

## **CABINET**

**Venue: Town Hall, Moorgate  
Street, Rotherham. S60  
2TH**

**Date: Wednesday, 18 December 2013**

**Time: 10.30 a.m.**

## **A G E N D A**

1. To consider questions from Members of the Public.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Declarations of Interest.
5. Minutes of the previous meeting held on 27th November, 2013 (copy supplied separately)
6. Revenue Budget Monitoring for the period ending 31st October 2013 (report herewith) (Pages 2 - 14)
  - Director of Finance to report.
7. Capital Programme Monitoring 2013/14 and Capital Programme Budget 2014/15 to 2016/17 (report herewith) (Pages 15 - 36)
  - Director of Finance to report.
8. Corporate Risk Register (report herewith) (Pages 37 - 46)
  - Strategic Director of Environment and Development Services to report.
9. Proposal to Amalgamate Thrybergh School and Sports College and Dalton Foljambe Junior and Infant Schools - Final Determination (report herewith) (Pages 47 - 49)
  - Strategic Director for Children and Young People's Services to report.
10. A Strengthened Approach to Enforcement (report herewith) (Pages 50 - 64)
  - Strategic Director of Neighbourhoods and Adult Services to report.

11. Feedback on reports into CSE - The Barnardo's Rotherham Practice Review Report - The HMIC Report into South Yorkshire Police's Response to Child Sexual Exploitation (report herewith) (Pages 65 - 125)
  - Director of Children and Young People's Services to report.
12. Integrated Health, Education and Social Care Service for Children, Young People and their Families (report herewith) (Pages 126 - 131)
  - Strategic Director of Children and Young People's Services to report.
13. Housing Complaints - Designated Persons, Housing Ombudsman Service and Housing Complaint Procedure (report herewith) (Pages 132 - 137)
  - Strategic Director of Neighbourhoods and Adult Services to report.
14. Revision of RMBC's Council Housing Allocations Policy (report herewith) (Pages 138 - 202)
  - Strategic Director of Neighbourhoods and Adult Services to report.
15. Amended Home to School Transport Policy (report herewith) (Pages 203 - 205)
  - Strategic Director of Environment and Development Services to report.
16. Community Right to Bid - Doncaster Gate Hospital Site (report herewith) (Pages 206 - 227)
  - Strategic Director of Environment and Development Services to report.
17. Exclusion of the Press and Public.

The following item is likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs).
18. Migration of Broadband Contracts (report herewith)\* (Pages 228 - 238)
  - Strategic Director of Environment and Development Services to report.

**In accordance with Section (7) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the Chairman of the Overview and Scrutiny Management Board has agreed that the item marked (\*) contains a key decision which needs to be acted upon as a matter of urgency and which cannot be reasonably deferred (see notice attached)**

**Cabinet – 18<sup>th</sup> December, 2013**

Take notice, in accordance with Regulations 5 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, that the following key decision is to be considered in the private part of the meeting without having provided the required 28 days' notice:-

- **Migration of Broadband Contracts**

This report is in respect of the migration of broadband contracts from Digital Region Limited (which is being wound-up) to new suppliers. The urgency of the decision arises from the need to place the new contracts.

An exemption under Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972 is requested, as this report contains commercially sensitive information.

The Chair of the Overview and Scrutiny Management Board has been informed and was in agreement that this key decision is urgent and cannot reasonably be deferred.

**Jacqueline Collins,**  
**Director of Legal and Democratic Services.**

**10<sup>th</sup> December, 2013.**

1	Meeting:	CABINET
2	Date:	18th December 2013
3	Title:	Revenue Budget Monitoring for the period ending 31st October 2013
4	Directorate:	Resources (for all)

## 5 Summary

This report provides details of progress on the delivery of the Revenue Budget for 2013/14 based on performance for the first 7 months of the financial year. It is currently forecast that the Council will overspend against its Budget by £4.625m (+2.1%). This represents an improvement in the forecast outturn by -£835k since the September monitoring report. The main reasons for the forecast overspend continue to be:

- The continuing service demand and cost pressures for safeguarding vulnerable children across the Borough;
- Income pressures within Environment and Development and ICT Services;
- Continuing Health Care income pressures within Adult and Children's Services, with concern that this pressure is increasing further;
- Additional, one-off property costs relating to the continued rationalisation of the Council's asset portfolio as part of the efficiency drive to reduce operational costs; and
- Some savings targets are currently pending delivery in full in 2013/14.

The moratorium on all except 'essential' spend has been in place since 16<sup>th</sup> October and is starting to see a slow down in spend as has been experienced in previous years when a spending moratorium has been imposed. Services are also exploring opportunities to maximise the flexible use of grant funding, whilst ensuring grant conditions are complied with. Further, the recent opening of the offer for staff to apply for Voluntary Early Retirement/Voluntary Severance (VER/VS) will also generate savings which will contribute to both reducing the in year pressure and potentially contributing to closing the 2014/15 Budget Gap.

Monthly budget monitoring reports will now be brought to Cabinet to enable close monitoring of progress towards delivering a balanced outturn.

Members are asked to note that since the last report meetings have taken place with the Clinical Commissioning Group (CCG) about concerns over access to and timely payment of Continuing Health Care income for clients with Continuing Health Care needs. An Action Plan is being developed and updates presented to a series of future meetings between early December and the end of the financial year.

## Recommendations

**Cabinet is asked to note the current forecast outturn and significant financial challenge presented for the Council to deliver a balanced revenue budget for 2013/14 and the actions implemented to address the forecast overspend.**

## 7.1 Proposals and Details

This report presents details of spending against budget by Directorate covering the first 7 months of the 2013/14 financial year – April 2013 to October 2013 – and forecast costs and income to 31<sup>st</sup> March 2014.

Resources Services which are currently being matrix-managed by Environment & Development Services and Neighbourhood & Adult Services will be reported as part of these respective Directorates from, and including, this report.

## 7.2 The Overall Position

Directorate/Service	Annual Budget 2013/14	Projected Outturn 2013/14	Variance after Actions (over+)/under(-) spend)	
	£'000	£'000	£'000	%
Children & Young People Services	46,108	47,453	+1,345	+2.9
Environment and Development Services	49,481	50,852	+1,371	+2.8
Neighbourhoods & Adult Services	79,060	80,173	+1,113	+1.4
Resources	10,514	10,172	-342	-0.3
Central Services	36,311	37,449	+1,138	+3.1
<b>TOTAL</b>	<b>221,474</b>	<b>226,099</b>	<b>+4,625</b>	<b>+2.1</b>
Housing Revenue Account (HRA)	73,090	72,336	-754	-1.0

Appendix 1 to this report provides a detailed explanation of the key areas of forecast over / underspend by Directorate. The summarised position for each Directorate is described below.

### **Children & Young People's Directorate (+£1,345k forecast overspend)**

The forecast overspend for Children's Services has improved by -£88k since the last report. (+£1.433m in the September monitoring report). The forecast overspend position is largely due to pressures within the Children & Families Safeguarding Service. The number of looked after children requiring placements at the end of October 2013 was 384, a reduction of 9 since the end of March 2013.

Pressures on budgets for provision of Out of Authority Residential placements (+£1.278m), remand placements (+£175k) and the provision of independent Foster Care placements (+£245k) are the main service pressures. Although the number of Looked After Children has fallen since March 2013 the cost of placements has increased as children are presenting with more complex needs. The service is looking at how they can find suitable, alternative, value for money placements to meet the needs of these young people.

The investment received in Fosterage Adoption is showing results. The service is projecting to have 30 new adopters by the end of March 2014 which is 9 above the Invest to Save target. The service is also projecting to be on target for the recruitment of new foster carers at a net gain of 21.

Forecast savings across other parts of the Directorate are helping to mitigate these key pressures. Details are shown in Appendix 1.

Children's Social Care services remain under pressure despite the services' proactive approach to drive down costs including:

- Continued operation and challenge by the Multi-Agency Support Panel
- Successful work undertaken by the Commissioning Team which has resulted in the commissioning and re-commissioning of service provider contracts with significant cost reductions/cost avoidance (£455k) to date in 2013/14.

**Environment & Development Services including Internal Audit, Asset Management, ICT, Communications & Marketing and Policy & Planning (+£1,371k forecast overspend)**

The Directorate is currently forecasting an overspend of +£1,371k largely due to pressures in Customer Services (+£356k) and Planning and Regeneration (+£307k), Asset Management (£233k) and income pressures in relation to the ICT service (£575k) due to reduced spend by Schools and Council departments and services. The Business Unit is reporting an underspend of -£78k and Streetpride a forecast underspend of -£81k.

The forecast overspend assumes that the Winter Pressures budget is sufficient to contain costs incurred over the Winter months (2013/14). It should however be noted that in 2012/13 this budget overspent by £466k. Details of the forecast overspend are included in Appendix 1.

**Neighbourhoods and Adult Services including Commissioning, Procurement, Performance & Quality and Cohesion (+£1,133k forecast overspend) and Public Health (-£382k forecast underspend)**

Overall the Directorate (excluding ring-fenced Public Health funded services) is forecasting an overspend of +£1.133m. Within this, Adult Services are forecasting an overspend (+£1.366m) and Neighbourhood services a forecast underspend of -£93k. Commissioning, Procurement, Performance & Quality and Cohesion services are forecasting a collective underspend of (-£160k). Key pressures include slippage on achieving budgeted income levels for clients with continuing health care needs (£1.5m) and the delays in implementing the restructure within in- house residential care services.

There are also recurrent budget pressures on demand for Direct Payments (Older People, Physical & Sensory Disability and Mental Health clients), Older People's domiciliary care, and day care provision for clients with Learning Disabilities.

Public Health Services are currently forecasting an underspend of -£382k. (Ring-fenced funding).

The forecast position for Neighbourhoods and Adult Services is made up of a number of under and overspends, detailed in Appendix 1.

Overall the Directorate is forecasting an underspend of -£342k. This is predominantly in respect of HR & Payroll reduced costs and increased income generation.

The forecast position for Resources is made up of both forecast under and overspends, detailed in Appendix 1.

**Central Services (+£1,138k forecast overspend)**

In setting the 2013/14 Budget, the Council proposed a recurrent savings target of £300k in respect of renegotiating Staff Terms and Conditions. Options for progressing this saving have been considered and rejected by the Unions. This target currently remains undelivered.

When the 2012/13 budget was agreed it included a £2m savings target for Commissioning Savings. Currently £387k of that target remains to be delivered. Progress against delivery of this balance will be reported in future Cabinet budget monitoring reports.

There is currently a forecast pressure of +£370k on the Land Bank due to the need to keep vacant council owned properties secure until they are sold or demolished.

There is also a forecast pressure of £81k in respect of Statutory Costs (eg Planning Notices and key investigations). In 2011/12 it was agreed that the earmarked reserve would be closed and in the event of any future pressure above the level of budget (£75k), this would be met from general reserves.

**7.3 Housing Revenue Account (HRA) (Forecast underspend -£754k)**

The Housing Revenue Account is forecasting a reduction in the transfer from reserves compared with the agreed budget. The HRA had budgeted to use £2.599m from reserves but current forecasts only require £1.845m, a reduction of -£754k.

**7.4 Agency, Consultancy and Non-Contractual Overtime Costs**

The forecast outturn position includes costs in respect of Agency staff, Consultancy and non-contractual overtime. Detailed below is the analysis by Directorate, including comparisons with 2012/13 financial year:

**Agency**

Directorate	Outturn 2012/13	Cumulative to Oct 2012	Cumulative to Oct 2013
	£'000	£'000	£'000
Children & Young People's Services	546	195	473
Neighbourhoods & Adult Services	530	172	257
Environment & Development Services	449	234	565
Resources	0	0	0
<b>TOTAL</b>	<b>1,525</b>	<b>601</b>	<b>1,295</b>

Agency staff have in the main, been used as a temporary measure to help introduce more robust and sustainable reductions to the overall staff cost base. This has shown a more marked increase this year to date compared to last year as a result of meeting the demands of various reviews and restructures. These are being kept under close review.

Within Children's Services the increase in agency costs is a result of the need to cover vacant social work and team manager posts; the Interim Director of Safeguarding ; and sickness and maternity leave in residential care.

Two extra posts, over establishment, have also been recruited to, that are peripatetic with the intention of providing cover for emergent vacancies rather than using agency staff. The costs of the agency employed interim Director will also have an effect on these figures pending the recruitment of a permanent post holder. The unspent revenue budget for the unfilled Director post significantly mitigates the agency cost of the temporary Director.

In children's residential care there has been an unprecedented level of sick leave and maternity leave in three of the five homes, resulting in the use of high levels of agency staff cover to ensure the required staff ratios are met. A number of those staff are on phased returns to work. Recruitment to fill vacancies caused by turnover has taken place, and a further recruitment round will start in January.

There have also been six children in the Orchard Centre with high levels of need requiring additional staff to care for them safely; these children would otherwise have had to be placed in out of authority residential placements.

The use of agency staff in Adult Services has increased compared to October 2012 levels due to social work vacancies and the need to maintain essential cover in some services areas, and provision of cover arrangements pending the implementation of a revised timetable, agreed with the Council, for the new staffing structure in Residential Care.

Environment and Development Services agency costs are greater compared with the cumulative spend to October last year due to cover arrangements within Waste services pending the implementation of a new structure and resourcing additional Highway Maintenance capital works. Also, seasonal Grounds Maintenance work is now undertaken by a combination of seasonally employed staff and agency workers to minimise the cost of cover arrangements. Agency spend also exists within ICT services where Agency staff are covering a key role (Senior Network Specialist) which the service has been unable to recruit to.

### Consultancy

Directorate	Outturn 2012/13	Cumulative to Oct 2012	Cumulative to Oct 2013
	£'000	£'000	£'000
Children & Young People's Services	338	173	105
Neighbourhoods & Adult Services	0	0	23
Environment & Development Services	108	80	194
Resources	1	1	10
<b>TOTAL</b>	<b>447</b>	<b>254</b>	<b>332</b>



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Consultancy spend within Children's Services for the first 7 months of 2013/14 has reduced considerably when compared with the same period last year. The consultancy expenditure predominantly relates to the School Effectiveness Service. This is funded from a combination of revenue budget, Dedicated Schools Grant (DSG) and earned income from Schools.

NAS Consultancy spend is within Neighbourhoods services and is in respect of Green Deal Housing energy advice. This spend is largely grant funded.

Consultancy costs within EDS predominantly relate to review of potential development sites and transportation links within the Local Development Plan and specialist ICT Services.

Consultancy spend within the Resources Directorate is predominantly in respect of Legal Services associated with the investigation into sexual exploitation of children.

### Non-Contractual Overtime

Directorate	Outturn 2012/13	Cumulative to Oct 2012	Cumulative to Oct 2013
	£'000	£'000	£'000
Children & Young People's Services	84	73	70
Neighbourhoods & Adult Services	456	218	239
Environment & Development Services	514	353	335
Resources	71	32	64
<b>TOTAL</b>	<b>1,125</b>	<b>676</b>	<b>708</b>

Children's Services overtime is largely in respect of safeguarding in residential care homes. Recruitment to permanent posts at the homes has been delayed and OfSTED requirements are that agency staff are not used to cover vacancies, hence the increased reliance on overtime in the short term.

Overtime spend within Adult Services is mainly due to the need to maintain statutory staffing levels in residential, home care, day care services and social work posts and represents cover for sickness and slippage in recruiting to vacant posts.

Environment and Development Services overtime spend is predominantly in respect of Streetpride Services – Highways, Network Maintenance, Street Lighting, Street Cleansing and Grounds Maintenance where work is often undertaken at times to avoid inconvenience and danger to the public. Planning and Regeneration Services and Waste Management Services for sickness and holiday cover. The Environment & Development Services overtime cost to end of October also includes ICT Services – maintaining ICT systems (+£21k) and provision of cover within Facilities Services (+£19k).

The Resources Directorate's overtime is predominantly in respect of Revenues and Benefits associated with the service carrying a number of vacancies and significant workload pressures primarily brought about by welfare reform changes that are resulting in additional customer contact and income collection and recovery activity (£46k), maintaining Financial systems (£1k), HR and Payroll Services (£7k), and Town Hall attendants (£9k).

**Council Tax:** Based on the first 7 months of 2013/14 collection rates indicate that the Council is on target to achieve the budgeted level of Council Tax - £78.3m. (97% Collection Rate).

**Business Rates:** The Council is currently on target to collect the budgeted level of business rates (£34.304m) as confirmed by a mid-year return for the DCLG.

This would be a considerable achievement – with regard to business rates, as previously reported, there has been considerable uncertainty over the number and value of appeals - particularly those backdated to earlier years – which can have a significant impact on the level of rates collectable going forward. Details of the number and value of appeals are held by the VOA which has only recently made this information available to authorities.

## 8. Finance

The financial issues are discussed in section 7 above.

Management actions need to be identified and implemented across all Directorates to bring projected spend in line with Budget limits by the end of March 2014.

## 9 Risks and Uncertainties

At a time of economic difficulty and tight financial constraints, managing spend in line with the Council's Budget is paramount. Careful scrutiny of expenditure and income across all services and close budget monitoring therefore remain a top priority if the Council is to deliver both its annual and medium term financial plans while sustaining its overall financial resilience.

Although both Council Tax and Business Rates collection levels are currently on target there remains a risk that this could change during the final months of the year.

The current forecast assumes that costs associated with the Winter Pressures will be contained within budget. In 2012/13 these costs exceeded budget by £466k.

## 10. Policy and Performance Agenda Implications

The delivery of the Council's Revenue Budget and Medium Term Financial Plan within the parameters agreed at the start of the current financial year is essential if the objectives of the Council's Policy agenda are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.

## 11. Background Papers and Consultation

- September Revenue Budget Monitoring Report – Cabinet 27<sup>th</sup> November 2013
- August Revenue Budget Monitoring Report – Cabinet 16<sup>th</sup> October 2013
- May Revenue Budget Monitoring Report – Cabinet 24<sup>th</sup> July 2013
- Revenue Budget and Council Tax for 2013/14 Report to Council 6th March 2013.
- Strategic Directors and Service Directors of the Council

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## Appendix 1

**Key reasons for forecast over / underspends****Children & Young People's Services (+£1.345m forecast overspend)**

The key factors contributing to the forecast overspend are:

**School Effectiveness (+£4k)**

Although Rockingham PDC is covering its own costs, this forecast overspend is due to not being able to fully achieve its additional income target of £33k.

**Special Education Provision (-£245k)**

Forecast overspends on Education Welfare (+£7k) due to loss of academy income caused by a change in legislation, SEN Assessment/Admissions Team (+£41k) due to additional hours to cover sickness and additional printing are all offset by staff savings from vacant posts in both Early Years ASD Support (-£26k), Learning Support Service (-£17K) and Education Psychology Service (-£22k). A further forecast underspend on Complex Needs placements (-£228k) is due to the projected achievement of commissioning savings.

**Safeguarding, Children and Families Service Wide (+£28k)**

The forecast over spend on legal fees (+£86k) and Agency costs (+£14k) is partially offset by staff cost savings (-£72k) in Business Support.

**Child Protection Teams (+£10k)**

This forecast overspend is in respect of Agency staff within the Safeguarding Unit.

**Children in Need Social Work Teams (+£87k)**

This forecast overspend is in respect of Agency staff costs & additional staff appointments within the Children in Need North team & the Borough Wide team.

**Looked After Children (+£1,473k)**

The service is forecasting an overspend mainly due to the cost of out of authority residential placements (+£1,278k), remand placements (+£175k) and independent fostering placements (+£245k). Further details of placements are below:

- The number of children in residential out of authority placements as at 31st October is 25 (a decrease of 3 since September). Since 2011/12 the average number of children in OOA residential placements per week has increased from 18 to 23 currently. Due to the increasing complexity of children's needs that are going into residential out of authority placements & despite successful negotiations by the Commissioning team to minimise the cost of these placements, the average cost per week of these has also increased over this period from £3,022 to £3,309;
- From 1 April 2013 children's remand placements are fully funded by the Local Authority & RMBC was provided with a national grant of £78k to cover these additional costs. The current projected cost of these placements is £252k which shows that the grant was grossly inadequate. There is currently 1 remand placement. (No change from September).
- The number of children in Independent foster care as at 31st October is 108 (a reduction of 7 since September & a reduction of 10 since the end of March 2013). The average number of children in these placements has reduced from 125 per week in 2011/12 to 108 currently in 2013/14.

- The number of children in in-house fostering placements as at end of October is 156 (a reduction of 12 since 31 March 2013). Since 2011/12 the average number of children placed in in-house fostering placements per week has increased from 159 to 172 currently. The average cost per week of these has also increased over this period from £230 to £249.
- The number of looked after children was 383 at end of October, a reduction of 9 since 31<sup>st</sup> March 2013

Additional overspends in this area are (+£28k) Consultancy costs to review health care contributions towards children's continuing health care needs, (+£7k) Fostering agency team manager and (+£19k) agency costs in respect of Contact workers. These pressures are partially offset by projected underspends in Children's Homes (-£80k) mainly due to not staffing the Silverwood annexe, Fostering Services (-£64k) due to a forecast underspend on fostering allowances, Residence Orders & Families together placements, (-£92k) due to the re-profiling of adoption placements and the impact of this on inter-agency adoption costs, (-£23k) reduced use of transport for LAC children & (-£20k) on Leaving care accommodation costs.

#### **Disability Services (+£83k)**

This service is now forecasting an overspend mainly due to overtime & agency costs at Cherry Tree & Liberty residential homes due to needing to cover sickness & vacancies (+£75k) and an overspend on Direct payments (+£51k) partially offset by staff costs underspends within the Disability Team (-£43k).

#### **Remaining CYPs Services (-£95k)**

The overall CYPs overspend is also partially offset by projected under spends on Pension costs (-£12k) due to a reduction in numbers receiving pension payments, (-£6k) due to reallocation of grant in the Early Years service and staff cost savings in the Integrated Youth Support Service (-£77k).

#### **Environment & Development Services (+£1.371m forecast overspend)**

The above forecast overspend assumes that the Winter Pressures budget is sufficient to contain costs incurred over the Winter period - In 2012/13 these costs exceeded budget by £466k.

#### **Streetpride ( -£81k forecast underspend)**

**Network Management is projecting a pressure of +£65k.**

Network Management is projecting a shortfall on income recovery (+£154k) where income targets were inflated on Parking Services budgets by 2.5%, and a further (+£10k) to fund free parking on Saturdays prior to Christmas. Other service pressures (+£19k) are mitigated by increased income from Streetworks and Enforcements -£61k and reduced Street Lighting energy costs (-£38k), and reduced costs on Highways Maintenance -£19k.

#### **Waste Services +£23k**

Waste Management services have pressures primarily on income from sale of recyclables as a result of a general reduction in waste volumes, and from commercial waste contracts which are still less than budgeted following the downturn in economic activity. Current projections show a pressure of +£337k, but Waste Disposal is projecting to be underspent by -£302k based on known changes to tipping locations, fluctuations in waste streams and an underspend of -£12k on the Waste PFI project.

Corporate Transport Unit is showing a forecast saving of -£160k mainly due to expected reduced costs on Home to School Transport. A surplus on Stores is now anticipated - £52k as a result of the materials issued, in the main for Street Lighting schemes.

### **Leisure and Green Spaces +£118k**

Green Spaces position now shows a pressure +£101k, (£36k allotments saving proposal undelivered, £123k Country Parks due to VAT issue - improved position from last month by -£36k due to HRA funding for Rotherham Rivers & additional car parking income, off-set by savings on recreational grounds & urban parks mainly due to vacant posts, totalling -£22k), Leisure are reporting +£17k pressure: +£12k from Sports Development due to late implementation of saving at Herringthorpe Stadium, £2k vacancy factor pressure on Trees & Woodlands and £3k vacancy factor pressure on LGS Management & Admin.

Across the rest of Streetpride services an improved position is being reported, partially due in increased income from current transportation and highways work, -£126k which is offsetting some pressures within Community Services, mainly due to increased pressures regarding fly-tipping and a shortfall in income within grounds maintenance totalling +£51k.

### **Regeneration, Planning, Customer and Cultural Services (+£663k forecast overspend)**

The key pressures within Regeneration and Planning total +£307k and are: +£379k from Planning due to reduced income from planning applications, additional required spend on the Local Development Plan and a VAT payment due from previous years, resulting from an audit. Smaller pressures are reported in Regeneration (+£14k) and Markets (+£46k). These are being partially offset by identified savings -£96k from higher than expected occupancy levels at the Business Centres, and further savings of -£36k from other areas.

Within Customer and Cultural Services there is a forecast overspend of +£356k. The change in venue for celebratory services has created a pressure of (+£60k), which is being partially mitigated by some staff savings (-£35k) across Heritage Services. Across Theatres and Arts there is a combined saving of (-£13k), due to some salaries savings, increased one-off income and due to the moratorium. Within Library Services a forecast overspend of (+£71k) (due to pay pressures (+£40k) and a pressure on a revaluation of business rates which are unfunded (+£30k)). Within Customer Services there remains an unachievable saving from 2012/13 of (+£80k) and a further (+£120k) from the 2013/14 savings proposals and a further (+£73k) within the Customer Contact Centre.

### **Business Unit (-£78k)**

The Business Unit is forecasting an underspend due to the moratorium, including suspension of non-essential training.

### **Asset Management (+£233)**

There are pressures across the Asset Management service: unbudgeted property disposal fees (+£80k), Land & Property income under-recovery (+£55k), operational costs of Community Buildings (+£9k), increased accommodation costs, including energy, (+£89k).

### **ICT (+£575k)**

The service is currently forecasting a pressure of +£575k as a result of lower than budgeted income because of reduced demand by Schools (relating to both Rotherham

Grid for Learning and general IT provision, £30k and reduced spend on IT by Council services (£275k); the latter being partly as a result of the moratorium on non-essential spend.

**Internal Audit** – A forecast overspend of +£20k due to staff cost pressures.

**Communications & Marketing** are forecasting an overspend of +£41k due to staff cost pressures.

**Policy & Partnerships** – a forecast underspend of -£2k.

These pressures continue to be reviewed, and wherever possible, the budget holders will look to reduce any costs to mitigate the forecast overspend.

### **Neighbourhoods & Adult Services (+£1.113m forecast overspend) and Public Health Services (-£382k forecast underspend)**

**Adult Services** are currently forecasting an overspend of **+£1.366m**. The key underlying budget pressures include:

#### **Older People (+£691k)**

Forecast over spend on In-House Residential Care due to delays in implementing the 2013/14 budget savings target (+£325k), increase in Direct Payments over budget (+£558k) and overall forecast over spend on Domiciliary Care services (+£529k) due to an increase in demand for independent sector care.

There is also a forecast overspend on independent sector residential and nursing care (+£618k) due to lower than expected discharges than forecast (47 additional clients in placement than budgeted), this is after additional income from property charges is being received. These pressures are being partially reduced by a number of forecast underspends including: planned delays in developing dementia services (-£248k), carers breaks (-£183k) and additional income and delays in enhancements in Rothercare (-£130k). Higher than anticipated staff turnover within Assessment & Care Management and community support plus additional income from Health (-£648k), staff vacancies within Day Care services (-£66k), additional income in Extra Care Housing (-£23k) and Transport (-£41k).

#### **Learning Disabilities (+£420k)**

There is a forecast overspend on Day Care (+£237k) due to delays in implementation of the day care review including an increase in fees and charges, plus a recurrent budget pressure on transport. There is a forecast overspend in independent sector home care (+£102k) due to slippage in meeting an agreed budget saving. Additional admissions into residential care are resulting in a forecast overspend of +£103k. High cost placements within independent day care and community support are resulting in a forecast overspend of +£164k. These forecast overspends are partially mitigated by slippage on developing Supported Living schemes plus additional funding from health (-£67k), efficiency savings on Service Level Agreements (SLA's) for advice and information (-£62k), lower than expected increase in demand for direct payments (-£25k) and planned delay in recruitment within Assessment & Care Management (-£32k).

#### **Mental Health (-£189k)**

There is a projected overspend on the residential care budget due to slippage on the budget savings plan to move clients into community support services and a continued

pressure on the direct payments budget (+£978k). These are more than offset by forecast underspends in the community support budget (-£367k).

### **Physical & Sensory Disabilities (+£562k)**

Further increase in demand for Direct Payments (+10 clients) together with recurrent cost pressure (+£642k) and a continued increase in demand for domiciliary care +£242k. These pressures are being partially offset by forecast underspends within residential and nursing care, day care, provision of equipment and savings on contracts (-£322k).

### **Adults Safeguarding (+£14k)**

Forecast overspend due to lower than expected staff turnover and use of agency support.

### **Supporting People (-£78k)**

Efficiency savings on subsidy contracts have already been identified against budget (-£78k).

### **Adults General (-£54k)**

This includes the cross cutting budgets (Workforce planning and training, and corporate charges) which are forecasting an overall underspend based on the level of charges incurred last year plus savings on training budgets.

### **Neighbourhoods General Fund (-£93k)**

The projected year end outturn position for Neighbourhoods shows a forecast under spend of (-£93k).

The main reason for the forecast underspend is higher than expected staff turnover within Trading Standards and Licensing, savings on non pay budgets due to the moratorium on non essential spend plus additional income from the Dignity contract. The overall forecast underspend includes underspends within the Members Community Leadership Fund (-£16k) and Dispersed Units Trading Account (-£36k) which are likely to be subject to a request for carry-forward at the year end.

**Commissioning, Policy & Performance** services are forecasting an underspend of -£145k mainly in respect of staff cost savings.

**Procurement Team** – a forecast underspend of -£15k in respect of staff cost savings.

### **Public Health (-£382k)**

Public Health services were transferred from Health to Local Authorities on 1 April 2013. The service is funded by a ring fenced specific grant from the Department of Health. For Rotherham this is £13.790m for 2013/14 and the service is currently forecasting an overall underspend of -£382k. The main reason is a variation in the sexual health contracts from the original budget. The grant conditions however allow for any underspend at the year end to be carried forward in a Public Health Grant Reserve.

### **Housing Revenue Account (HRA)**

The overall forecast as at end October 2013 is that the HRA will outturn on budget with a planned (budgeted) use of its working balance (reserves) of £1.845m a reduction of

Currently forecasts show an over-recovery of income from charges for services and facilities together with minor under spends on housing repairs and supervision and management and the cost of borrowing.

**Resources Directorate (-£342k forecast overspend)**

**Legal and Democratic Services** – A forecast overspend of +£39k due to income and postage cost pressures.

**Human Resources & Payroll** are forecasting an underspend of -£289k largely in respect of staff cost savings and additional income generation.

**Management savings** are also forecast across the service amounting to -£76k.

**Pension cost savings** of -£16k are also forecast across the Directorate.



<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2</b>	<b>Date:</b>	<b>18<sup>th</sup> December 2013</b>
<b>3</b>	<b>Title:</b>	<b>Capital Programme Monitoring 2013/14 and Capital Programme Budget 2014/15 to 2016/17</b>
<b>4</b>	<b>Directorate:</b>	<b>Resources</b>

**5 Summary**

The purpose of this report is to provide details of the current forecast outturn for the 2013/14 programme and enable the Council to review the capital programme for the financial years 2014/15 to 2016/17.

**6 Recommendations**

**CABINET IS ASKED TO:**

**NOTE THE CONTENTS OF THIS REPORT; AND**

**RECOMMEND THE APPROVAL OF THE UPDATED 2013/14 TO 2016/17 CAPITAL PROGRAMME BY FULL COUNCIL.**

## **7 Proposals and Details**

### **7.1 Background - The Capital Programme**

Ongoing restrictions on Government funding for local government capital investment plans continue to limit the level of funding available to regenerate and enhance the Borough's infrastructure.

Concurrently, the Council has continued to be proactive in looking to rationalise its asset and buildings portfolio so as to realise revenue savings and potential capital receipts from any future asset sale. Generally, such capital receipts are expected to be used to reduce future capital financing costs so as to reduce the revenue cost of borrowing.

#### **The Capital Programme 2014/15 to 2016/17**

The budget process that has led to the recommended capital programme for 2014/15 to 2016/17 ensures that Council's capital investment plans are aligned with strategic priorities and available funding. The financial implications of the programme are reflected in the Council's Medium Term Financial Strategy (MTFS) and Treasury Management and Investment Strategy.

In 2013/14 the Council will have invested £82.395m in capital schemes across the Borough. A further £133.817m will be invested in regeneration and enhanced infrastructure schemes over the following three year period, including £59.348m in 2014/15. It should be noted that some grant funding notifications have not been received at this time, which has limited the development of schemes to be undertaken in 2015/16 onwards. Once those notifications are received reports will be brought before Members, which will expand the current programme.

The expenditure plans and profiles are reflected in the Directorate summary forecast capital spend table presented below. A detailed copy of the programme for each Directorate is attached at Appendices 1 to 4.

	2013/14 Revised Estimate	2013/14 Variance from Last Report	2014/15 Estimate	2014/15 Variance from Last Report	2015/16 Estimate	2015/16 Variance from Last Report	2016/17 Estimate
Directorate	£m	£m	£m	£m	£m	£m	£m
Children & Young People's Service	21.108	+0.615	10.948	+5.162	6.307	+2.600	3.257
Environment & Development Services	24.420	-1.116	14.239	+1.289	7.239	0.000	0.650
Neighbourhoods & Adult Services	34.478	-2.121	33.204	+2.584	28.014	-1.467	28.062
Resources	2.389	+0.109	0.957	-0.109	0.470	0.000	0.470
<b>TOTAL</b>	<b>82.395</b>	<b>-2.513</b>	<b>59.348</b>	<b>+8.926</b>	<b>42.030</b>	<b>+1.133</b>	<b>32.439</b>

## 7.2 Children and Young People's Services Capital Programme 2013/14 to 2016/17

The revised proposed spend for 2013/14 is £21.108m, with a further £20.512m of investment in the following years of the programme.

A copy of the current full programme is attached to this report at Appendix 1. Commentary on the main aspects of the programme and the nature of the spend is given below.

### **Primary Schools**

Spend on Primary Schools is expected to be £8.419m in 2013/14, with a further £8.829m of planned spend in 2014/15 to 2016/17. The major investments to note in this area are:

- The extension and refurbishment at **Maltby Lilly Hall Primary** school is now complete (£1.600m in 2013/14). The work has created six new classrooms together with associated facilities and external play areas.
- An extension at **Flanderwell Primary** to provide 5 additional classrooms was completed in October (£1.117m in 2013/14). The extension was necessary in order to accommodate an increase in pupil numbers.
- Work has begun on the **Autism Resource at Flanderwell Primary School** (£0.543m in 2013/14). The resource will cater for 10 pupils who will benefit from a purpose built resource.

- Work is almost complete at **Herringthorpe Infant and Junior Schools** (£1.784m in 2013/14). The classrooms for both schools are complete, the remaining work is to the external areas which was scheduled to finish at the end of November.
- The new 4 classroom block at **Aston Hall Junior and Infant School** (£0.845m in 2013/14) was completed in September 2013.
- The extension to facilitate the expansion of **Wath CE Primary School** (£0.050m in 2013/14) is currently in the planning stage and is expected to start on site in February, with a completion in the summer of 2014.

In addition two new schemes have been introduced to the programme in order to accommodate an increase in pupil numbers:

- Design development has begun of the **New Central Primary School** to be located on Eldon Road Allotment site (£0.150 in 2013/14). Surveys and investigations will continue this financial year, with building on site to begin in the Summer of 2014 subject to necessary approvals.
- Early planning has begun to create additional teaching, learning and other required facilities at **Brampton Ellis Junior School**. A further 3 classrooms will be needed, construction of which is anticipated to begin in 2016/17, to accommodate additional pupil numbers.

