal appear to mainly be concern that the people who will use this service may be vulnerable and have no choice but to agree to the Council terms. One argument against this proposal is that those people who have family or friends to support them, may not be required to pay this charge but those people who have no one to look after them would.

Self-funders have been means tested and, as a result of having a higher level of income or savings have the ability to pay for their care; this charge will enable the Council to maintain this service under the expected financial pressures and will recoup some of the costs associated with providing this service to individuals. It does not seem equitable to charge the general taxpayer for this service, rather than the individual. Individuals could use other organisations or professionals (which would likely carry a greater cost or be less convenient) to undertake this task on their behalf.

The charge that the Council will make will only cover (partially or fully) the cost of providing the service.

The officer recommendation is to proceed with the proposal, despite the evidence of public opinion, in order that the Council focuses its resources on those who are most financially vulnerable.

5. To consider a charge for some missed services, (i.e where the service is retained for the client or where the provider passes on the charge to the council)

The analysis of this proposal is broadly 50-50 in terms of the support versus the opposition to it, with 39% in support and 42% not in support

However, the general feedback seems to mainly fall into two categories. These are:

- It is reasonable to charge for the service under some circumstances but if the service was missed due to no fault of the service user, e.g. a hospital admission, the service should not be charged for.
- If a reasonable notice period is given to cancel a service, it should not chargeable.

The Council, and social care providers that it works with, do have to maintain a level of service and this does require guaranteed places and payments. We therefore need to strike a balance between charging realistically and protecting the service provision.

Adult Social Care services are means tested and it will have already been determined that, if they are paying, they have the ability to afford the charge. In many cases, the individual is only paying part of the cost of the overall service and the Council is also paying part of the cost, particularly when the care package is larger or someone has limited income or savings. So, for example, an individual's homecare package may cost £140 per week. The individual pays £40 because they have been assessed as being able to pay £40 towards the cost of their care and the Council pays the remaining £100. In a particular week, if they don't use half of their care package that week, it has still cost at least £70, even if the provider doesn't pass the cost onto the Council, and they would still be liable to pay £40. They are, in effect, paying the first £40 of the package cost. If, after their illness, they need a bigger package that costs £160, they would still only pay the first £40 as that is the maximum amount that they have been assessed as being able to contribute to the cost of their care and the Council would pay the remainder.

Furthermore, if the individual fully funds the cost of their own care (a self-funder), they are likely to be charged for the cost of the service by the service provider, a point that was made in some comments.

In some instances, the payment is to secure continued access to a service when an individual is able to take it up again. For example, if someone normally uses a day service, the day service provider cannot release that place to another individual to use (and so cover their costs) as it would then not be available for the first individual when they need it.

For most other, non-social care, services that an individual has contracted for but which they are subsequently unable to use, they will still have to pay for that service. For example, they may have booked a coach trip but, unless they have taken out travel insurance, are still likely to be liable for the cost of it. Outside of the consultation, comparisons have been drawn with services that other groups of people use. For example, childcare still has to be paid for even if a child is unwell and does not attend.

The officer recommendation is to continue with the planned proposal. This will mean that, on occasions, service users will be charged for a service they did not receive, even if the cancellation was not by choice and was out of the service users' control. This is to ensure continuity of the service and to pass on charges incurred by the Council. The Adult Social Care Charging Policy does contain an appeals process which could be used to identify any cases where hardship may be caused.

There may be occasions where the service user is not refunded for a service as the additional administration costs of identifying these situations do not make a refund a cost effective option. This is no different to other organisations that make an administrative charge for a refund.

6. Continue not to charge for services for carers, this is to recognise the ongoing valuable contribution of unpaid carers

The analysis shows that the respondents were very positive towards this proposal with 68% in support and 18% don't support the proposal

The feedback contained strong, heartfelt views on the invaluable work and support that unpaid carers give, both to their cared-for family member but also in preventing further services and potential cost to the Council and NHS etc.

The officer recommendation is to continue with the proposal to not charge for services for carers.

7. Longer period between bills for low cost services like Carephones and promotion of Direct Debit when paying for care services

The analysis shows that the respondents were very positive towards this proposal with 71% in support and 13% don't support

There was some concerns raised about what figures may be considered small but could still have a large impact on some members of our community.

The officer recommendation is to proceed with the proposal to look at longer billing periods for low cost services. However, in doing so the Council will continue to strongly encourage the use of Direct Debit which will allow people to continue to make small payments on a regular basis so as to avoid the risk of building up large debts.

6. Equality Impact assessment

An Equality Impact Assessment has already been undertaken and this was made available as part of the consultation process ([see appendix B](#))

7. Next steps

Subject to the outcome of Cabinet's decision, the next steps are:

- To finalise the draft revised Adult Care Charging Policy and the associated policy documents and charging schedule.
- Train/brief staff on the changes
- Amend the councils web site and publicity in line with the new policies
- Notify customers and other stakeholders about the change(s)
- Implement the new policies and agreed set of charges.

8. Officer Recommendations

Members are asked to:

- a) Note and consider the results of the consultation;
- b) Approve the implementation of the proposed revised Adult Social Care Charging Policy, including the charging schedule and the three policy documents that are comprised in the Adult Social Care Charging Policy including the Adult Charging policy document, the Deferred Payment Scheme policy, and the Client Financial Affairs debt recovery policy ([Appendices C, D E and F](#));
- c) Provide delegated authority to the Assistant Director for Finance, Risk and IT, in consultation with the Strategic Director for Adults and Health and the relevant Portfolio Holders to amend the policies in light of any legislative or procedural changes and to make changes to the charges in the charges schedule to take into account increases in the costs of supplying the Adult Social Care services.