### **Secondary Schools**

Spend on Secondary Schools is expected to be £7.250m in 2013/14 with a further £3.377m in the subsequent years. The most notable projects in this area are:

- **Maltby Academy** (£6.725m in 2013/14). The Council continues to have an interest in the buildings until finalisation of the proposed long term lease of the assets to the Academy and is providing professional and technical support for the project. The work commenced in September 2012 and several Blocks have already been refurbished and handed back to the Academy. The business and enterprise block has recently been completed enabling work to begin on the Sports Hall, which is programmed to be complete in February 2014.
- An additional project to provide an 18 block classroom extension at **Wickersley School and Sports College** (£0.200m in 2013/14) has been added to the programme. The work, which is required in order to address an increase in pupil numbers, is expected to start in December 2013 and be complete for October 2014.

## Other Projects

The other major investments to note are:

- Using Government funding minor enhancement works are carried out at schools. The **Capitalised Minor Enhancements** programme in 2013/14 is now forecast to be £2.465m, those works will include:
  - New kitchen lighting, ventilation and the replacement of a ceiling containing asbestos at **Bramley Grange Primary School**.
  - Partial re-roofing work, toilet refurbishment and work to address damp issues at **Harthill Primary**.
  - The replacement of windows at **Kiveton Park Meadows, Roughwood and Kelford Schools**.

A further £5.735m is due to be spent on similar schemes in the remaining years of this programme.

- **Devolved Formula Capital Grant (DFCG)** is paid annually to schools for them to use on small capital projects. In 2013/14 £1.572m is due to be spent with a further £2.421m to be allocated in subsequent years.
- The **Property Adaptations** programme (£0.859m in 2013/14) aims to deal with the 21 requests received from foster carers or family members for a property extension, 13 of which will give the Council greater capacity in terms of fostering placement. It is also anticipated that this project will result in the long term reduction of revenue costs for fostering placements.

## **Environment and Development Services (EDS) Capital Programme 2013/14 to 2016/17**

The revised proposed spend for 2013/14 is £24.420m with a further £22.128m of investment in subsequent years. A copy of the full programme is attached to this report at Appendix 2. Commentary on the main aspects of the EDS programme and the changes to planned spend are shown below:

## **Culture and Leisure**

The overall programme spend in 2013/14 is expected to be £1.562m including the planned works to the Borough's **Library facilities** (£0.159m in 2013/14). The refit work to the ground floor at Dinnington Library is now complete, including the service centre relocation. Similarly work facilitating the movement of the customer service centre into Swinton Library is nearing completion. In addition:

- The original intention of the **Wath Library Refurbishment** project (£0.155m in 2013/14) was to relocate services currently delivered from Wath Neighbourhood Office at Wath Town Hall. In view of the

asbestos and re-wiring issues, encountered during initial investigations, the project has been put on hold until a further review of accommodation in the north of the Borough has been concluded. A decision is expected by late December.

- Investment in **Brinsworth Library** (£0.499m in 2013/14) is still planned. Brinsworth Parish Council is currently carrying out a consultation on extending the building to form a library and arts centre. Discussions are also taking place with the Arts Council and other partners regarding funding for the renovation of the building fabric together with the mechanical and electrical services, which will allow the building to be used for the next ten years.
- The Completion of **Barkers Park Changing Facilities** (£0.322m in 2013/14) is imminent. The project will deliver 8 team and 1 officials changing room plus a disabled facilities unit and renewal of the drainage system.
- A new classroom and cycle centre are to be created at **Rother Valley Country Park** (£0.166m in 2013/14). The classroom will be used to increase the range and number of educational experiences for both young people and adults and support the development of corporate activities. The new cycle workshop will expand the range and number of cycles available to hire in the park, improving the user experience.

## Highways

The Council's highways continue to be a priority for investment with £21.800m expected to be spent in 2013/14 and a further £15.200m invested over the next three years. The current Government funding programme comes to an end in 2014/15 with the next round of funding expected to be announced at the end of 2014. As a result the Council is unable to introduce any grant funded spend to the programme beyond 2014/15 at this time. The main areas of investment to be made in 2013/14 are:

- The **A57 Improvement Scheme** (£6.748m in 2013/14) is on-going with work to apply final tarmac layers and install lighting and signals scheduled to be completed early in 2014. It is also anticipated that compensation for land acquisition will not be agreed and paid until the 2014/15 financial year and in addition planting mitigation works will now use the 2014 growing season to ensure best results.
- The **LTP Integrated Transport Block** (£2.170m in 2013/14). This funding stream will deliver a programme of schemes designed to address problems at identified accident black spots and investment in works that will promote walking, cycling and bus usage across the Borough.
- The **Highways Maintenance** programme (£4.093m in 2013/14) will deliver many improvements to the Borough's road infrastructure

including carriageway resurfacing on; Worksop Road, Lindrick; Bawtry Road at Bramley; and Chapelfield Road, Thorpe Hesley.

- The **LSTF Main Bid** (£1.811m in 2013/14) will deliver a number of schemes including:
  - An off road cycle route from Queens Street, Swinton to Manvers.
  - Surfacing of the canal towpath between Rotherham town centre and Sheffield city centre, in conjunction with Sheffield City Council.
  - Investment in identified bus hotspots on the A633 Dearne corridor.
- Anticipated spend on **Other Highways Projects** (£6.328m in 2013/14) has risen slightly due to an increase in costs associated with the creation of a priority bus lane and signalisation of the Oldgate Lane/TATA Steels junction. The Department for Transport have agreed to fund the additional cost.

### **Other investments**

The Council will, in 2013/14, continued to invest in the Borough's infrastructure, in particular:

- **Rotherham Townscapes Heritage Initiative** (£0.325m in 2013/14) continues to deliver improvements to the town centre, investing in the renovation of shop frontages, structural works and roof replacements. The project has been granted an extension by the Heritage Lottery Fund to enable the completion of the remaining buildings and subsequent public realm works on the High Street. The main physical works on 10-12 High Street, the Three Cranes and Alfonso's buildings will now take place in 2014/15, along with the improvements to the surrounding public realm.
- Protracted negotiations over the **Drainage Works on Don Street** (£0.627m in 2013/14) are on-going. These are expected to be brought to a conclusion in 2013/14.

In addition a capital contribution is to be made in 2015/16 to the **PFI Residual Waste Facility** contractor. This payment will reduce the overall cost of the project by reducing any future debt burden. This project will deliver a new waste disposal facility operated in conjunction with Doncaster and Barnsley Councils.

### **Neighbourhoods and Adults Services Capital Programme 2013/14 to 2016/17**

The forecast spend for 2013/14 is £34.478m, with a further £89.280m planned in the remainder of the programme. A copy of the full revised programme is attached to this report at Appendix 3.

## **Adult Services**

The Service is expecting to spend £0.690m in 2013/14, the main projects being:

- The **Assistive Technology** scheme (£0.400m in 2013/14) will enable people requiring care support services to live independently within their own home through the purchase of telecare equipment. This equipment includes fall detectors and monitoring alarms. The project has now been extended into 2014/15 and will help to generate revenue savings over its lifetime.
- **REWS (Rotherham Equipment and Wheelchair Service) Equipment** (0.190m in 2013/14) – the purchase of equipment, after Occupational Therapist assessment, to support people within their own homes. Equipment will include a range of specialist bath and shower aids and mattresses and will be managed by Rotherham Foundation Hospital Trust. Again the project has now been extended into 2014/15 and will help to generate revenue savings over its lifetime.

## **Neighbourhoods Services**

For 2013/14 the Service is expected to spend £33.788m with a further £88.690m to be invested during the remaining period of the current programme. There have been a number of movement's to the planned Housing Capital programme for 2014/15 onwards due to better use of asset management intelligence. This has resulted in reductions to external and internal work budgets following significant investment during the Decent Homes programme. Going forward programmes will increasingly focus on investment to empty properties, due to increasing volumes as a consequence of welfare reform and rationalising, plus refurbishing existing District Heating networks across the borough.

A copy of the existing programme is attached to this report at Appendix 3 and the most notable items are detailed below.

**Improving Council Housing & Housing Services** - The programme for 2013/14 is now £27.553m with the only change being to the **Strategic Acquisitions** programme (£0.725m in 2013/14) where the purchase of properties in Wickersley and Rawmarsh is not expected to complete until 2014/15.

Other notable investments in this area are:

- **Refurbishment Works** (£14.000m in 2013/14) will be carried out to improve the quality of the housing stock both internally and externally across the borough. Those works will include; roof and gutter works at 1,600 properties in six areas across the Borough; roof and chimney replacements in flats in Wingfield and Greasbrough; wall renovation and insulation work in the North Anston, Maltby and Wath areas.



- **Environmental Works** (£1.485m in 2013/14) – schemes include improvements to parking, fencing and footpaths and the introduction of purpose built communal bin stores. Most notably work is on-going at Pike Road, Brinsworth, with an anticipated completion date of December 2013. Work will also be undertaken at Birk's Holt at Maltby, where improvements are to be made to the boundary fences and railings.
- The **Decent Homes Void Programme** (£1.819m in 2013/14) is on-going with 128 major voids completed and re-let so far in 2013/14.
- Under the **Replacement of Central Heating** programme (£3.010m in 2013/14) the Council has replaced 312 boilers under the planned programme and 212 boilers that were unplanned. A further 21 boilers are scheduled to be replaced before the financial year end.
- **Non-traditional Investment** (£1.841m in 2013/14). Work to renovate non-traditional properties is planned in four areas of the Borough:
  - Work on 84 properties in the Rawmarsh area has commenced and should be completed in February 2014.
  - Renovation work, which commenced in 2012/13, on properties in the Swallownest area has now been completed.
  - Work on a further 133 properties is continuing in the Wath area with completion now expected in January 2014, which is earlier than originally anticipated.
  - 97 properties in the Rawmarsh Manor Farm area will also receive external wall insulation. The work is currently out to tender and is expected to commence in 2014/15.

In addition two new programmes have been introduced from 2014/15 onwards:

- **New Build Disabled Persons Unit (DPU) Bungalows.** The Council is to invest in the building of four bungalows, two in Kimberworth and two in Thurcroft, specifically designed to cater for the needs of disabled tenants.
- Investment will be made **into Enabling Works on HRA Land.** These works will facilitate the releasing of HRA land for new build housing development

**Fair Access To All: Disabled Adaptations** (£3.784m in 2013/14) – work is on-going to ensure these demand-led works are completed within the statutory timescales. Up to the end of October 445 major and 2108 minor adaptations had been completed.

Investment into **Neighbourhood Regeneration & Renewal** (£1.981m in 2013/14) will continue with the most notable projects being:

- **Canklow Phase 1 & 2** (£0.450m in 2013/14) where there are seven properties identified for purchase, with negotiations on-going. A programme of demolition is also being prepared to clear the land where a further twenty properties have already been purchased.
- **Bellows Road, Rawmarsh, Service Centre Clearance** (£0.585m in 2013/14). Work is continuing to demolish the remaining shops in this precinct, although there has been some delay due to the need to find a suitable site for the relocation of a telecom mast.
- **Garage Site Investment** (£0.500m in 2013/14) which will see the renovation of a number of garage sites across the Borough, making them safe and secure for use.
- The **Fuel Poverty – Vulnerable People** project (£0.424m in 2013/14) will deliver low cost energy efficiency improvements to private sector households in areas of the Borough with high levels of fuel poverty. Phase 1 has been delivered with cavity and loft insulation being installed in 130 properties in a number of areas across Rotherham. Building on the success of Phase 1, a second phase of the project is currently being developed.

**Neighbourhoods Improvements Non-HIP Programme** (£0.470m in 2013/14) – the majority of the spend in this area will be on the **Landfill Sites** (£0.458m in 2013/14) where work is continuing to improve the gas/leachate systems and restore the land in order to make the sites safe. Work at three of the sites, Maltby, Droppingwell and Kiveton Park, is nearing completion whilst that at Rawmarsh and Wath is still ongoing.

#### **Resources Capital Programme 2013/14 to 2016/17**

Overall the 2013/14 programme is expected to spend £2.389m with a further £1.897m to be invested in the ensuing years. A copy of the full programme is attached to this report at Appendix 4, the main aspects being:

#### **Asset Management (£0.552m in 2013/14)**

- The **Ancillary Services Building** project (£0.262m in 2013/14) is continuing, with the focus in 2013/14 being the relocation of the York and Lancaster Regimental Museum. Work to improve customer access and the overall visitor experience is continuing with new display cases and signage due to be fully installed in December 2013.
- Work has commenced on the **Bailey House Renovation** project (£0.277m in 2013/14). Following a review of options it was determined that there is no viable early exit strategy from the building and that it should now be considered a long term operational asset, utilised to enable further rationalisation of the

Council's estate. Work is to be carried out to address issues which include the leaking plant room roof, the heating of offices and the replacement of fire doors. The intention is to then move services from both the Station Road and Canklow Depots allowing those facilities to be closed. Work should be completed by the end of March 2014

- The Council continues to invest in its **ICT infrastructure** (£1.837m in 2013/14) as part of its ICT Strategy. The Strategy is focussed on ensuring the Council is able to support effectively the services it delivers and promote new, innovative, ways of working that will result in greater efficiencies and effectiveness. The most notable projects are:
  - **Developing Customer Access and On-line Self Service.** Making customers' data available on-line in a secure way to improve customer service and realise efficiencies by moving transactions from more expensive contact channels.
  - **Upgrading Key Financial Management Systems** to support on-going improvements to the Council's financial management capability.
  - The **Electronic Document Records Management** project, designed to enable staff to access the information they need to do their jobs from any location and to reduce the amount of paper document storage.

### 7.3 Funding of the Programme

The table shown below outlines the funding strategy associated with the schemes profiled above and detailed in the Appendices 1 to 4.

Funding	2013/14 Revised Estimate	2013/14 Variance from Last Report	2014/15 Estimate	2014/15 Variance from Last Report	2015/16 Estimate	2015/16 Variance from Last Report	2016/17 Estimate
	£m	£m	£m	£m	£m	£m	£m
Grants & Contributions	39.552	+0.217	23.188	+5.881	5.236	+0.600	4.186
Unsupported Borrowing	11.209	-2.770	7.599	+2.730	9.759	+2.000	1.170
Usable Capital Receipts	1.815	+0.040	0.782	-0.045	0.332	0.000	0.332
Major Repairs Allowance (HRA)	21.037	0.000	20.024	-0.140	20.664	-1.000	20.664
Revenue Contributions	8.782	0.000	7.755	+0.500	6.039	-0.467	6.087
<b>Total</b>	<b>82.395</b>	<b>-2.513</b>	<b>59.348</b>	<b>+8.926</b>	<b>42.030</b>	<b>+1.133</b>	<b>32.439</b>

#### 7.4 Amount of Capital Expenditure on a Ward Basis

The table shown below shows the expenditure associated with the schemes profiled above, and detailed in the Appendices 1 to 4, on a Ward basis.

Ward	2013/14 Revised Estimate	2013/14 Variance from Last Report	2014/15 Estimate	2014/15 Variance from Last Report	2015/16 Estimate	2015/16 Variance from Last Report	2016/17 Estimate
	£m	£m	£m	£m	£m	£m	£m
Anston & Woodsetts	0.160	+0.091	0.036	0.000	0.036	0.000	0.036
Boston Castle	3.391	-1.111	5.485	+1.164	0.034	0.000	0.034
Brinsworth & Catcliffe	2.996	+0.103	0.628	0.000	0.035	0.000	0.035
Dinnington	0.350	+0.171	0.037	+0.001	0.036	0.000	0.036
Hellaby	1.856	+0.026	0.052	0.000	0.052	0.000	0.052
Holderness	4.507	+0.227	0.381	0.000	0.031	0.000	0.031
Hoover	0.448	+0.036	0.014	-0.045	0.014	0.000	0.414
Keppel	0.153	+0.043	0.056	0.000	0.056	0.000	0.056
Maltby	6.821	+0.008	0.020	0.000	0.020	0.000	0.020
Rawmarsh	1.169	+0.456	1.088	+0.150	0.051	0.000	0.051
Rother Vale	0.283	+0.034	0.023	0.000	0.023	0.000	0.023
Rotherham East	0.553	+0.171	2.660	+2.600	2.660	+2.600	0.060
Rotherham West	0.300	+0.086	0.042	0.000	0.042	0.000	0.042
Silverwood	0.150	+0.008	0.035	0.000	0.035	0.000	0.035
Sitwell	0.096	+0.029	0.034	0.000	0.034	0.000	0.034
Swinton	0.463	+0.115	0.293	0.000	0.043	0.000	0.043
Valley	4.408	+0.226	2.290	0.000	0.058	0.000	0.058
Wales	4.803	+0.485	0.377	0.000	0.827	0.000	0.027
Wath	0.466	+0.080	1.433	0.000	0.056	0.000	0.056
Wickersley	2.369	+0.461	2.861	+2.827	0.034	0.000	0.034
Wingfield	0.169	+0.072	0.075	0.000	0.030	0.000	0.030
All Wards	46.484	-4.330	41.428	+2.229	37.823	-1.467	31.232
<b>Total</b>	<b>82.395</b>	<b>-2.513</b>	<b>59.348</b>	<b>+8.926</b>	<b>42.030</b>	<b>+1.133</b>	<b>32.439</b>

## 8. Finance

Financial implications are contained within the body of this report. Any revenue implications from the revised programme have been fully reflected in the Council's latest 2013/14 outturn revenue forecast and its updated Medium Term Financial Strategy.

**9. Risks & Uncertainties**

The Capital Programme is funded through a number of sources: unsupported borrowing, capital grants & contributions, revenue contributions and capital receipts. Any uncertainty over the funding of the Programme rests on confirmation that grants/contributions and capital receipts continue to be available in coming years. Where funding sources are volatile in nature the risks will be managed by continually keeping the programme under review.

**10. Policy and Performance Agenda Implications**

The preparation of the Medium Term Financial Strategy incorporating a profiled capital programme and the associated revenue consequences, together with regular monitoring, highlights the Council's commitment to sound financial management.

**11. Background Papers and Consultation**

- Capital Programme Monitoring 2013/14 and Capital Programme Budget 2014/15 to 2015/16.
- Project / Scheme monitoring reports
- Monitoring returns and budget setting details from Directorates.

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# **CHILDREN AND YOUNG PEOPLE'S CAPITAL PROGRAMME 2013/14 - 2016/17** **FINANCIAL SUMMARY STATEMENT**

CAPITAL INVESTMENT BY PROJECT	SPEND AND FUNDING STATEMENT						
	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
<b>PRIMARY</b>							
MALTBY LILLY HALL	1,600	0					
KILNHURST ST THOMAS EXTRA CLASSROOM	253	0					
FLANDERWELL PRIMARY EXTENSION	1,117	0					
HERRINGTHORPE INFANT & JUNIOR SCHOOLS EXPANSION	1,784	0					
ASTON HALL INFANT & JUNIOR SCHOOL EXPANSION	845	0					
FLANDERWELL PRIMARY AUTISM RESOURCE	543	0					
WEST MELTON PRIMARY SCHOOL EXTENSION	384	0					
BROOM VALLEY COMMUNITY PRIMARY SCHOOL EXPANSION	195	0					
BRINSWORTH HOWARTH PRIMARY SCHOOL - MODULAR CLASSROOMS	350	0					
BRAMLEY SUNNYSIDE INFANT SCHOOL RENOVATION	60	0					
BRAMLEY SUNNYSIDE JUNIOR SCHOOL RENOVATION	115	0					
WATH C OF E PRIMARY SCHOOL EXPANSION	50	0	1,350	0			
RAWMARSH MONKWOOD PRIMARY SCHOOL EXPANSION			159	0			
DALTON LISTERDALE JUNIOR AND INFANT SCHOOL EXPANSION	30	0	920	0			
KIVETON PARK MEADOWS JUNIOR SCHOOL EXPANSION	415	0					
WALES PRIMARY SCHOOL EXPANSION	400	0			800	0	
BADSLEY MOOR INFANTS RECEPTION ALTERATIONS	90	0					
TREETON C OF E NEW SPORTS PITCH	38	0					
NEW CENTRAL PRIMARY SCHOOL	150	150	2,600	2,600	2600	2600	
BRAMPTON ELLIS JUNIOR SCHOOL							400
<b>SECONDARY</b>							
SUPPORT TO SCHOOLS	150	0	150	0	150	0	
MALTBY ACADEMY	6,725	0					
SWINTON COMMUNITY SCHOOL IMPROVEMENTS			250	0			
CLIFTON SCHOOL CARETAKERS CONVERSION	175	0					
WICKERSLEY SCHOOL AND SPORTS COLLEGE	200	200	2,827	2,827			
<b>CITY LEARNING CENTRES</b>							
CLC RAWMARSH	28	0					
<b>CAPITALISED MINOR ENHANCEMENTS</b>	2,465	265	1,835	-265	1900	0	2,000
<b>OTHER SCHEMES</b>							
DFCG	1,572	0	807	0	807	0	807
KIMBERWORTH CO-LOCATION	50	0					
PROPERTY ADAPTATIONS	859	0	50	0	50	0	50
ORCHARD CENTRE - SOFT PLAY AREA/INTERNAL FLOOR COVERING	15	0					
ENTITLEMENT FOR EARLY YEARS PROVISION (TWO YEAR OLDS)	450	0					
<b>CYPS CAPITAL PROGRAMME</b>	<b>21,108</b>	<b>615</b>	<b>10,948</b>	<b>5,162</b>	<b>6,307</b>	<b>2,600</b>	<b>3,257</b>

SOURCES OF FUNDING	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
<b>SUPPORTED CAPITAL EXPENDITURE (REVENUE)</b>							
GRANTS AND CONTRIBUTIONS	20,249	615	10,898	5,162	4257	600	3207
REVENUE CONTRIBUTION							
USABLE CAPITAL RECEIPTS							
PRUDENTIAL BORROWING	859	0	50	0	2050	2000	50
MAJOR REPAIRS ALLOWANCE							
<b>CYPS CAPITAL PROGRAMME</b>	<b>21,108</b>	<b>615</b>	<b>10,948</b>	<b>5,162</b>	<b>6,307</b>	<b>2,600</b>	<b>3,257</b>

## **CYPS CAPITAL INVESTMENT BY WARD 2013/14 - 2016/17**

CYPS CAPITAL INVESTMENT BY WARD	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
ANSTON & WOODSETTS	160	91	36	0	36	0	36
BOSTON CASTLE	307	39	34	0	34	0	34
BRINSWORTH & CATCLIFFE	521	103	35	0	35	0	35
DINNINGTON	243	174	36	0	36	0	36
HELLABY	1,726	26	52	0	52	0	52
HOLDERNESS	1,133	227	31	0	31	0	31
HOOPER	448	36	14	0	14	0	414
KEPPEL	153	43	56	0	56	0	56
MALTBY	6,773	8	20	0	20	0	20
RAWMARSH	584	456	210	0	51	0	51
ROTHER VALE	117	34	23	0	23	0	23
ROTHERHAM EAST	553	171	2,660	2,600	2660	2,600	60
ROTHERHAM WEST	233	86	42	0	42	0	42
SILVERWOOD	76	8	35	0	35	0	35
SITWELL	96	29	34	0	34	0	34
SWINTON	455	119	293	0	43	0	43
VALLEY	2,005	67	978	0	58	0	58
WALES	1,353	485	27	0	827	0	27
WATH	239	80	1,406	0	56	0	56
WICKERSLEY	2,369	461	2,861	2,827	34	0	34
WINGFIELD	130	72	30	0	30	0	30
ALL WARDS	1,434	-2,200	2,035	-265	2100	0	2,050
<b>CYPS CAPITAL PROGRAMME</b>	<b>21,108</b>	<b>615</b>	<b>10,948</b>	<b>5,162</b>	<b>6,307</b>	<b>2,600</b>	<b>3,257</b>

**EDS CULTURE AND LEISURE CAPITAL PROGRAMME 2013/14 - 2016/17**  
**FINANCIAL SUMMARY STATEMENT**

CAPITAL INVESTMENT BY PROJECT	SPEND AND FUNDING STATEMENT						
	2013/14	2013/14	2014/15	2014/15	2015/16	2015/16	2016/17
	Estimate	Variance to	Estimate	Variance to	Estimate	Variance to	Estimate
	£'000s	Previous Report £'000s	£'000s	Previous Report £'000s	£'000s	Previous Report £'000s	£'000s
ALBANY ROAD PLAY AREA	39	0					
WATH LIBRARY REFURBISHMENT	155	0					
CATCLIFFE GLASS CONE	47	0					
BRINSWORTH LIBRARY	499	0					
STRATEGIC REVIEW OF LIBRARIES	159	0					
CIVIC THEATRE RENOVATION	47	0					
BARKERS PARK CHANGING FACILITIES	322	0					
MUSEUM RENOVATIONS	14	0					
ROUGHWOOD ROAD FENCING PROJECT	35	0					
BRAMLEY FLASH LANE PLAY	11	0					
MALTBY LIBRARY LIFT	48	0					
CONSERVATION LAB AT CLIFTON PARK MUSEUM	20	0					
ROTHER VALLEY COUNTRY PARK FACILITIES	166	0					
<b>CULTURE AND LEISURE CAPITAL PROGRAMME</b>	<b>1,562</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

SOURCES OF FUNDING	2013/14	2013/14	2014/15	2014/15	2015/16	2015/16	2016/17
	Estimate	Variance to	Estimate	Variance to	Estimate	Variance to	Estimate
	£'000s	Previous Report £'000s	£'000s	Previous Report £'000s	£'000s	Previous Report £'000s	£'000s
SUPPORTED CAPITAL EXPENDITURE (REVENUE)							
GRANTS AND CONTRIBUTIONS	229	0					
REVENUE CONTRIBUTION	151	0					
USABLE CAPITAL RECEIPTS	85	0					
PRUDENTIAL BORROWING	1,097	0					
MAJOR REPAIRS ALLOWANCE							
<b>CULTURE AND LEISURE CAPITAL PROGRAMME</b>	<b>1,562</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**EDS HIGHWAYS CAPITAL PROGRAMME 2013/14 to 2016/17**  
**FINANCIAL SUMMARY STATEMENT**

CAPITAL INVESTMENT	SPEND AND FUNDING STATEMENT						
	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
A57 IMPROVEMENTS	6,748	0	700	0			
LTP INTEGRATED TRANSPORT BLOCK	2,170	20	1,836	0			
LTP HIGHWAY MAINTENANCE	4,093	0	2,000	0			
LSTF MAIN BID	1,811	0	1,312	0			
REPLACEMENT/UPGRADE STREET LIGHT	650	0	650	0	650	0	650
OTHER HIGHWAYS PROJECTS	6,328	28	6,577	125	825	0	
<b>EDS HIGHWAYS CAPITAL PROGRAMME</b>	<b>21,800</b>	<b>48</b>	<b>13,075</b>	<b>125</b>	<b>1,475</b>	<b>0</b>	<b>650</b>

SOURCES OF FUNDING	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
SUPPORTED CAPITAL EXPENDITURE (REVENUE)							
GRANTS AND CONTRIBUTIONS	16,654	173	9,997	0			
REVENUE CONTRIBUTION	194	0					
USABLE CAPITAL RECEIPTS							
PRUDENTIAL BORROWING	4,952	-125	3,078	125	1,475	0	650
MAJOR REPAIRS ALLOWANCE							
<b>EDS HIGHWAYS CAPITAL PROGRAMME</b>	<b>21,800</b>	<b>48</b>	<b>13,075</b>	<b>125</b>	<b>1,475</b>	<b>0</b>	<b>650</b>



**EDS ECONOMIC REGENERATION CAPITAL PROGRAMME 2013/14 - 2016/17**  
**FINANCIAL SUMMARY STATEMENT**

CAPITAL INVESTMENT	SPEND AND FUNDING STATEMENT						
	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
MASTERPLAN							
ROTHERHAM TOWNSCAPE HERITAGE INITIATIVES	325	-1,164	1,164	1,164			
FLOOD ALLEVIATION							
DRAINAGE WORKS DON STREET	627	0					
<b>EDS ECONOMIC REGENERATION CAPITAL PROGRAMME</b>	<b>952</b>	<b>-1,164</b>	<b>1,164</b>	<b>1,164</b>	<b>0</b>	<b>0</b>	<b>0</b>

SOURCES OF FUNDING	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
SUPPORTED CAPITAL EXPENDITURE (REVENUE)							
GRANTS AND CONTRIBUTIONS	289	-558	558	558			
REVENUE CONTRIBUTION							
USABLE CAPITAL RECEIPTS							
PRUDENTIAL BORROWING	663	-606	606	606			
MAJOR REPAIRS ALLOWANCE							
<b>EDS ECONOMIC REGENERATION CAPITAL PROGRAMME</b>	<b>952</b>	<b>-1,164</b>	<b>1,164</b>	<b>1,164</b>	<b>0</b>	<b>0</b>	<b>0</b>

**EDS - OTHER CAPITAL PROGRAMMES 2013/14 - 2016/17**  
**FINANCIAL SUMMARY STATEMENT**

CAPITAL INVESTMENT	SPEND AND FUNDING STATEMENT						
	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
WASTE MANAGEMENT							
PFI RESIDUAL WASTE FACILITY					5,764	0	
ROTHERHAM ECONOMIC REGENERATION FUND							
TOWN CENTRE BUSINESS VITALITY SCHEME-PRIVATE PROPERTIES	84	0					
TOWN CENTRE BUSINESS VITALITY SCHEME-RMBC PROPERTIES	22	0					
<b>EDS - OTHER CAPITAL PROGRAMMES</b>	<b>106</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,764</b>	<b>0</b>	<b>0</b>

SOURCES OF FUNDING	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
SUPPORTED CAPITAL EXPENDITURE (REVENUE)							
GRANTS AND CONTRIBUTIONS							
REVENUE CONTRIBUTION							
USABLE CAPITAL RECEIPTS							
PRUDENTIAL BORROWING	106	0			5,764	0	
MAJOR REPAIRS ALLOWANCE							
<b>EDS - OTHER CAPITAL PROGRAMMES</b>	<b>106</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,764</b>	<b>0</b>	<b>0</b>

**SUMMARY EDS CAPITAL PROGRAMME 2013/14 - 2016/17**

	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
TOTAL EDS INVESTMENT	24,420	-1,116	14,239	1,289	7,239	0	650

SOURCES OF FUNDING	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
SUPPORTED CAPITAL EXPENDITURE (REVENUE)							
GRANTS AND CONTRIBUTIONS	17,172	-385	10,555	558			
REVENUE CONTRIBUTION	345	0					
USABLE CAPITAL RECEIPTS	85	0					
PRUDENTIAL BORROWING	6,818	-731	3,684	731	7,239	0	650
MAJOR REPAIRS ALLOWANCE							
<b>EDS CAPITAL PROGRAMME</b>	<b>24,420</b>	<b>-1,116</b>	<b>14,239</b>	<b>1,289</b>	<b>7,239</b>	<b>0</b>	<b>650</b>

**EDS CAPITAL INVESTMENT BY WARD 2013/14 - 2016/17**

EDS CAPITAL INVESTMENT BY WARD	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
ANSTON & WOODSETTS	0	0	0	0	0	0	0
BOSTON CASTLE	2,082	-1,163	5,001	1,164	0	0	0
BRINSWORTH & CATCLIFFE	2,475	0	593	0	0	0	0
DINNINGTON	74	0	0	0	0	0	0
HELLABY	0	0	0	0	0	0	0
HOLDERNESS	3,374	0	350	0	0	0	0
HOOBER	0	0	0	0	0	0	0
KEPPEL	0	0	0	0	0	0	0
MALTBY	48	0	0	0	0	0	0
RAWMARSH	0	0	0	0	0	0	0
ROTHER VALE	166	0	0	0	0	0	0
ROTHERHAM EAST	0	0	0	0	0	0	0
ROTHERHAM WEST	0	0	0	0	0	0	0
SILVERWOOD	0	0	0	0	0	0	0
SITWELL	0	0	0	0	0	0	0
SWINTON	8	-4	0	0	0	0	0
VALLEY	2,403	159	1,312	0	0	0	0
WALES	3,374	0	350	0	0	0	0
WATH	155	0	0	0	0	0	0
WICKERSLEY	0	0	0	0	0	0	0
WINGFIELD	0	0	0	0	0	0	0
ALL WARDS	10,261	-108	6,633	125	7,239	0	650
<b>EDS CAPITAL PROGRAMME</b>	<b>24,420</b>	<b>-1,116</b>	<b>14,239</b>	<b>1,289</b>	<b>7,239</b>	<b>0</b>	<b>650</b>

**NEIGHBOURHOODS & ADULT SERVICES CAPITAL PROGRAMME 2013/14 - 2016/17**  
**FINANCIAL SUMMARY STATEMENT**

CAPITAL INVESTMENT BY PROJECT	SPEND AND FUNDING STATEMENT						
	2013/14	2013/14	2014/15	2014/15	2015/16	2015/16	2016/17
	Estimate	Variance to	Estimate	Variance to	Estimate	Variance to	Estimate
	£'000s	Previous Report	£'000s	Previous Report	£'000s	Previous Report	£'000s
<b>ADULT SERVICES</b>							
ASSISTIVE TECHNOLOGY	400	0	400	0			
REWS EQUIPMENT	190	0	190	0			
DAVIES COURT GARDEN STRUCTURES	11	0					
ADULT SOCIAL CARE NEW IT EQUIPMENT	89	0					
<b>IMPROVING COUNCIL HOUSING &amp; HOUSING SERVICES</b>							
REFURBISHMENT	14,000	0	11,095	-2,874	12,112	-4131	12,148
REPLACEMENT WINDOWS	610	0	400	-40			
ENVIRONMENTAL WORKS	1,485	0	1,500	0	1,500	0	1,500
DECENT HOMES VOID PROGRAMME	1,819	0	2,900	1,133	2,950	1185	3,000
REPLACEMENT OF CENTRAL HEATING	3,010	0	3,261	341	3,261	341	3,261
ELECTRICAL BOARD & BOND	200	0	200	0	205	5	210
REPLACEMENT OF COMMUNAL DOORS (HIGH SECURITY)	930	0	840	540	500	500	500
ASBESTOS TESTING	370	0	380	10	400	30	410
LIFT REPLACEMENTS	75	0					
FLAT DOOR REPLACEMENT	620	0	0	-500			
DISTRICT HEATING CONVERSIONS	218	0	2,000	1,650	1,000	650	1,000
BOUNDARY WALL TREATMENTS	200	0	625	425	625	425	625
GENERAL STRUCTURES	650	0	650	0	650	0	650
EXTERNAL INSULATION	475	0	50	-425	50	-425	50
NEW IT SYSTEMS	325	0					
NON-TRADITIONAL INVESTMENT	1,841	0	1,400	0	1,400	0	1,400
STARTEGIC ACQUISITIONS	725	-2,108	2,836	2,108			
NEW BUILD DPU BUNGALOWS			500	500			
ENABLING WORKS HRA LAND			100	100	100	100	100
<b>FAIR ACCESS TO ALL</b>							
DISABLED FACILITIES GRANT (PRIVATE SECTOR)	1,639	0	1,311	0	1,311	0	1,311
DISABLED ADAPTATIONS (PUBLIC SECTOR)	2,145	0	1,878	0	1,950	53	1,897
<b>NEIGHBOURHOOD REGENERATION &amp; RENEWAL</b>							
GALLERY TOWN - DINNINGTON IMPROVEMENTS	22	-3	1	1			
CANKLOW PHASE 1 & 2	450	0	450	0			
BELLOWS ROAD SERVICE CENTRE CLEARANCE	585	0	150	150			
OCCUPATION ROAD CLEARANCE PROJECT			0	-45			
GARAGE SITE INVESTMENT	500	0	0	-500	0	-200	
FUEL POVERTY - VULNERABLE PEOPLE	424	0					
<b>NEIGHBOURHOODS IMPROVEMENTS NON-HIP PROGRAMME</b>							
AIR QUALITY GRANT	2	-3	8	3			
AIR QUALITY EQUIPMENT/SOFTWARE	10	-7	7	7			
LANDFILL SITES	458	0	72	0			
<b>NEIGHBOURHOODS &amp; ADULT SERVICES CAPITAL PROGRAMME</b>	<b>34,478</b>	<b>-2,121</b>	<b>33,204</b>	<b>2,584</b>	<b>28,014</b>	<b>-1,467</b>	<b>28,062</b>