9. Cabinet portfolio holder's recommendations

- 9.1 The Joint Portfolio Holders acknowledge the feedback received from the consultation exercise, and recommend the following actions be taken:
 1. The removal of a discounted rate for respite stays of up to 7 nights of each respite stay
 2. Implementation of a charge for the administration of Appointeeships
 3. Implementation of a charge for setting up Deferred Payment Arrangements and charging interest on the monies loaned under a Deferred Payment Agreement
 4. Implementation of a charge for arranging services for self-funders for non-residential services (i.e people who have the finances available to pay for all of their care);
 5. Implementation of a charge for some missed services,(i.e. where the service is retained for the client or where the provider passes on the charge to the council);
 6. Continue not to charge for services for carers, this is to recognise the ongoing valuable contribution of unpaid carers;
 7. Longer period between bills for low cost services like Carephones; and promotion of Direct Debit when paying for care services.
- 9.2 The Joint Portfolio Holders recommend Cabinet approve the implementation of the proposed revised Adult Social Care Charging Policy and the three policy documents that comprise the Adult Social Care Charging Policy including the Adult Charging Policy document, the Deferred Payment Scheme and the Client Financial Affairs Debt Recovery Policy.

- 9.3 The Joint Portfolio Holders recommend Cabinet approve the schedule of charges to take effect on 10 April 2017.
- 9.4 The Joint Portfolio Holders recommend Cabinet provide delegated authority to the Assistant Director for Finance, Risk and IT, in consultation with the Strategic Director for Adults and Health and the relevant Portfolio Holders to amend the policies in light of any legislative or procedural changes and to make changes to the charges in the charges schedule to take into account increases in the costs of supplying the Adult Social Care services.

10. Background Papers and History of Decisions

- **17 April 1996** - "Charging Policy for Non-Residential Services for Adults" proposals implemented 16 June 1996
- **30 July 1997** - "Home Care Charges" charges implemented 21 September 1997
- **October 2002** - Fairer Charging for Non-Residential Services 1 October 2002
- **January 2014** – Charging Policy published
- **April 2014** – Care Act 2014 comes into effect
- **3 October 2016** – Report considered at Cabinet, agreed to begin consultation
- **11 October – 12 December 2016** – Consultation period

11. Contact officer

Damian Crowther, Acting Business and Partnership Development Manager

12. Assistant Director responsible

David Hamilton, Assistant Director for Adult Social Care and Wellbeing
Debbie Hogg – Assistant Director - Financial Management, Risk, IT & Performance



Name of meeting: Cabinet

Date: 17th January 2017

Title of report: Pioneer House and land at Bradford Road, Dewsbury

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan?	Yes – 12 th December 2016
Is it eligible for “call in” by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman - 09.01.17
Is it signed off by the Assistant Director - Financial Management, Risk, IT & Performance?	Debbie Hogg - 06.01.17
Is it signed off by the Assistant Director - Legal, Governance & Monitoring?	Julie Muscroft - 06.01.17
Cabinet member portfolio	Councillor P McBride – Place (Economy, Skills, Transportation and Planning)

Electoral wards affected: Dewsbury East, Dewsbury West and Dewsbury South

Ward councillors consulted:

Dewsbury East – Cllr's Scott, Firth and Kane; Dewsbury West – Cllr's O'Donovan, Pervaiz and Hussain and Dewsbury South – Cllr's Asif, Dad and Ahmed.

Public or private:

Public with private appendix

It is recommended that appendix two be taken in Private because the information contained in it is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information contained in the report as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money and openness in Council decision-making.

1. Purpose of report

This report seeks:-

- 1.1 Approval to the release of £2.9m from the Capital Plan to support the implementation of the landlord's programme of works for Pioneer House as set out below in 3.2.
- 1.2 Approval to the grant of an occupational lease for Pioneer House to Kirklees College as outlined in this report and detailed in appendix two.
- 1.3 Agreement to underwrite the Heritage Lottery Fund (HLF) until the grant by them to part fund the landlord's programme of works is approved and to advise upon the risks and seek authority to proceed at risk before the negotiations have been concluded with regard to the grant.
- 1.4 Agreement for the Council to underwrite 50% of the risk of repayment of the loan from West Yorkshire Combined Authority (net £4m). It is intended that this will be funded through the use of Capital receipts as set out below in 3.2.

2. Key points

The Council acquired Pioneer House (grade 2 listed) on 19 July 2011 following a Compulsory Purchase Order. The first priority for the Council was to protect the building from further deterioration by making it wind and water tight. This package of work cost £2.5m and was completed in September 2013.

Cabinet on 08th March 2016 endorsed the Council's commitment to work with Kirklees College with a view to bringing Pioneer House back in to use as a new education facility. Cabinet on 15th November 2016 approved the disposal of land at Bradford Road, Dewsbury to Kirklees College to facilitate an early commencement of the Dewsbury Learning Village (now known as the Dewsbury Learning Quarter (DLQ). DLQ is part of a two stage relocation of the College from its existing Dewsbury campus on Halifax Road. DLQ Project is expected to generate an estimated £82.4M Net Value Added contribution to Dewsbury Town Centre over a 10 year period.

2.1 Pioneer House

Landlord's works programme

To facilitate the occupation of Pioneer House by the College, the Council will undertake a programme of landlord's works and heritage works which provide a platform for the College fit-out. The landlord's schedule of works is detailed in appendix one. In summary, the Council programme is to ensure the stabilisation of the building, complete roof repairs, undertake structural work, and install drainage and incoming services, as outlined in appendix one. The package will seek to enhance and preserve the historic features wherever possible, in line with heritage approvals.

The building is classed as the 'critical project' of the Dewsbury Townscape Heritage Initiative, the HLF regeneration programme, of which the Council is joint partner. The HLF is contributing an £848k grant towards the landlord's

works and heritage works, this is matched by £848k funding from the Council. An overview of the grant is outlined in appendix one.

All necessary consents are in place for the landlord's works and no further planning approvals are required prior to commencement of the landlord's works. Following Cabinet Approval, a full grant application shall be submitted to the HLF, for which their approval is required to release their element of the funding envelope.

2.2 Kirklees College works programme

The College will undertake a fit-out programme of works following completion of the Council's landlord's works. The fit-out will form new classrooms, offices, and art and design workshops. The primary entrance will be at ground level from Halifax Road. It is anticipated the fit-out works will commence in autumn 2017 and be completed in 2018.