SOURCES OF FUNDING	2013/14	2013/14	2014/15	2014/15	2015/16	2015/16	2016/17
	Estimate	Variance to	Estimate	Variance to	Estimate	Variance to	Estimate
	£'000s	Previous Report	£'000s	Previous Report	£'000s	Previous Report	£'000s
<b>SUPPORTED CAPITAL EXPENDITURE (REVENUE)</b>							
GRANTS AND CONTRIBUTIONS	2,131	-13	1,735	161	979	0	979
REVENUE CONTRIBUTION	8,437	0	7,755	500	6,039	-467	6,087
USABLE CAPITAL RECEIPTS	1,730	40	782	-45	332	0	332
PRUDENTIAL BORROWING	1,143	-2,148	2,908	2,108			
MAJOR REPAIRS ALLOWANCE	21,037	0	20,024	-140	20,664	-1,000	20,664
<b>NEIGHBOURHOODS &amp; ADULT SERVICES CAPITAL PROGRAMME</b>	<b>34,478</b>	<b>-2,121</b>	<b>33,204</b>	<b>2,584</b>	<b>28,014</b>	<b>-1,467</b>	<b>28,062</b>

**NEIGHBOURHOODS & ADULT SERVICES CAPITAL INVESTMENT BY WARD 2013/14 - 2016/17**

NEIGHBOURHOODS & ADULT SERVICES CAPITAL INVESTMENT BY WARD							
	2013/14	2013/14	2014/15	2014/15	2015/16	2015/16	2016/17
	Estimate	Variance to	Estimate	Variance to	Estimate	Variance to	Estimate
	£'000s	Previous Report £'000s	£'000s	Previous Report £'000s	£'000s	Previous Report £'000s	£'000s
ANSTON & WOODSETTS	0	0	0	0	0	0	0
BOSTON CASTLE	450	0	450	0	0	0	0
BRINSWORTH & CATCLIFFE	0	0	0	0	0	0	0
DINNINGTON	33	-3	1	1	0	0	0
HELLABY	130	0	0	0	0	0	0
HOLDERNESS	0	0	0	0	0	0	0
HOOBER	0	0	0	-45	0	0	0
KEPPEL	0	0	0	0	0	0	0
MALTBY	0	0	0	0	0	0	0
RAWMARSH	585	0	878	150	0	0	0
ROTHER VALE	0	0	0	0	0	0	0
ROTHERHAM EAST	0	0	0	0	0	0	0
ROTHERHAM WEST	67	0	0	0	0	0	0
SILVERWOOD	74	0	0	0	0	0	0
SITWELL	0	0	0	0	0	0	0
SWINTON	0	0	0	0	0	0	0
VALLEY	0	0	0	0	0	0	0
WALES	76	0	0	0	0	0	0
WATH	72	0	27	0	0	0	0
WICKERSLEY	0	0	0	0	0	0	0
WINGFIELD	39	0	45	0	0	0	0
ALL WARDS	32,952	-2,118	31,803	2,478	28,014	-1,467	28,062
NEIGHBOURHOODS & ADULT SERVICES CAPITAL PROGRAMME	34,478	-2,121	33,204	2,584	28,014	-1,467	28,062

**RESOURCES CAPITAL PROGRAMME 2013/14 - 2016/17**  
**FINANCIAL SUMMARY STATEMENT**

CAPITAL INVESTMENT BY PROJECT	SPEND AND FUNDING STATEMENT						
	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
<b>ASSET MANAGEMENT</b>							
TOWN CENTRE DESIGN WORK	13	0					
ANCILLARY SERVICES BUILDING	262	0					
BAILEY HOUSE RENOVATION	277	0					
<b>ICT</b>							
ICT STRATEGY	204	0	66	-14			
ICT STRATEGY (2)	1,163	109	421	-95			
ICT REFRESH	470	0	470	0	470	0	470
<b>RESOURCES CAPITAL PROGRAMME</b>	<b>2,389</b>	<b>109</b>	<b>957</b>	<b>-109</b>	<b>470</b>	<b>0</b>	<b>470</b>

SOURCES OF FUNDING	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
<b>SUPPORTED CAPITAL EXPENDITURE (REVENUE)</b>							
GRANTS AND CONTRIBUTIONS							
REVENUE CONTRIBUTION							
USABLE CAPITAL RECEIPTS							
PRUDENTIAL BORROWING	2,389	109	957	-109	470	0	470
MAJOR REPAIRS ALLOWANCE							
<b>RESOURCES CAPITAL PROGRAMME</b>	<b>2,389</b>	<b>109</b>	<b>957</b>	<b>-109</b>	<b>470</b>	<b>0</b>	<b>470</b>

**RESOURCES CAPITAL INVESTMENT BY WARD 2013/14 - 2016/17**

RESOURCES CAPITAL INVESTMENT BY WARD	2013/14 Estimate	2013/14 Variance to Previous Report	2014/15 Estimate	2014/15 Variance to Previous Report	2015/16 Estimate	2015/16 Variance to Previous Report	2016/17 Estimate
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
ANSTON & WOODSETTS	0	0	0	0	0	0	0
BOSTON CASTLE	552	13	0	0	0	0	0
BRINSWORTH & CATCLIFFE	0	0	0	0	0	0	0
DINNINGTON	0	0	0	0	0	0	0
HELLABY	0	0	0	0	0	0	0
HOLDERNESS	0	0	0	0	0	0	0
HOOBER	0	0	0	0	0	0	0
KEPPEL	0	0	0	0	0	0	0
MALTBY	0	0	0	0	0	0	0
RAWMARSH	0	0	0	0	0	0	0
ROTHER VALE	0	0	0	0	0	0	0
ROTHERHAM EAST	0	0	0	0	0	0	0
ROTHERHAM WEST	0	0	0	0	0	0	0
SILVERWOOD	0	0	0	0	0	0	0
SITWELL	0	0	0	0	0	0	0
SWINTON	0	0	0	0	0	0	0
VALLEY	0	0	0	0	0	0	0
WALES	0	0	0	0	0	0	0
WATH	0	0	0	0	0	0	0
WICKERSLEY	0	0	0	0	0	0	0
WINGFIELD	0	0	0	0	0	0	0
ALL WARDS	1,837	96	957	-109	470	0	470
<b>RESOURCES CAPITAL PROGRAMME</b>	<b>2,389</b>	<b>109</b>	<b>957</b>	<b>-109</b>	<b>470</b>	<b>0</b>	<b>470</b>

## ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET

1.	<b>Meeting:</b>	Cabinet
2.	<b>Date:</b>	18 December 2013
3.	<b>Title:</b>	Corporate Risk Register
4.	<b>Directorate:</b>	Environment & Development Services

**5. Summary**

Attached to this report is the current Corporate Risk Register summary. The summary shows the risks associated with the Council's most significant priorities and projects, and actions being taken to mitigate these risks.

The Council's key current risks continue to relate to the financial pressures faced by the Council and the implications of the Welfare Reforms. The report summarises the management actions that are being taken to mitigate these and other risks in the register.

The risk score on the priority relating to achieving economic growth remains high in recognition of the on-going weak economic conditions.

**6. Recommendations**

**Cabinet is asked to:**

- **note the Corporate Risk Register summary attached at Appendix A**
- **confirm the current assessment of the Council's top corporate risks**
- **indicate any further risks or opportunities that it feels should be added to the risk register.**

## 7 Proposals and Details

### 7.1 Format

This report contains the latest position on the Corporate Risk Register. The Corporate Risk Register summary is attached at **Appendix A**. This reflects the current risk assessments for each corporate priority or project in the Corporate Risk Register.

This covering report highlights the top inherent risks.

There are 3 overall categories of risk (RED, AMBER, GREEN) representing varying degrees of exposure. Each category contains a range of risk scores, so there are varying degrees of risk within each category. Appendix A shows the risk category and score for each priority or project included in the register before and after risk mitigation actions.

### 7.2 Highest inherent risks

The risk register summary shows risks in descending inherent risk order, to emphasize the most significant risks faced by the Authority. The top risks requiring close monitoring are:

- Managing Government budget reductions - unable to maintain key services due to budgetary limits.

*Despite very challenging circumstances, the Council has maintained its successful track record of containing spending within available budget. This performance is to the Council's credit. However, the Council has to save a further £40m+ in the next two years, making it even harder to manage within available resources.*

*There will be a change in the way the Council works with communities and its citizens to meet their needs in response to the significance of the financial challenges facing the Council that lie ahead. SLT and Cabinet will continue to monitor very closely the overall financial performance and position of the Council and put in place a strategy to take proportionate and appropriate actions to ensure the Council budget and financial position is sustainable.*

- Welfare Reforms

*Government welfare reforms implemented from April 2013 are beginning to have substantial implications for residents affected by benefits reductions and there is a knock-on impact on Council services.*

*Services are tracking implications and informing Members as appropriate, so that appropriate decisions can be made where necessary.*

- Delivering effective Children's Services within budget

*On-going action is being taken by management to provide services within the budget available. Cabinet is being kept informed of the relevant financial challenges as part of the budget monitoring and budget setting processes and is making decisions accordingly.*

- Digital Region



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*A decision has been taken by the South Yorkshire councils to close the network following BIS's decision to withdraw future funding for the project. A closure plan has been formulated and is progressing and whilst, at this stage, the funding in place is considered sufficient to meet expected liabilities, closure remains at an early stage.*

- **Economic Growth**

*The risk associated with achieving Economic Growth remains Red in recognition of the on-going weak economic conditions.*

### **7.3 Other key developments / changes during the period**

An initial assessment of councils' liabilities relating to aged insurance claims was made by the Municipal Mutual Insurance Company administrators in early 2013. This indicated a potential liability for the Council of up to £1.32m, which has been provided for in the Council's budget. Current indications are that there may be a further small increase in the liability during 2013/14.

The former risk relating to the implementation of the Localism Act has now been removed as the Council has successfully responded to relevant requirements. Any specific future risks (for example relating to the setting of Council Tax levels / referenda) will be included as separate items as appropriate.

## **8. Finance**

The risks contained in the register require ongoing management action. In some cases additional resources may be necessary to implement the relevant actions or mitigate risks. Any additional costs associated with the risks should be reported to the SLT and Members for consideration on a case by case basis.

## **9. Risks and Uncertainties**

It is important to review corporate risks on an ongoing basis, to ensure risks relating to the Council's key projects and priorities are effectively monitored and managed by the Strategic Leadership Team and Members.

## **10. Policy and Performance Agenda Implications**

Risk Management is part of good corporate governance and is wholly related to the achievement of the objectives in the Council's Corporate Plan.

## **11. Background Papers and Consultation**

This report reflects the latest updates provided by the respective 'lead officers'.

### **Contact Names:**

*Colin Earl, Director of Audit and Asset Management, x22033*

*Andrew Shaw, Insurance and Risk Manager, x22088*

## **Appendices**

### **Appendix A Corporate Risk Register Summary**

## APPENDIX A: SUMMARY CORPORATE RISK REGISTER

No	Risk	Pre Controls 1- 25	Lead officer  Key Actions/Updates	Post Controls 1 - 25	Links to Corporate Priorities
0027	Managing Government budget reductions - unable to maintain key services due to budgetary limits	25	<u>Martin Kimber</u> <ul style="list-style-type: none"> <li>High priority, driven through Strategic Leadership Team and Cabinet</li> <li>Actions to mitigate budget reductions are continually being identified</li> <li>Budget principles have been revised which will see a different approach to the way services are delivered.</li> </ul>	20	All Priorities
0037	Welfare Reform: <ul style="list-style-type: none"> <li>Significant pressures arising from the localisation of various resources and a reduction in overall funding available, limited administration capacity and reduced collection of Council Tax.</li> <li>Potential major impact of reduced housing benefits, leading to higher debts, increasing demand for shrinking services, and increasing poverty and vulnerability. Potential to increase gap in communities' needs.</li> <li>Negative overall impact on the local economy, with spiralling consequences.</li> <li>Potential increase in crime.</li> </ul>	25	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>Effective communications especially in relation to discretionary benefits administered by the Council and arrangements for assisting those in need to access benefits.</li> <li>Provision of food banks expending through local welfare provision.</li> <li>Corporate Policy on the top 11 deprived areas.</li> <li>Additional HRA resources are being deployed to support Council tenants.</li> <li>The significant risk is now associated with uncertainty over the introduction of Universal Credit by the Government. Implementation should have commenced in October, but there is still no date or any other details as the nationwide programme has slipped.</li> </ul>	16	All Priorities

No	Risk	Pre Controls 1- 25	Lead officer  Key Actions/Updates	Post Controls 1 - 25	Links to Corporate Priorities
0022	Unable to deliver effective Children's Services within budget	25	<u>Joyce Thacker</u> <ul style="list-style-type: none"> <li>Continuous monitoring of budget and reporting to SLT / Cabinet</li> <li>Work continues in relation to reviews of service provision and structures in line with more restrictive financial parameters.</li> <li>On-going monitoring and reporting of budget position, with improvement expected in the budget outturn position.</li> <li>Ofsted inspection profile maintained / improved.</li> </ul>	16	<b>Priority 2</b> - Providing quality education <b>Priority 3</b> - Care and protection for those people who need it most
0033	Funding of the Digital Region Project to provide comprehensive broadband facilities across South Yorkshire	20	<u>Martin Kimber</u> <ul style="list-style-type: none"> <li>A decision has been taken by South Yorkshire Councils to close the network in an orderly and solvent manner, following BIS's decision (as the major shareholder) to withdraw future funding for the project.</li> <li>Closure plan in place and progressing.</li> <li>Funding for closure in place; at this stage funding is considered sufficient to meet expected liabilities.</li> </ul>	16	<b>Priority 1:</b> No community left behind
0040	Developing economic growth, increase business rates income and increase opportunities for residents	20	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>Significant and previously successful inward investment activity</li> <li>Detailed support programme for local businesses</li> <li>High quality start up facilities</li> <li>Maximising location and transport advantages.</li> </ul>	16	<b>All Priorities</b>

No	Risk	Pre Controls 1- 25	Lead officer  Key Actions/Updates	Post Controls 1 - 25	Links to Corporate Priorities
0021	Failure to sustain improvement in Children's Services	20	<u>Joyce Thacker</u> <ul style="list-style-type: none"> <li>Attainment at Key Stage 4 in the 5 + A* - C, including English and Maths, is 3.3% above national average. 5 + A* - C in all subjects is 2.1% above national average.</li> <li>Key Stage 2 attainment in reading, writing and maths combined increased 1.6% to 71.6% against current national average of 76%. Gap reduced by 0.6% during 12/13 academic year.</li> <li>Investigation by South Yorkshire Police continues into historical Child Sexual Exploitation cases. RMBC continues to offer full support to this process.</li> <li>Ofsted profile of grades good or better across the Borough is currently 69.7% reflecting the new and much more challenging inspection framework.</li> <li>OFSTED is now operating under a new inspection framework for Children's Services which is a much harder test and now encompasses the whole of Safeguarding Children and Families activities under a single framework. Preparation for inspection is underway and being monitored by the CYPS Improvement Panel.</li> </ul>	12	<b>Priority 2</b> - Providing quality education <b>Priority 3</b> - Care and protection for those people who need it most

No	Risk	Pre Controls 1- 25	Lead officer  Key Actions/Updates	Post Controls 1 - 25	Links to Corporate Priorities
0041	Improving health and well-being	20	<u>Tom Cray</u> <ul style="list-style-type: none"> <li>Health and Wellbeing strategy in place and being delivered through a set of six work stream action plans</li> <li>Strong focus on prevention and independence</li> <li>Good partnership working</li> <li>Formal transfer of public health responsibilities from the NHS to RMBC took place in April 2013.</li> </ul>	12	Priority 1: No community left behind
0044	Family Poverty <ul style="list-style-type: none"> <li>Tackling poverty is a key priority for the Health and Wellbeing Board and the 11 most deprived neighbourhoods agenda</li> </ul>	20	<u>Joyce Thacker</u> <ul style="list-style-type: none"> <li>'Families for Change' programme established - targeted support for Families around money management</li> <li>Families for Change contract let</li> <li>Early help family support programme in place</li> <li>Ofsted evidence shows that schools are making effective use of the additional pupil premium funding designed to help disadvantaged families.</li> <li>Level and eligibility for free school meals is increasing from 7,997 in 2012 to 8,098 in October 2013. Take up was 74.28% in 11/12. Current take up is 72.35%. There is a traditional seasonable increase in take up so this figure is expected to rise up to and after the Christmas period.</li> </ul>	12	

No	Risk	Pre Controls 1- 25	Lead officer  Key Actions/Updates	Post Controls 1 - 25	Links to Corporate Priorities
0031	Academies, Free Schools and other school settings - Potential impact on LA schools and the Council e.g. loss of revenue, falling pupil numbers, reduced attainment, breakdown in relationships etc	16	<u>Joyce Thacker</u> <ul style="list-style-type: none"> <li>• There are currently no free school applications active within the Borough.</li> <li>• Maximise potential for income generation with Academies through the provision of quality services via competitive SLA agreements.</li> <li>• Continue to enhance current strong working relationships with converted and proposed future Academy Trusts.</li> <li>• Continue to work with Academies to gain commitment to the Rotherham School Improvement Partnership. School Governing Bodies continue to meet in whole Learning Community meetings, exploring the implications of Academy conversion, collaborative / partnership working and other models</li> <li>• By April 2014 there will be 24 schools in the Borough converted to Academy status. Academy converts have reaffirmed their commitment to the Rotherham mission.</li> <li>• Academy sponsor for the new Central Primary School has been selected by a convened panel, approved by Cabinet and DfE notified.</li> </ul>	12	Priority 2 - Providing quality education

No	Risk	Pre Controls 1- 25	Lead officer Key Actions/Updates	Post Controls 1 - 25	Links to Corporate Priorities
0030	Schools Collaboration- impact of schools commissioning on LA services	16	<u>Joyce Thacker</u> <ul style="list-style-type: none"> <li>Monitoring of schools' appetite for change is on-going. Positive discussions continue between the Rotherham School Improvement Partnership and Teaching School Alliance</li> <li>Portfolio of services review completed. Schools and Academies continue to procure many RMBC services at present via Service Level Agreements</li> <li>Work continues in relation to the new schools funding arrangements effective from 2013 onwards.</li> </ul>	12	Priority 2 - Providing quality education
0042	Maximising reputation opportunities; enhancing reputation as a leading authority, delivering services to others, attracting businesses, positive Public recognition.	12	<u>Martin Kimber</u> <ul style="list-style-type: none"> <li>Highlighting good performing service delivery</li> <li>Emphasizing major achievements including successful business development</li> <li>Successful delivery of services to others</li> <li>Regional and national awards</li> <li>Responding to Public consultation</li> <li>Strong communications.</li> </ul>	9	All priorities

No	Risk	Pre Controls 1- 25	Lead officer  Key Actions/Updates	Post Controls 1 - 25	Links to Corporate Priorities
0035	<p>Failure to minimise property ownership and maximise the use of retained properties.</p> <p>Failure to maximise savings and benefits from the roll out of WorkSmart arrangements to all relevant staff.</p>	12	<p><b><u>Karl Battersby</u></b></p> <ul style="list-style-type: none"> <li>Asset management strategy being finalised</li> <li>Proposals will be partly dependent upon 2014/15 budget decisions about future services</li> <li>Future options are being considered for extending Worksmart to staff in non-central buildings, to facilitate further property rationalisation</li> </ul>	6	<p><b>Priority 5</b> Improving the Environment</p>
0039	<p>Municipal Mutual Insurance (MMI): Insurance Liabilities</p> <p>MMI has gone into administration following a landmark ruling by the Supreme Court ruling on Employer's Liability relating to asbestos claims.</p> <p>As a stakeholder, the Council will have to contribute to any company deficits resulting from the ruling.</p>	9	<p><b><u>Martin Kimber</u></b></p> <ul style="list-style-type: none"> <li>Initial levy of up to £1.32m advised by the Administrators in early 2013.</li> <li>A provision in the 2012/13 accounts has been created to meet this liability.</li> <li>Potential requirement for a marginal increase in the current provision, when an update is provided by the administrators in January 2014.</li> </ul>	6	<p><b>All Priorities</b></p>



<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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1	<b>Meeting:</b>	<b>Cabinet</b>
2	<b>Date:</b>	<b>18<sup>th</sup> December, 2013</b>
3	<b>Title:</b>	<b>Proposals to make a ‘prescribed alteration’ to Thrybergh School and Sports College by a change of age range from 11-16 to 3-16 by closure of Dalton Foljambe Primary School.</b>
4	<b>Directorate:</b>	<b>Children and Young Peoples Service</b>

## 5 Summary:

Statutory consultation has taken place between 5<sup>th</sup> October and 15<sup>th</sup> November on the proposed ‘Prescribed Alteration’ to Thrybergh School and Sports College to change its age range from 11-16 to 3-16 by the closure of Dalton Foljambe Primary School and the Foljambe site becoming the Primary education phase annex of the school.

## 6 Recommendations:

**In the absence of any formal objections during the representation period it is recommended that the proposal be approved by Cabinet.**

**That the Secretary of State for Education be informed accordingly.**

## 7. Proposals and Details

Under the requirements of the ‘School Organisation (prescribed Alterations to Maintained Schools) (England) Regulations 2007 it has been necessary to undertake a full consultation on proposals to make a ‘prescribed alteration’. (confirmed by DfE).

The consultation timeline is outlined in section 11 of this report:

**Thrybergh School and Sports College has continued to convert to Academy status ‘as is’ during the consultation process and should the proposals be approved, Foljambe will then become part of the Academy. Approval of the proposals will then lead to the commencement of legal processes to transfer the land and assets at Foljambe to the Academy Trust by the established lease agreement process.**

The proposal to change the age range at Thrybergh School and Sports College will mean that the Foljambe Primary annex would have a Published Admission Number

(PAN) of 30 pupils per year group and pupils will automatically stay on roll at the school in the transition from Year 6 to Year 7 and transfer to the Secondary Education site to continue their education.

The Secondary aged phase will maintain a Published Admission Number (PAN) of 140 and children on roll at Dalton Foljambe in Y6 will not be required to apply for a Secondary School place in Y7 at Thrybergh. Children not on roll at Dalton Foljambe can express a preference for Thrybergh as part of normal secondary school admissions round.

There is no intention currently to increase or decrease either School's PAN.

## **8. Finance:**

During the transfer of the land and assets via lease agreement to the Academy Trust there will be a charge for legal processes of approximately £6,500k which the School will need to budget for.

## **9. Risks and Uncertainties:**

The principal ADVANTAGES of amalgamation arise from the continuous education entitlement:

- removal of the need for a formal school transfer process at the end of key stage 2;
- a unified management structure with a single school ethos;
- the potential to organise and arrange the staffing structure and to safeguard the staffing establishment when pupil numbers change across the key stages;
- a whole school approach to staff development across the primary and secondary phases;
- more efficient and effective use of resources, especially accommodation, when numbers fluctuate across the infant and junior phases.

The principal DISADVANTAGES of amalgamation are:

- potential difficulties in bringing together two different sets of working practice;
- possible fear of and resistance to change amongst staff, governors and parents;
- different site locations
- potential impact on neighbouring schools

## **10 Policy and Performance Agenda Implications:**

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'.

## **11. Background Papers and Consultation:**

### **Consultation timeline**

Cabinet to agree to consultation	19 <sup>th</sup> June 2013
Pre statutory consultation period Commences including meetings with governors, Staff and parents etc. Report to Cabinet	18 <sup>th</sup> September 2013
Publication of statutory notices for a 6 week period	
LA decision and notification to Secretary of State	18 <sup>th</sup> December 2013
Implementation	Date to be determined by DfE and by legal transfer of assets to the Academy Trust

Consultation meetings and correspondence on the proposals have been undertaken with the Governing Bodies of Dalton Foljambe Primary School and Thrybergh School and Sports College. Consultation meetings have also been held with Staff and Trade Unions, Parents (families) of pupils at the affected schools, local Councillors, local Parish Councils and the Constituency MP.

Additionally consultation and correspondence has also been undertaken with the Governing Bodies of neighbouring schools and any other school that may be affected plus the Diocese of any school likely to be affected.

A public notice has been in place for a 6 week period as per statutory requirement detailing how to object to the proposals and who to write to with representation.

No formal objections or representations were received during the statutory consultation phase, an objection was received in writing during the pre-statutory consultation phase as reported to Cabinet on the 18<sup>th</sup> September 2013.

### **Contact Name:**

**Helen Barre – Service Lead School Admissions, Organisation and SEN Assessment Service (SAO SENAS)**

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:-</b>	<b>The Cabinet</b>
<b>2.</b>	<b>Date:-</b>	<b>18<sup>th</sup> December 2013</b>
<b>3.</b>	<b>Title:-</b>	<b>A Strengthened Approach to Enforcement</b>
<b>4.</b>	<b>Directorate:-</b>	<b>Neighbourhood &amp; Adult Services</b>

## **5. Summary**

This report identifies a change in the way in which the Council delivers services in order to maximise the resources available to undertake environmental enforcement activity and improve on the standards of service that are currently being delivered to address other local quality of life issues.

The approach complements the introduction of a South Yorkshire Police Accredited Powers Scheme for specified uniformed Council officers and a reciprocal arrangement for the authorisation of Police Officers and Police Community Support Officers to enforce Council powers with respect of littering & dog fouling.

## **6. Recommendations**

**It is recommended that the Cabinet supports the following:**

- 6.1 Widening the enforcement capability as detailed in the report.**
- 6.2 The authorisation of the identified additional groups of officers for the legislative duties, associated guidance and enforcement procedures specified in Appendix 2**
- 6.3 With respect to the other legislative provisions identified in the report; appropriate training and development programmes be developed to allow for identified officers to be provided with “expert witness” status in the investigation and provision of evidence.**

## **7. Proposals and Details**

### **7.1 Background**

Against the backdrop of reducing local authority budgets and consequent service reductions, it is timely to consider whether the Council delivers its enforcement activity in the most efficient and cost effective ways, or whether it is possible to raise standards and have a greater impact with the existing available resources.

Across enforcement services there has been significant rationalisation brought by fundamental service reviews eg Community Protection (Enviro-crime & Neighbourhood Warden services) and, as recognised below, creative changes in work practices and job roles have been introduced. These changes are now embedded, but it is critical that services look to greater ways of direct collaborative working and job flexibility to meet demands in targeting effective enforcement services in the most deprived neighbourhoods whilst addressing mandatorily required universal services for the Borough.

Residents and businesses in Rotherham are faced with a range of neighbour and community issues that impact on their life and often intervention is required by different Council officers to resolve the matter and help support behavioural change.

These interventions are normally underpinned by a range of Council powers which enable enforcement action to be taken. The implementation of such enforcement action is reliant on specific officers being provided with authorisations to discharge the Council's powers; this is usually via delegated powers provided by the Council to Service Directors.

### **7.2 Enforcement Service Alignments**

There are established teams with specific authorisations and these are directly related to competency and special knowledge often requiring professional qualification. The approach has a long established traditional background with, at times, the need for several officers across services to refer cases for enforcement to be carried out. This can build in duplication of visit and delays experienced by the customer in the resolution of the matter.

The Council has moved over time to share enforcement activity between teams and this can be exemplified by the authorisation of officers in relation to the Town and Country Planning Act 1990, Section 215 in relation to the loss of amenity from derelict land. This has historically been seen nationally as a responsibility of the "Planning Department", however, in Rotherham, the powers have been undertaken by Environmental Health Officers and Enforcement Officers within the Safer Neighbourhoods service.

Other enforcement methods have in the past included awareness and competence training of Neighbourhood Wardens, Area Housing Officers (formerly "Champions"), Country & Urban Park Rangers and Civil Enforcement Officers (C.E.Os) to enable them to provide evidence to deal with littering and dog fouling offenders. This approach does not require the authorisation of the officers but within the legal

process for the officers to become in-effect direct witnesses to an offence. Their witness statements, consequently, are used to pursue legal intervention eg issuing of Fixed Penalty Notices or, when required, prosecution.

Similarly direct utilisation of Anti-social Behaviour powers by Environmental Health Officers and Enforcement Officers in Community Protection Unit are being linked to traditional statutory nuisance powers to bring a more direct and, often quicker solution to a customer's nuisance. Neighbourhood Wardens, in response to significant local premises based environmental impact, have also been reprioritised to support local investigations of statutory nuisance away from previous street based enforcement.

The review into the internal widening of Council enforcement powers is also appropriate and timely given the Chief Constable's accreditation of the Council's Neighbourhood and Town Centre Wardens with certain police powers including those addressing alcohol related ASB.

### **7.3 Focus of Proposed Change**

A scoping exercise has been carried out in those areas where members of the public require support from Council interventions to help improve their living and neighbourhood standards. It was found that, in the main, enforcement activity will primarily still be held in specific services where the activity is embedded into a job role. It was also found that, in some teams, which had been trained as described above, over time the activity had stopped due to either post holder changes or a re-focusing of their job role during Council re-structuring.

The need to expand the enforcement capacity identified a number of positive reasons to introduce change including;

- giving customers a better deal from speedier and seamless responses;
- providing greater efficiency to address the reduction of capacity within services; and
- giving more focus on early interventions as more of the workforce identify and address issues at the point of occurrence.

Functions which are currently assigned to specific services, but which could be assigned and better integrated into other areas of the Council, include enforcement and legal proceedings relating to:

- littering and dog fouling
- filthy & verminous premises
- rubbish & waste in gardens
- smoke-free premises & vehicles
- on road vehicle repairs and sale
- abandoned shopping trolleys
- Anti Social Behaviour (ABCs/ASBO)
- underage alcohol sales operations
- duty of care for waste management on commercial premises

Detail of the current and proposed Council capabilities are shown in Appendix 1.

Expansion of the enforcement capabilities is designed to improve capacity, customer response and also gain more efficient seamless ways of working. In the case of filthy gardens in Council housing, the changes will also resolve anomalies that are within current policies & procedures (ie Tenancy Agreement).

#### **7.4 Benefit from Proposals**

The proposed changes to broaden the enforcement tools available across a greater number of appropriate officers will, apart from bringing a better deal for the customer both in terms of response and resolution, will remove the need for the doubling up of visits and save time in stopping the need to pass cases from one service to another.

This can be demonstrated where for 2011/12 a recorded 571 cases were subject to contacts between the Area Housing Officers and the Environmental Health team with around 12% (70) of these requiring joint visits. A significant number of these interchanges between the two services will relate to activity where the report's proposals will impact eg accumulations in gardens of Council houses. In addition there were 70 recorded similar service requests raised directly by Council tenants to the Environmental Health Team. This could enable an estimated efficiency equating to 0.5 fte officer time to be targeted to priority areas and activity.

#### **7.5 Phased Approach**

In order to ensure that the proposed changes are thoroughly worked through and implemented in a successful manner it is proposed to phase the implementation of the changes with initially the changes in authorisation/use of extended powers being introduced in NAS where there is the greater activity of both enforcement and tenancy management. Uniformed officers of Streetpride will also initially be included in the phased introduction.

Consultation with officers and their Trade Unions across the services impacted by these changes has been undertaken and an overall positive response has been received albeit with some localised concerns which have been addressed. This feedback is in-line with the desire to improve processes and working to bring quicker response and resolution to the problems that residents face. In addition Trade Union & staff consultation has been undertaken to assess the need for job profile changes and any impact on the pay & grading of staff potentially affected by the proposals.

The specific proposals about which group of officers will undertake new duties with necessary authorisation are included in Appendix 2.

### **8. Finance**

The proposal to expand the scope of enforcement across more Council services has the potential to release resource. In financial terms, the impact is anticipated to be revenue and HRA budget neutral.

With respect to Council Housing and the use of powers to clear filthy gardens, the recovery of the costs for waste removal would be possible via works in default

functions rather than currently where there is inconsistent recovery via a surcharge on rents. There will be a requirement for a programme of training to introduce knowledge and skills for the enforcement of new areas of legislation; however, this is to be undertaken in-house with any associated costs being contained within existing service budgets.

## **9. Risks and Uncertainties**

The review emphasised that the key aim in developing the scheme is to have the right people, with the right powers, in the right area in order to deliver a better service to local communities.

Constructive discussions between NAS and EDS have taken place and there is a shared understanding for the proposals. A number of issues, however, regarding the expansion of enforcement responsibility were raised and some of these were also reflected in staff and Union consultation. As the scheme has been developed the matters raised have been addressed many being reliant on future training and the proposed phased introduction.

In the widening of the scope of enforcement beyond the existing core function of the officers to be included in the scheme, it is essential there is clarity of ownership and action by the officers taking on the powers. This will be agreed and closely managed by operational managers and directors from both service areas.

Within the first phase, an assessment of the benefits brought and any consequential unhelpful impact on day to day working will be made. Part of this assessment process will be to ensure a co-ordination of the extent and individual case management of enforcement action taken. Whilst this will be enabled from the existing core team for enforcement in Community Protection, a re-working of the support job roles in that team may be necessary. Core duties clearly take precedent over use of wider enforcement powers; these ought not be diluted by discretionary ones and staff need to be reassured of that.

Given these issues it is proposed that the roll out of the widening of the services taking on new enforcement powers should be firstly phased, as a pilot, utilising NAS officers and uniformed Streetpride personnel, it is intended that thus will then be rolled out further in the light of experience gained.

The legal mechanisms to allow officers to take on the identified powers have been considered and, in essence there are two approaches;

- i. For the Directors of Housing & Neighbourhoods and Streetpride, under delegated powers of the Council, to directly authorise identified officers
- ii. For officers, to in effect, be “expert witnesses” to provide evidence as to the offence to authorised officers who would pursue the legal resolution.

In both cases officers in undertaking enforcement activity will need to have proven competency assessments, this including knowledge of the legislative framework and court proceedings which would be required on the occasion of an offender appealing the legal action. The authorisation of officers would enable, even for the



circumstances where evidence is gathered on an “expert witness” basis for the name and address of offenders to be legally provided.

In addition, to counter potential health & safety risks relating to confrontation, it will be essential for all staff to be provided with the skills to make on-the-spot risk assessments about whether to pursue an issue; there will be times when they will need to make judgements about acting on their own, if at all.

We also have to acknowledge that some of the identified officers’ core roles eg Rangers involves public engagement, and that they will therefore naturally be focused more on providing information/education than enforcement as a first resort. This will, therefore, potentially impact on the Council’s “zero tolerance” approach to enviro-crime enforcement. It is important that, wherever possible, a person committing an offence is brought to book via the use of legal powers or advisory challenge in line with the General Enforcement Policy of the Council.

For some of the officers being introduced to the use of the listed powers, there will be a need to broaden their overall understanding and legal/evidential knowledge. For instance, Area Housing Officers currently are involved in civil enforcement, whereas the powers being broadened into those teams are ones where the offence requires investigation and proceedings in criminal law. The difference in the two enforcement regimes will need both the training and development of knowledge and skills to ensure competence.

Careful planning and monitoring will also be required to ensure that staff are fully trained to undertake these responsibilities and that the expectations placed upon them in terms of their breadth of role are reasonable. Further work will also be undertaken to ensure that other support services and administrative processes are slicker and do not add a bureaucratic burden. Monitoring will also indicate whether or not this initiative is providing benefits to the council as a whole, and that there is a positive impact on the outcomes of all contributing services. Consequently it proposed to continually monitor the initiative and formally review it after one year.

## **10. Policy and Performance Agenda Implications**

Tackling Anti Social Behaviour is a key priority for the coming year as set out in the RMBC Corporate Plan

- ***helping to create safe and healthy communities, and***
- ***ensuring people feel safe where they live, particularly that Anti-Social behaviour and crime is reduced and people from different backgrounds get on well together.***

In particular the proposal contributes in ensuring that;

- People feel safe where they live
- ASB and crime is reduced
- People enjoy parks, green spaces, sports, leisure and cultural activities
- Our streets are cleaner

And fits totally within the business methodology of the Council by;

- Getting it right 1st time, reducing bureaucracy and getting better value for money,
- working with partners, and

- having the right people, with the right skills in the right place at the right time

Accordingly ensuring that anti-social behaviour & crime is reduced and that people feel safe where they live is a key objective of the 2013/14 Neighbourhood & Adult Service plan

The strategy takes close account of the developing Government policy drivers regarding crime, disorder, antisocial behaviour and localism, but locally is built from the statutory analysis presented in the latest Joint Strategic Intelligence Assessment which identified Anti-Social Behaviour as a priority for the Safer Rotherham Partnership.

#### **11. Background Papers and Consultation**

- Crime and Disorder Act 1998
- Police Reform Act 2002
- The Criminal Justice and Police Act 2001
- The Anti Social Behaviour Act 2003
- South Yorkshire Police Community Accreditation Scheme; Information & Application Pack
- Rotherham MBC Constitution
- Rotherham MBC Legal Services
- GMB & Unison Trade Unions, including the NAS Strategic Consultative Union Meeting (20/11/13), as part of a wider staff consultation
- Anti-social Behaviour, Crime and Policing Bill 2013-14

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Assessment of Need	Legislative Remedy	Enforcement Discharge Options	Current Capacity	Potential Additional Capacity	Enforcement Extension Capability	Officers Identified to Extend Enforcement Capacity
Littering <ul style="list-style-type: none"> <li>Witnessing difficult</li> </ul>	EPA90 S87	<ul style="list-style-type: none"> <li>FPN</li> <li>Prosecution</li> <li>Witness statement</li> </ul>	<b>NAS</b> CPU (27) (auth) Neighbourhood Wardens (12) (auth)  <b>EDS</b> TC Wardens (2) (statement)  Streetpride Enf staff (26) (statement)	CPU – 3  Housing - 40  Streetpride Community Delivery Managers  Highway Inspectors  Civil Enforcement Officers - 11  Park & Greenspaces team – 19  Dog Wardens – 2	Not authorised  Statement witness	<u>Phase 1</u> <ul style="list-style-type: none"> <li>Area Housing Officers – authorisation of officers with discharge via provision of statement</li> <li>CPU Licensing Enforcement Officers</li> <li>Civil Enforcement Officers – authorisation of officers with discharge via provision of statement</li> <li>Dog Wardens</li> </ul> <u>Phase 2</u> <ul style="list-style-type: none"> <li>Highway Inspectors – authorisation of officers with discharge via provision of statement</li> <li>Park &amp; Green Spaces Officer, Managers &amp; Rangers</li> </ul>
Dog fouling <ul style="list-style-type: none"> <li>Witnessing difficult</li> </ul>	DCO	<ul style="list-style-type: none"> <li>FPN</li> <li>Prosecution</li> <li>Witness statement</li> </ul>	<b>NAS</b> CPU (27) (auth) Neighbourhood Wardens (12)  <b>EDS</b> TC Wardens (2)	CPU – 3  Housing 40  Streetpride Community Delivery Managers	Not authorised  Statement witness	<u>Phase 1</u> <ul style="list-style-type: none"> <li>Area Housing Officers – authorisation of officers with discharge via provision of statement</li> <li>CPU Licensing Enforcement Officers</li> <li>Civil Enforcement Officers – authorisation of officers with discharge via provision of statement</li> <li>Park &amp; Green Spaces Officer, Managers &amp; Rangers</li> </ul>

Assessment of Need	Legislative Remedy	Enforcement Discharge Options	Current Capacity	Potential Additional Capacity	Enforcement Extension Capability	Officers Identified to Extend Enforcement Capacity
			Enf staff (26)  Dog Wardens (2)	Highway Inspectors  Civil Enforcement Officers -11  Park & Greenspaces team – 19		<u>Phase 2</u> <ul style="list-style-type: none"> <li>Highway Inspectors – authorisation of officers with discharge via provision of statement</li> <li>Park &amp; Green Spaces Officer, Managers &amp; Rangers</li> </ul>
Council Housing Gardens <ul style="list-style-type: none"> <li>tenancy enforcement weakness</li> <li>reluctance to progress injunction or possession</li> <li>speed to remove</li> <li>1 month WiD only for overgrown gardens and not other eg health related (tenancy agreement flaw)</li> <li>Recharge recovery – building in unrecoverable debt</li> </ul>	Tenancy Agreement  EPA90 S59  EPA90 S80  EPA90 S92A  TCPA S215  PHA61 S34	<ul style="list-style-type: none"> <li>Possession</li> <li>Injunction</li> <li>Default</li> <li>Agreement</li> </ul> <ul style="list-style-type: none"> <li>Prosecution</li> <li>WiD (r)</li> </ul> <ul style="list-style-type: none"> <li>Notice</li> <li>Prosecution</li> <li>WiD (r)</li> </ul> <ul style="list-style-type: none"> <li>Notice</li> <li>Prosecution</li> <li>WiD (r)</li> </ul> <ul style="list-style-type: none"> <li>Notice</li> <li>Prosecution</li> <li>WiD (nr)</li> </ul> <ul style="list-style-type: none"> <li>Notice</li> <li>Prosecution</li> <li>WiD (nr)</li> </ul>	Area Housing Officers (36)  CPU (23)  CPU (23)  CPU (23)  CPU (23)  CPU (23)	n/a  n/a  n/a  Area Housing Officers - 36  EDS Planning Enforcement  n/a	Authorisation required	<u>EPA90 -92A</u> <ul style="list-style-type: none"> <li>Area Housing Officers – authorisation of officers with discharge via warning &amp; statutory notice</li> </ul>

Assessment of Need	Legislative Remedy	Enforcement Discharge Options	Current Capacity	Potential Additional Capacity	Enforcement Extension Capability	Officers Identified to Extend Enforcement Capacity
Rodent infestations	PDPA S4	<ul style="list-style-type: none"> <li>• Notice</li> <li>• Prosecution</li> <li>• WiD (r)</li> </ul>	CPU (23)	EDS Streetpride Area Managers - 2	Authorisation required	<ul style="list-style-type: none"> <li>• Streetpride Area Managers – authorisation of officers with discharge via statutory notice</li> <li>• Specialist Cleansing Services Operations Manager – authorisation of officers with discharge via statutory notice</li> <li>• Specialist Cleansing Services Supervisor – authorisation of officers with discharge via statutory notice</li> </ul>
Abandoned Shopping Trolleys	EPA90 Schedule 4	<ul style="list-style-type: none"> <li>• Recovery</li> <li>• Recharge Notice</li> </ul>	EDS Streetpride – Leisure & Community Services	CPU - 23 Wardens - 12	Authorisation required	<ul style="list-style-type: none"> <li>• Neighbourhood Wardens – authorisation of officers</li> <li>• Environmental Health Officers - authorisation of officers</li> <li>• Enforcement Officers – authorisation of officers</li> <li>• Community Protection Managers – authorisation of officers</li> <li>• Safer Neighbourhood Manager – authorisation of officer</li> </ul>
Smoke-free legislation – public premises and vehicles	Health Act 2006 and relevant regulations	<ul style="list-style-type: none"> <li>• FPN</li> <li>• Prosecution</li> </ul>	BRU (10)	CPU (30)	Authorisation required	<ul style="list-style-type: none"> <li>• Environmental Health Officers - authorisation of officers</li> <li>• Enforcement Officers – authorisation of officers</li> <li>• CPU Licensing Enforcement Officers - authorisation of officers</li> <li>• Community Protection Managers – authorisation of officers</li> <li>• Safer Neighbourhood Manager – authorisation of officer</li> </ul>
ASB Underage drinking	LA 03	<ul style="list-style-type: none"> <li>• FPN (police)</li> <li>• Prosecution</li> <li>• Review</li> </ul>	TS (2.5)	CPU (23)	No authorisations required	<ul style="list-style-type: none"> <li>• Neighbourhood Wardens – no authorisation required</li> <li>• Environmental Health Officers - no</li> </ul>

Assessment of Need	Legislative Remedy	Enforcement Discharge Options	Current Capacity	Potential Additional Capacity	Enforcement Extension Capability	Officers Identified to Extend Enforcement Capacity
<ul style="list-style-type: none"> <li>Trading standards capacity – support</li> </ul>						authorisation required <ul style="list-style-type: none"> <li>Enforcement Officers – no authorisation required</li> <li>Community Protection Managers – no authorisation required</li> </ul>
Waste <ul style="list-style-type: none"> <li>Duty of Care on commercial premises</li> <li>Provision of waste receptacle</li> </ul>	EPA90 S34 EPA90 S34A Food Regs  EPA S47	Prosecution FPN	CPU (23)	CPU - 3 Neighbourhood Wardens - 12 BRU-10 Streetpride Waste Supervisors - 4 TC Wardens - 2	Authorisations required	<ul style="list-style-type: none"> <li>Neighbourhood Wardens - authorisation required</li> <li>Streetpride Waste Supervisors - authorisation required</li> <li>TC Wardens - authorisation required</li> <li>CPU Licensing Enforcement Officers</li> </ul>
Illegal Car Parking <ul style="list-style-type: none"> <li>Private Company Parking Contracts NB not on road</li> </ul>	Income generation for Streetpride (delivery capacity issue)	Parking Charge Notice	Civil Enforcement Officers (11)	Neighbourhood Wardens -12	No authorisations required	<ul style="list-style-type: none"> <li>Neighbourhood Wardens – no authorisation required</li> </ul>
Repair & sale of Vehicles on the road	CNEA05 S3,4,6 & 7	Prosecution FPN	Highways Inspectors (power not used)	CPU - 18 Neighbourhood Wardens -12	Authorisation required	<ul style="list-style-type: none"> <li>Neighbourhood Wardens – authorisation of officers</li> <li>Environmental Health Officers - authorisation of officers</li> <li>Enforcement Officers – authorisation of officers</li> <li>Community Protection Managers – authorisation of officers</li> <li>Safer Neighbourhood Manager – authorisation of officer</li> </ul>

Assessment of Need	Legislative Remedy	Enforcement Discharge Options	Current Capacity	Potential Additional Capacity	Enforcement Extension Capability	Officers Identified to Extend Enforcement Capacity
Council Housing; Filthy & Verminous Premises & articles • Impact on health & nuisance to neighbours • Reputational • Voluntary clean ups • Duplication of visits & attendance of staff	Tenancy Agreement  PHA36 S83 & 84	Notice WiD (r) Prosecution	Area Housing Officers (36)  CPU (23)	n/a  Area Housing Officers - 36	Authorisation required	• Area Housing Officers – authorisation of officers with discharge via warning & statutory notice

### **Glossary**

TCPA – Town & Country Planning Act 1990

PDPA – Prevention of Damage by Pests Act 1949

CNEA05 - Clean Neighbourhoods & Environment Act 2005

EPA90 - Environmental Protection Act 1990

NAS;CPU – Neighbourhood & Adult Services; Community Protection Unit

DCO – The Fouling of Land by Dogs (Metropolitan Borough of Rotherham) Order 2009

PHA36 – Public Health Act 1936

PHA61 – Public Health Act 1961

LA03 – Licensing Act 2003

TS – Trading Standards

FPN – Fixed Penalty Notice

BRU – Business Regulation Unit

### Schedule of Legal Powers to be Authorised under Delegated Powers

Legislation	Section	Officers to be Authorised	Delegated Service Director for Authorisation	Additional Capacity
Environmental Protection Act 1990  (Waste Disposal)	Section 34 & 34A  Section 47	<b>EDS</b> Streetpride Waste Supervisors Town Centre Wardens  <b>NAS</b> CPU Licensing Enforcement Officers Neighbourhood Wardens	Director of Housing & Neighbourhood Services	21 posts
Environmental Protection Act 1990  (Litter Clearing Notice from land)	Section 92A	<b>NAS</b> Housing & Communities Manager Area Housing Managers Area Housing Officers	Director of Housing & Neighbourhood Services	40 posts
Environmental Protection Act 1990  (Littering)	Section 87 & 88	<b>EDS</b> Civil Enforcement Officers Green Spaces Officer Park & Green Spaces Managers Park & Estate Rangers Streetpride Area Managers Specialist Cleansing Services Operations Manager Dog Wardens  <b>NAS</b> Housing & Communities Manager Area Housing Managers Area Housing Officers CPU Licensing Enforcement Officers	Director of Housing & Neighbourhood Services	78 posts
Prevention of Damage by Pests Act 1949  (Destruction of rodents)	Section 4	<b>EDS</b> Streetpride Area Managers Specialist Cleansing Services Operations Manager Specialist Cleansing Services Supervisor	Director of Housing & Neighbourhood Services	4 posts



<b>Legislation</b>	<b>Section</b>	<b>Officers to be Authorised</b>	<b>Delegated Service Director for Authorisation</b>	<b>Additional Capacity</b>
Environmental Protection Act 1990  (Abandoned Shopping Trolleys)	Schedule 4 (as amended)	<b>EDS</b> Town Centre Wardens  <b>NAS</b> Safer Neighbourhoods Manager Community Protection Managers Principal Community Protection Officers Environmental Health Officers Enforcement Officers Neighbourhood Wardens	Director of Streetpride	41 posts
Health Act 2006 & Smoke Free Regulations 2006 & 2007	Section 6 (no-smoking sign offences)  Section 7 (offence of smoking in a smoke-free place).  Section 8 (offence of failing to prevent smoking in a smoke-free place).  Schedule 2 – Power of Entry	<b>NAS</b> Safer Neighbourhoods Manager Community Protection Managers Principal Community Protection Officers Environmental Health Officers Enforcement Officers	Director of Housing & Neighbourhood Services	30 posts
Public Health Act 1936,  (Filthy & Verminous Houses)	Sections 83 & 84	<b>NAS</b> Housing & Communities Manager Area Housing Managers Area Housing Officers	Director of Housing & Neighbourhood Services	40 posts
Clean Neighbourhoods & Environment Act 2005  (Sale & repair of vehicles on street)	Sections 3, 4, 6, and 7	<b>EDS</b> Town Centre Wardens  <b>NAS</b> Safer Neighbourhoods Manager Community Protection Managers Principal Community Protection Officers Environmental Health Officers	Director of Streetpride	40 posts

Legislation	Section	Officers to be Authorised	Delegated Service Director for Authorisation	Additional Capacity
		Enforcement Officers Neighbourhood Wardens		
Clean Neighbourhoods & Environment Act 2005  (Dog Fouling)	Sections 59 and 61, and associated regulations and orders relating to dog control	<b>EDS</b> Civil Enforcement Officers Green Spaces Officer Park & Green Spaces Managers Park & Estate Rangers Streetpride Area Managers Specialist Cleansing Services Operations Manager  <b>NAS</b> Housing & Communities Manager Area Housing Managers Area Housing Officers CPU Licensing Enforcement Officers	Director of Housing & Neighbourhood Services	76 posts

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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1.	<b>Meeting:</b>	<b>Cabinet</b>
2.	<b>Date:</b>	<b>Wednesday, 18th December, 2013</b>
3.	<b>Title:</b>	<b>Feedback on reports into CSE: The Barnardo's Rotherham Practice Review Report The HMIC Report into South Yorkshire Police's Response to Child Sexual Exploitation</b>
4.	<b>Directorate:</b>	<b>Children and Young People's Services</b>

**5. Summary**

This report describes the two recent reports into CSE in Rotherham; and the work which will be carried out in response to them by all partner agencies engaged in CSE work in the borough and across South Yorkshire.

**6. Recommendations**

**For Cabinet to note the reports and the responses to them.**

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## 7. Proposals and Details

### (a) The Barnardo's Rotherham Practice Review Report

In the summer of 2013, the local authority commissioned Barnardo's to carry out a practice review into the current work in the Borough on Child Sexual Exploitation. The review was scoped in July and August, and took place in September. The report was published by RMBC and Barnardo's on 11<sup>th</sup> December 2013. **Appendix A** is the full Barnardo's report.

The review included a desktop review, followed by interviews with key professionals and council members, including an on-site visit to Maltby Public Protection Unit where the CSE team is based.

The review of current practice, which was commissioned as part of the Local Safeguarding Children's Board action plan, found positive examples of how agencies are working well together to tackle CSE. They were commended for their "transparency, openness and honesty" throughout the review process.

Good practice identified in the review report includes:-

- A specialist, co-located multi-agency team dedicated to tackling CSE with those young people at greatest risk;
- Leadership through so-called Gold and Silver CSE groups driving a clear strategy and plan of action;
- A robust training strategy for key professionals and frontline staff, and recognition that this should be rolled out through a "train the trainer" programme and online training packages for the wider workforce;
- Partnership working across wider social networks, including businesses, social landlords and communities.

The review also commended the links between Rotherham Council's Youth Service and local Protecting Young People Police Officers (PYPPOs), with their combined work in identifying and reducing the numbers of vulnerable people in the community, in schools and identified "hot spot" areas.

It is recommended that this approach is expanded to include links with faith groups, migrant communities and the local business community, including hotels and bed and breakfast accommodation; housing and social landlords; taxis and public transport; takeaways and food outlets, shopping centres and public spaces, pubs and clubs.

The review identified a number of areas for further development, including:-

- Improved access to the team, including continued use of outreach from the team's Maltby premises and opportunities for self-referral;

- Developing the network of professionals able to identify and work with young people deemed to be at low and medium risk, and the development of a South Yorkshire-wide risk assessment tool;
- The sharing and analysis of information and intelligence, and the need to progress the appointment of a dedicated police analyst to the co-located team;
- Involving children and young people in the development of approaches to tackling CSE;
- A more co-ordinated approach to communicating through the media with local people and other stakeholders.

Work to address these has started, and Rotherham's Local Safeguarding Children's Board will consider the report at its meeting on Friday 13<sup>th</sup> December and the outcome of the discussions will be presented to Cabinet as a verbal update to this report on 18<sup>th</sup> December. The response and future developments will also take into account the diagnostic carried out by the Chair of the LSCB which will be subject of discussion at the LSCB meeting on 13<sup>th</sup> December.

**(b) The HMIC Report into South Yorkshire Police's Response to Child Sexual Exploitation**

Her Majesty's Chief Inspector of Constabulary (HMIC) led inspection of South Yorkshire Police's response to CSE has been conducted. There was recognition of the considerable efforts being made to improve South Yorkshire Police's response to victims and potential victims of CSE, however concern was raised about the inconsistent approach across the four Districts.

A number of time specific recommendations have been made and these are being managed through a Force Action Plan.

**The following recommendations related directly to Rotherham:-**

- Immediately fill the vacancy within violent and sexual offenders unit, to reduce potential risk. **This has been completed.**
- Transport difficulties within the public protection unit should be addressed. **This has been addressed.**
- Difficulties in sharing information within the CSE team, because of incompatible information and intelligence IT systems should be resolved. **Work is in progress to address this issue through appropriate secure email groups.**

In addition, the Council will be seeking assurance that SYP have addressed concerns in the HMIC report around workload management; clear objectives for the CSE team in Rotherham and the need for a CSE outcome framework that has safeguarding children at its forefront.

HMIC recognised the current Sheffield model as good practice and it was recommended that other areas follow their model. Further examination has identified the key difference between the Rotherham and Sheffield models being the location of multi-agency teams. Work is being progressed to consider similar arrangements in Rotherham. **Appendix B** is the full HMIC report.

The findings from the Barnardo's and HMIC reports will be incorporated into the Rotherham delivery plan. This plan was presented to Members at the Cabinet of 18<sup>th</sup> September 2013.

The delivery plan will be discussed at the extraordinary RLSCB on the 13<sup>th</sup> December 2013

The Sub Group and Silver Tactical group continue to meet every 4 weeks and have good representation from the partnership.

Further progress has been made with the local performance framework and this will be brought to a future RLSCB meeting.

A county wide communications strategy has been agreed across the partnership and this is due to be launched in February 2014.

As reported separately, RMBC has committed to an Independent Inquiry of historic CSE cases and this commenced in November 2013.

## **8. Finance**

The response to the recommendations from both reports will be managed through existing resources.

## **9. Risks and Uncertainties**

Ofsted are bringing in a new framework for inspection which will go live from November this year. There will be a strand of this inspection looking at CSE.

## **10. Policy and Performance Agenda Implications**

The multi-agency Performance Framework which accompanies the CSE Strategy and Action Plan has been simplified to ensure that accurate, timely information about key aspects of CSE and safeguarding children and young people is collated and used to inform practice. New government guidance on the collection of data relating to CSE is anticipated and will be incorporated in the performance data; which will be presented to members as part of the regular updates on performance. This was covered in the Cabinet Report of 18<sup>th</sup> September 2013.

**11. Background Papers and Consultation**

- Reports to Cabinet on 28<sup>th</sup> June and 3<sup>rd</sup> July
- Members briefing on 4<sup>th</sup> July.
- LGA publication, June 2013 'How councils are raising awareness of child sexual exploitation'
- Report to Cabinet, September 18<sup>th</sup> 2014. Child Sexual Exploitation Update.

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Chief Superintendent, South Yorkshire Police

# **Rotherham Practice Review Report**

**7<sup>th</sup> Oct 2013**

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Barnardo's East Region

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## **Confidential**

The report is confidential to both parties as set out in the attached non-disclosure agreement. Any external use by either party can only be agreed by following the obligations of this agreement



## 1. Background Context

### 1.1 Introduction

In August 2013 Barnardo's was commissioned by Rotherham Metropolitan Borough Council, as identified in the Rotherham Local Safeguarding Children's Board's Child Sexual Exploitation (CSE) Action Plan 2013 -2016, to undertake an initial high level review of its CSE services, to include the following components:

- **How effective is inter-agency partnership sharing and collaboration?**
- **Is the current service delivery model fit for purpose in terms of staffing, model of delivery and location (based at Maltby Police Station)?**
- **To review the training strategy in relation to key messages for frontline staff, communities, young people and parents/carers to identify models of delivery, both generic and specialist, including e-learning proposals to be implemented.**
- **To review information sharing mechanisms/protocols with a particular focus on sharing 'soft intelligence', including collating and sharing of patterns and trends to inform practice.**
- **To review the current multi-agency risk assessment model (local framework assessment) and how specialist CSE assessments can be located within the same framework.**
- **To assess the effectiveness of Missing From Home contribution to CSE service delivery.**

## 1.2 Authors

The authors of this report are independent of Rotherham MBC and are current employees of Barnardo's East region.

Kay Kelly is a qualified social worker and youth and community worker who has worked for Barnardo's for 13 years in the field of sexual exploitation. Kay currently manages a voluntary/community sector (VCS) co-located CSE team in Bradford and two CSE spokes in Wakefield and Kirklees.

Wendy Shepherd is a qualified social worker and psychotherapist with over 20 years' experience in the field of child sexual abuse. For the past 15 years she has managed a CSE team in Middlesbrough and developed 5 CSE spokes within Tees Valley and Durham.

## 2. Methodology

2.1 This report is written based on the gathering of evidence from a desktop review of Rotherham's CSE action plans, policies and procedures and from interviews with key professionals and Council members. The evidence was gathered over a three-day period and included an on-site visit to the CSE specialist co-located team in Maltby, Rotherham, where managerial staff were interviewed. It was not within the scope of this review to interview frontline staff. However the authors feel it would be beneficial for the views of frontline workers across agencies to be included in any further review.

- Desktop review 11<sup>th</sup> September 2013
- Site visit and interviews 25<sup>th</sup> September 2013
- Interviews 26<sup>th</sup> September 2013.

The continuous implementation of the CSE action plan and the response to CSE within Rotherham is still in development and some target dates are still to be met. Thus this report and its findings are based on a “snapshot” of the current position in Rotherham as of September 2013.

## **2.2 Interviews:**

- Rotherham’s Local Safeguarding Children’s Board (LSCB)
- South Yorkshire Police
- Rotherham’s Public Protection Unit (PPU) and the CSE specialist co-located team management
- Health
- Rotherham’s Children’s Social Care
- Integrated Youth Service
- VCS – Safe at Last and Grow services
- Rotherham Council members.

## **2.3 Desktop review:**

- South Yorkshire Runaways Joint Protocol Children Missing From Home or Care 2010
- Rotherham’s Child Sexual Exploitation Strategy Action Plan 2013 -2016

- Rotherham's LSCB Learning and Development Prospectus 2013 - 2104
- Rotherham's Safeguarding Children and Young People From Child Sexual Exploitation Procedures
- Rotherham Voluntary Sector Children and Young People and Families Consortium – CSE Audit 2013
- South Yorkshire Police Policy (DRAFT) 2013.

#### **2.4 Other sources of relevant guidance:**

- Association of Chief Police Officers (ACPO) Child Sexual Exploitation Action Plan 2010
- Office of Children's Commissioner
- Department for Education (DfE) National CSE Action Plan 2011
- Working Together 2010
- The All-party Parliamentary Group (APPG) for Runaways and Missing Children and Adults and the APGG for Looked After Children and Care Leavers Report 2012 from the Joint Inquiry into Children Who Go Missing From Care.
- OFSTED Missing Children's report 2013
- Police ACPO Management, Recording and Investigation of Missing Persons Guidance 2013.

### **3. Initial Observations**

#### **3.1 Interagency partnership sharing and collaboration.**

3.1.1 It is clear that agencies and Council members in Rotherham are committed to addressing CSE and they are to be commended for their

transparency, openness and honesty through the interview process conducted with the authors of this report. We found positive examples of strategies in place to work within wider multi-agency partnerships including businesses, social landlords and communities. These new strategies will need further coordination and embedding.

3.1.2 We reviewed a number of key documents, policies and procedures (see above) pertaining to CSE and Missing From Home. Good practice examples in relation to this area include:

- A CSE strategy and CSE action plan
- A specialist co-located CSE team
- A robust training strategy targeted at key professionals and frontline staff
- Gold and Silver – strategic and operational CSE groups
- A commitment and ownership of the issue.

3.1.3 Given that the strategy and action plan are still in their infancy we have identified four key **priority** areas that need to be addressed:

- Support for the specialist CSE co-located team in developing its model and identity and in addressing competing demands within different organisational structures
- Media and communication strategy
- Information sharing and intelligence analysis
- Assertive multi-agency intelligence led outreach and “train the trainer” programme

3.1.4 Agreement has been reached to deploy an analyst within the CSE team, which would assist managers to match resources against key priorities, but at the point of this Practice Review, this had not materialised. This in addition to the impact of the Home Affairs Select Committee, media pressure and the threat of inspection has engendered a degree of anxiety within senior managers, which in turn impacts on the CSE delivery team. Feedback from interviews suggested that frontline and managerial staff at times feel over managed and not trusted.

### **3.2 Operational Delivery Model**

3.2.1 The CSE specialist co-located team is developing, with new members recently being integrated into the team (newly-appointed health and VCS workers) and therefore is not yet fully established and embedded. There appear to be significant demands on accountability and data collection from external senior management with regard to the day-to-day running of the co-located specialist CSE team.

3.2.2 Feedback suggests that the demands from external senior management around performance management measures and to cover other areas of child protection that are not CSE-related add to the pressure on the daily management of the CSE specialist co-located team. This in turn affects the team dynamics of the new service, which is in the early stages of developing its identity and embedding its developing knowledge of CSE across Rotherham whilst working under extreme pressure and intense scrutiny both internal and external.

3.2.3 There are also competing pressures from different organisations aims and objectives. For example police are focussed on prosecution, social care focussed on safeguarding and the VCS focussed on engagement and prevention. As is the nature of all developing multi agency teams, work needs to be done to ensure the team have time to fully understand each other's roles and the potential that each partner can bring to the team.

3.2.4 There needs to be some exploration of how these different roles can work together in a supportive and collaborative manner to achieve each organisation's aims and expectations to enable a shared understanding and vision and thus create a strong team identity that is focussed on CSE and not on other competing safeguarding demands. This needs to be discussed and agreed at a senior level with police, health, VCS and social care to ensure that the CSE specialist team can grow and develop its own unique identity allowing for a creative multi-agency approach.

3.2.5 This will require the implementation of regular team development, clinical supervision and staff support for members of the co-located team dealing with child sexual exploitation.

*'Placing greater trust and responsibility in skilled frontline professionals to do their jobs'*

*DfE 2012*

## **Assessment**

3.2.6 Two assessment tools are being used. One is the social care core assessment which does not take into account those young people

who do not meet that threshold. An agreed South Yorkshire wide CSE risk assessment tool is being piloted and this needs to be implemented to ensure that young people at medium and low risk are offered services to reduce the likelihood of increased risk. These cases could be referred to external partner agencies for preventative work. (The National Working Group has a good example of a CSE risk assessment.)

*'Assessments should be skilled enough to distinguish between the families most in need and the parents who are struggling and just need a bit of help – possibly not from social workers.'*

*Munro 2011*

### **Training and development**

3.2.7 Whilst the CSE specialist co-located team is developing its specialism in direct work with young people who are at greatest risk of sexual exploitation, there is also a need to integrate further the external and available workforce of professionals that could be utilised and trained in identifying, preventing and working with CSE concerns at a low and medium level of risk, whilst ensuring that the overall picture of CSE at all levels is shared with the co-located team, multi-agency partners and Rotherham LSCB.

3.2.8 There is evidence that multi-agency external partnership working is already underway with a clear training strategy in place and recognition that a "train the trainer" programme of work is required alongside a mandatory e-learning strategy on CSE to reach a wider workforce.



3.2.9 This strategy would be enhanced by widening to include **all** faith groups and communities, including Lesbian, Gay, Bi-sexual or Transgender (LGBT), new and emerging migrant communities, small businesses and residential landlords of rented or bed and breakfast accommodation.

### **Missing for home or care protocols**

3.2.9 The South Yorkshire Runaways Joint Protocol Children Missing From Home or Care 2010 procedures need updating in response to:

- The APPG for Runaways and Missing Children and Adults and the APGG for Looked After Children and Care Leavers Report 2012 from the joint inquiry into Children Who go missing from care.
- OFSTED Missing Children's report 2013
- Police ACPO Management, recording and Investigation of Missing persons Guidance 2013.

The Missing From Home service will need to take account of the above new guidance to ensure that a CSE risk assessment takes place and that information is shared with the co-located team to support further intervention and intelligence gathering.

### **Location and accessibility of co-located team**

3.2.10 There were concerns raised in relation to the location of the CSE specialist co-located team which was seen as having limitations regarding distance from Rotherham and accessibility of the building by both team members and other professionals. However, evidence from best practice elsewhere suggests that these fears can be overcome via a commitment to an outreach approach and it was acknowledged by staff that young people are seen at other venues nearer to central Rotherham that were more suited to young people's needs.

3.2.11 Although the team's phone number and email address are publicised so that young people can contact the team direct to agree to meet at a location convenient to the young person, currently all referrals are routed through social care, with no explicit self-referral mechanism. A review of the referral process is recommended in order to increase accessibility of the service.

3.2.12 Service users need to be engaged in the process of embedding the ethos of multi agency working within the co-located team. Enabling accessibility to all will help to break down barriers that are based on stereotypical viewpoints of police, health and social care. Best practice has demonstrated that to engage with young people and families where CSE exists requires a different approach to traditional policing and social work, and a change in some operational processes when considering safeguarding and prosecution issues. This is essential if we are to encourage and engage young people to build up trust in order to share their experience which may or may not result in prosecution; this approach is likely to result in better safeguarding. The development

of a participation strategy with young people and their families involved/ at risk of CSE will support this process.

*'Building a system that is focused on the needs, views and experiences of vulnerable children'*

*Munro Review 2011.*

### **3.3 Media and Communications**

3.3.1 From interviews it was apparent that there were frustrations and anxieties regarding the need for an agreed approach by partner agencies in regard to the media and communications. At the time of writing a joint communications strategy was in development.

### **3.4 Information, Intelligence and Analysis**

3.4.1 In order to ensure that child sexual exploitation is robustly identified and challenged it is imperative that a victim, offender, location analysis takes place. This requires the implementation of an information and intelligence sharing pathway that all frontline professionals understand and agree to, and a centralised point to which to send the information and intelligence.

3.4.2 For this to work effectively, it will require a specialist police analyst to be based at Rotherham's CSE specialist co-located team to interrogate and analyse all "soft" and "hard" intelligence received and

to disseminate to staff identifying priority interventions. Intelligence from Rotherham may also assist the wider South Yorkshire Police area in addressing CSE.

3.4.3 This will also require clear staff training in how to complete the National Police 5x5x5 intelligence form and where to send it. The analysis of this intelligence could inform future police operations and/or a co-ordinated assertive outreach into 'hot spot' areas working alongside integrated youth support services, neighbourhood teams and other key community and professional groups, linking back to the CSE specialist co-located team.

### **3.5 Assertive Outreach with the wider Multi-Agency Partnerships to include Youth Offending Service, Health, Education and VCS youth projects (Agencies that are not co-located)**

3.5.1 Rotherham Integrated Youth Support Service (IYSS) have established good links with the Protecting Young People Police Officers (PYPPOs) and are working with young people identifying and reducing vulnerability. IYSS are routinely involved in community, school and assertive outreach into 'hot spot' areas. This assertive outreach model would benefit from being expanded to integrate professionals from other agencies to enable wider:

- Multi-agency targeted assertive outreach
- proactive early intervention and identification and signposting to relevant services

- improved gathering and sharing of data and intelligence, **linking** back to the specialist CSE co-located service
- the development of a “train the trainers” programme to increase professional, business and community reach
- awareness raising to youth and community settings (including **all** faith groups, LGBT and emerging migrant communities)

3.5.2 An awareness and understanding of the coordinated assertive outreach strategy, referral pathways and how to identify and share intelligence and concerns centrally is imperative and needs to include the following health and education professionals

- Genito urinary medicine (GUM)
- Accident & Emergency
- Pharmacies
- GPs
- Substance misuse agencies
- School Nurses
- Child and Adolescent Mental Health Services (CAMHS)
- Teaching staff - schools and colleges.

### **Business & Communities (Private and Social)**

3.5.3 Work has started and training has been offered to Rotherham’s business and local communities. Although the take-up has been low to date, it is crucial that they are involved and therefore a more direct assertive outreach approach where workers visit premises and community groups needs to be considered utilising the ‘*See something, say something*’ campaign targeted at the following:

- Hotels and bed and breakfast accommodation
- Housing and social landlords
- Taxis and public transport links
- Takeaways and food outlets
- Shopping centres and public spaces/conveniences
- Pubs and clubs (including venues popular with the LGBT communities).

3.5.5 The licensing and housing enforcement teams remain key in implementing sanctions and sharing intelligence of venues/business/communities of concern

## 4. Recommendations

- 4.1 We recommend that all key managers and Council members revisit the vision and strategy to establish if the original intentions are effective and delivering the expected changes.
- 4.2 A clear media and communication strategy be developed that all agencies and key personnel share and work towards.
- 4.3 A named designated manager be identified to manage the day-to-day activities and shape service delivery of the CSE specialist co – located team.
- 4.4 In line with the action plan, the positioning of a police analyst within the co-located CSE team.
- 4.5 The CSE specialist co – located team to undertake monthly team building and clinical supervision in order to assist in the team's development and understanding of various disciplines and to support the relatively new team in bonding together,

understanding each other's roles and developing a shared model of work in practice to meet the needs of sexually exploited young people.