2.3 Asset disposal and occupation

The College in developing Pioneer House as a new education base will have to adhere to the following obligations:-

1. The College will be required to enter into an Agreement for Lease as soon as possible following the Cabinet approval and at the same time (or before) the Council enter into the contract with the preferred contractor for the landlord works referred to above. This Agreement will place the College under an obligation to take the lease of Pioneer House on completion of the Landlord's works as well as obligate them to carry out the fit out works.
2. The College will prepare a schedule of fit out works and submit it for approval of the Council (acting reasonably) prior to the submission of applications for planning permission and change of use, for their works.
3. The College will appoint a principal contractor through competitive tender.
4. Following issue of the Council's certificate of completion, the College will enter into a lease of the property on the terms stated in appendix two.
5. The Council will have 'step-in' rights to complete these works should the College find themselves in breach of their grant funding agreement with the Local Enterprise Partnership (LEP) for the cost of the works to Pioneer House.

The occupation by the College will be governed by an Agreement to Lease, based on commencing and completing an approved scheme of fit out works to the satisfaction of the Council. Upon practical completion of the landlord's works, the College will take a lease of the property on the terms stated in appendix two.

3. Implications for the Council

Pioneer House is an iconic listed building in Dewsbury town centre. The redevelopment of Pioneer House is a symbol and a clear indication of the Council's commitment to the transformation of Dewsbury as part of North

Kirklees Growth Zone (NKGZ) initiative. The project has a number of implications which are noted below:

3.1 Legal Implications

The Council will be required to enter into relevant legal documentation with the College in relation to the Agreement to Lease and all necessary and requisite deeds and documents to give effect to the proposals.

3.2 Financial Implications

The redevelopment of Pioneer House by Kirklees College requires the Council to undertake a programme of landlord's works.

There is provision of £2.9m investment in the Capital Plan; this comprises £848k (to match £848k funding with HLF) plus a further £1.08m and £124k from economic delivery capital baseline, in order to implement the programme of works.

This report seeks authority to spend the £2.9m borrowing referred to. The revenue cost of financing this level of borrowing is £137k per annum for 20 years. Following Cabinet approval of these proposals an application will be made to HLF for approval of £848k. For the period up until the approval of this application the Council will have to under-write the costs associated with the heritage envelope, however officers are confident that the risks of not achieving success in respect of the application are small. There are, however, associated risks in proceeding before the negotiations with the HLF with regard to the grant have been concluded and these are set out in appendix two.

On 23rd June 2016 the West Yorkshire Combined Authority approved (in respect of Kirklees College application) a capital grant of £11.1m and up to £4m interest free capital loan towards the redevelopment of Pioneer House and creation of Dewsbury Learning Quarter.

The £4m loan is on an interest free basis up to 31st March 2020, after this date the loan becomes subject to a commercial rate. The Council has agreed to repay 50% of the loan up to a maximum of £2.0m and the Capital Plan progressing to February 2017 Budget Council reflects the Council commitment to this. The intention is to fund the loan from capital receipts realised from the sale of land off Halifax Road and the property at Bradford Road, commonly known as the "former Safeway site", by the Council and Dewsbury Endowed School Foundation Trust subject in this latter case to the corporate trustees and Charity Commission approvals to this proposal.

Independent valuation advice from our external advisors, Cushman & Wakefield, has confirmed that the Council has complied with its statutory obligation to obtain *best consideration* with regard to the grant of the lease of Pioneer House.

3.3 Human Resources Implications

None.

3.4 IT Implications

None.

3.5 Strategy and Partnership Implications:

The redevelopment of Pioneer House, is significant to Dewsbury town centre and as part of the NKGZ is anticipated to kick-start the fifteen year economic regeneration programme that will generate new houses and business growth in the town. The working LEP Strategic Economic Plan (2016 - 2036) identifies the NKGZ as a priority (see Cabinet 17th November 2015 for background report).

4. Consultees and their opinions

The LEP have confirmed commitment to the NKGZ. A key component includes the redevelopment of Pioneer House and the development of DLQ. The West Yorkshire Combined Authority has approved a grant of £11.1m and £4m capital loan towards the redevelopment of Pioneer House and the creation of DLQ.

Local ward councillors are supportive of redeveloping Pioneer House and delivering DLQ (a new learning campus for Dewsbury) thereby providing a transformational economic boost to Dewsbury town centre.

Portfolio holder has been consulted and reiterates support of working with Kirklees College to redevelop Pioneer House.

5. Next steps

The council will

- Complete detail design and enter into a formal contract with the selected contractor at an appropriate time to deliver the landlord's schedule of works for Pioneer House.
- Enter in to legal documentation with the College.

6. Officer recommendations and reasons

It is recommended that Cabinet:

- a) Approve the redevelopment of Pioneer House to facilitate the delivery of a new Dewsbury campus for Kirklees College as outlined in the report.
- b) Approves the terms of occupation of Pioneer House by Kirklees College, as outlined in the report and appendix two, and delegates authority to the Assistant Director (Place) to finalise and agree terms with Heritage Lottery Fund.
- c) Delegates authority to the Assistant Director (Legal, Governance and Monitoring), to enter into all appropriate contracts, deeds and documents in relation to facilitating the occupation of Pioneer House, Dewsbury by Kirklees College.

- d) Approves the release of £2.9m from the Capital Plan to support the implementation of the landlord's programme, comprising of £1.08m plus £1.7m of Townscape Heritage Initiative grant (which comprises of £848k council funding and the under-write of £848k grant from the Heritage Lottery Fund until the application is approved and the grant awarded) and £124k from economic delivery capital baseline budget.
- e) Delegates authority to the Assistant Director (Place) to submit the application to Heritage Lottery Fund, to authorise payment of the Townscape Heritage Initiative grant, upon receipt of a completed application form and all necessary supporting information.
- f) Notes the position, as referred to in appendix two, with regard to the possible clawback by the Heritage Lottery Fund upon the grant of the Lease to Kirklees College as highlighted in the report.
- g) Delegates authority to the Assistant Director (Place) and the Assistant Director (Legal, Governance and Monitoring) to agree any documentation in respect of the Agreement to Lease with the College.
- h) Approves the proposal to fund the loan re-payment from capital receipts realised from the sale of land off Halifax Road and the property at Bradford Road, commonly known as the "former Safeway site".

The redevelopment of Pioneer House is significant to the future of Dewsbury. The approvals sought will enable the enhancement of Pioneer House, assist with the relocation of Kirklees College, provide a new education hub and support the revitalisation of Dewsbury.

7. Cabinet portfolio holder recommendation

The portfolio holder, Cllr Peter McBride, agrees with the officer proposals and recommendations and would ask Cabinet to do the same.

"Pioneer House is an iconic building one which the Council saved in 2011. After undertaking safeguarding work, the next phase is to stabilise the building and provide a platform for the College fit-out. The redevelopment and reoccupation of Pioneer House by Kirklees College is a symbol of the Council's ongoing financial commitment to the transformation of Dewsbury and the town centre. Pioneer House is central to the Council's commitment to regenerate North Kirklees in partnership with key stakeholders including Kirklees College and also Heritage Lottery with support through Dewsbury Townscape Heritage Initiative."

8. Contact officer and relevant papers

Andrew Jackson, Principal Regeneration Manager
 Email: andrew.jackson@kirklees.gov.uk
 Tel: 01484 221000

Papers:

- Appendix 1 (public) –Dewsbury Townscape Heritage Initiative Grant Overview Form
- Appendix 2 (private) – Terms of occupation

9. Background Papers and History of Decisions

- Cabinet 15th November 2016 - Pioneer House and land at Bradford Road, Dewsbury
- Cabinet 08th March 2016 - Pioneer House and land at Bradford Road, Dewsbury
- Cabinet 17th November 2015 - North Kirklees Housing and Enterprise Growth Zone
- Cabinet 23rd September 2014 – Dewsbury Townscape Heritage Initiative
- Cabinet 19th October 2009 – Pioneer House, Halifax Road, Dewsbury
- Cabinet 03rd March 2009 – Pioneer House, Halifax Road, Dewsbury
- Cabinet 20th February 2008 – Dewsbury West Quarter Retail development – Collaboration Agreement with Stayton (Dewsbury) Ltd
- Cabinet 25th July 2007 – Dewsbury Master-planning

9. Assistant director responsible

Paul Kemp, Assistant Director – Place

Email: Paul.kemp@kirklees.gov.uk

Tel: 01484 221000

- Appendix 1 (public) — Dewsbury Townscape Heritage Initiative Grant Overview Form
- Appendix 2 (private) – Terms of occupation

Appendix 1

DEWSBURY TOWNSCAPE HERITAGE INITIATIVE (THI) GRANT OVERVIEW FORM

Property – Grant Ref: DTHI-007 (Critical Property)

Pioneer House, Northgate, Dewsbury, WF13 1AP.

Applicant (s): Kirklees Council – c/o Joanne Bartholomew – Assistant Director (Place)

Contact:

Andrew Jackson, Principal Regeneration Manager – Kirklees Council, Investment & Regeneration Service. 1st Floor, Civic Centre 3, Market Street, Huddersfield, HD1 2JR.

Email: andrew.jackson@kirklees.gov.uk – Tel.: 01484 221000

Project Management

Liam Wilcox, Senior Capital Delivery Officer, Kirklees Council, Physical Resources and Procurement Service. Ground Floor, Civic Centre 3, Market Street, Huddersfield, HD1 2JR.

Architect

Conservation Architect: **Farrell & Clark** - Helen Walker RIBA CA
First Floor, Brodrick's Building, 43 -51 Cookridge St, Leeds, LS2 3AW
Tel: 0113 2590922 - helen.walker@farrellandclark.co.uk

Works

The project comprises of 2 phases:

- I) Landlord Works (partially funded by the THI grant)
- II) Kirklees College Works

The Landlord works will bring the building up to a shell standard, whereby it can be transferred to the College for them to undertake their fit-out works.

The Landlord works shall involve: major structural stabilisation throughout the building, replacement of defective concrete floors, to unit 3, repair defective roofing, installation of utilities, enhancement & preservation of historic features for example Clock tower staircase, removal of the ballroom ceiling (re-instatement of 1 bay) in unit 1, restoration of tile and plaster work, drainage, internal re-configuration, circulation including reinstatement of floors, new walls, floors, ceilings and basic decoration

The works are broken down as follows:

Restoration Works

- Removal and replacement of historic lath and plaster ceilings/mouldings at high level and in staircase areas
- Cleaning, repair and replacement of ornate feature tiling to walls and staircase areas
- Cleaning, repair and replacement of terrazzo tiled floors to staircase areas
- Repairs to historic lime plaster walls and cornices
- Restoration, repair or replacement of feature timber panelling and ceiling cornices
- Repair and restoration to stained glass
- Installation of new feature stone column to external façade
- Installation of replica aluminium roof skylight above internal staircase
- Repairs to and provision of new external timber doors
- Repairs to and provision of replacement glazing to external windows

- Repair and replacement feature cast iron balustrades and timber handrails
- Alteration works to existing timber and glazed shopfronts/ entrances
- Gatehouse restoration – repointing
- Install single section of Ballroom ceiling
- Restore Boardroom ceiling

Construction Works

- Structural strengthening works to the building fabric including upgrading of principal floor members, lateral wall stability and infilling of existing floors
- Removal of existing in-situ concrete floors and replacement with in-situ composite decking and concrete floors, including all associated temporary works design and works required to maintain the stability of the building
- Tanking works to existing basements including associated drainage works
- Demolition and removal of existing concrete stairs and provision of new
- Forming structural openings within internal and external masonry and concrete walls at all floor levels, including all associated access and temporary works.
- Installation of new drainage connections
- Repair and provide new timber floors
- Removal and replacement of external flat roofing
- Asbestos removal

Relevant Planning Approvals

Landlord works (Listed Building Consents)

Stayton Group (previous owner) App. No.: 2007/65/93755/E2 - <https://goo.gl/BwixQz>

Council Phase 1 External Works App. No.: 2012/65/90365/E - <https://goo.gl/oi5Hjv>

Window Alterations App. No.: 2012/65/93136/E - <https://goo.gl/euz07x>

Unit 3 structural works App. No.: 2016/65/91516/E - <https://goo.gl/q2Xt4V>

Building Regs - : Full Plans Application 2016/01967 submitted to Kirklees Building Control