- 4.6 The implementation of a South Yorkshire wide CSE Risk Assessment tool.
- 4.7 Development of a participation strategy for young people and their families involved/ at risk of CSE.
- 4.8 It is recommended that the training strategy be widened and adopt a "train the trainer" approach to include **all** faith groups and communities, including the local business community.
- 4.9 Annual review of service provision as a way of ensuring that the CSE action plan and CSE strategy are implemented and are effective.



# South Yorkshire Police's Response to Child Sexual Exploitation

Findings of an inspection commissioned by the  
Police and Crime Commissioner

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## Executive summary

In August 2013, the Police and Crime Commissioner (PCC) for South Yorkshire Police commissioned<sup>1</sup> Her Majesty's Inspectorate of Constabulary (HMIC) to provide:

- an independent assessment of the effectiveness and resilience of the current arrangements in place within South Yorkshire Police to protect children from sexual exploitation; and
- recommendations for improvement.

Full terms of reference are attached at Annex A.

Fieldwork was conducted in late September and early October 2013. The inspection methodology is set out at Annex B.

## Principal findings

### Strengths

The PCC and Chief Constable have stated that the protection of children from sexual exploitation is a top priority for the force. To underline this focus, in early 2013 the PCC decided to increase the number of posts dedicated to tackling this kind of offending; as a result, there are now ten more officers working in this area.<sup>2</sup> This shows a clear commitment to enhancing the force's response to the sexual exploitation of children.

In addition, the inspection found all the officers and staff working in child protection to be deeply committed to their work. They were conscientious, enthusiastic, and focused upon achieving good outcomes for the children with whom they work.

The force and the PCC have also made considerable efforts to improve South Yorkshire Police's response to victims and potential victims of child sexual exploitation. For instance, they have:

- improved their engagement with other agencies and organisations which have responsibilities in relation to child protection (such as local authorities, child social care and education services, and third-sector organisations such as Barnardo's);
- developed strategies with these partners aimed at preventing children from becoming victims of child sexual exploitation; protecting children at risk of child

<sup>1</sup> Police and crime commissioners can commission HMIC to undertake inspections under section 54(2BA), Police Act 1996.

<sup>2</sup> The number of officers increased from 11 to 21.

- sexual exploitation; and supporting children in all situations (although these strategies are at varying stages of maturity); and
- created a comprehensive plan to assist in developing the way the force responds to cases of child sexual exploitation, with progress made in many areas of work as a result.

A number of force operations have led to prosecutions and convictions for child sexual exploitation. There are further court cases due in early 2014, which have resulted from operations conducted across the force. Investigations (using staff both from the districts, and from the force's major investigation teams) continue to identify historical cases of child sexual exploitation.

### **Areas for improvement**

Overall, however, HMIC found that these efforts to improve the force's response to child sexual exploitation have had mixed success.

In particular, although staff and officers were aware that tackling child sexual exploitation was a stated force priority, this has not consistently been translated into operational activity on the ground at a local (district) level:<sup>3</sup>

- many of the staff interviewed for this inspection felt that the emphasis from senior and middle local managers was still more focused on dealing with offences such as burglary and vehicle crime, rather than child sexual exploitation (and both the notices displayed in police stations, and some of the documentation reviewed for this inspection support this perception);
- at a force level, the processes for gathering and analysing intelligence clearly support the major child sexual exploitation investigations, and force units which two years ago would not have contemplated dealing with these kinds of cases are now managing several. However, local resources – including intelligence teams – were not fully supporting child sexual exploitation investigations; and
- staffing structures, resources and the approach to responding to child sexual exploitation have developed independently across the four districts, and vary significantly as a result. This makes it difficult to implement in a consistent way the actions detailed in the force plan to improve the response to this kind of offending.

HMIC therefore recommends that as a matter of urgency the force must put the PCC's strategic priorities into operational delivery on the ground.

In addition, South Yorkshire Police now must audit its response to child sexual exploitation and make sure that it has carried out this evaluation in accordance with the national policing child sexual exploitation action plan.<sup>4</sup> It must assess whether the changes it is making are having the desired effect (i.e. of improving outcomes for

<sup>3</sup> South Yorkshire Police is divided into four territorial districts, each coterminous with a local authority: Sheffield City; Rotherham Metropolitan Borough; Doncaster Metropolitan Borough; and Barnsley Metropolitan Borough.

<sup>4</sup> *Child Sexual Exploitation Action Plan*, Association of Chief Police Officers, 2012.

children). The force proposed to do so in the summer of 2013; however, at the time of the inspection, the audit had still not been conducted. This means the force is unable to evaluate whether its plans in this area are on track.

In particular, HMIC is concerned that the force is not able to evaluate the quality of its protective work. HMIC's inspectors reviewed a small sample of such cases, and raised concerns with local managers that in some instances investigations led to prosecutions, but there was no record in the case file of the level of support and intervention provided by police and partners to the victim. This makes it impossible for the force to know whether the victim received the best possible service.

HMIC also found that many staff in public protection and children safeguarding specialist units were working in crowded offices, were poorly equipped, and found it difficult to manage their workloads. This situation is adversely disproportionate to the importance the PCC and Chief Constable have placed on this area of policing.

## Conclusion

South Yorkshire Police has made considerable efforts to improve its child sexual exploitation response. However, HMIC considers that the force-level focus and commitment to this is not truly and consistently replicated in all districts. While there are pockets of good and effective practice (most notably in Sheffield), the approach taken to tackling this kind of offending varies significantly across the force's four districts.

This situation must not be allowed to continue. It is unarguably of paramount importance that all children in South Yorkshire receive the same high levels of protection, irrespective of the policing districts in which they live.

HMIC has therefore made a number of recommendations (see p.34), and proposes to revisit South Yorkshire Police in spring 2014 to assess the progress and improvements made by the force.

## About this inspection

In August 2013, the Police and Crime Commissioner (PCC) for South Yorkshire Police commissioned<sup>5</sup> Her Majesty's Inspectorate of Constabulary (HMIC) to provide:

- an independent assessment of the effectiveness and resilience of the current arrangements in place within South Yorkshire Police to protect children from sexual exploitation; and
- recommendations for improvement.

Fieldwork was conducted in late September and early October 2013. The inspection methodology is set out at Annex B.

In this report, inspection findings are organised under the headings contained in the terms of reference (which are attached at Annex A):

- leadership;
- strategies;
- management;
- training;
- structures;
- processes;
- intelligence gathering;
- innovation;
- benchmarking;
- compliance with national guidance; and
- the robustness of partnership working arrangements.

<sup>5</sup> Police and crime commissioners can commission HMIC to undertake inspections under section 54(2BA), Police Act 1996.

## Background and context

### The police role in child protection

The police, working with partner agencies such as local authority child social care teams (CSCs), the health service and local authority education departments, have a responsibility to protect children from harm. The Children Act 1989 and guidance such as *Working Together to Safeguard Children*<sup>6</sup> stipulate how this should happen, and what each statutory agency should do to meet this requirement.

In order to ensure that agencies co-operate to keep children safe and look after their welfare, each local authority is required by section 13 of the Children Act 2004 to establish a Local Safeguarding Children Board (LSCB). This board has senior representatives from all agencies (including the police). It is used to coordinate activity to safeguard and protect the welfare of children in the area, and to ensure the effectiveness of what each of the agencies is doing for those purposes (section 14 of the Children Act 2004).

All officers and members of police staff should understand their duty to protect children as they go about their day-to-day work. It is essential that all officers are able to recognise the signs that indicate a child or children are at risk of harm, and then act to make them safe.

#### Section 17 cases

Section 17 of the Children Act 1989 places a general duty on each local authority to safeguard and promote the welfare of children in its area who are believed to be 'in need' (as set out in the Children Act 1989 – see Annex C). Police may find children who are 'in need' when they attend incidents. This section of the Act also requires forces to refer these cases to the local authority.

#### Section 47 cases

Section 47 of the Children Act 1989 details the duty placed upon agencies, including the local authority and the police, to make enquiries to safeguard and secure the welfare of any child within their area who is suffering or likely to suffer significant harm.

#### Multi-agency safeguarding hubs

In order to deal with cases of child protection which are brought to the attention of the police, forces have specialist teams who deal specifically with referrals about children who are suffering or likely to suffer harm.

<sup>6</sup> *Working Together To Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children*. Department for Education, 2013.

The teams work very closely with partner agencies such as the local authority, the probation service and the health service, often sharing offices. These joint or multi-agency teams are often called multi-agency safeguarding hubs (MASH). Staff are able to share information easily within these teams. This is essential in the successful protection of children from harm.

When a section 47 case has been identified, staff from agencies which may hold information about the child or children meet to discuss the case and share the information. This meeting is called a strategy discussion. Decisions about the best way in which to safeguard the child or children are made at this meeting, and must be recorded. Any information which is discovered subsequently must also be shared. This means those actively involved with protecting the child from harm should be in possession of the most complete information available.

Some section 47 cases require further police investigation, and these may be referred to another specialist team which deal specifically with investigations into allegations of crimes against child victims. Again, these teams often work with statutory partners such as local authority child social care departments.

## **Child protection in South Yorkshire Police**

South Yorkshire Police is divided into four territorial districts, each of which is coterminous with a local authority. Those authorities are Sheffield City; Rotherham Metropolitan Borough; Doncaster Metropolitan Borough; and Barnsley Metropolitan Borough.

Each district is led by a chief superintendent, who is responsible for the majority of policing activity in the district. This includes responsibility for the district public protection unit, which is the police unit primarily responsible for tackling child sexual exploitation.

All four district public protection units are led by a detective inspector, who reports to a detective chief inspector. In Sheffield, Rotherham and Barnsley, the detective chief inspector has responsibility for a range of policing activities, including public protection and general criminal investigation. In Doncaster, since September 2013, the detective chief inspector in question has been exclusively deployed to public protection.<sup>7</sup>

## **Child sexual exploitation**

The term 'child sexual exploitation' does not refer to a specific action or a particular criminal offence; rather, it is a general term applied to an array of behaviours and offences. These range from the lowest level in the child sexual exploitation definition (non-contact incitement to commit indecent acts, either alone or with another person or other people), to the highest level (multiple rapes).

<sup>7</sup> More information on the officers and staff involved in South Yorkshire Police's response to child sexual exploitation is given in the 'Structures' section.



The Government, the Office of the Children's Commissioner and the police forces of England and Wales all adopt the same definition of child sexual exploitation:

*Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities.*

*Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example the persuasion to post sexual images on the internet/mobile phone without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.*

*Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.<sup>8</sup>*

In August 2009, the Department for Education published *Safeguarding Children and Young People from Sexual Exploitation*.<sup>9</sup> This aimed to help practitioners to identify instances of child sexual exploitation. It identified the many forms sexual exploitation can take, and advocated the development of local partnership strategies to combat the risk of harm to children and young people.

Since then, police and partner agencies nationally have developed a greater understanding of child sexual exploitation. As a result, in many areas services across agencies have developed to respond to the needs of children at risk from child sexual exploitation.

In South Yorkshire, a number of force operations have led to prosecutions and convictions for child sexual exploitation. There are further court cases due in early 2014, which have resulted from operations conducted across the force. Investigations (using staff both from the districts and from the force's major investigation teams) continue to identify historical cases of child sexual exploitation.

<sup>8</sup> *Safeguarding Children and Young People from Sexual Exploitation*, Department for Education, 2009. This definition arises from joint work in 2008 between project members of the National Working Group for Sexually Exploited Children and Young People (which is a support group for individuals and service providers working with children and young people who are at risk of or who experience sexual exploitation). The Group's membership covers voluntary and statutory services, including health, education and social services.

<sup>9</sup> *Safeguarding Children and Young People from Sexual Exploitation*, Department for Education, 2009.

## Leadership

### Police and Crime Commissioner leadership

The PCC has included protecting vulnerable people as one of his three “key priorities” in the South Yorkshire Police and Crime Plan for 2013/17.<sup>10</sup> This specifically includes reference to the importance of tackling child sexual exploitation.

The plan also lists activities to support this priority. These include:

- providing £0.5 million funding for additional public protection officers, and for specialist training for staff;
- bringing local partners, both statutory (such as the police) and non-statutory (such as charities), together to improve communication, develop joint protocols and share good ways of working regarding child sexual exploitation;
- holding the Chief Constable to account for implementing the national policing child sexual exploitation action plan;<sup>11</sup> the recommendations of a 2012 Office of the Children’s Commissioner report;<sup>12</sup> and the recommendations of a 2011 Barnado’s report;
- investing in enhanced services for young victims of crime;
- establishing a county-wide child sexual exploitation forum; and
- developing more effective working with the Crown Prosecution Service to secure more successful outcomes for victims.

To support these activities, the PCC has established a PCC Safeguarding Forum, which meets quarterly and has the following membership:

- the Director of Children’s Services (DCS), a member of the council cabinet, and the LSCB Independent Chair for each local authority area;
- Assistant Chief Constable (Specialist Operations);
- the four district commanders;
- the force Head of Public Protection;
- the force Lead for Child Sexual Exploitation;
- Victim Support representation;
- Crown Prosecution Service representation, and
- health representation.

The PCC Safeguarding Forum’s objective is to aid collaboration between agencies on child sexual exploitation. Work includes establishing joint protocols, and sharing good

<sup>10</sup> *Police and Crime Plan 2013/17*, South Yorkshire Police and Crime Commissioner, 2013.

<sup>11</sup> *Child Sexual Exploitation Action Plan*, Association of Chief Police Officers, 2012.

<sup>12</sup> *“I thought I was the only one. The only one in the world.” Office of the Children’s Commissioner’s Inquiry into Child Sexual Exploitation in Gangs and Groups (Interim report)*, Office of the Children’s Commissioner, 2012. Recommendations in this report include circulating the warning signs of child sexual exploitation to all professionals.

ways of working by reviewing recommendations from serious case reviews, Ofsted reports and HMIC inspections.

The Forum first convened on 14 February 2013, and has met on three further occasions since then.

## **Force leadership**

### **Governance**

The Assistant Chief Constable (Specialist Operations) has overall responsibility for public protection, including child sexual exploitation, and is held to account for the force's performance in this area at the regular force chief officers' meetings. The Detective Chief Superintendent (Specialist Crime Services) reports to the Assistant Chief Constable, and is the force lead on public protection. In June 2012, a temporary detective superintendent was given the responsibility of developing the force's response to child sexual exploitation. This person also reports to the Assistant Chief Constable of the force.

In the course of the fieldwork conducted in the four districts, it was clear that the majority of public protection staff were clear that the force lead on child sexual exploitation was responsible for developing the force's response. However, the same staff were not sure which chief officer held the overall force responsibility in relation to tackling this kind of offending. They felt there were too many senior officers involved, and it was unclear whether the force lead, the force's Head of Public Protection or the local district commander was in charge.

### **Risk Management Board**

The Chief Constable has oversight of how the force responds to this kind of offending by chairing the Risk Management Board.<sup>13</sup> This meets quarterly, with the strategic risks posed by child sexual exploitation first considered in January 2013. During that meeting it was decided that a risk analysis would be conducted and the Rotherham district commander was given responsibility for ensuring this action was completed.

Child sexual exploitation was also discussed at Risk Management Board meetings in April and July 2013. At the first of these, the force lead on child sexual exploitation gave a presentation on work to date, plans for the future, and risks to be managed.

### **Public Protection Strategic Board**

The Public Protection Strategic Board also meets every quarter, and is the vehicle for reaching agreement on force priorities, plans and decisions for public protection, including those aimed at tackling child sexual exploitation.

<sup>13</sup> The Deputy Chief Constable sometimes represents the Chief Constable at this meeting.

Chaired by the Assistant Chief Constable (Specialist Operations), the board members are:

- Detective Chief Superintendent, Specialist Crime Services;
- Detective Superintendent, Major Crime;
- the force Head of Public Protection;
- a district commander (representing all district commanders);
- a district crime manager (representing all crime managers);
- a district public protection detective inspector (representing all four district public protection detective inspectors); and
- Criminal Justice and Administration Unit representatives.

Discussion of child sexual exploitation issues has been a regular feature of the 2013 meetings of this board.

### **Child Sexual Exploitation Gold Group**

The force established the Child Sexual Exploitation Gold Group to oversee the implementation of the force's child sexual exploitation action plan (see p.16). The group first met on 13 March 2013, and met monthly until June 2013. It was then agreed that, subject to the results of the planned audit of child sexual exploitation cases, the work the group had been undertaking would be overseen by the Public Protection Strategic Board.

### **Strength**

The PCC and the force have effective leadership and governance structures to oversee the police response to child sexual exploitation across South Yorkshire. There is engagement with relevant local partners in tackling child sexual exploitation.

### **Area for improvement**

The leadership provided by the Chief Constable in respect of child sexual exploitation is unclear to many members of South Yorkshire Police officers and staff. The direction and the messages from senior leaders at superintendent level also differ across the force. The force should therefore review its internal communication channels regarding child sexual exploitation and ensure that clear, consistent messages are passed on to all officers and staff. The messages should ensure that everyone is aware which chief officer is the lead on tackling child sexual exploitation.

## Strategies

### The priority placed on child sexual exploitation

South Yorkshire Police has established the priority it must place on tackling child sexual exploitation as follows:

- in September 2012, the Chief Constable and the force lead for child sexual exploitation appeared before the Home Affairs Select Committee in the House of Commons. The Committee wished to explore the force's response to cases of child sexual exploitation. Following this evidence session, the force set itself an objective to improve its prosecution of offenders for child sexual exploitation;
- in November 2012, the Force Strategic Assessment<sup>14</sup> recommended that child sexual exploitation be one of the priorities in the force control strategy.<sup>15</sup> This was agreed, and child sexual exploitation has remained a listed priority since then;
- the force has refreshed its use of strategic and tactical assessments. These have been used to create a set of operational policing priorities, which are regularly reviewed and reflect the current needs of the communities the force serves. The top priority at the time of the inspection was child sexual exploitation;
- the force has also made effective use of the National Intelligence Model and the National Decision Making Model in identifying child sexual exploitation as a strategic and tactical priority;<sup>16</sup> and
- the use of an impact probability matrix. This considers the amount of risk in an issue (in this instance, child sexual exploitation), and enables the force to identify clearly its top priorities each month. At the time of the inspection, child sexual exploitation had been identified as the top priority for the force using this process.

### Translating strategic priorities into action

The force tasking process (which provides managers with information about crime, anti-social behaviour and other policing issues, to help them decide where staff should be deployed) has recently been updated. This process requires that force priorities are

<sup>14</sup> A document prepared by the Force Intelligence Department to inform the Chief Constable on the crime and other risks faced by the force, with recommendations to manage those risks.

<sup>15</sup> A control strategy identifies the strategic policing priorities for a basic command unit, force or region.

<sup>16</sup> The National Intelligence Model and the National Decision Model are guidance provided to police forces to enable them to consider the risks they face through gathering information from the public, police forces, partner agencies such as local councils and then develop the best way to manage those risks with the staff and equipment available.

considered at the monthly force tasking meeting (where the deployment of specialist officers like roads policing and firearms is decided).

Most staff spoken to by HMIC inspectors were aware that tackling child sexual exploitation was a priority for the force; the majority also understood that it had been identified as the top priority. However, they reported that this stated priority had little effect or implications “on the ground”, where practitioners felt the focus remained on tackling burglary and vehicle crime. Staff reported the focus of the force on the South Yorkshire PCC’s targets<sup>17</sup> (as opposed to priorities) dictated the crimes on which they concentrated. As there were no targets for child sexual exploitation, little focus was given to it.

## **Gathering and analysing intelligence on child sexual exploitation**

At present, each of the four South Yorkshire Police districts has its own intelligence function.<sup>18</sup> All of these units have been instructed to make sure that their staff are able to identify intelligence reports that indicate a risk of child sexual exploitation. When these reports are identified, intelligence staff are expected to conduct further research, and then to send an intelligence package (which can be used by officers to target crime and criminals) to the relevant public protection unit.

However, staff working within each of the four intelligence units stated that child sexual exploitation was not set as a priority for them – burglary and vehicle crime was a greater focus for their efforts. As a result, little analysis of child sexual exploitation was taking place, with no identification of problem areas, individuals or vehicles.

In addition, although in December 2012 each district intelligence unit had drawn intelligence together on child sexual exploitation (called a child sexual exploitation problem profile), it was unclear how these profiles had been used to develop each district’s response to child sexual exploitation.

### **Use of covert human intelligence sources**

There were no covert human intelligence sources (CHIS) specifically recruited to gather intelligence in relation to child sexual exploitation, although some of the existing sources had provided this kind of detail. Intelligence managers had not deployed CHIS handlers to debrief child sexual exploitation suspects in order to identify potential intelligence opportunities.

<sup>17</sup> As identified in the *Police and Crime Plan 2013/17*, South Yorkshire Police and Crime Commissioner, 2013.

<sup>18</sup> The force intelligence system is moving from a district-based style of working to a centralised one. It is intended that by January 2014 the whole intelligence system will be led by the force Director of Intelligence, who will directly manage all the intelligence staff rather than them being separately managed by their district commanders, as they are at present (although they will remain based in the districts).



## Action plan for child sexual exploitation

The force has created a comprehensive action plan for responding to child sexual exploitation, which has been used to develop its response to this kind of offending. The plan is based on the national policing child sexual exploitation action plan<sup>19</sup> (which itself was created to complement the Department for Education's action plan for tackling child sexual exploitation<sup>20</sup>). It also reflects recommendations made within other reports, including the 2012 report of the Office of the Children's Commissioner,<sup>21</sup> and Barnardo's 2011 publication.<sup>22</sup>

The action plan has resulted in a large amount of activity and improvements. These include the training of frontline officers; the creation of a single child sexual exploitation risk assessment tool; and the development of a communications strategy (all of which are discussed later within this report).

### Tracking progress in implementing the action plan

The force had planned to conduct an audit of child sexual exploitation cases across all four districts, to measure how successful the action plan has been in providing good outcomes for child victims. This was due to take place in June and July 2013. However, at the time of the inspection (September/October 2013), this work had still not started.

HMIC considers that the force must now conduct this audit. This will enable the force to ascertain the actual progress that has been made, and to identify areas where further work is required.

## Engagement with partner agencies

### Missing children

At a strategic level, the force has decided to engage with partner agencies to improve their response to missing children who are at risk of being exploited. In all districts, missing person coordinators (MPCs) are dedicated to managing and monitoring missing person cases. As part of this work, they look for and identify cases in which missing children are potentially at risk from sexual exploitation. They also initiate activity by other units within the police and local partner agencies to prevent these children from coming to harm, or to protect them from further harm.

<sup>19</sup> *Child Sexual Exploitation Action Plan*, Association of Chief Police Officers, 2012.

<sup>20</sup> *Tackling Child Sexual Exploitation: action plan*. Department for Education, 2011.

<sup>21</sup> *"I thought I was the only one. The only one in the world."* Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups (Interim report), Office of Children's Commissioner, 2012.

<sup>22</sup> *Puppet on a String: The urgent need to cut children free from sexual exploitation*. Barnardo's, 2011.

The MPCs are located within the district public protection units. This enables effective communication between them and their colleagues who are responsible for child sexual exploitation case management.

### **Barnardo's**

The force has negotiated with Barnardo's for the charity to fund four trained social workers to work across the four local authority areas in South Yorkshire, supporting children who are identified as being at risk from child sexual exploitation. These individuals (who started work in September 2013, and will be in post for at least three years) work with children assessed as being in the low-risk category, and supplement existing child protection resources.

## **Strengths**

The force has made effective use of the National Intelligence Model and the National Decision Making Model in identifying child sexual exploitation as a strategic and tactical priority. Staff were aware of the priority placed on tackling child sexual exploitation.

South Yorkshire Police's action plan for tackling child sexual exploitation is a good planning tool. It is compliant with the national policing child sexual exploitation action plan,<sup>23</sup> and reflects recommendations made within other reports, including the 2012 report of the Office of the Children's Commissioner,<sup>24</sup> and Barnardo's 2011 publication.<sup>25</sup>

The force has dedicated staff managing and monitoring missing person cases, particularly those involving children. The staff were familiar with the potential for missing children to be involved with child sexual exploitation, and monitor their cases with this in mind. They have made numerous referrals across the force as a result of this work.

The force has worked effectively with third-sector providers (such as Barnardo's) to secure additional resources to support victims and potential victims of child sexual exploitation.

## **Areas for improvement**

Although the force has identified child sexual exploitation as its current top priority, and this was well known among those spoken to as part of this inspection, this is not

<sup>23</sup> *Child Sexual Exploitation Action Plan*, Association of Chief Police Officers, 2012.

<sup>24</sup> *"I thought I was the only one. The only one in the world."* Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups (Interim report), Office of Children's Commissioner, 2012.

<sup>25</sup> *Puppet on a String: The urgent need to cut children free from sexual exploitation*. Barnardo's, 2011.



reflected in operational activity. In particular, much of the focus of senior and middle managers in districts is still on tackling burglary and vehicle crime. Similarly, the work carried out by local intelligence units is more focused on these offences, rather than child sexual exploitation.

The force should review the operation of its local intelligence units to ensure they are fully supporting its response to child sexual exploitation, and must as a matter of urgency put the PCC's strategic priorities into operational delivery on the ground.

The force had planned to conduct an audit of child sexual exploitation cases taken on since June/July 2013, to determine if the developments in respect of child sexual exploitation have improved outcomes for child victims. The audits have not started. The force must now conduct this audit, in order to determine if the force is making victims of child sexual exploitation safer, and to identify what further work it needs to complete.

The force should review how it can better use research and analysis to support strategies to deal with child sexual exploitation.

## Structures

The force operates a devolved style of management for public protection:

- the force Head of Public Protection works within the Serious Crime Directorate, and is responsible for the force policies and procedures relating to public protection,
- the force Lead on Child Sexual Exploitation also works within the Serious Crime Directorate, as part of the Major Investigation Team; while
- each of the four districts has its own public protection unit, which is supervised by a chief superintendent and led by a district detective inspector. These district detective inspectors work closely with the force Head of Public Protection, who regularly conducts audits of the work completed within the district public protection units.

## Staffing

Until the intervention of the PCC in early 2013, the following staff had been dedicated to child sexual exploitation:

Sheffield	One sergeant, one detective constable and two constables.
Doncaster	One acting detective sergeant, one detective constable and two constables.
Rotherham	One detective sergeant, one detective constable and one constable.
Barnsley	None.

In 2013, the PCC decided to increase the number of officers dedicated to child sexual exploitation. This resulted in the appointment of one more detective sergeant and nine additional detective constables to specialist roles:

- the detective sergeant and four detective constables were formed into a specialist investigative unit at Snig Hill, Sheffield;
- one detective constable was allocated to each of the Rotherham, Doncaster and Barnsley districts; while
- two detective constables were allocated to the Sheffield district.

The PCC also provided additional resources so that the force could deploy an analyst specifically to support the force's work to tackle child sexual exploitation. This shows a clear commitment to enhancing the force's response to child sexual exploitation.

However, at the point when the additional officers were due to be deployed, a significant child sexual exploitation investigation was instigated. As a result, all but one of the additional officers were allocated to that investigation, rather than to their intended districts. This operational decision was made by the Chief Constable. It is important that the rationale behind it is communicated to all the staff involved, the PCC, and other interested parties.

## Local safeguarding children boards (LSCBs)

There is a local safeguarding children board within each local authority area. Attendance on these boards is as follows:

Barnsley	District Detective Chief Inspector and Head of Public Protection.
Doncaster <sup>26</sup>	District Chief Superintendent and Head of Public Protection.
Rotherham	District Chief Superintendent and Head of Public Protection.
Sheffield	District Chief Superintendent.

## Structures and systems in the four districts

The systems and processes designed to respond to child sexual exploitation are different in all four force districts. Sheffield, Doncaster and Rotherham districts all work with local partner agencies, but otherwise have developed their own teams, with different styles and ways of working (as is described below).

There are also different numbers of staff working on tackling child sexual exploitation in each of the four districts. It was unclear how these staffing levels had been determined, and HMIC found that the force's Head of Public Protection had not been consulted by the district commanders to make sure that the force complies with statutory child protection procedures.

One consistency HMIC found across all districts was that all the staff involved with child sexual exploitation and child protection were deeply committed to their roles. They were conscientious, enthusiastic, and focused upon providing good outcomes for the children with whom they work.

### Barnsley

Until the appointment of the new child sexual exploitation officer (see p.19), there were no specialist resources within Barnsley's public protection unit. All child sexual exploitation cases were instead managed by the general public protection investigation staff.

From 1 January to 30 September 2013, the police in Barnsley were involved with 55 child sexual exploitation referrals. The local authority has decided that this volume of cases is not sufficient to justify a dedicated social worker for child sexual exploitation. Social work support is instead provided by the district's wider child protection joint investigation team.

<sup>26</sup> The district chief superintendents at Doncaster and Rotherham started to attend these boards in 2013. The boards were previously attended by the district detective chief inspectors.

## **Doncaster**

Doncaster has a dedicated child sexual exploitation police team, which is located within the public protection unit. It consists of an acting detective sergeant, a detective constable and two constables.

From 1 January to 30 September 2013, the Doncaster team were involved with 97 cases of child sexual exploitation.

The police public protection unit shares local authority premises with staff from the local authority child social care team (CSC), although they do not occupy the same office. Staff from the CSC, Barnardo's, and local health and education services who are dedicated to child sexual exploitation are located in a different office from the police public protection team.

The resources within the unit's office are poor, with officers often having to wait for a vacant desk. There are six vehicles supporting the work of 36 officers and staff. Staff reported having to wait for transport and to work out routes so they can drop off officers at certain points to conduct enquiries.

HMIC inspectors were told by staff that due to the poor working conditions, staff were much more likely to consider reporting as sick. This could affect the capacity of the child protection team.

There were also concerns that staff working in child sexual exploitation and child protection teams were over-stretched. The new dedicated detective chief inspector has started a review of workloads (this had not started earlier because public protection has only just been made the sole focus of the role).

## **Rotherham**

There is a dedicated child sexual exploitation team within the public protection unit, consisting of a detective sergeant, a detective constable and a constable. They share premises in Maltby Police Station with a multi-agency team comprising a CSC team leader, three social workers, a youth worker, and a worker from Barnardo's.

From 1 January to 30 September 2013, the team was involved with 127 child sexual exploitation cases.

The detective sergeant formerly worked in the public protection investigation unit, and an officer has been redeployed from the team which manages sex offenders to fill the post he left vacant. This redeployed officer has not been replaced, which means that sex offenders are now being managed by a smaller number of staff. This is having a negative impact on the ability of the team to manage offenders in line with national policing guidance<sup>27</sup> on how this should be achieved.

<sup>27</sup> *Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders*, Association of Chief Police Officers, 2010.

District managers had not explained the rationale behind the decision to reduce staffing in the unit. Staff were also unaware of any objectives that outlined what they were expected to achieve in their work.

The staff reported difficulties with transport, stating that there were only three cars for the 16 officers and staff members within the public protection unit. This was affecting their ability to conduct their investigations promptly and efficiently.

## **Sheffield**

HMIC observed an effective child sexual exploitation response in Sheffield, involving staff from the South Yorkshire Police and Sheffield Futures.<sup>28</sup> This multi-agency team shares local authority premises and provides a protective, supportive and investigative service for victims of child sexual exploitation.

The team is made up of a detective sergeant, a detective constable and two constables, who work with two social workers, a team leader and four youth workers, and a Barnardo's youth worker. From 1 January to 30 September 2013, the child sexual exploitation team was involved in 146 cases

The team receives referrals about a range of child sexual exploitation concerns from local statutory and voluntary agencies across Sheffield. Each referral is examined by the multi-agency team, using information gathered from each agency's records. Decisions are made jointly on the most appropriate way of dealing with the referrals. These range from early intervention work (where local Community Youth Teams work with children to develop their own preventive approaches), to section 47 enquiries, where children are considered to be at risk of significant harm.

The police part of the team is adequately staffed, although busy, and the inspectors observed cases where officers conducted effective criminal investigations while ensuring that children were properly protected.

The team liaises with other local policing teams to develop specific child sexual exploitation responses, including 'Hotel Watch' and 'Operation Krib', both of which aim to identify vulnerable young people at risk of sexual exploitation, to prevent crime, and to protect the vulnerable.<sup>29</sup>

## **Strengths**

Since child sexual exploitation was identified as a priority for the force by the PCC, additional resources in the form of a detective sergeant and nine detective constables have been allocated specifically to tackling child sexual exploitation. Additional resources were also provided to allow for an analyst to be allocated to supporting work to tackle child sexual exploitation.

<sup>28</sup> Sheffield Futures is an independent charity which aims to support communities and help young people, particularly the vulnerable, to achieve their full potential in learning, working and life.

<sup>29</sup> These initiatives are described in more detail on pp.29–30 below.

All the staff involved with child protection and tackling child sexual exploitation are conscientious, enthusiastic and committed.

### **Areas for improvement**

The additional specialist officers have not yet been deployed to the districts. The force should communicate and explain this temporary delay to the PCC, staff and other interested parties.

The development of child sexual exploitation responses across the four districts has been variable. Different styles and processes have been adopted, and this has led to victims receiving inconsistent support from the police. The variations have also made it difficult for the force's child sexual exploitation action plan (see p.16) to be implemented consistently. The force should review the processes in place to respond to child sexual exploitation in all four districts, with a view to creating greater uniformity, and ensuring all areas attain the high standards observed in the Sheffield district.

Staff within the public protection units at Rotherham and Doncaster reported exacting workloads, which they were finding hard to manage. HMIC inspectors were unable to identify any processes or reviews that assessed the capacity of staff to deal with the volume of child sexual exploitation cases being referred to the units. Staff reported that a number of officers had considered reporting as sick as a result of the stress caused by their workloads. The force should review the workloads of all staff within public protection units to ensure they have the capacity to manage effectively the cases they are allocated.

Failure to fill a vacant post in the Rotherham team that manages sex offenders means that the remaining officers face an unmanageable workload. The force should review the team to ensure that it has sufficient staff to manage sex offenders in line with national guidance.

## Processes

### Hi-Tech Crime Unit

The force Hi-Tech Crime Unit (HTCU) is based at Snig Hill, Sheffield, and supports the work of all four districts. The unit comprises three teams: digital media investigation; mobile phone analysis; and communications data investigation.

At the time of the investigation, the unit manager reported that there were six cases assessed as being of a high priority, and it was taking the following periods of time to complete digital media investigations<sup>30</sup> within the unit:

- Low priority<sup>31</sup>            10 – 11 months.
- Medium priority        6 – 8 months.
- High priority            2 weeks – 2 months.

The force has been proactive in reducing the time that it takes to complete digital investigations, and used a range of approaches to achieve this end, including:

- triaging of cases (i.e. making an initial assessment of the priority of each case as it comes in);
- the use of staff from outside the unit to complete non-specialist tasks (such as grading images); and
- considering streamlined forensic reporting (which is a method of agreeing what material the defence will require at any trial).

Despite these efforts, there is a backlog of cases. The force has recognised this, and recorded it as an issue on the Serious Crime Directorate's risk register, on the basis of:

- the impact on victims and potential victims;
- the impact on suspects;
- the potential for an abuse of process;
- the fact that, as the examinations are taking this amount of time, some other offences are going to court separately, when they should be going to court together; and
- the effect of delays on the ability of the suspect to prepare a proper defence.

<sup>30</sup> That is, analysis of computers to establish whether they hold indecent images of children, or other evidence of child sexual exploitation

<sup>31</sup> The force employs a 'prioritisation matrix' (which is used by a number of forces in the East Midlands region) to allocate a priority to a case. This matrix has been updated to reflect the significance of child sexual exploitation, which ensures investigations of these crimes are always in the medium or high priority bands.