College works

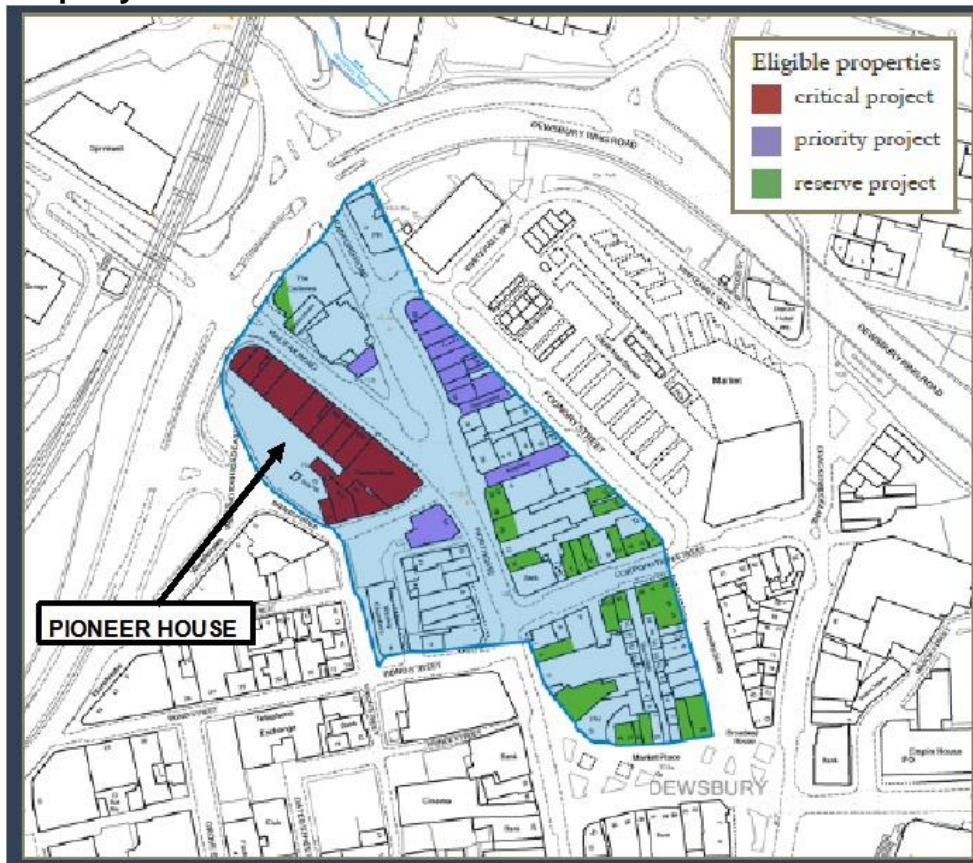
Listed Building Consent (decision pending) – App. No.: 2016/65/93191/E - <https://goo.gl/mUuUau>

Planning permission – to be submitted

Change of Use permission – to be submitted

Building Regs - : to be submitted

Property Location



Property:



Dewsbury Townscape Heritage Initiative – 3rd January 2017

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Name of meeting: CABINET

Date: 17 January 2017

Title of report: Disposal of Land and Property Assets

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan ?	Yes
Is it eligible for "call in" by Scrutiny ?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman – 9 January 2017
Is it signed off by the AD Financial Management, IT, Risk and Performance	Debbie Hogg – 5 January 2017
Is it signed off by the Assistant Director - Legal & Governance?	Julie Muscroft –5 January 2017
Cabinet member portfolio	Councillor Graham Turner – Asset Strategy, Resources and Creative Kirklees

Electoral [wards](#) affected: All

Ward councillors consulted: Cabinet

Public or private: Public report with private appendix (B)

Appendix B of this report is recommended to be taken in Private because the information contained in it is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information contained in the report as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money and openness in Council decision-making.

1. Purpose of report

- 1.1 The purpose of this report is to seek Cabinet approval:-
- for the disposal of a number of land and property assets, on terms to be agreed by the Assistant Director of Place and Assistant Director Legal & Governance and in accordance with the current delegation scheme; and
 - to adopt a decision making process as outlined in Appendix D.
- 1.2 This report will also provide an update to Cabinet on the completed asset disposals in 2015/16.

2. Key Points

- 2.1 The Council continues to review its land and property assets in order to identify assets that will support :
- The delivery of New Council.
 - The Local Plan.
 - Economic Resilience and Early Intervention and Prevention.
 - Community asset transfer.
- 2.2 The Council's medium term financial plan has a requirement for the generation of £29.5m capital receipts, including £5.5m in 2016/17. Capital receipts reduce the requirement for new borrowing, reduce financing costs and support the Five Year Investment Plan.
- 2.3 The Council was successful in disposing of a number of assets in 2015/16 generating capital receipts of £6.16m. Please refer to appendix C for the named assets.
- 2.4 The capital receipts received to date in 2016/17 total £1.130m, and Cabinet approval is now required in order to progress further disposals.
- 2.5 Three decision trees have been developed to assist Cabinet in the decision making process and provide a platform for consultation with ward members on the opportunities to support the move to New Council, please refer to appendix D. Adopting and formalising the use of the decision trees will enable a robust and consistent process for how assets are processed by Council Officer's and Members, as well as assist with ensuring community asset transfer requests are considered in line with other services and community support.

On this basis the officer recommendations for disposal of assets listed in appendix A and B include:

- Buildings that are vacant or do not support New Council.
- Surplus commercial properties (subject to tenancies and protection under the Landlord and Tenant Act 1985, appendix B).
- Land sites with potential for development.
- Grazing land with no alternative use potential
- Agricultural holdings (subject to tenancies and protection under the Agricultural Holdings Act 1986 or Agricultural Tenancies Act 1995)

Disposal of land can be undertaken in a number of ways and it is for the Council to determine the most appropriate sales mechanism for their asset, but potential approaches include:

- **Formal Tender** – where the sale is publicly advertised and tenders submitted by a given date.
- **Informal or Negotiated Tender** – where informal tenders are invited by a given date subject to contract. Negotiations may continue after tenders are received, with the possibility that different bidders may compete to offer the most advantageous terms. This approach enables the seller to continue to negotiate after the closing date for tenders to ensure the best possible terms and outcomes.
- **Public Auction** – where land is sold through an open auction, available to anyone. Sales will be publicly advertised in advance. Auctions have the advantage of being open, competitive and allow for transactions to be completed quickly.
- **Private sale** – where the sale of land is negotiated with one or a small number of potential buyers at a price agreed between the parties. Private sale has the advantage of being straightforward, but is likely to be appropriate only in certain circumstances (for example for smaller lots of land, where sitting tenants have rights to purchase and also farm tenants, etc.).

There are a number of strategic town centre assets where the Council will look to provide a development brief and criteria to secure a suitable end use within the context of the town centre. This is likely to be achieved through an informal or negotiated tender and gives the Council an opportunity to ensure an appropriate end use.

- 2.6 The vacant land sites in Appendices A and B have been assessed by officers for the potential of being an active disposal to support housing delivery with partners. However, that process has determined that there are other Council owned sites that are more suitable to support that strategy.
- 2.7 Within Appendix B there are three agricultural holdings that have been identified for disposal. These are subject to Agricultural Holdings Act 1986 or Agricultural Tenancies Act 1995 tenancies. Disposal of the holdings will enable tenants to benefit from freehold ownership.

3. Implications for the Council

3.1 Legal Implications

Best Consideration

Section 123 Local Government Act 1972 provides that land and assets cannot be sold for less than best consideration without the consent of Secretary of State. The concept of best consideration in essence means that land and assets must be sold for the highest price, however under The Local Government Act 1972: General Disposal Consent 2003 the Council can sell land and assets for a undervalue of up to £2m if doing so would be likely to contribute to an economic, social or environmental objective.

EU State Aid – provision of financial assistance

To ensure compliance with EU State Aid individual cabinet reports will quantify the level of undervalue of any proposed disposal against the market value, to ensure compliance with State Aid thresholds, where required.

3.2 Financial Implications

Capital

The capital receipts will support the Five Year Strategic Investment Plan and reduce the costs of new borrowing. If sold, the assets listed in appendix A and B will supply 12-18 months of the capital receipts target.

Revenue

The revenue costs associated with asset disposals include holding costs, professional fees, security, planning development, surveys and marketing. As previously approved by cabinet on 16th Dec 2014, up to 4% of capital receipts can be used to offset the Council's revenue costs associated with the preparation of assets for disposal.

The estimated revenue savings from assets listed in appendix A and B is £120k p.a.

3.3 Human Resources Implications

None

3.4 IT Implications

None

3.5 Strategy and Partnership Implications

Officers continue to work with partners in health and the wider public sector, the assets listed in appendix A and B have no strategic partnership implications.

4. Consultees and their opinions

Simon Taylor – Head of Development Management

Adele Buckley – Head of Regeneration Environment and Funding

Julie Muscroft – Assistant Director Legal, Governance and Monitoring

Legal Officers were consulted in putting the report together and their comments have been included in the report.

LMT/Portfolio Holder Comments

Councillor Graham Turner – Asset Strategy Resources and Creative Kirklees supports the report and the named assets in appendix A and B.

Ward Member consultation

Following on from consultation with Portfolio Holders and Cabinet Liaison Group – Assets/Cabinet Committee - Assets, all ward members have received a copy of the proposed report and have been invited to a number of drop in sessions to focus on the sites proposed for disposal, over a four week period.

5. Next Steps

- 5.1 If approved officers will prepare a programme of asset auctions and commence marketing of the assets listed in appendices A and B.
- 5.2 A progress report will be submitted to Cabinet later in 2017.

6. Officer recommendation and reasons

It is recommended that Cabinet:

- 6.1 Approve the disposal of assets listed in appendices A and B
- 6.2 Approve and adopt the formalisation and use of the two decision trees;
 - Officer Strategic Asset Review (Appendix D1)
 - Member Strategic Asset Process Chart. (Appendix D2)
- 6.3 Delegate authority to the Assistant Directors of Place to negotiate and agree the terms and the most appropriate manner in which to proceed with the disposal of each asset listed in appendices A and B, including sale price (except when an auction is the preferred route when officers will comply with the Contract Procedure Rules).
- 6.4 Delegate authority to the Assistant Director Legal and Governance Monitoring to enter into and execute any agreements or instruments relating to the disposal of any assets listed in appendix A and B.

7. Cabinet portfolio holder recommendation

Councillor Graham Turner – Asset Strategy, Resources and Creative Kirklees.

Endorses the officer recommendations within the report and supports the disposal of the assets identified to support the Medium Term Financial Plan.

8. Contact officer and relevant papers

- Joe Tingle, Physical Resources and Procurement Officer
- Stephen Stead, Asset Strategy Manager

9. Directors responsible

Paul Kemp – Assistant Director of Place

Jacqui Gedman – Deputy Chief Executive & Director of Place

Appendix A

Ward	Property Name/Address	Brief Description
Dewsbury South	Combs Hill Hostel, Hall Lane, Thornhill, WF12 0LG	Former residential school and former hostel.
Cleckheaton	Kenmore Drive, Cleckheaton, BD19 3EJ, (Land adj)	Surplus land.
Newsome	Crown Court Buildings, Princess Street, , Huddersfield, HD1 2TT	Surplus office accommodation.
Newsome	Britannia Mills, Colne Road, , Huddersfield, HD1 3ER	Surplus office accommodation.
Dalton	Ashgrove Depot, Ashgrove Road, Deighton, Huddersfield, HD2 1FQ	Depot surplus to service needs.
Crosland Moor & Netherton	Nabcroft Lane, Crosland Moor, Huddersfield, HD4 5EP (Car park adj to 98)	Surplus land
Holme Valley North	Honley Bridge Depot, Eastgate, Honley, Holmfirth, HD9 6PA	Depot surplus to service needs.
Birstall & Birkenshaw	Smithies Moor Lane, Birstall, WF17 9AT, (Land at)	Surplus land.
Ashbrow	No.3, Oak Road, Bradley, Huddersfield, HD2 1SN	Surplus property.
Ashbrow	No.1a, 3a, 5a, Oak Road, Bradley, Huddersfield, HD2 1SN	Surplus property.
Greenhead	Hillhouse Lane/Bradford Road, Fartown, Huddersfield HD1 6EF	Surplus land.
Almondbury	Lower Wheatroyd/Upper Wheatroyd, Kaye lane, Almondbury, HD5 8XP	Surplus grazing land now vacant.
Dalton	Jagger Hill / Cold Royd lane, Kirkheaton, Huddersfield, HD5 0QZ	Surplus agricultural land.
Greenhead	Springwood Hall Gardens, Huddersfield, PostcodeHD1 4HA, (Land south of)	Surplus grazing land now vacant.
Ashbrow	Ochrewell Avenue, Deighton, HD2 1LP (land to rear of 62 – 70)	Surplus grazing land now vacant.