HMIC inspectors were made aware of a further concern within the force that has placed additional pressure on the unit, and is likely to have a negative effect on the backlog of cases. As a result of a pay review of unit staff, it was proposed that the digital media investigators should have their salaries reduced by approximately 25 per cent. Of the four digital media investigators within the unit, one has already handed in his notice, and is due to leave the unit in December 2013. There are concerns that others will follow, and the unit manager informed HMIC inspectors that it would be difficult to find a fully trained replacement, due to the shortage of suitable candidates.

This HR decision to reduce salaries calls into question the extent to which child sexual exploitation is a top priority for the force. This risks delaying current and future investigations.

## **Child sexual exploitation risk assessment tool**

The force has developed a child sexual exploitation risk assessment tool,<sup>32</sup> which has been approved for use across the whole of South Yorkshire. Based on a tool used elsewhere, this was developed in collaboration with the force's partners, and is intended to be a multi-agency resource.

However, staff across all districts reported difficulties with using the tool. A common problem was that the outcome of the assessment very often indicated a lower level of risk than the multi-agency staff involved, based on their experience, felt was appropriate.

As a result, officers and staff routinely apply their own professional judgment and raise the risk levels identified by the tool.

## **Areas for improvement**

There are concerns that the current backlog of cases and demand for their services mean the High-Tech Crime Unit might be inhibiting the force's implementation of a comprehensive child sexual exploitation strategy. In addition, the recent HR decision to reduce the salary of digital media investigators is threatening to reduce the staffing levels of the unit. The force should review the staffing arrangements within the Hi-Tech Crime Unit, to ensure these are sufficient to manage effectively the demands of a thorough and comprehensive child sexual exploitation strategy.

The force should review the tool used to assess the risk of child sexual exploitation to ensure it provides the best possible reflection of the level of risk faced by victims. This may involve additional training for the staff, or a change to the scoring mechanism used to calculate the level of risk.

<sup>32</sup> The tool is a document used by specialist staff involved in child sexual exploitation to record, score (for risk) and assess different aspects of a child's situation, including his or her family circumstances, other potentially harmful issues, and his or her contact with other agencies (such as children's, health and education services).



## Training

### All officers and staff

The force has made a concerted effort to raise the awareness of staff about the risks of child sexual exploitation, and created a specific child sexual exploitation training plan. The first step of this plan was to place a child sexual exploitation awareness video (developed by the Child Exploitation and Online Protection Centre) on the force intranet for officers and staff to view.

The force has also added the following videos, to maintain the focus of all staff on the issues and risks of child sexual exploitation, and to complement the training provided on this type of offending:

- 'My Dangerous Loverboy', a short drama sponsored by the United Kingdom Human Trafficking Centre, and put together with input from young women and frontline agencies dealing with human trafficking; and
- 'Sick Party', a hard-hitting film based on real-life stories and experiences, which depicts the current picture of child sexual exploitation in Leeds and many other cities across the UK.

### Frontline officers and staff

In December 2012, a pocket notebook-sized aide memoire on the legislation and best practice of working on cases of child sexual exploitation was distributed to all frontline officers and staff (i.e. those within uniform response and safer neighbourhood teams). This contains a list of vulnerabilities and warning signs that officers can use to identify vulnerable children affected by or at risk from child sexual exploitation.

Between January and March 2013, the force trained all its 1,700 frontline staff on child sexual exploitation. This comprised a mixture of presentations and group activity within the regular 'Street Skills' training sessions, led by a trainer and designed to provide staff with information on:

- the definition of child sexual exploitation;
- how to recognise the phases of initial contact, grooming and exploitation;
- how to recognise warning signs and risk factors;
- how to deal with child sexual exploitation; and
- the difficulties of dealing with child sexual exploitation.

Although no formal evaluation of the training has been completed, the force Lead for Child Sexual Exploitation was confident that it had been well received. He also reported that following the training there was a significant increase in the numbers of potential cases identified by frontline staff, and that this has continued (albeit at a slightly lower level) through the rest of the year.

## **Staff in communications rooms**

Staff within communications rooms, particularly those who answer calls from the public, have also been provided with information on the features of child sexual exploitation, and how they can help identify children at risk of this kind of offending. They are also aware that calls from members of the public about child sexual exploitation must be prioritised.

## **Specialists**

The specialist child sexual exploitation staff that were recruited after the additional funding from the PCC (see p.19) have been provided with a full day of specific training, focused on their new roles.

## **Strength**

The force has designed a training strategy that has ensured all frontline staff have been provided with information specifically on child sexual exploitation. Background material (aide-memoire and videos) has supported this approach.

## **Area for improvement**

The force has not determined what follow-up training will be provided to frontline staff to ensure the focus on child sexual exploitation is maintained. The force should review its training plan to ensure all staff develop and sustain a good understanding of child sexual exploitation.

## Intelligence gathering

As mentioned in the previous chapter, all frontline staff in South Yorkshire Police have been provided with child sexual exploitation training and aide-memoires to help their understanding and identification of child sexual exploitation. As a result, there has been an increase in intelligence and referral submissions relating to child sexual exploitation.

The force has in the past used intelligence on internet use to initiate investigations into the possession and distribution of indecent images of children (Operation Tharsley). At the time of the inspection, the only district still using this intelligence was Barnsley, which was conducting, on average, three such investigations a month.

The force does not have any trained covert internet investigators (CIIs), although trained staff are available through the regional organised crime unit (ROCU). HMIC was unable to determine when CIIs had been deployed in South Yorkshire to gather or develop intelligence in relation to child sexual exploitation.

At a partnership level, the co-location of multi-agency staff has improved information and intelligence sharing in Doncaster, Rotherham and Sheffield. This has enabled staff to build a better appreciation of the risks each potential child victim faces, and consequently to develop more effective protective measures – although incompatible information and intelligence IT systems mean that staff often have to enter the same information twice.

The position in Barnsley is not so well advanced; there are no dedicated CSC resources currently working with the child sexual exploitation officer.

## Strength

The co-location of multi-agency child sexual exploitation resources in Doncaster, Rotherham and Sheffield has facilitated the more effective sharing of information and intelligence.

## Areas for improvement

The force should review how it monitors the internet for evidence of child sexual exploitation, to ensure intelligence opportunities are not being overlooked.

The force and its partners should examine how it can more efficiently manage the handling of child sexual exploitation information and intelligence. In particular, the difficulties in sharing information within the multi-agency teams at Doncaster and Rotherham (because of incompatible information and intelligence IT systems) should be resolved.

## Innovation

HMIC inspectors identified a number of examples of innovative practice in the force's response to child sexual exploitation. Each of these is considered to be making a positive difference to children's lives.

### Schools

In Rotherham and Doncaster, the district Police and Young People's Officers were actively involved in education sessions in the secondary schools across their district, providing information about internet safety. This enabled children to recognise attempts to sexually manipulate them, and to develop means of managing these risks.

In Rotherham, Police Community Support Officers provided similar information to primary school children.

### Hotel Watch

In Sheffield, police officers had identified that child sexual exploitation perpetrators were using local hotels as locations in which to offend. They successfully persuaded hotel managers across the city to work with them to create processes that would enable the police to respond to any activity that hotel staff suspected to be child sexual exploitation. Hotel staff were provided with training to help them recognise the signs, and police officers were encouraged to provide an appropriate level of response.

This initiative has now been adopted by the Doncaster district. The approach has also been extended by the police working with staff from Sheffield City Council's licensing department, taxi drivers and staff from fast food locations, who have all been trained to recognise and report incidents that they consider could be child sexual exploitation. This approach has been nationally recognised as a good way of working.

### Operation Crib

From interviews with child sexual exploitation victims, the police in Sheffield had identified locations where perpetrators attempt to engage with young girls and women as a means of sexually exploiting them. Sheffield officers conducted structured observations of those locations to identify men whom they suspect to be perpetrators, and their potential child victims. The children are approached by members of the child sexual exploitation unit, in an attempt to gather information or evidence.

## **Abduction Notices**

Across all districts staff regularly use 'Abduction Notices' as a means of preventing and protecting children from the risks of child sexual exploitation. Potential perpetrators (as identified through missing person information or intelligence) are served with notices that inform them that future contact with a specific child will make them liable to arrest and/or prosecution under the Children Act 1989 or the Child Abduction Act 1984.

## **National Working Group**

Officers from the force are members of the National Working Group (see p.10, footnote 8), a charity established to promulgate good ways of working in responding to child sexual exploitation. Through this membership the force has been able to identify good practice from other force areas, and to pass on ideas and initiatives that have been developed in South Yorkshire.

## **Learning from other forces**

Staff and officers have also visited forces which have been identified as having well-developed processes to tackle child sexual exploitation, to identify, understand and learn best practice from them.

## **Strengths**

The force has developed a number of local initiatives that have created additional opportunities to protect children from child sexual exploitation. Some of these ideas have been marketed as best practice nationally.

The force has sought evidence of good ways of working from a variety of sources, and has then embedded some of these practices into their work. These new arrangements are considered to improve the protection of children at risk from child sexual exploitation.

## Benchmarking

The force has started a process to analyse its levels of activity in tackling child sexual exploitation, to provide a benchmark for the future. From 1 January 2013, it has ensured that offences that potentially involve child sexual exploitation are reviewed to see if they match the national definition (see p.10). Where a match is identified, a marker is attached to the crime record to enable all such crimes to be easily identified. This will enable the creation of statistical returns on the level of this type of offending, as well as easier analysis of cases involving child sexual exploitation.

In relation to child sexual exploitation, HMIC does not have any comparative information to use in assessing South Yorkshire Police's performance with that of other forces.<sup>33</sup> However, a recent visit by the College of Policing child sexual exploitation co-ordinator indicated that the force is working in line with the national policing child sexual exploitation action plan.<sup>34</sup>

## Strength

The force has created a mechanism to identify all child sexual exploitation crimes.

<sup>33</sup> Forces recognise child sexual exploitation offences in different ways, which makes it difficult to compare responses to this kind of offending from a national perspective. This is compounded by the fact that there are many different activities involved in the police response to child sexual exploitation; for instance, submissions by frontline officers, referrals to other agencies, and initial contact with potential victims to establish if anything illegal has happened.

<sup>34</sup> *Child Sexual Exploitation Action Plan*, Association of Chief Police Officers, 2012.

## Compliance

The national policing guidance on responding to child sexual exploitation has not yet been published. HMIC therefore assessed the force's performance against the national policing child sexual exploitation action plan (although as a strategic overview document, it does not contain detail on case management and the running of individual units).<sup>35</sup>

HMIC inspectors found that the force's approach mirrors that set out in the national policing action plan. In addition (and as mentioned in the previous section), the College of Policing has recently conducted an assessment of how well the force has implemented the recommendations outlined within the national action plan. This concluded that the force has made good progress and is on schedule to implement the recommendations in full.

HMIC inspectors also looked for compliance with Department for Education guidance on safeguarding children,<sup>36</sup> which includes elements of tackling child sexual exploitation.

Staff within dedicated child sexual exploitation teams were not always compliant with this guidance in three areas:

- a small number of relevant case files did not (as they should) record the fact that children were being protected from child sexual exploitation;
- appropriate strategic discussions were not always taking place with partner agencies, meaning that opportunities to safeguard children might be missed; and
- investigations were not always conducted jointly with partner agencies.

### Area for improvement

Staff within dedicated child sexual exploitation teams are not always complying with statutory child protection guidance. This means children may not be being protected effectively. The force should review the management of cases by staff in the dedicated child sexual exploitation teams, and ensure this always complies with statutory child protection guidance.

<sup>35</sup> *Child Sexual Exploitation Action Plan*, Association of Chief Police Officers, 2012. This action plan was created as a requirement of the national child sexual exploitation action plan, and complements the work undertaken by other national bodies.

<sup>36</sup> *Working Together To Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children*. Department for Education, 2013.

## Robustness of partnership working arrangements

All four districts have created multi-agency relationships to help tackle child sexual exploitation. These include successful engagement with third-sector providers to increase the range of preventive and protective activities to support victims and potential victims of child sexual exploitation. For instance, HMIC found evidence of engagement with:

- Barnardo's, to support locally-based social workers;
- 'Safe@Last', a charity which supplies support across all four districts in respect of gathering of information from missing children and working with children at risk of child sexual exploitation; and
- the Golddigger Trust in Sheffield, a charity which works with the multi-agency team to ensure young people at risk of sexual exploitation have available the support they need.

The force has plans to bring in additional support from partnership resources. For instance, it is currently in negotiation with a further third-sector provider to supply workers to support child sexual exploitation victims associated with gangs.

In addition to these third-sector partnerships:

- in 2013 the force reinforced its commitment to local safeguarding children boards by increasing its representation to chief superintendent level in Doncaster and Rotherham (see p.20); and
- the PCC has achieved a high level of commitment from all four local authorities and other significant agencies for his countywide PCC Safeguarding Forum, which is seen as a significant opportunity for developing multi-agency services. For instance, at the most recent meeting of this forum, a multi-agency communication strategy was approved for the whole county.

However, the level of engagement and commitment from partners varies in each area.

### Strength

The multi-agency working arrangements within the Sheffield Sexual Exploitation Scheme were found to be thorough, and child-focused, and to provide good outcomes for children.



## Recommendations

### Immediately

The force should review the management of cases by staff in the dedicated child sexual exploitation teams, and ensure this always complies with statutory child protection guidance.

The force should communicate and explain to the PCC, staff and other interested parties the delay in deploying the ten additional child sexual exploitation officers to the districts.

Failure to fill a vacant post in the Rotherham team that manages sex offenders means that the remaining officers face an unmanageable workload. The force should review the team to ensure that it has sufficient staff to manage sex offenders in line with national guidance.

The force should review the staffing arrangements within the Hi-Tech Crime Unit, to ensure these are sufficient to manage effectively the demands of a thorough and comprehensive child sexual exploitation strategy.

The force should audit its response to child sexual exploitation, to assess whether the changes it is making are having the desired effect (i.e. of improving outcomes for children), and to identify any further work that is required.

### Within three months

The force should review its internal communication regarding child sexual exploitation and ensure that clear, consistent messages are passed to all officers and staff. The messages should ensure that everyone knows which chief officer is the lead on tackling child sexual exploitation.

The force should review the tool used to assess the risk of child sexual exploitation to ensure it provides the best possible reflection of the level of risk faced by victims. This could involve additional training for those using the tool, or a change to the scoring mechanism used to calculate the level of risk.

The force should translate the PCC's strategic priorities into operational delivery on the ground.

The force should review the workloads of all staff within public protection units to ensure they have the capacity to manage effectively the cases they are allocated.

## **Within six months**

The force should review its training plan to ensure all staff develop and sustain a good understanding of child sexual exploitation.

The force should review the processes in place to respond to child sexual exploitation in all four districts, with a view to creating greater uniformity, and ensuring all areas attain the high standards achieved in the Sheffield district.

The force should review the operation of its local intelligence units to ensure child sexual exploitation is thoroughly supported by an intelligence approach.

The force should review how it can make better use of research and analysis to support strategies to tackle child sexual exploitation.

The force should review how it monitors the internet for evidence of child sexual exploitation to ensure intelligence opportunities are not being overlooked.

The force and its partners should examine how it can more efficiently manage the handling of child sexual exploitation information and intelligence. In particular, the difficulties in sharing information within the multi-agency teams at Doncaster and Rotherham (because of incompatible information and intelligence IT systems) should be resolved.

## Annex A: Terms of reference

### Purpose

To provide the Police and Crime Commissioner with:

- a) an independent assessment of the effectiveness and resilience of the current arrangements in place within South Yorkshire Police to protect children from sexual exploitation; and
- b) recommendations for improvement.

### Scope

The inspection will examine the following areas of police management in relation to the force's response in protecting children from sexual exploitation:

- leadership;
- strategies;
- management;
- training;
- structures;
- processes and any associated blockages;
- intelligence gathering;
- innovation;
- benchmarking;
- compliance with the Government's child sexual exploitation National Action Plan, National Children's Commissioner and Barnardo's recommendations in their 'Cut them Free' campaign; and
- the robustness of partnership working arrangements.

## Annex B: Methodology

The inspection team interviewed:

- the temporary Assistant Chief Constable responsible for child sexual exploitation during the development of the force's action plan;
- the force lead for developing the force's response to child sexual exploitation;
- the force lead for Public Protection;
- the District Commander for Rotherham;
- the operational leads of teams responsible for child sexual exploitation;
- police officers and staff working within teams dealing with child sexual exploitation;
- police officers and staff responsible for managing missing person issues;
- the manager of the force intelligence unit;
- the manager of the force hi-tech crime unit; and
- a manager from a local authority department responsible for the management of staff working with children at risk from child sexual exploitation.

The inspection team inspected the following documents:

- the force policy on child sexual exploitation/missing children/children protection;
- the force guidance/procedure on child sexual exploitation/missing children/child protection;
- the force action plan or equivalent in respect of child sexual exploitation;
- minutes of force governance meetings where child sexual exploitation performance is monitored;
- minutes of local safeguarding children board meetings relating to the development of responses to child sexual exploitation/missing children ;
- performance data relating to responses to child sexual exploitation; missing children; and hi-tech crime unit activity;
- force tasking documents relating to National Intelligence Model (NIM) level 1 or level 2 activity;
- force training plans in respect of child sexual exploitation; and
- problem profiles in respect of child sexual exploitation.

The inspection team reviewed the following information from the force:

- case files relating to investigations into child sexual exploitation (spread across the four local authority areas);

- missing children interventions relating to each local authority area, in respect of children suspected to be at risk from child sexual exploitation;
- referrals from any source relating to internet-enabled grooming;
- partnership referrals relating to children suspected of being victims of child sexual exploitation; and
- intelligence packages relating to child sexual exploitation suspects or victims.

## Annex C: Glossary of terms

### **Children at risk of significant harm**

A child is defined as being at risk of subject of significant harm where there is ill-treatment or impairment of health or development:

- 'ill-treatment' includes sexual and emotional abuse as well as physical abuse;
- 'health' means physical and mental health;
- 'development' means physical, intellectual, emotional, social or behavioural development;
- 'significant harm' turns on the question of the harm suffered by a child in respect of his health and development compared with the health and development reasonably expected of a similar child.

(Section 31(10) of the Children Act 1989.)

### **Children in need**

A child is defined as being a child in need if:

- he is unlikely to achieve or maintain, or have the opportunity of achieving, or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority; or
- his health or development is likely to be significantly impaired, or further impaired, without the provision of such services; or
- he is disabled.

(Section 17(10) of the Children Act 1989.)

### **Child protection plan**

When a child protection case conference decides a child or young person is at risk of abuse or support, he or she is known as a 'child subject of a child protection plan'. This plan outlines what each agency will do to keep the child or children safe.

### **Children's social care team (CSC)**

The dedicated team within a local authority social care department which deals specifically with children who are in need or at risk.

### **Joint or single agency investigations**

Where a case requires further investigation, a decision is made during the strategy discussion on who should do this. In some cases (for example, where a crime has been committed), the case work is likely to be completed by the CSC and police working together. In other cases (for example, where parenting skills are highlighted as an issue within a family), this would be dealt with by the CSC as a single agency.

### **Multi Agency Safeguarding Hub (MASH)**

A joint or multi agency team comprising children's social care workers, police and other agencies such as the health service, probation service and local authority education department. Within these teams, staff members are able to share information easily, as is essential in the successful protection of children from harm.

### **Section 17 enquiries**

Section 17 of the Children Act 1989 places a general duty on the local authority to safeguard and promote the welfare of children in their area who are believed to be 'in need'. Police may find children who are 'in need' when they attend incidents. This section of the Act also requires forces to refer these cases to the local authority.

### **Section 47 enquiries**

Section 47 of the Children Act 1989 sets out the duty placed upon agencies, including the local authority and the police, to make such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard and secure the welfare of any child within their area who is the subject of an emergency protection order; or who is in police protection; or whom they have reasonable cause to suspect is suffering or likely to suffer significant harm.

### **Strategy discussions**

When a section 47 case has been identified, staff from agencies that may hold information about a child or children (for example the police, the health service and the local authority) discuss the case and share information. This is called a strategy discussion or meeting. Decisions about what is the best way in which to safeguard a child or children are made within this meeting, and must be recorded.

<b>ROTHERHAM BOROUGH COUNCIL – Report to Cabinet</b>
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<b>1</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2</b>	<b>Date:</b>	<b>18<sup>th</sup> December, 2013</b>
<b>3</b>	<b>Title:</b>	<b>Integrated Health, Education and Social Care Service for Children, Young People and their Families</b>
<b>4</b>	<b>Directorate:</b>	<b>RMBC CYPS Rotherham Clinical Commissioning Group</b>

## 5. Summary

This report is jointly presented by RMBC CYPS and RCCG. The purpose of this paper is to inform Cabinet of a proposal to integrate services across Social Care, Education and Health for children with a Special Educational Need or Disability (SEND) in Rotherham. This proposal is in line with the government requirements for reforms in commissioning and provision for SEND across Education, Health, Social Care and wider partners as set out in the Department of Health's (DH) SEN Green Paper 'Support and Aspirations; a New Approach to Special Educational Needs and Disability and with joint commissioning as set out in the Children and Families Bill (DfE).

This report sets out the improved outcomes for children and their families, legislative requirements for the council, key principles, benefits and potential risks of this integrated approach and that the proposal is in line with the joint Health and Wellbeing Strategy for Starting Well, Developing Well and Living and Working Well.

## 6. Recommendations

That Cabinet:

- 6.1 Endorse the proposal to work towards an integrated children's SEND, social care, education and health service.
- 6.2 Receive future reports on progress to achieve an integrated SEN service



## 7. Background

### 7.1 National Context:

The SEN Green Paper 'Support and Aspirations; a New Approach to Special Educational Needs and Disability' set out the following vision:

- **Early Identification** – Streamlining assessment processes and development of the Education, Health and Care Plan.
- **Giving Parents Control** – Creation of a 'Local Offer' covering including the choice for families to opt for a "Personal Budget".
- **Improved Learning and Achieving** – improved outcomes for children and young people across schools and colleges.
- **Preparing for Adulthood** – Seamless service 0-25 years with smooth transition
- **Services Working Together for Families** – development and expansion of joint commissioning arrangements

The required timeline for these reforms to be in place is September 2014.

#### Definition of Disability

The 2013 Draft Code of Practice for Special Educational Need (SEN) (Department of Education) defines disability as:

*A child is disabled if he is blind, deaf or dumb or suffers from a mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed. Children Act 1989*

*A person has a disability for the purposes of this Act if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Equality Act 2010*

### 7.2 Current Provision

Currently Social Care and Education provider management responsibilities services relating to SEND in CYPS are shared across the Director for Schools and Lifelong Learning and the Director for Safeguarding Children and Families and between different M3 and M2 managers. There are also health colleagues working alongside the teams but with a different management structure and terms and conditions. The majority of the services are co located at Kimberworth Place and a move to greater integration is the natural next step. However, there is still 'silo' working with little or no integration with partner agencies. Duplication exists and there is no overall strategic approach. There is evidence that documents confusion in the special schools about which service does what.

Most often the first engagement with services for parents or carers of a child with a special educational need or a disability is through health services or educational services separate from social care services. These services are all seen as separate and relationships need to be developed across all services by families or carers to navigate the labyrinth of services this does

not meet any criteria for a high quality service. There should be one access point and a '*one stop shop*' service.

There are isolated examples of joint working currently and these include:

- Co-location of services at Kimberworth Place – a hub for Health (TRFT and RDASH/CAMHS); education and social care teams including: Child Development Centre; Physiotherapy, Occupational Therapy, Speech and Language Therapy, Complex Care Nursing Team, HI and VI service, Psychology, Social Care and Aiming High for Disabled Children Short Breaks for both under and over 8s.
- **Specialist equipment provision** - Specialist Equipment panel for high cost specialist bespoke equipment. Funding is split across TRFT and RMBC (Education, Early Years and Social Care).
- **Team around the Child meetings** - joint meetings across Early Years services and SEND services (**Early Years SEN**)
- **The Rotherham Charter for Parent and Child Voice** – Furtherance of the charter implementation
- **CAMHS** - Development of Autistic Spectrum Disorder pathway working with the Child Development Centre

### **SEND services**

Services across SEND are funded by a combination of revenue and Dedicated Schools Grant (DSG); these services are RMBC unless indicated otherwise and include:

- SEN Assessment team
- Children with disabilities outreach team
- Social Care Disabilities team
- Families together
- Orchard Centre
- Early Years Inclusion Outreach Team
- Parent Partnership
- Parent Carer Forum – RMBC commissioned and VCS is provider
- Portage
- Learning Support Service including the Inclusion Outreach Team and Autism Communication Team
- Visual Impairment Team and Hearing Impairment Team
- Education Psychology
- Aiming High for Disabled Children
- Special Schools x 6
- Child Development Centre – RCCG commissioned and RFT is provider
- CAMHS – Tier 2 and 3 RCCG commissioned (RMBC contribution) and RDASH is provider
- CAMHS – Tier 4 NHS England Commissioned
- Moving and Handling service
- Health Therapy services (SALT, OTs, & Physiotherapy) – RCCG commissioned and RFT is provider
- Complex Care Team – RCCG commissioned and RFT is provider
- School Nurses

### 7.3 Integrated Social Care, Education and Health approach

The approach to deliver improvement in outcomes for children and their families and against the legislative requirements is a service and structural redesign to improve outcomes for all children with additional needs. The approach will be the implementation of a systems leadership approach to an integrated multi-agency, multi-disciplinary, social care, education and health service. This approach will support the implementation of integration in the Green Paper, *Support and Aspiration* and the joint commissioning requirement in the Children and Families Bill.

The key principles enshrined in the legislation are:

- Team around the Child
- Lead Working
- Personalisation agenda
- Birth to 25 years streamlining of CYPS and Adult services
- Rotherham's "Local Offer"

Funding for an interim appointment of a Strategic Lead has been secured and the post is to be jointly recruited with RMBC, CCG and Learners First to lead this critical work over the next 18 months through a robust programme and project management approach. A number of options will be developed to identify the best way forward learning from best practice.

An impact assessment will be completed.

### 7.4 Outcomes for Children, Young People and their families

An tried and tested integrated approach will deliver against the key principles set out above and improve outcomes through the development of a single pathway of care across Social Care, Education and Health for children into services with less confusion across the professional boundaries for the service user and their families. There will also be efficiencies achieved through reduction of duplicated resources.

A multi agency, multi disciplinary integrated Social Care, Education and Health Service would deliver improved outcomes for service users and their families through a one stop shop access model. A joint commissioning approach would enable a strategic approach to the delivery of the SEND reforms including the development of Personal Budgets.

Implementing this approach will deliver the following:

- Improved outcomes for children and their families
- System change with increased VfM and efficiencies
- Mapping pathways from Portage (0-5 years) through to adult services
- Structural change with streamlined, effective and efficient service delivery with reduced resources
- Stronger governance arrangements
- Strategic approach to future delivery against legislation requirements
- The Council and Health partners are able to set a realistic budget within the identified available resources across a pooled budget and achieve efficiencies

The implementation of Personal budgets will be built on the excellent practice established in NAS; this will include the Resources Allocation System (RAS).

The development of a multi agency multi disciplinary SEND team will require:

- Alignment of priorities across each service
- Joint /integrated commissioning
- Agreed information and data sharing protocols
- Actual or virtual pooled budgets
- An agreed Performance Management Framework
- Strategic consultation and engagement protocol
- Identified governance, decision making and reporting arrangements
- Cultural change
- Support where needed, choice where available and development of the children's SEND market to fulfil this

## **7.5 Consultation**

Extensive consultation has taken place with the Rotherham Parent Carer Forum, parents, the VCS, our colleagues in Health and other forums to arrive at this approach to improving outcomes for children and their families and to meet the legislative requirements. Further consultation will take place once the integrated service model has been developed. We are delighted to report that Healthwatch Rotherham have selected our bid for Healthwatch to undertake a 6 month consultation exercise which will involve families with children with disabilities or special educational needs in the development of the new integrated SEND service. This was confirmed at the Health and Wellbeing Board on 27<sup>th</sup> November.

It is to be noted that this report is presented by both RMBC and RCCG to inform Cabinet of the joint approach to commissioning and providing of services going forward.

One of the priorities of an integrated approach will be co-production and it will be ensured that customers including children, young people and their families, schools and other stakeholders contribute to the re-design and delivery of any new service from the outset, including the recruitment of the strategic lead.

## **8. Finance**

Work to deliver the SEND reforms will be delivered within existing resources. It is anticipated that joint commissioning and integrated provision will achieve financial and resource efficiencies for all partners.

Personal budgets will have an impact across services as well as being a significant change for families.

## **9 Risks and Uncertainties**

1. Any decisions made about the progress of the outlined approach will need to consider that partner organisations will also need to meet governance requirements

2. That any efficiency gains achieved will need to be proportionate across the council and health partners
3. Consideration needs to be given to how staff currently employed by one organisation will potentially work within an alternative management and operational structure
4. Any potential pooled or virtual budget will need to be quantified
5. That all parties need to have the same degree of commitment to make this proposal happen
6. That there could be service user resistance to proposed charges

#### **10. Background papers**

- Rewiring Public Services, Children's Services, LGA, 2013
- Evidence for the Frontline, Alliance for Useful Evidence, Dr. Jonathan Sharples, 2013
- Integrated Commissioning Strategy for Early Years services for children with additional needs 2008-2011, Devon County Council, 2008
- The Tail, How our schools fail one child in five: what can be done, Marshall, 2013
- Strategic toolkit for planning integrated working, 4 Children, 2010
- Bright Futures: local children local approaches, LGA, 2013
- Report of the Children and Young Peoples Health Outcomes Forum, The CYP Forum, 2012
- The State of the State 2013, In Search of Affordable Government, Deloitte and Reform, 2013
- Support and aspiration: A new approach to special educational needs and disability, DH, 2012
- Children and Families Bill, DfE, February 2013
- Draft SEND Code of Practice Formal Consultation, DH, 2013

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>18 December 2013</b>
<b>3.</b>	<b>Title:</b>	<b>Housing Complaints - Designated Persons, Housing Ombudsman Service and Housing Complaint procedure</b>
<b>4.</b>	<b>Directorate:</b>	<b>Neighbourhoods and Adult Services</b>

### 5.0 Summary

This report proposes a change to RMBC's existing three stage housing complaints process in response to new statutory requirements (Localism Act 2011) which include a right to have complaints heard by either an independent person or an independent Tenant Complaint Panel.

In order to minimise any additional burden as a result of the new statutory requirements it is proposed to retain an internal two stage process, prior to the required independent stage. In reality this is expected to affect less than a handful of cases each year. (In 2012-13 only two housing "Stage III" complaints were received.)

A summary of the changes are:

- Complaints from tenants and leaseholders now fall under the jurisdiction of the Housing Ombudsman.
- Tenants and leaseholders can refer their complaint to a MP, Councillor or Tenant Complaint Panel following the final decision by the Council.
- A new two stage complaint procedure is created to respond to complaints from tenants and leaseholders on housing matters.

### 6.0 Recommendations

That Cabinet agree to:

**6.1 Adopt a new complaint procedure for Housing as indicated in section 7.3**

**6.2 Create a protocol or memorandum of understanding between the Council and a "designated person".**

**6.3 Acceptance criteria to recognise a Tenant Complaint Panel**

**6.4 Provide a briefing to Councillors and MPs to make sure that they are aware of their new responsibilities.**

## **7. Proposals and Details**

### **7.1 The Current Housing Complaint Procedure**

Currently Housing complaints follow an internal three stage process, as follows:

**Stage I:** Service response. A Manager or Senior Officer will complete the investigation and respond within 10 working days.

**Stage II:** Independent Officer response. An officer working outside the responsible service completes the investigation and responds within 25 working days. The Director responsible is made aware of and reviews the investigation and the decision of the Independent Officer.

**Stage III:** A Members' Complaint Panel provides adjudication and the final decision. The customer has the opportunity to present their complaint in person to a panel comprising of three Councillors who have had no prior involvement in the complaint

**Beyond Stage III**, under previous guidance, complainants could then choose to present matters to the Local Government Ombudsman.

### **7.2 Changes required by new legislation**

The Localism Act 2011, effective from April 2013, introduced changes to the way complaints from tenants and leaseholders should be dealt with by the Council. The two main changes are:

#### **1. Housing Ombudsman**

Under The Localism Act there will be a single mandatory Housing Ombudsman for landlord services. Local housing authorities will become 'registered providers', which is the legal status of housing associations and other bodies registered with the regulator of social housing.

As a result, complaints against local authorities in their role as social landlords (as well as in respect of their ownership and management of leasehold housing) have since 1 April 2013 been considered by the Housing Ombudsman. Previously complaints from tenants regarding local authority housing were dealt with by the Local Government Ombudsman.

In addition, there is now a legal power for the Housing Ombudsman to enforce decisions. The Secretary of State has the ability to enable the Housing Ombudsman to apply to a court to have his determinations enforced when necessary. Previously the Local Government Ombudsman had no legal powers to enforce a decision.

Only those complaints relating specifically to the Council's housing function will be considered by the Housing Ombudsman, this represents a very small number of cases (one or two a year on average, but no full investigations were received in 2012/13). The Local Government Ombudsman will continue to consider complaints regarding Housing Allocations, Homelessness, Disabled Facility Grant Adaptations and ASB that is not caused by Council tenants, and for these matters as there is no independent panel process, it is proposed to retain the councils internal stage three panel.

## **2. 'Designated Person'**

The Localism Act 2011 has also created the new role of 'designated person' for housing complaints. The main purpose of a 'designated person' is to encourage local dispute resolution and to reduce complaints made to the Housing Ombudsman Service.

The designated person can be an MP, a local Councillor, or a recognised Tenant Panel. Tenants will now be able to request that their complaints be considered by a 'designated person' once they complete the internal procedure of their landlord. The designated person may help resolve the complaint directly, may refer the complaint to the Housing Ombudsman or may decline doing either. If they decline doing either, the complainant may approach the Housing Ombudsman directly. The complainant may also approach the Housing Ombudsman directly if more than eight weeks have elapsed since the completion of the Council's internal complaint procedure, without the need to involve a designated person first.

It will be entirely a customer's decision to do this; they will be able to make the choice between going to any of the designated persons or waiting eight weeks and making their own referral to the Housing Ombudsman. They will not be supported by the Council to do this other than being provided with general information regarding the process.

### **MP or Councillor**

A review by an MP or Councillor acting as a designated person would be straightforward to operate. The Council would discuss the issues with them and they would liaise with the tenant and provide their view following consideration of both sides of the complaint. They would also suggest possible outcomes, liaising between the tenant and the Council.

The involvement of a designated person would be after the Council complaints procedure has ended. It would not replace any part of the existing procedure. They would have no powers to enforce a decision; they would simply provide their view and if applicable suggest a possible solution.

M.P.s and elected members have since the 1 April 2013 legally had the potential to be designated persons, but briefing and advice is required to make sure that members are aware of their new responsibilities and a consistency of response is provided.

The complainant has the choice to select any MP or Councillor in the Borough, but there would be a need to avoid potential conflicts of interests. We would expect Councillors and MPs to advise tenants of any conflicts and suggest an alternative. To assist this process it is proposed to create a protocol of understanding to define basic operating procedures for MPs and Councillors, helping to define the role of 'designated person' and how the Council will respond to enquiries.

### **Designated Tenant Panel**

Under the guidance a designated Tenant Panel is one recognised by a registered provider landlord to play a formal role in resolving complaints once the landlord procedure has been exhausted.

A designated Tenant Panel can be established to assist one or more landlords. Equally a landlord can designate more than one Tenant Panel for this purpose. The Council will



determine criteria which they will require panels to meet and will provide the panel with a list of expected operating standards, as part of the designation process.

Through the recognition criteria the Council will ensure that the designated Tenant Panel is properly trained, has the ability to properly conduct meetings in a professional manner and is able to carry out the role with appropriate integrity, confidentiality, and in accordance with legal requirements. Designated Tenant Panels will also be required to have suitable professional indemnity insurance.