Disposals 15/16

Land adjoining 18 Holland Street	Batley
Land adjacent 5-7 Caledonia Road	Batley
Land at Caledonian Road, Savile Town	Dewsbury
Land to the rear of 7 Spinneyfield, Fixby	Huddersfield
Land at the rear of 28 Sude Hill, New Mill	Holmfirth
Land fronting 68 Boothroyd Lane	Dewsbury
Land adjacent to 61 Kitson Hill Road	Mirfield
Land on the south east side of Leeds Road, Bradley	Huddersfield
Skelmanthorpe Council Offices, Commercial Road, Skelmanthorpe (Asset Transfer)	Huddersfield
Paddock Village Hall, West View, Paddock (Asset Transfer)	Huddersfield
Soothill Community Centre, Broomsdale Road (Asset Transfer)	Batley
Holme Public Conveniences situated on the south side of The Village, Holme (Asset Transfer)	Holmfirth
Land and buildings off Wakefield Road, Denby Dale (Asset Transfer)	Huddersfield
Former Heaton Avenue F & N School, Westcliffe Road	Cleckheaton
Land at Greenhead Lane, Dalton	Huddersfield
Oakmead, 1C Lidget Street, Lindley	Huddersfield
Land at Colne Road	Huddersfield
Land at Oastler Street, Westtown	Dewsbury
Land at Chapel Lane	Dewsbury
Land at Healey Lane, Healey	Batley
Land opposite 38 Upper George Street	Heckmondwike
Former Caretaker's House, 5 Blenheim Drive	Batley
land and building at 109 Blacker Road part of Edgerton Cemetery, Cemetery Road	Huddersfield
Thornhill Council Offices, Scout Hut & land, The Common, Thornhill	Dewsbury
Units 1, 2 & 3 Riverside Way, Ravensthorpe Industrial Estate	Dewsbury
Land on the north side of Colne Vale Road, Milnsbridge	Huddersfield
Land adjacent to 225 Ravenshouse Road	Dewsbury
Freehold property at Red Doles and Canker Lane	Huddersfield
98 Commercial Street	Batley
Land at Hillhouse Lane / Bradford Road	Huddersfield
128 Northgate, Almondbury	Huddersfield
Land Queensgate Retail Park	Huddersfield

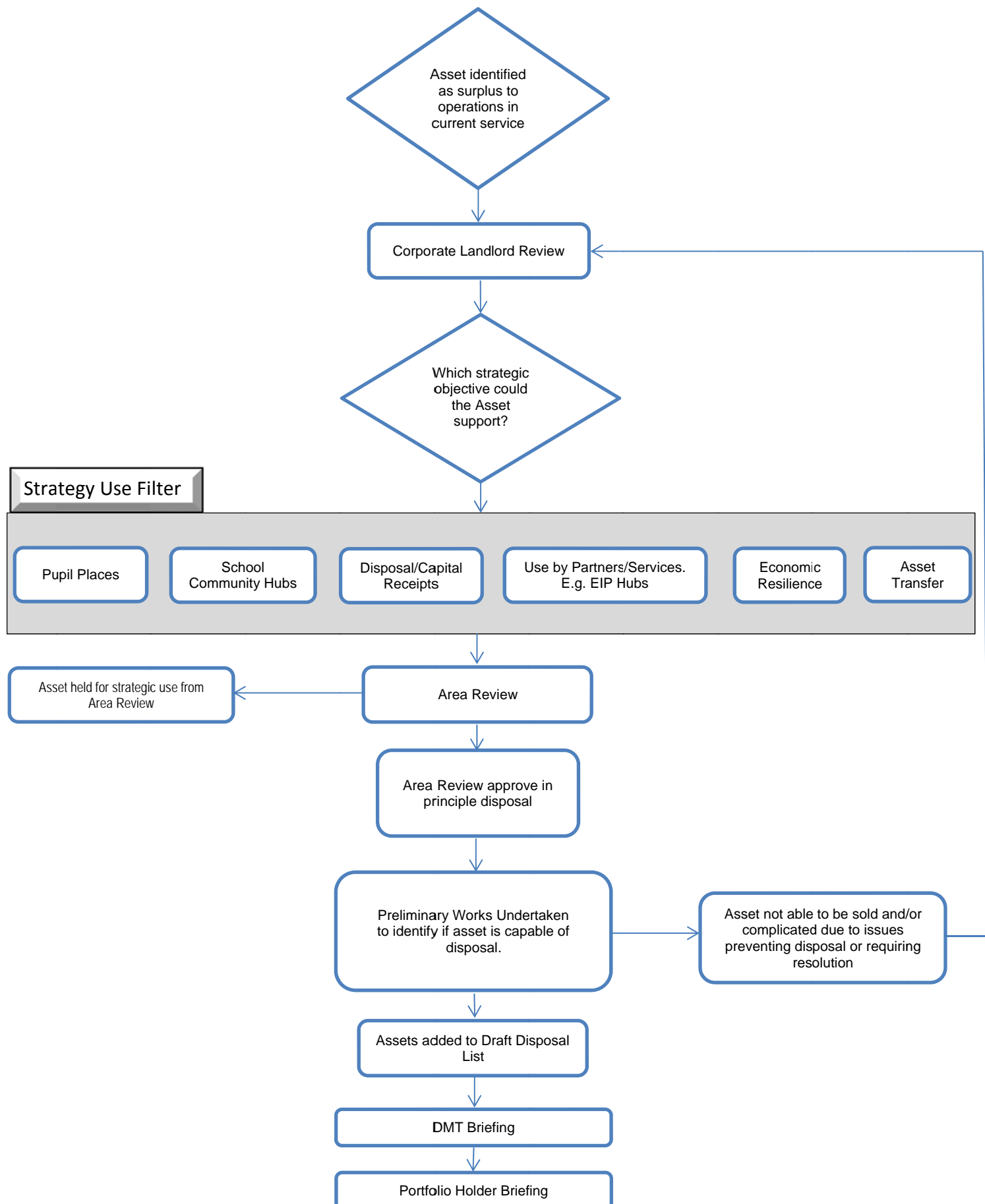
Land at Churwell Vale Shaw Cross	Dewsbury
land at Siggott Street	Huddersfield
land at Knowl Grove	Mirfield
land at Upper George Street	Heckmondwike
Land on the south side of North Road	Dewsbury
land at Halifax Road	Liversedge
land at Upper Road	Batley
land at Battye Street	Dewsbury
land at Moss Street	Huddersfield
land on the east side of Holland Street	Batley
Land at Church Lane/Kirkgate, Birstall	Batley
Land at Holland Street	Batley
Land at Halifax Road, Hightown	Liversedge
Land at Colne Road	Huddersfield
Land at Upper Road/Naylor Street	Batley
Land at Norfolk Street	Batley
Land at Upper George Street	Heckmondwike
Garage site at Moss Street, Newsome	Huddersfield
Land at Sand Street	Huddersfield
Land known as Fleece Yard	Huddersfield
Land at Dyson wood way Bradley	Huddersfield
Fieldhead, 1 Lidget Street, Lindley	Huddersfield
Land and buildings at 6 and 8 St Peters Street	Huddersfield
John Ramsden Court, Wakefield Road, Aspley	Huddersfield