In terms of deliberating an individual complaint, the Tenants Panel's involvement would be after the Council complaints procedure has ended. It would not replace any part of the existing procedure. Designated Tenant Panels would have no powers to enforce a decision; they would simply provide their view and if applicable suggest a possible solution.

However, the Council can recognise and register multiple Tenant Panels; it does not have to recognise one group locally. Going forward, it could recognise multiple groups using those available in the wider region. Benchmarking has indicated that other South Yorkshire Local Authorities (Sheffield and Barnsley) have established designated Tenant Panel groups from their existing volunteer framework and are working with them in preparation for the required changes.

An agreed standards protocol between a Tenant Panel and the Council will agree in advance how the Council will respond to a designated Tenant Panel decision. For example, the Council could ask the panel to always present a range of options for resolution and the Council could make it clear that it is under no obligation to accept any decision.

The decision to accept and designate a Tenant Panel will be made on behalf of the Council by the Director of Housing and Neighbourhoods.

### **7.3 The Proposed Housing Complaint Procedure.**

In light of the new guidance it is proposed to create a three stage complaint's process with the existing first two internal stages being retained, but the existing stage three panel being replaced by the 'designated person' process, for the handful of cases which now fall under the jurisdiction of the Housing Ombudsman Service. This change will avoid what would in effect otherwise be a four stage process. It will also ensure our processes comply with government guidance and bring us in line with neighbouring Local Authority Landlords.

Consequently the proposed new complaints process will be as follows:

**Stage I:** review by the responsible service. A Manager or Senior Officer will complete investigation and respond within 10 working days.

**Stage II:** response by independent officer and Director review. An officer outside of the responsible Service will complete the investigation and respond within 25 working days. The Director responsible for the Authority housing function will review the investigation and the decision of the Independent Officer, which will be indicated in the response.

**Stage III:** The customer has the option of contacting a Designated Person/Tenant Panel or self-referring to the Housing Ombudsman Service after eight weeks.

## Required Actions

Subject to the agreement of cabinet to this report, the following actions will now take place:

- Agree the protocol of understanding between the Council and a “designated person”.
- Designate a Tenant Panel and register it with the Housing Ombudsman.

We will also agree the panel operating criteria, we will set out standards for the panel, including training requirements for panel members and how complaints should be best considered to ensure fairness and transparency.

- Brief Councillors and MP's to make sure that they are aware of their new responsibilities.
- Agree the amendment to existing complaint literature to provide information to tenants about the new process, to allow them to make informed choices about the options available to them following completion of the Council's complaint procedure.

## 8. Finance

The Housing Ombudsman requires an annual subscription payment by the Council. This is expected to start from April 2014 but a decision regarding the payment has not yet been finally agreed by the Secretary of State and the Housing Ombudsman.

The annual subscription payment is proposed to be £1.47 per housing unit, this means the cost to the Council would be approximately **£30,874.41** (the current housing unit total is 21,003).

Regarding the operation of a designated Tenant Panel, guidance suggests that the panel needs to be resourced primarily by the landlord. These costs will include the training of panel members and the operation of panel meetings. As yet these costs are not determined but are expected to be met from the Housing Revenue Account and to be negligible.

## 9. Risks and Uncertainties

This is a new way of working with new legislation; the full implications of the changes are unknown.

Although a new internal two stage complaint procedure could mean a potential loss of a third opportunity to resolve a complaint prior to a complainant escalating their concerns to the Housing Ombudsman, it should be considered that the new Designated Person's process will provide some opportunities for further resolution, if the complainant chooses to take this route. Therefore it is not expected that there will be a significant increase in complaints being referred to the Housing Ombudsman.

The new stage two complaint process must have robust mechanisms and safeguards in place to guarantee the quality of the response and to make sure that decisions fully consider all options and outcomes, as this will represent the last chance within the Council's control of resolving disputes.

The Council should be wary of potential implications of not being able to accept a decision requested by the designated person. It is now no longer a matter of not being able to agree an outcome with a customer, the Housing Ombudsman will want to know why we have not been able to reach an agreement with both the customer and designated person.

The Housing Ombudsman will have the power to go to court to enforce a decision, the implication of this new power would be that if the Council was not able to reach a settlement it could potentially have to face additional legal costs as well as damage to its reputation.

## **10. Policy and Performance Agenda Implications**

In line with the NAS Service Plan and the Corporate Plan the changes will allow us to work with tenants in a new and better way to improve services. It will improve perceptions around fairness and transparency and help maintain more accessible and efficient services.

For the first time how we would deal with complaints about housing is mentioned in legislation; Localism Act 2011, 180 (1) – Amend Schedule Two; Housing Act 1996 Designated Tenant Panels.

## **11. Background Papers and Consultation**

- Localism Act 2011 - Chapter 6, Other Housing Matters

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1.	Meeting	The Cabinet
2.	Date	18 <sup>th</sup> December 2013
3.	Title	Revision of RMBC's Council Housing Allocations Policy
4.	Directorate	Neighbourhoods and Adult Services

## 5. Summary

RMBC's Allocations Policy was last substantially amended in January 2010, and it now needs to be revised again to take into account the new flexibilities and opportunities offered to social housing landlords by the Localism Act 2011, and to make the system as fair as possible. We also need to review the Allocation Policy because of the size of the Housing Register, the likelihood it will increase if we do nothing and to take account of the circumstances of local people and firmly base the Policy on addressing housing need.

The proposals contained in the report have been considered by Improving Places Select Commission, Cabinet Member for Safe and Attractive Neighbourhoods, various stakeholders, applicants and staff. The consultation period has spanned over 1 year; the 3 key messages that people told us they would like to see change are:

1. Council houses should be for people in housing need
2. Rotherham Council homes should be for local people
3. Council tenants with breaches in their tenancy shouldn't be given another Council home

A summary of the feedback has been incorporated into Appendix 1 and the draft version of the Allocation Policy (See Appendix 2) now requires approval from Cabinet Member, Cabinet and full Council for formal adoption in June 2014. If the proposed policy is approved we will write to all applicants to explain the changes during March 2014.

## 6. Recommendations

### That Cabinet:

- **AGREES THE AMENDMENTS IN THE ALLOCATION POLICY DETAILED IN SECTIONS 7.2, 7.3 and 7.4**
- **AGREES TO ADOPT THE REVISED ALLOCATION POLICY DETAILED IN APPENDIX 2**

## 7. Proposals and details

### 7.1 Reasons for revising the Allocations Policy

The Localism Act 2011 seeks to devolve responsibility back to councils, allowing more decisions about housing to be taken locally. In the case of allocating housing, this means local authority landlords are able to apply locally determined criteria to their housing registers and no longer have to operate open registers, with the expectation from central government that social housing should be offered to those people in housing need.

The Council's Housing Register currently contains 25,314 applicants, and the vast majority of these are adequately housed, placed in the General group and do not currently need a Council house, although they may aspire to live in a Council home in the future. The main problems this causes are as follows:

- It is an expensive and inefficient use of Council resources to provide administration for such a large list
- People with no housing need are allocated social housing, such as owner occupiers or existing tenants who are adequately housed, which means those with a real housing need have to wait longer, causing frustration and anger with the Council
- People who have registered an application for future use and then become in housing need are unwilling to be assessed for a priority group for fear of giving up their General date
- We have an inaccurate picture of need and demand in Rotherham as nearly 20,000 of the people on the register do not bid for properties, and therefore do not currently need a Council home, although they may aspire to live in a Council home in the future
- The number of applicants is likely to increase throughout the recession and beyond, as will the cost of carrying out annual reviews and administration

This report proposes that we change the current Allocations Policy and process in order to address these problems, to take into account the new flexibilities offered in the Localism Act 2011, and to make the system as fair as possible. In order to ensure households who may no longer qualify for social housing in Rotherham, either because they have not lived in the area long enough, or because they cannot demonstrate that they qualify for other reasons, we propose that we operate a housing options approach alongside the housing register. This will include help to access alternative housing in the private rented sector.

The Allocations Policy was last substantially updated in January 2010, with further minor amendments in February 2011, and RMBC's response to a Government Consultation on Allocation of Accommodation was reported to the Overview and Scrutiny Management Board in March 2012.

### Consultation

When there is a "major change of policy" on allocations RMBC has a statutory duty to consult other social landlords with whom it places people from its housing register. As the proposed policy is "an entirely new approach to the letting of accommodation" it is clearly a "major change of policy". Section 166A(13) of the Housing Act 1996 (inserted by the Localism Act 2011) states that before adopting an allocation scheme, or making an alteration to their scheme reflecting a major change of policy, a local housing authority in England must:

- (a) send a copy of the draft scheme, or proposed alteration, to every private registered provider of social housing and registered social landlord with which they have nomination arrangements  
and
- (b) afford those persons a reasonable opportunity to comment on the proposals.

Therefore on 5th November 2013, a copy of the proposed policy will be sent to every RSL's with properties in Rotherham with whom RMBC places people from its housing register, giving them opportunity to comment by 30th November 2013

To ensure that we involved local residents in the proposed changes we implemented a consultation timetable which captured the views of local communities, elected members, applicants, tenants on the housing register, stakeholders and staff.

The consultation has spanned over 1 year and has been conducted through various methods such as information at roadshows, publishing surveys on the internet, conducting face to face surveys with applicants in the Property Shop and with Rotherham residents at the Rotherham Show, undertaking workshops with staff and elected members, delivering presentations to various stakeholders such as Rotherfed, Rotherham Older People Forum (ROPES) Area Assemblies, and Improving Places Select Commission.

The results have been clearly analysed, and are reflected in proposed changes to the Allocation Policy. See Appendix 1

An Equalities Impact Assessment has also been conducted and consideration of equalities issues has been considered and included into the proposed changes.

Taking the feedback from the consultation and the Equalities Impact Assessment into account each of the proposed changes is set out in 7.2 below.

## **7.2 Proposed changes**

### **7.2.1 Operate a Local Connection Criteria; A person will qualify to go on the Housing Register if they have a local connection to Rotherham for a minimum of 3 years**

The current Allocation Policy allows people who don't live in Rotherham to join the housing register. The vast majority of people who were involved in the consultation agreed that we should change the current policy and have a 3 year local connection rule, and this will ensure we have the same rules as Doncaster. There were concerns that people who couldn't access Doncaster's and other Local Authorities registers would come to Rotherham, which would mean local people in Rotherham having to wait longer. Although there is only Doncaster, in the South Yorkshire sub region who have considered a local connection policy, there are many other Local Authorities with new local connection allocation policies such as Northampton, North Yorkshire, York, Leicester, East Riding, all have varying local connection criteria but none have exceeded 5 years. The Department for Communities and Local Government are also in the process of publishing statutory guidance on social housing allocations and local connection, which will strongly encourage all local authorities to adopt at least a two year residency test as part of the qualification criteria.

The proposed new policy for Rotherham is that a person has a local connection where:

- They have lived for the last 3 years in Rotherham through their own choice.
- They are currently employed in Rotherham and have been for the last 3 years
- They have direct family who live in Rotherham and they have done so for the last three years. Direct family members include spouses, civil partners, parents, sons, daughters, brother and sisters.

The three year residence rule will not take account of time spent resident in the borough where applicants have been rehoused in temporary accommodation in Rotherham by another Local Authority in a bail hostel or other such accommodation, detained in the district under the Mental Health Act, receiving specialist hospital treatment, in occupation of a mobile home, caravan or motor caravan which is not placed on a residential site, in occupation of a holiday letting this includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday

The proposal is that there will be cases that will be exempt from the Local Connection Criteria, these are:

- Members of the Armed Forces and former personnel where the application is made within 5 years of discharge
- Bereaved spouses and civil partners of members of the Armed Forces leaving service family accommodation following the death of their spouse/partner.
- Relationship breakdown and divorcees of members of the Armed Forces where the application is made within 6 months from date of separation
- Serving or former members of the Armed Forces who need to move in urgent circumstances because of serious injury, medical condition or disability sustained as a result of their service irrespective of when this was.
- Homeless applicants accepted as owing a duty as defined in Part VII of the Housing Act 1996
- Applicants considered via the Witness Protection Scheme as agreed by the Housing Options Manager

**7.2.2 Operate wider qualifying criteria. This will mean some applicants won't be accepted onto the Housing Register and some households will be removed from the current Housing Register who are currently in the General group.**

Currently because of the way the policy works there are various examples of properties that have been let to applicants in the General group with no housing need in preference to those who have been in greater need.

The pressure on Council and other affordable housing in Rotherham has never been greater, and the Council is responsible for helping those who are in the greatest need. There is a view that it is no longer possible or appropriate to allow people to move in to a Council house purely based on how long they have been waiting, if they have no actual need for Council housing. One of the possible approaches is to remove this group altogether from the housing register to ensure the register reflects current housing need, and not overall general demand / aspirations. We will move people who are in housing need from the General group into an appropriate 'current need' housing group.

The people who were consulted preferred this approach.

We therefore propose that in the new policy the following applicants won't qualify to join the housing register in the future and also we propose to cancel/close the following households in the current General group:

- Households living with family/friends/dependants who do not currently want to move home but have registered just in case they need to move in the future
- Households who are living in private rented homes who do not currently want to move home but have registered just in case they need to move in the future.
- Households subject to a relationship breakdown who no longer need to move home.
- Applicants who have previously been evicted from a Council or Housing Association secure tenancy in the last 5 years due to breaches of their tenancy conditions
- Current and Former Council Transfers with tenancy breaches that in the opinion of Council, affects the applicants suitability to be a tenant
- Home owners with no medical needs
- Households with savings over £16,000 with no housing need.
- Service Sector tenants living in tied accommodation, they will be able to re-apply and be considered in Band One when their employment ends and require alternative housing
- Applicants who live outside of the Borough with no local connection to Rotherham as per local connection criteria (See Section 2.2 of the Allocation Policy)

Of the 25,314 applicants on the Housing Register (in February 2013), approximately 19,000 are in the 'General' group. The vast majority of people in the General Group never bid, as there is a historical culture in Rotherham that people should put their name down in case they need a house in the future as their waiting time will qualify. Anecdotally, the types of circumstances of some people who are in the General category:

- People who are adequately housed, but expect to want a Council bungalow when they are older
- People who already own a home now but may wish to sell or rent this out and move into a Council house in the future. At the moment home owners of all age groups can bid on any property.
- Service tenants who live in tied accommodation who registers for the future when their employment ends
- People who feel that a Council house would be a good safety net in case their situation changes in the future e.g. if they lose their job
- People who are existing Council tenants who are adequately housed in the right size property with no medical need to move, but who aspire to move

Currently of the people in the General group who do bid, many are in some form of housing need, for example people living with family or friends who need to move on, or dependents who are ready to take on a tenancy, or people who have suffered a relationship breakdown. These people are often reluctant to move to a priority group due to the concept that their waiting time will enable them to get a Council home quicker.

Any changes to the Allocation Policy must be transparent and be communicated effectively and clearly.

We propose to write to all General group applicants to explain:

- The reasons why we are taking these actions
- That unless we hear from them within a certain time frame their application will be closed/ cancelled
- That if they do currently need to move to a Council home, they should contact Key Choices to update their circumstances. Their application will be changed to the relevant group and dated to reflect the date their circumstances changed and they will have a much better chance of getting a Council home as 90% of properties are made available to categories within the Register of Housing Need.

The recommended approach is to ensure the register contains households in housing need. However in some cases where there are households in housing need but have not made bids, these will be considered and re-dated to when their circumstances changed. (Possibly due to the fact that some applicants may have considered making a bid but were put off because of their lengthy queue position).

The preferred method as opposed to cancelling ineligible housing applications is to close the live application on the Abrtras ICT system. This means that the application will be removed from the Housing Register and won't be included in any statistic but the application is held on file. This can then be easily resurrected if the applicant later approaches in housing need (they will also retain the same application number). If the application is cancelled and the customer re-approaches then they will need to complete a full new application as their details will have been removed from the system. Housing Options will be provided to those households who do not qualify, for example advise to access accommodation in the private rented sector or home ownership.

### **7.2.3 Create a Transfer Register by moving the applications from Council tenants with no tenancy breaches in the last 2 years from the current General group into a Transfer Register**

A Transfer Register will only contain applications from Council tenants with no housing need wanting to transfer to another Council home.



Currently Council tenants with tenancy breaches are allowed to transfer to another Council home, any unauthorised repairs are subsequently recharged to this tenant. Overwhelmingly the majority of people who were involved in the consultation agreed that Council tenants who have any breaches in their tenancy condition should not be allowed to transfer to another Council house, but thought that we should reward the good tenants and allow them to move. This supports the existing Local Lettings Policy for new build homes, where preference is given to existing Council tenants with a good tenancy record for the last 2 years. Council tenants in housing need eg people wanting to downsize due to bedroom tax, or people with medical issues where their current property isn't suitable will be placed in one the priority groups

#### **7.2.4 Create a Register of Housing Need with 3 groups**

The current Register contains over 25,000 applicants, the vast majority of whom do not need a Council house at present. By creating separate groups we can have a clear picture of who is in housing need, and which applicants would like a home in the future. When quoting housing need figures, we will quote the number of people on the Register, which we anticipate would be under 10,000 under the new proposed system.

**The proposed 3 new groups to the Register of Housing Need as follows:**

- **Current Priority Plus group rename to Band One or High Need**
- **Current Priority group rename to Band Two or Medium Need,**
- **Merge the current General Plus and General groups and rename to Band Three or Low Need**

We currently maintain an open Housing Register and anybody can apply for a Council house. Once an application is received the person is awarded into one of categories:

<b>Current Need Category</b>	<b>Definition</b>
Priority Plus (P+)	Households who require immediate housing and are considered for all vacant Council properties
Priority (P)	People who experience urgent housing need and require moving due to specific circumstances
General Plus (G+)	Applicants who are entitled to reasonable preference on a non-urgent basis
General (G)	Applicants who have no reasonable preference entitlement/priority need

The names of the categories are not as clear and descriptive as they could be. Use of the term 'priority' suggests the Council sees some groups of people as having more importance than others. It would be more logical and simpler to define the categories into Bands 1 to 3 and have a Transfer band to reward good Council tenants with no tenancy breaches

### **7.3 Make changes to the advertised quota**

**7.3.1 Advertising Quota** – The proposal is to retain the current rule that all vacant dwelling are offered to Band One (previously Priority Plus) ahead of other bands, retain the percentage of properties advertised to Band Two 50% (previously known as Priority group), but include a quota in Band Three of 40% (previously General Plus and General) and include a new proposed Transfer Band with a 10%. quota

Currently the Council operates a choice-based lettings (CBL) system. All vacant properties are advertised in the Key Choices Letting Scheme; 50% of properties are advertised as giving preference to bidders from the 'Priority' Group and 50% to the combined General groups (30% General Plus and 20% General). This is computer generated to ensure a fair distribution of properties between the categories. Any applicant can bid for any property – and the property will be offered to the person in the appropriate group with the longest waiting time. Households in the Priority Plus Group require immediate housing, and will be considered first for all properties, ahead of any other group.

The proposed change would increase the number of properties that are currently allocated to people in Band Three in housing need. The reason why this quota has been increased as opposed to Band Two is due to the fact that we have merged together a large volume of applicants from the General Plus and the people in housing need from the General Band which means that Band Three will contain an extremely high volume of applications in housing need compared to less applications in Band Two. However it is recommended that the quotas are reviewed annually, see table below.

Old group	Old quota	New Band	New quota
Priority Plus	100%	Band One	100%
Priority	50%	Band Two	50%
General Plus	30%	Merged to Band Three	40%
General	20%		
		Separate Transfer Band	10%

The bidding process will remain unchanged, where all applicants can bid for any advertised group, and where there are multiple bidders within a group, preference will be given according to length of waiting time.

The properties will continue to be offered on a quota basis, which will assist in creating sustainable and balanced communities. It will also ensure that those people living in unsuitable housing, which include children living in flats, non-statutory homeless households etc are able to access Council housing. If the properties were not advertised on a quota basis and were only allocated to Urgent group people first ahead of others, those in the Unsuitably Housed group would have very little opportunity to access Council housing as they would always be placed last in the shortlists.

The properties will initially be offered to the Band One, and then to the advertised group, where there are no suitable bidders from band 1, the next group in the sequence will be selected and so on. Properties will be advertised and the shortlist will be sorted as follows:

Advertised to Band Two (50%): Band One, Band Two, then Band Three, then Transfers

Advertised to Band Three (40%): Band One, Band Three then Transfer Band

If it is decided that 10% of properties should be advertised to Transfers, the process would be:

Advertised to Transfer (10%): Band One, then Transfers, then Band Two, then Band Three

#### **7.4 Within the Register of Housing Need categories, make the following amendments:**

**7.4.1** The proposal is to re-date the following households currently in the General group who have made a bid in the last 12 months to the date the household became in housing need (which should coincide with the earliest bidding date) and place in the appropriate band:

Existing	New Band
Priority Plus	Retain all applications and rename to Band One

Priority	Retain all applications and rename to Band Two
General Plus	Retain all applications and merge to Band Three
General	Remove some applications and merge the remaining applications to Band Three
General	Retain Council tenants in the current general group with no tenancy breaches in last 2 years and move to the new Transfer Band

Move and re-date the following categories from the General group as follows:

#### **Move to Band Three**

- Households living with family / friends / dependants, and who are ready to live independently but cannot afford other housing options such as private rented or owner occupation,
- Households who are subject to a relationship breakdown
- Households living in private rented homes but are struggling to afford the rent, this would be determined by affordability checks analysing income and expenditure.

#### **Move to Band Two**

- Households with medical need who choose to stay in the general group
- Homeless households who choose to stay in the general group

#### **Move to the Transfer Band**

- Council tenants with no tenancy breaches in the last 2 years.

Any other household currently in the general group in housing need will be moved to the appropriate Band.

The recommended approach is to re-date the applications to reflect the date when they became in housing need, this will ensure all applications in Band Three or the transfer Band have no long standing housing register dates. However in some cases where there are households in housing need but have not made bids, these will be considered and re-dated to when their circumstances changed. (Possibly due to the fact that some applicants may have considered making a bid but were put off because of their lengthy queue position)

#### **7.4.3 Add Armed Forces provision into Band One**

The Localism Act 2011, Regulation 2 amends section 166A(3) of the Housing Act so that local housing authorities in England must frame their Allocation Scheme to give additional preference to Members of the Armed Forces personnel and their partners in urgent housing need who were / are serving in the regular Forces at any time preceding their application. This also applies to bereaved spouses or civil partners where they cease to be entitled to occupy Ministry of Defence accommodation.

It is proposed that Emergency status in the current Allocation Policy be applied to those serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service, and Former Members of the Armed Forces and bereaved spouses or civil partners in Urgent Housing Need. This will be applied to partners and spouses if they have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces.

#### **7.4.4 Review applications with rent arrears and cumulative debt as per the Council's Rent Policy**

A new rent arrears policy is being developed separately. This will apply to applicants with cumulative outstanding debt to the Council, Housing Associations or Private Landlords that are based in Rotherham. Outstanding debt will include rechargeable repairs/ damages, rent in advance loans, furnished or district heating charges, and money owed to Key Choices Property Management. The proposed new policy for allocation is for the policy eligibility rules to change from the current provision that applicants will be eligible to move following 13 weeks consecutive payments of a minimum of £2.50 per week to reducing the total debt by 25%

#### **7.4.5 Make changes to policy and procedures in order to more effectively manage the Housing Register and encourage behaviour change:**

##### **7.4.6 Once an applicant has refused two offers their application should be cancelled**

Under the current policy, the bidder with the longest waiting time within the specified category will be offered the property. If the person accepts the offer they move in and their details are removed from the Housing Register. If they refuse the offer, the property is offered to the person with the second longest waiting time and so on. If a person refuses the offer of a property they have bid on they are allowed to remain in the category and bid for further properties.

Under the new proposals once an applicant has refused two offers their application would be cancelled. The main reason for this proposed change is to prevent people from repeatedly bidding for properties they are not seriously interested in (thus reducing the administrative burden), and to ensure that only people who are in genuine housing need can remain on the Register of Housing Need.

##### **7.4.7 Once a person has decided and agreed to have major adaptations work that meet their long-term needs their application should be cancelled.**

The main reason for this proposed change is to prevent people who have requested and have been assessed for major adaptation work that meet their long-term needs and then utilise their live application to move following the installation of major adaptations, most of which have incurred costs to the Council of over £1000. It is proposed that during the application for adaptations the customer is advised of their housing options, one of which is to transfer to an adapted home or where the customer prefers to remain in their own home and have the adaptations fitted that meet their long-term needs that any previous housing application should be cancelled. Where adaptations are fitted to assist the household with daily living, pending a move, the application will remain live.

##### **7.4.8 Once an application has been cancelled for any reason, the applicant should not be allowed to re-enter the Housing Register for 24 months, unless their circumstances change**

The current Allocation Policy sets out circumstances when an application will be cancelled, for example where a tenant has been evicted, where an applicant is granted a new tenancy by the Council, or where a tenant has accepted a mutual exchange. When a person is evicted for breach of tenancy conditions, their live application is cancelled, but they can apply to re-register a new application immediately. Some people who have committed serious breaches are excluded from registration for a set period of time, others are allowed to re-register.

Under the new proposals once an application has been cancelled for any reason, the applicant would not be allowed to re-enter the Housing Register for 24 months, unless their circumstances change. The reasons for this proposed change are that it will:

- Ensure consistency
- Prevent people who have been evicted from a tenancy from repeatedly moving around

- Reduce void and administration costs
- Restrict new tenants from registering an application within the first 24 months of their new tenancy
- Assist in creating settled communities and improving community cohesion within estates.

We will ensure officers use their discretion in cases where people's circumstances change.

**7.4.9 Once an applicant that has been accepted as statutory homeless refuses one suitable private sector offer, or one Council or RSL offer, they will be moved down to the Band Three. On acceptance of a private rented offer their application should be cancelled.**

The Council now has the power (through the Localism Act 2011) to discharge its statutory duty to homeless people by making an offer of a suitable *private sector* property. Implementing this change will ensure that homeless applicant have broadly similar opportunities to other applicants.

A private rented sector offer made under homelessness legislation is intended for a long term settled move. In order to discharge the homelessness duty the private rented sector offer has to be on a 12 months tenancy. This means that both the landlord and tenant have made a commitment for a 12 month period. If the housing application wasn't cancelled when rehoused the tenant could move before the 12 month period ended and they would still be liable for rent payments to the Private Landlord. Even though the application is cancelled the person will be protected for 2 years if they become homeless as the Council will have a duty to offer alternative housing under homelessness legislation, irrespective of whether they are in priority need as long as they didn't become homeless intentionally.

**7.4.10 Encourage all new tenants to sign a direct debit or standing order form to pay their rent, and have the right not to offer a property to customers who cannot afford to take on a tenancy.**

When Universal Credit is implemented tenants will receive all their benefit payment via a bank account. The direct debit or standing order for rent payments will not only facilitate easier payment methods for the customers but will also reduce the risk of uncollected rent.

Currently applicants are provided with advice and information regarding affordability at the "Its Your Move" meeting. To avoid people who cannot clearly afford to take on a tenancy the affordability check will be undertaken earlier in the process for example when the applicant first registers. If an affordability check determines that a customer would struggle to afford the tenancy, the officer would try to encourage the applicant to re-consider and wait until their circumstances change. However if the applicant insists that they can afford the tenancy and wishes to take it on there is no provision in the current Allocation Policy for officers to refuse to make an offer on that basis.

Unless we find new more efficient ways to collect rent, there is a possibility that using existing rent collection ratios there would be a need for over 30 additional rents staff to allow for the effects of Universal Credit.

**7.4.11.** Following the initial mail-out, stop all annual reviews as the resources spent on this costly administration would be better deployed on advice services to people on the full range of housing options in Rotherham

This was recommended by the people who were consulted.

## **7.5 Next steps**

- Send a copy of the proposed policy to every RSL's with properties in Rotherham , giving them opportunity to comment. (Send out 5<sup>th</sup> November 13, comments back by 30th November 13)
- Submit the final report (with revised Allocations Policy appended) for formal sign-off, to Cabinet and Full Council in December 2013/January 2014

- Produce a new Summary Guide to the Allocation Policy in February/March 2014
- Make changes to the ICT – which will take 5 to 6 months
- Write to all people on the Housing Register within one month of formal approval for adoption to notify them of the new policy which will commence in mid to late summer.

## **8. Finance**

Implementation of the changes proposed in this report will help us to house homeless people more expediently and therefore reduce the cost to the Council of temporary accommodation.

It currently costs the Council approximately £10K per annum to send out annual letters to people in the General housing group, i.e. those who do not currently require housing. This would be straightforward revenue saving if we stop providing administration to people who are not currently in housing need.

Although the removal of administration for the General group will result in some internal changes to staff workloads this will not have an impact on staffing budgets but will enable the service to adequately deal with the increase in demand for support and advice currently being experienced.

Following the completion of the revised Allocation Policy, a summary booklet will be amended and issued to existing and new applicants. This will incur a one-off cost of around £1.20 per applicant, which includes postage.

Most of the changes needed to the ICT system can be undertaken in-house at no extra cost, however there may be some more complex changes required which will incur a cost of £140 per day. This is envisaged to take no more than 5 days. The costs will cover amendments to the Housing Register and choice based letting module rules which ensure applicants are placed in the correct bidding queue position.

Changes to the Allocations Policy will need to be effectively communicated to staff. This training will be undertaken in-house by the Housing Options Manager.

## **9. Risks and uncertainties**

Risk 1: If we continue to operate a single, open Housing Register with the General group being able to access 20% of all properties, the number of applicants is likely to balloon, and to the detriment of families who are struggling to find a decent home at an affordable rent level. Rotherham may also see an increase in applications from residents of neighbouring local authority areas who are considering applying local connection criteria to their housing registers. By making the changes proposed in this report we will effectively manage people's expectations, without excluding anyone from the register.

Risk 2: The main risk associated with reducing the number of properties we make available to people in the General group is that of increased dissatisfaction with the Council, but we will mitigate this by ensuring a careful and robust communication strategy.

Risk 3: Rotherham has a strong focus on encouraging and supporting sustainable communities and by reducing the percentage of properties that go to people who do not need rehousing, and are not bidding, this may lead to a greater number of tenancies being issued to households who are in need of housing. However, it should be noted that households in housing need are not always deemed to be vulnerable people, and the proposed changes do still ensure that a proportion of properties go to the Unsuitably Housed (and possibly General) groups, enabling us to continue to achieve a degree of balance.

## **10. Policy and Performance Agenda Implications**

Ensuring the Council's Housing Allocation Policy is as fair as possible will contribute to two of the priorities of Rotherham Partnership's Community Strategy: *Ensure the best start in life for children and families*, and *Support those that are vulnerable within our communities*.

It also contributes to four of the ten commitments within our new Housing Strategy:

- Commitment 1: We will deliver Council housing that meets people's needs
- Commitment 2: We will increase and improve the supply of affordable rented housing
- Commitment 6: We will help people to access the support they need
- Commitment 7: We will help people in Rotherham's most disadvantaged communities

## **11. Background papers and consultation**

### Background papers

- RMBC's Housing Allocations Policy, December 2008 (updated February 2011)
- RMBC's Response to Government Consultations; Allocation of Accommodation and Social Housing Fraud, Overview and Scrutiny Management Board, 23<sup>rd</sup> March 2012
- Laying the Foundations: A Housing Strategy for England. CLG, November 2011
- Localism Act 2011
- Discharge of Homelessness Statutory Duty, Cabinet, 18 July 2012

### Consultation

Consultation was carried out during summer 2012 as part of the wider housing strategy consultation, and a consultation timetable has been implemented during 2013. We recorded a diverse range of opinions – initially some thought we should continue to maintain an open Housing Register, however more recently the majority of people thought we should prioritise Council housing for those in need.

Once the proposed changes have been agreed we will implement a robust communication strategy to ensure all housing applicants are aware of the changes and how they will benefit.

## **12. Contact details**

Sandra Tolley, Housing Options Manager  
[Sandra.tolley@rotherham.gov.uk](mailto:Sandra.tolley@rotherham.gov.uk) / 01709 255619

**Allocation Policy Consultation Timetable and Summary of Feedback (Appendix 1)**

<b>Stakeholder</b>	<b>Format</b>	<b>How</b>	<b>Venue</b>	<b>Date</b>	<b>Lead Officers</b>
Current and Future applicants (2012)	Workshops Surveys	Emails / invitations to public events to communities of interest and other key distribution lists including Supporting People providers, housing associations. Taras etc Online survey face to face surveys	Springwell Gardens x 2 Rotherham Show Online	11 <sup>th</sup> July 2012 16 <sup>th</sup> August 2012 September 2012	Sandra Wardle Jill Jones
Area Assembly meetings	Presentation	Workshops Discussions	Various venues	<ul style="list-style-type: none"> <li>- Chairs meeting - 18th June 12</li> <li>- Wentworth North – 9th July 12</li> <li>- Rother Valley</li> </ul>	Jane Davies -Haire



				West – 9th July 2012 - Rotherham North and Rotherham South focus group – 16th July 2012 - Wentworth Valley – 24th July 2012 - Revisited October 2013	
Supporting People Forums	Presentation	Workshops Discussions	Unity Centre	August 2012	Jane Davies -Haire
Sessions with learning from customers	Presentation	Workshops Discussions	Unity Centre	August 2012	Jane Davies -Haire
Tenant Quality and Standards Monitoring Group	Presentation	Workshops Discussions	Various Venues	August 2012	Jane Davies -Haire
Strategic Housing Partnership	Presentation	Discussions	Various Venues	July 2012	Jane Davies -Haire
Other Local Authorities in Yorkshire Region	Written Verbal	Emails Workshops Meetings Yorkshire and Humber	Various Venues	July 2012 onwards	Sandra Tolley Sandra Wardle Jill Jones

		Homelessness forum CBL North group			
Current and Future applicants (2013)	<ul style="list-style-type: none"> <li>- Written</li> <li>- Face to face</li> </ul>	<ul style="list-style-type: none"> <li>- Surveys</li> <li>- News Articles</li> <li>- Road shows</li> </ul>	<ul style="list-style-type: none"> <li>- Customer Services Centres</li> <li>- Property Shop</li> <li>- Shiloh</li> <li>- Gate Surgery</li> <li>- Visits</li> </ul>	June 2012 to 30 <sup>th</sup> August 2013	Sandra Wardle Jill Jones James Greenhedge
Elected Members including Improving Places Select Committee	Seminar and written	<ul style="list-style-type: none"> <li>- Workshop</li> <li>- Report</li> <li>- Briefings</li> <li>- Discussions</li> </ul>	Town hall	August 2012 24 <sup>th</sup> July 2013 August 2013	Sandra Wardle Jill Jones
Rotherfed	Presentation	<ul style="list-style-type: none"> <li>-Workshops</li> <li>-Discussions</li> </ul>	At Rotherfed	August 2013	Sandra Wardle Jill Jones
Staff	Presentation	<ul style="list-style-type: none"> <li>- Discussions at team meetings</li> <li>- Briefings</li> <li>- Training sessions</li> </ul>	<ul style="list-style-type: none"> <li>- Housing Management</li> <li>Housing options</li> <li>Property Shop</li> </ul>	Housing options -7 <sup>th</sup> August 2013 Rawmarsh champions 12 <sup>th</sup> August Wath Champions 14 <sup>th</sup> august Riverside champions 15 <sup>th</sup> august	Sandra Tolley Sandra Wardle Jill Jones

				Maltby champions 28 <sup>th</sup> august	
Housing Associations	Presentation	-Workshops -Discussions	Property Shop	August 2012  Sept 2013	Jane Davies –Haire  Sandra Wardle Jill Jones
ROPES	Presentation	Workshops Discussions	My Place	October 2013	Sandra Wardle Jill Jones

**A summary of feedback from the consultation is as follows:**

- The vast majority agreed that the current Housing Register should be reduced and only include people who are in high housing need
- The vast majority wanted to remove people with no local connection to Rotherham from the register. A three year rule was proposed by most as this will be the same as Doncaster, although both a one year and a five year rule were also suggested. Households in the General group in housing need should be absorbed into other housing need groups, this would avoid applicants gambling with their waiting time date
- Cancel applications if they are not bidding
- Instead of calling the groups, emergency, priority, urgent etc what is the difference why not be simple and rename to numbers (1 to 3)
- The vast majority agreed that people not in housing need should be removed from the housing register, however a suggestion was to set aside a small quota for good council tenants to transfer, this supports the local letting policy for new build.
- People strongly agreed that applicants who own their own home who are fit and well with no medical housing needs should not be allowed to join the register
- People agreed that applicants who owe money to the Council shouldn't be allowed on the register

- One comment relating to employment was “We can’t give priority to people in work as it is difficult to find work, and how would we justify giving priority to people in work if they have no local connection to Rotherham other than work related, it wouldn’t be fair to local people trying to find a job.
- Direct debits should be encouraged rather than make it mandatory as we could contribute to debt if the direct debit was taken out of the bank when no funds available, would then incur bank charges
- Overwhelmingly the majority of people agreed that Council tenants who have any breaches in their tenancy condition should not be allowed to transfer to another Council house, but we should reward the good tenants and allow them to move
- People agreed that we should stop undertaking housing register reviews
- For people under 18 it should be mandatory to receive tenancy support
- The application should be cancelled following 2 refusals

**Some of the individual comments from people who were interviewed, Improving Places Select Committee, various stakeholders and staff were:**

*“I’ve been waiting for a Council House for 5 years, it’s a joke. We need more homes for local people”*

*“I think home owners should Not get a council house, unless they are being repossessed”*

*“Why should people who can afford a mortgage get a council house?”*

*“Home owners should sell up and buy something suitable”*

*“Home owners with medical needs should be allowed to get a council house but their house should be sold”*

*“Council tenants who do not look after their property or who owe money should be barred”*

*“Council tenants who don’t look after their property or who owe arrears should be able to move, everyone deserves a second chance”*

*“Council tenants who don’t look after their property should be allowed to go on the register but stop them from moving until they have sorted out the problems”*

*“The housing register should be based on need, we need to rationalise the list”*

*“ The Council ought to offer a discount for those paying direct debit”*

*“ Agree we should remove the general group”*

*“If we remove people not in housing need it will mean the waiting time for people in housing need will reduce”*

*“ We need to have young person tenancy support”*

*“Scale down the general group”*

*“We need to stop people getting a council house then registering to move again”*

*We need to stop people for bidding for properties they don’t want and have no intention of moving”*

*“Agree we need a local connection”*

*“If the general group remained its pointless if we don’t let them bid as they will complain they are not getting properties”*



# **Allocation Policy**

## **Draft**

A Housing Options Approach  
For  
Rotherham

June 2014

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## 1. General Guidance

**1.1 Introduction** The Council has re-evaluated and re-drafted its Allocation Policy, practices and procedures to take account of the requirements of the Housing 1996 Part VI and VII, the Homeless Act 2002, the Localism Act 2011 and the new CLG Code of Guidance for Allocations. The content of this document reflects an entirely new approach to the letting of accommodation based on need and choice. In reviewing the Allocation Policy the local housing authority have had regard to:

- Rotherham's Homelessness Strategy,
- Rotherham's Tenancy Strategy

Before we have adopted the new Allocation Policy various organizations, including customers, statutory and non statutory agencies have had the opportunity to comment and feedback has informed the changes. A copy of the draft scheme will be sent to every private registered provider of social housing and registered social landlord with which we have nomination arrangements with.