Disposals 16/17

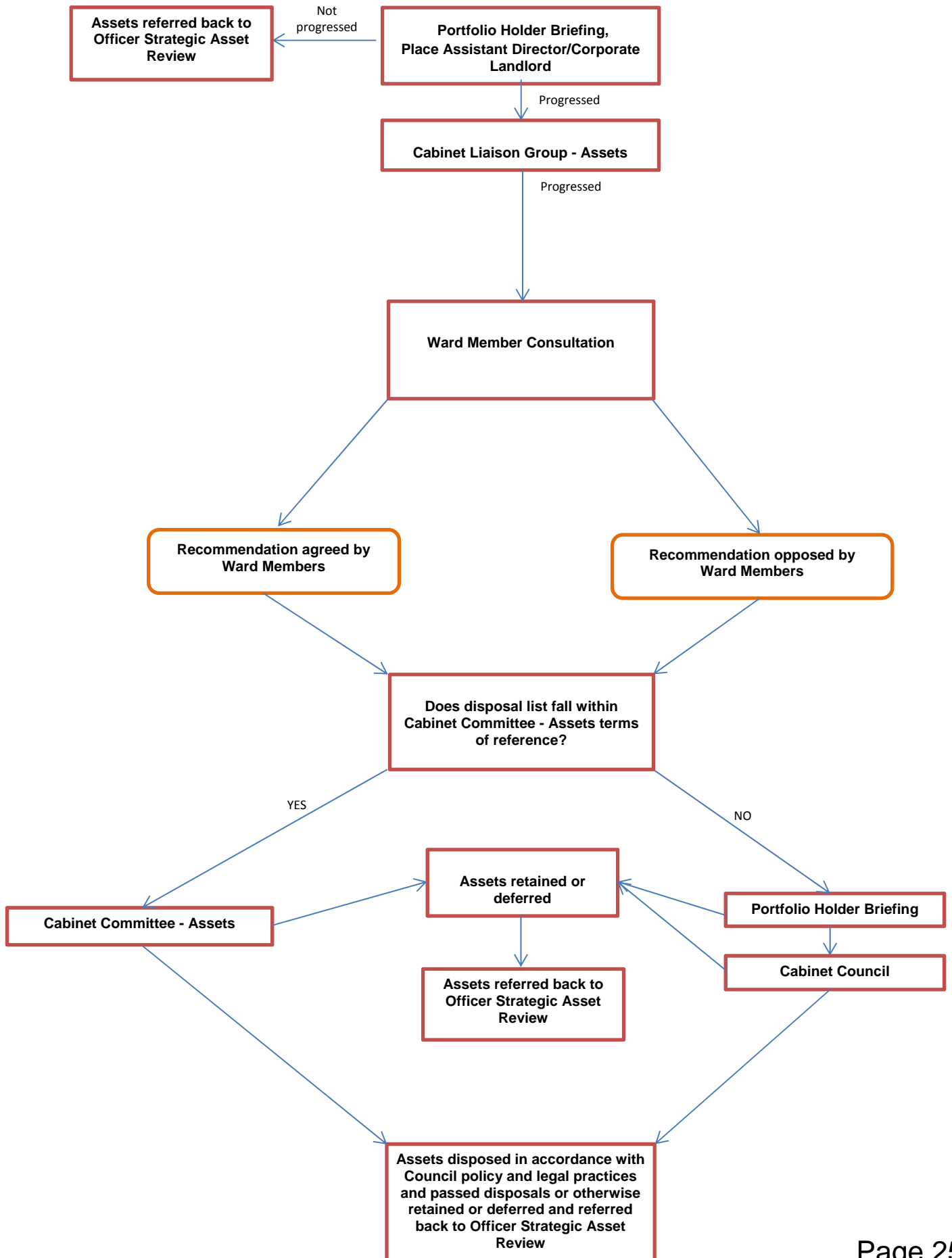
land adjoining 19 Huddersfield Road	Holmfirth
land at St Andrews Road	Huddersfield
land adjacent to 36 Close Hill Lane, Newsome	Huddersfield
land to the rear of 160 Ashes Lane, Almondbury	Huddersfield

land adjoining 3 Mount Street	Cleckheaton
land at Chesilton Avenue, Oakes	Huddersfield
land to the rear of 268 Headfield Road, Thornhill Lees	Dewsbury
land at former 80-84 Sheepridge Road	Huddersfield
land to the rear of 193 Barnsley Road, Flockton	Denby Dale
land at Manor Street / Bell Street	Huddersfield
land to the north side of 11 Commercial Street, Ravensthorpe	Dewsbury
7 Bay Hall Common Road, Birkby	Huddersfield
land adj 63 Stile Common Road	Huddersfield
Land at Chickenley Lane	Dewsbury
Freehold reversion 38 Wakefield Road	Huddersfield

Appendix D1 - Officer Strategic Asset Review



Appendix D2- Member Strategic Asset Process Chart



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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