The Council's new Allocation Policy focuses on helping people in greatest housing need to gain access to suitable and appropriate accommodation. The Allocation Policy aims to make best use of the Council's available housing stock and will compliment other services we provide that advise applicants about other housing options available to them provided by the Council and other Landlords as well as Owner Occupation.

The term "Allocation of accommodation" is when the Local Authority selects a person to be either:

- a secure or introductory tenant of accommodation held by the authority
- nominates a person to be a secure or introductory tenant of accommodation held by another housing authority
- nominates a person to be an assured tenant of accommodation held by a Private Registered Provider (or Registered Social Landlord in Wales) (s.159(2))

By using a range of landlords within "Key Choices" Scheme we aim to:-

- Change the culture from one of "gate keeping" to one of customers exercising choice and empowerment.
- Ensure we let properties fairly.
- Lettings are appropriate and sustainable.
- Stimulate new markets and interest in social housing to improve our image and market perceptions.
- Contribute to sustainability, neighbourhood renewal by creating mixed and balanced communities.

Full details, of each landlord participating in "Key Choices" can be found at the end of this policy document.



## 1.2 Allocation Policy Overview

**Policy Overview** - Rotherham will allocate housing accommodation in accordance with our Allocation Policy. The Housing Act, 1996 Part VI and the Homeless Act 2002 require that each Housing Authority shall have a policy for the letting of housing. The Act specifies groups of people who must be given reasonable preference in the scheme. Subject to these provisions the Council can decide the principles on which the scheme is to be framed.

Rotherham's Allocation Policy meets the requirements of the Housing Act 1996, the Homeless Act 2002 and the Localism Act 2011 and is based on choice, need and date of application and ensures that the needs of local people are met that cannot be provided by the market or afforded by households. In conjunction with the Housing Acts the Policy will aim to ensure that access into housing is based on:

- ⇒ sufficient advice, assistance and information to make informed choices about housing options available
- ⇒ fair and equal access to available accommodation
- ⇒ a choice of accommodation or the opportunity to express preference about the housing accommodation to be allocated

The Housing Act, 1996, the Homeless Act 2002 and the Localism Act require that reasonable preference is given to:

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

In addition Rotherham's Allocation Policy will also give preference to:

- ⇒ Customers unable to return home from hospital, as their current property does not meet their medical needs and temporary accommodation would be inappropriate or they require immediate rehousing preventing an admission to hospital or institution.

- ⇒ Ex Service Personal and their families who are leaving the Armed Forces (or who have left in the past 5 years) and have no accommodation to return to
- ⇒ Customers leaving temporary or supported accommodation schemes
- ⇒ Households that are subject to adult or child safeguarding issues
- ⇒ Households who need to move to a particular area in the district to avoid hardship to themselves or others. This includes those who give or receive care or need to access specialist treatment. In these circumstances an established medical need must be demonstrated such as mental illness or disorder, physical or learning disability, or progressive medical condition.
- ⇒ RSL and Council Tenants that wish to move to a smaller property that they are under occupying

Rotherham's Allocation Policy is also framed to take into account: qualifying criteria including:

- the financial resources available to a person to meet their housing costs;
- behaviour of a person (or of a member of his household) which affects the suitability to be a tenant;
- local connection which exists between a person and the authority's district.

### **1. 3 Delivering a Quality Service**

Throughout the allocation process all customers will receive quality information about the service available to assist them in making informed choices about their future home.

We will ensure all our customers have access to quality housing that meets their housing need.

The Council's current services standards for letting homes are:

- All details of the customer's application will be treated with due care and will be completely confidential. Information will only be shared with other landlords where the applicant gives a signed declaration giving permission for this to take place
- We will give advice and assistance of the highest quality concerning all housing options available to the applicant.
- Customers will be told if they have been successful in the bidding process, and be contacted to arrange a convenient appointment time to verify their application details.

### **1.4 Equalities and Diversity in Action**

Rotherham MBC has a responsibility to serve the needs and promote the interests of all who live or work in the Borough, or who use its services. The Council's Corporate

Equalities Strategy works towards developing services, facilities and working practices, which are equally accessible to and appropriate for all its customers, irrespective of their gender, age, race, sexuality, disability or income.

Rotherham MBC is committed to the principles set out in the Equalities Act 1010 and the Equalities Standard for local government. A key element of the Equalities Standard involves carrying out an Equalities Impact Assessment on all existing and, in particular, new policies to ensure they DO NOT have an adverse impact on or have any that can be justified on a particular group. An Equalities Impact Assessment has been carried out in October 2013 to the Allocation Policy and will be reviewed following implementation.

The Allocation Policy is intended to improve community cohesion and will increase opportunities for applicants to move between neighbourhoods and communities. This will be done through the provision of information on the adverts regarding the local area, such as nearest schools, doctor's surgeries and leisure facilities. The Key Choices website also links to "up my street" where customers can search for a wide range of facilities including mosques, churches etc.

We will provide information in languages other than English, in Braille, Large Print and Audiotape. All reception areas will be fitted with a hearing loop.

**1.5 Support for Vulnerable People** – Vulnerability can be a result of being in urgent housing need or a result of health or social welfare issues. Individuals who are vulnerable will be supported by officers and agencies who will be sensitive to their needs. Types of support which will be offered are:

- Display property adverts in a range of media outlets.
- Utilise picture symbols as an alternative to written text on property adverts.
- Provide a free email address, which can be used in all Libraries.
- Undertake home visits to explain the Allocation Policy.
- Send out lists of advertised properties, where customers cannot access any of the media outlets.
- Send out property information to carers or advocates.
- Inform applicants to alert to vacancies.
- Officers taking time to explain property and local area information.
- Enabling a proxy to be nominated to request properties on behalf of the applicant.
- Viewing a property with an advocate or carer.
- Viewing a property via video footage, of internal and external shots of the rooms, décor and surrounding area.
- Ensuring information meets the requirements of other language users, people with a disability and people with sight or hearing impairment.

Rotherham MBC's Supporting People Team have also helped to develop a range of floating support schemes, which are aimed to help vulnerable people in developing life skills and supporting customers within their home. There are a number of different agencies that are part of the Supporting People Programme with support packages designed to meet individual need.

## 1.6 Monitoring the Scheme

The Council will seek to ensure that its Allocation Policy is being operated fairly in respect of all sections of the community in Rotherham.

Monitoring systems will be developed to enable performance to be reviewed against the stated objectives and any necessary changes to be made. Housing Register applicants will be asked to voluntarily provide details of their ethnic origin so that we can gather evidence to test whether the Allocation Policy is being administered fairly.

All elements of the Allocation Policy will be closely monitored through Key Performance Indicators. This is to ensure that:

- We are meeting housing need in the Borough
- Housing trends are being monitored
- Equality is achieved and diversity supported
- Information is collated for Government and other bodies
- We are offering a customer focussed letting scheme
- There is a reduction in refusal rates
- Void turn round times are not increasing
- There is sustainability within the estates
- Vulnerable people are not excluded

**1.7 Right to Request a Review** - The Allocation Scheme will also ensure that applicants has the right to request the authority to inform them of any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to him; and has the right to request a review of a decision mentioned in paragraph (b), or in section 160ZA(9), and to be informed of the decision on the review and the grounds for it.

The applicant has a right to request a review if an applicant(s) disagrees with the Authority's decision relating to applications to join the Housing Register and subsequent offers of properties including:

- if an applicant believes that they are in the wrong band, or that their band has been changed unfairly;
- cancellation following a Housing Register Review;
- date of application;
- an offer has been withdrawn because the authority believe that the applicant has provided false information or has taken action which has made their circumstances worse
- where applicants have been suspended or excluded unfairly in the `customers view;

- offers of property made; if an applicant believes that a property has not been allocated according to the allocation policy. For instance, if they expressed an interest for a home, and were in the same priority band and had longer waiting time than, the successful applicant.

The applicant(s) must be informed of any decision concerning their application, in writing and giving the reasons for the action taken. Applicants or their representatives should in all cases be encouraged to make oral as well as written representations; this may be undertaken in person at the Neighbourhood Office or to an Officer visiting their home.

If the applicant(s) wish to exercise their right of review they must do so by providing reasons as to why s/he disagrees with the decision in writing to the Authority.

The appeal must be submitted within 28 days of the applicant receiving the decision letter concerning their application.

## **1.8 Housing Options**

In order to ensure households who may no longer qualify for social housing in Rotherham, either because they have not lived in the area long enough, or because they cannot demonstrate that they qualify for other reasons, we operate a housing options approach alongside the housing register. This will include help to access alternative housing in the private sector.

The Allocation Policy aims to work closely with applicants in providing information on all housing options with a focus on meeting the individual needs of applicants.

We will promote a wide range of housing options and will work closely with applicants. Advice will be based on comparing the applicant's housing needs **and** preferences, aspirations financial resources with the range of housing options available to the applicant.

The aim of will be to:

- provide information on all housing options with a focus on meeting the needs and aspirations of individual applicants
- improve the quality of information, advice and support available to help applicants in housing need find suitable and affordable housing
- agree with the applicant on realistic achievability of their preferred housing option
- provide a framework, timetable and plan for applicants wishing to live independently, giving access to supported housing or moving from supported accommodation to more independent living
- agree a number of action points for the applicant to follow to take more control of their housing situation

- any necessary referrals can be made to appropriate support agencies

The range of housing options that will be explored are:

**HOUSING ASSOCIATIONS (RSL)** - As well as Council housing, there are other social landlords with rented properties in Rotherham. RSL's are "not for profit" organisations that have different types of property to rent, which includes homes for young people, families and older people.

Most of the RSLs are working together with the "Key Choices" scheme to provide a wider selection of properties for rent. Individual property adverts will identify who the landlord is, and you need only apply to the Council. This means that only one waiting list application form has to be completed and will be considered by the Council and all the Housing Associations who are part of this scheme. Applicants can make a request for an advertised housing association property.

Before making an offer of a tenancy, the housing association will check whether the applicant meets its own rehousing rules.

There is a list of all housing associations which have homes in the Rotherham area available at the Key Choices Property Shop and all Neighbourhood Offices.

**PRIVATE RENTING** - Private rented properties that are advertised through the "Key Choices" will be expected to comply with a range of standards, covering issues such as gas, electric and fire safety and general maintenance.

**PRIVATE RENTED - BOND SCHEME** - Robond is an agency that runs a bond scheme to help people to access private rented properties when they do not have enough money for a rent deposit. The Neighbourhood Office or the Housing Choices team can give further information and make referrals.

**PRIVATE RENTED – RENT GUARANTEE SCHEME** – Rotherham Credit Union offers a savings and loan service for customers with low incomes to enable them to borrow the rent in advance and repay at an agreed affordable repayment rate.

**HOMESWAPPER MUTUAL EXCHANGE** - provides an online mutual exchange database, with an online self -service function that enables customers who are already tenants the facility to transfer both locally and nationwide. Homeswapper can be found at [www.homeswapper.co.uk](http://www.homeswapper.co.uk)

Both secure council and housing association tenants in England, Wales, Northern Ireland and Scotland, who occupy permanent accommodation, have a legal right to exchange their tenancies under Section 92 of the Housing Act 1985.

Before a mutual exchange can take place both exchange partners must get their own landlord's permission. The landlord has 42 days to notify the tenant in writing if they agree to the exchange taking place. An exchange can only be refused on one of the following specified schedule grounds, which are set out in Schedule 3 of the Housing act 1985.

**SHARED OWNERSHIP** – Is a form of home ownership designed for people who choose to buy a home but cannot afford to make the full mortgage payments. It is designed to give applicants the chance to own their own home in stages. Shared ownership is where the applicant can buy a share of a property, paying a mortgage on that share and rent on the remaining share. The initial share is normally between 25% and 75%. The applicant must be made aware that in addition to making rent and mortgage payments; the applicant is responsible for most of the normal costs of home ownership.

**HOME BUY** –The Government's Homebuy agent for West and South Yorkshire is a one stop shop for information and applications for low cost home ownership schemes across the area. The Homebuy agent provides information on different schemes:

**FIRST BUY** – this is a government backed scheme that aims to help certain groups of people who cannot afford to buy a home on the open market without assistance. FirstBuy works through a joint loan of 20% from the Government and the builder, which means that eligible purchasers only need put down a 5% deposit and obtain a 75% loan-to-value mortgage. The loan is repayable at the end of the 25 year mortgage term or when the property is sold. To be eligible, purchasers must be first time buyers and the total household earning should be less than £60,000.

**NEW BUILD HOME BUY** – New build flats and houses are sold with the Government's backing on shared ownership, leasehold basis. The minimum share a customer can buy is 25% and the maximum is 75%, although the initial share is determined by the landlord. The rest of the share belongs to the landlord. Customers arrange a mortgage for the share they want to buy and will have to pay rent to the landlord on the share that they don't own. The customer has the option of increasing their share until they own 100 per cent of the property. This is known as stair casing.

**HELP TO BUY MORTGAGE SCHEME** – a Government backed mortgage scheme which helps borrowers to buy a home with just a 5 per cent deposit

**THE "RIGHT TO BUY"** – Council tenants have the "Right to Buy" and RSL tenants have the Right to Acquire, which means that they may be able to buy their home at a discount. There are rules about who can do this. The Council's or the RSL will be able to advise which people qualify to purchase their home under the Right to Buy or Right to Acquire regulations.

#### **HOUSING FOR OLDER PEOPLE OR HOUSEHOLDS WITH AN ASSESSED NEED FOR GROUND FLOOR ACCOMMODATION.**

The properties are individual self-contained bungalows or flats that have 1 or 2 bedrooms. They have varying levels of adaptations some have level access showers, and are ramped for wheelchairs users.

Generally bungalows are available for people over the age of 50 with an illness or physical disability who would benefit generally from ground floor and level access accommodation. The Council's Rothercare service is available for people living in a bungalow this is our community alarm service that provides a 24 hour response, 365 days per year. It is an alarm service provided by Rotherham MBC to help people live safely in their own homes. This service is for anyone living in Rotherham either in

private, rented or owner-occupied accommodation. It is available to anyone regardless of their age or personal circumstances who feels they may be vulnerable. There is a separate charge for these services, with Rother Care the tenant must also have a telephone landline installed. Tenants are individually assessed for a Health and Well Being visit which is Free of Charge.

Where Rothercare is already installed the provision of Rothercare remains a condition of the tenancy and associated charges must be paid by the current and tenant. The properties remain exempt for the Right to Buy. New tenants of these properties with Rothercare also require the installation of a telephone land line. (Cabinet Member Minute 45 of 6th September 2010.) This amendment reflected the recent change to GSM dialler policy approved by the Cabinet Member for Health and Social Care on 12th July, 2010, Minute No. H12 refers

**EXTRA CARE HOUSING** – Offers a new way of helping individuals over the age of 55 to live independently and gives the security and privacy of a home with a range of facilities on the premises.

**REMAINING IN YOUR OWN HOME** – Sometimes the best course of action is for customers to stay living where they are, rather than look for a new home. The Neighbourhood Champion can provide advice or signpost to another agency depending on the reason for moving, but there are a number of services which may be able to help with:

- Facing eviction or in arrears
- Experiencing Domestic Violence
- Requiring aids and adaptations
- The private rented home needs repairs
- Family breakdown - Family Mediation Services
- Help for Home Owners with Grants

## **2. The Housing Register - Who will qualify to go on the Housing Register?**

**2. 1 People subject to immigration control do not qualify for public sector housing.** The rights of persons from abroad to social housing is decided by the Government and the rules may change from time to time.

To qualify for housing assistance, an applicant must be eligible for housing allocation.

The Housing Act 1996 defines the groups of people who are not eligible for assistance. These are:

- 'persons subject to immigration control' – These people are defined by the Asylum and Immigration Act 1996, unless they fall within one of the classes of exceptions listed in the Homelessness Regulations
- anyone who is excluded from entitlement to housing benefit by s.115 of the Immigration and Asylum Act 1999
- other 'persons from abroad' where the Secretary of State has made regulations that they are not eligible for assistance



These rules imply that if someone is subject to immigration control then they are not eligible for housing allocation, unless they meet the criteria for one of the specified classes of persons who are re-included back into eligibility by regulations made under the Housing Act 1996. (See Housing Allocation Procedure guide for more details.)

**2.2 Rotherham operates an Allocation Scheme with a Local Connection Criteria.** All applicants over the age of 16 seeking accommodation through Key Choices Letting Scheme must provide evidence that they have a local connection to Rotherham for a minimum of 3 years up to and including the date of application.

**A person has a local connection where:**

- They have lived for the last 3 years in Rotherham Metropolitan Borough Council's geographical boundary through their own choice.
- They are currently employed in Rotherham and have been for the last 3 years
- They have direct family who live in Rotherham and they have done so for the last three years. Direct family members include spouses, civil partners, parents, sons, daughters, brother and sisters.

This does not include residence where they have been rehoused in temporary accommodation in Rotherham by another Local Authority in resident in a bail hostel or other such accommodation, detained in the district under the Mental Health Act, receiving specialist hospital treatment, in occupation of a mobile home, caravan or motor caravan which is not placed on a residential site, in occupation of a holiday letting this includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday

**Applicants exempt from the Local Connection Criteria are:**

- Members of the Armed Forces and former personnel where the application is made within 5 years of discharge
- Bereaved spouses and civil partners of members of the Armed Forces leaving service family accommodation following the death of their spouse/partner
- Relationship breakdown and divorcees of Members of the Armed Forces at the time of application
- Serving or former members of the Armed Forces who need to move in urgent circumstances because of serious injury, medical condition or disability sustained as a result of their service irrespective of when the was.
- Homeless applicants accepted as owing a duty as defined in Part VII of the Housing Act 1996
- Applicants considered via the Witness Protection Scheme as agreed by the Housing Register and Advice Manager

**2.3 Applicants who will not qualify to go on the housing register**

All housing applications will be treated on an individual basis, and therefore considered on their individual circumstances. The following applicants will not qualify to go on the housing register

- Applications with no local connection to Rotherham ( see section 2.2 and exemptions)
- Applications that have been cancelled will not qualify to re-join the Housing register for 24 months. (See Section 3.6 Cancelled applications)
- Applicants who own their property anywhere in the world, which is adequate for their needs (including medical need) and can afford to purchase an alternative property on the open market. Owners includes properties which have secured loans, it also includes joint ownership when the applicant wishes to move with a family member who is the other owner.
- People who submit a Right to Buy application for the property they wish to transfer from ( note that any live housing register application will be placed in suspension following submission of a Right to Buy application, on completion of the sale the application will be cancelled)
- Applicants with savings over £16,000 (with joint applicants both individual savings would be taken into account). Applicants with medical needs will be considered on a case by case basis.
- Former and current Council and Housing Association tenants with breaches in their tenancy conditions that in the opinion of the Council, affects the applicants suitability to be a tenant.
- Council and Housing Association tenants who have breached their terms of their tenancy agreement and a Notice to Seek Possession or Suspended Possession Order have been issued and are still current.
- Applicants who have previously been evicted from a Council or Housing Association secure tenancy in the last 5 years due to breaches of their tenancy conditions

Unacceptable behaviour is defined which includes:

- (i) Owing serious rent arrears over £800.
- (ii) Failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord which in the Council's opinion affects the applicant's suitability to be a tenant.
- (iii) Conviction for illegal or immoral purpose during the last 2 years.
- (iv) Causing nuisance and annoyance to neighbours or visitors during the past 2 years.
- (v) Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community within the last 2 years
- (vi) Being violent towards a partner or members of the family within the last 2 years.
- (vii) Allowing the condition of the property to deteriorate.
- (viii) Allowing any furniture provided by the landlord to deteriorate due to ill treatment.
- (ix) Obtaining a tenancy by deception, for example, by giving untrue information.
- (x) Paying money to illegally obtain a tenancy.
- (xi) Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

In determining whether in the Council's opinion an applicant qualifies to join the register due to their behaviour, the Council will consider the following:

- Has the applicant any mental health issues that need to be taken into account.
- In the Councils' opinion would the unacceptable behaviour affect their suitability to be a tenant?
- At the time of the application, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of his household?

Where an applicant does not qualify to join the Council's Housing Register scheme they will be entitled to re-apply if s/he considers that the local authority should no longer treat them as ineligible. For example see below rent qualification, an applicant has been determined that they don't qualify due to serious current or former rent arrears of over £800 they may reapply when they have cleared the arrears in full or kept to a repayment arrangement which reduces the debt by at least 25%.

## **2.4 The Rent Policy regarding qualification for Allocations**

This section of the policy applies to applicants with cumulative outstanding debt to the Council, Housing Associations or Private Landlords that are based in Rotherham. Outstanding debt would include rechargeable repairs/ damages, rent in advance loans, furnished or district heating charges, and money owed to Key Choices Property Management.

Consideration will be given in respect households in Priority Need and vulnerable customers, who often lead quite chaotic lifestyles and have accumulated debt often through no fault of their own.

A tenant is liable to pay rent to the Council. If the tenant is claiming housing benefit it is the tenant's responsibility to provide full and correct information to the Housing Benefit Section and also inform the Housing Department how the claim is progressing.

- Applicants in all groups will not qualify to join the housing register if their debt exceeds £800 (see above section 2.3 re clarification of debt)
- All applicants with debt less than £800 in all groups will be allowed to join the register but will be placed in suspension. The application will remain placed in suspension until the arrears have reduced by 25%. It will be the responsibility of the applicant to inform the Council when the debt has reached the eligible level. The agreed 25% will be calculated from the highest amount of debt to the specified amount required at this point they would be taken out of suspension and then will be allowed to bid and be made an offer. Eg The highest level of accumulated debt 2 years ago was £400, the household must have reduced this debt by at least 25% (£100) and they will then become eligible to bid for properties and for an offer of Council housing when the arrears have reduced to at least £300. The household must continue to make regular payments on an agreed payment plan to continue to reduce the arrears lower than the 25% threshold.

- Those applications that are placed in suspension will remain until the applicant has informed us that they have either:
  - cleared the account
  - reduced the debt by at least 25% to an agreed amount and also agreed to continue to reduce the debt lower than the 25% threshold making regular payments via an agreement payment plan.

**Safeguarding vulnerable applicants with debt.** Whilst seeking to suspend tenants with outstanding debts owed to the Council, it is also important to provide appropriate safe guards for vulnerable applicants

All new applications are verified at the point of registration and prior to an offer of accommodation. The verification process involves undertaking checks on various databases which will confirm if the applicant has any outstanding debt. Where there are debts of any amount and the customer hasn't indicated on their application form that they are in urgent priority housing need; the customer should be contacted to reconfirm their personal circumstances. If there are no vulnerability issues or urgent housing needs identified following contact the applicant would be advised in writing that their application does not qualify and will be either excluded or suspended from the housing register until they inform us that their agreement has been met. The applicant would also be encouraged to get back in touch if their circumstances change.

All prospective tenants will undergo an affordability check as part of the offer process and the Council will have the "Right Not to Offer" a property to customers who cannot afford to take on the tenancy.

All applicants will be encouraged to open a basic bank account, and set up a direct debit or standing order form to pay their rent before a tenancy is offered

Delegated Powers will be given to the Housing Options Manager, who will consider urgent cases outside of the Housing Assessment Panel. The delegated powers decision will be made in consultation with the Housing Register and Advice Manager and Head of Housing Income and would have discretion and delegated powers to overrule the qualification rent policy.

The applicant would also be encouraged to get back in touch if their circumstances change. This would be reinforced in a paragraph included in the decision letter, which would also advise the applicant of their Right to Review the decision on qualification.

## **2.5 Local Lettings Policies**

In some instances there maybe a requirement to undertake Local Lettings or "sensitive lettings" in particular areas. Where this applies a Local Letting Policy will be adopted and this will be clearly set out in the Property advertisement, which will be accompanied by an explanation of the Local Letting Policy criteria for that property. The Local letting Policies are published on the internet or a hard copy is available on request.

Section 167 (2E) of the 1996 Housing Act enables authorities to allocate particular accommodation to people of a particular description, whether or not they fall within a reasonable preference category. This is the statutory basis for “Local lettings policies”. Local Lettings Policies maybe used to achieve a wide variety of housing management and other housing policy objectives. So for example, local lettings policies may be used to lower or increase the proportion of older children/young adults on an estate; or to deal with concentration of deprivation by setting aside a proportion of vacancies for applicants who are in employment.

The local lettings policy will apply to a limited part of the local authority’s stock, and will be closely monitored to ensure that it does not produce outcomes which are discriminatory, or conflict with the Authority’s ability to provide for housing need. If a household in the shortlist does not meet the local lettings policy criteria, the applicant must be contacted to verify that the evidence is correct and up to date. Where a local lettings policy is applied a checklist (appendix 2a) must be completed to justify why an offer of accommodation has not been made.

Local Letting Policies will be applied in the following circumstances:

### **Where there is Housing Management Difficulties**

Certain streets or blocks of flats may have experienced management problems in the past. Such management problems can include high vacancy rates, low demand and high instances of anti social behaviour. Large amounts of money can be spent on repairing fixtures and fittings that are damaged due to neglect or acts of vandalism. Further repair costs can also be incurred whilst properties are standing empty waiting for new tenants to be found.

We will take into account previous letting trends and demand and also whether there is reported evidence of anti social behaviour, from existing tenants and their visitors within the immediate locality (same block or street).

All Aged persons and Sheltered bungalow complexes will exclude applicants with management difficulties (Cabinet Member Report 19<sup>th</sup> April 2010. Minute No. 167)

### **2.6 The Council reserves the Right Not to Offer a Property**

In some cases the history of the applicant is not known until the applicant has made a bid and may appear at the top of the shortlist and be due to be made an offer. Where this will apply will include, but not be restricted to, if the applicant:

- Requests an area where they may be unable to sustain a tenancy from lack of support. For example in the case of an applicant with a medical priority on support grounds and the property requested is away from the support network.
- Requests a property that is too small for their family circumstances and this would lead to an unacceptable overcrowding or cramped living conditions of the property including non- statutory overcrowding as per the Allocation Policy.
- Has specific needs for disability adaptations and the property does not meet these requirements

- Where there is no local letting policy and the applicant or members of the household have been involved in anti - social or criminal behaviour in the last twelve months.
- Where there is no local letting policy and the applicants has breached a condition of their current tenancy. e.g. rent arrears
- Where the applicant cannot afford to take on the tenancy

Individual cases that are being considered by Housing Assessment Panel for Band One status will also take the above criteria into account when making their decision.

Where the Council has reserved the right not to offer a property the applicant will be advised in writing of the reasons for this decision.

## **2.7 If you qualify to go on the Housing Register, how do I apply and make requests?**

There are several ways to complete an application form:

- At any Customer Service Centre
- At the Key Choices Property Shop
- By electronic registration at [www.keychoices.co.uk](http://www.keychoices.co.uk)
- By telephone

If you are eligible and qualify to go on the housing register your application will be placed in one of the following bands:

- Band One (previously called priority plus)
- Band Two (previously called Priority)
- Band Three (previously called General Plus and General)
- Transfer Band (new band)

Rotherham Metropolitan Borough operates a Choice - Based Letting Scheme; all empty Council homes that are available for letting are advertised weekly. Applicants can view advertisements in a range of locations:

- On the internet at [www.keychoices.co.uk](http://www.keychoices.co.uk)
- On a mobile application on a smart phone
- On a self -service kiosks at any Customer Service Centre
- On a self - service kiosks at the Key Choices Property Shop

The advertisements will be published from Tuesday at 12.01am to the following Monday at 12pm (midnight.)

Applicants can make a maximum of 3 requests per week at a range of outlets:

- By telephone to (01709) 336040
- In person at any Customer Service Centre, or at the Key Choices Property Shop

- Via an online request

All properties will be offered to the Priority One Band ahead of the other Bands. Properties will be advertised to the following quota 50% to Band Two and 40% to Band Three and 10% to Transfers.

Where there is no demand from the Band One or for the advertised Band then the properties will be offered as follows:

- Advertised to Band Two, and no demand then the Band Three Band will be considered next and if still no demand then the Transfer group will be next.
- Advertised to Band Three, and no demand then Band Two will be considered, and if still no demand then Transfers will be considered next.
- Advertised to the Transfer Band, and no demand then the Band Two and then Band Three will be considered next

**2.8 Direct Homes** - If a property has been advertised and no interest has been made from any suitable applicants, then this property will be advertised as a **Direct Home** and offered daily to the suitable/eligible applicant in the shortlist. The shortlist will be considered at the end of each day and will be offered in date turn order to Band One, then Band Two, then Band Three and then to a Transfer application. The offer won't be made on a first come first served basis.

Applicants who accept a tenancy including a Direct Home will have their application cancelled.

### **3. How properties are allocated.**

**3.1 Affordability** - Applicants should consider affordability prior to making a request. This is important in light of the measure in the Welfare Reform Act 2012 which will reduce Housing Benefit entitlement for working age social sector tenants who under-occupy their property.

Affordability Assessments - as part of the offer process during the "It's Your Move interview" all new tenants will undergo a detailed affordability assessment to determine their ability to sustain a Council tenancy. This will take account of under occupancy fees and additional charges such as furnished packages and district heating. If there is a risk about the applicant's ability to pay the rent a referral will be made to Tenancy Support or Money Advice to ensure the tenant has the necessary budgetary management skills to maintain the tenancy from the onset. This process will reduce the propensity for arrears to accrue at the start of each tenancy

As part of the offer process the Council will have the "Right Not to Offer" a property to customers who cannot afford to take on the tenancy.

All new tenants will be encouraged to open a basic bank account, and set up a direct debit or standing order form to pay their rent

### **3.2 Declarations and Verification of Identity**

Section 171 of the Housing Act 1996 makes it an offence to withhold information that the Council reasonably require to assess an application, or to provide false information that leads to gaining a tenancy. We will take appropriate action, including possession proceedings, against anyone who gains a tenancy through knowingly providing false information. We will check if an applicant, or anyone in the household, is already registered. Only one application at any one time is allowed.

Before a property is offered for every applicant on the application form we must see at least two forms of proof of identity, and proof of current address. The applicant(s) sole or joint will be asked to provide photographic proof of identity. This will be at the application stage and prior to offer of accommodation. A photograph will be taken of the tenant where there is no other photo ID is available.

Applicant checks will be carried out at the time of application and offer stage on all members of the household applying to be re-housed. These checks will be made to confirm:

- Identity e.g. passport, Identity Card (issued to certain Foreign Nationals), photo-driving licence, birth certificate or written confirmation from a professional person or support agency
- Public Sector landlord references (where the applicant has previously held a public sector tenancy)
- Police checks usually where applicants have indicated an “unspent” conviction

### **3.3 Offers**

Applicants who have made requests, must inform the Council if they are unavailable. Eg going on holiday or into hospital. If the applicant is contacted by the Council and there is no response, a contact letter is sent giving the applicant 24 hours to make contact (during working time). If there is no response in the specified time period the application will be bypassed.

Where applicants have told us that they are on holiday or in hospital, the property will be held for no longer than 7 days.

If an applicant is short-listed for more than one property in the same week, they will be asked which property they prefer. If the keys are available in the same week the applicant can view all of these. All viewings will be classed as offers. The application will be cancelled following 2 refusals.

If an applicant has been short-listed for more than one property and the keys are not available then the applicant will be asked to choose which property they wish to view. The property that they accept will be classed as a firm offer and accepted.

Careful consideration has to be made in deciding whether a property should be classed as a withdrawal or refusal. If there are no genuine reasons for a refusal, such as: the garden is too large, or there is no off road parking, then this will be classed as a refusal as the information should have been attained from the advert.

### **3.4 Bedroom requirements**



The Council will ensure that applicants are considered for the most appropriate type of property. The number of bedrooms required is assessed through the number of people to be re housed and the ages and gender of children.

Family houses will be allocated to couples that are either married, civil partners or cohabiting partners ( 2 bedroom only) and families with children **under the age of 18** will be eligible for houses..

The Allocation Policy considers that a woman who is pregnant (confirmation needed 21-24 weeks) would be considered as requiring a bedroom for the unborn child. However the Welfare Reform will not consider awarding Housing Benefit in respect of the number of bedrooms until the child is born

In the Allocation Policy if she already has a child(ren), the unborn baby will be treated as if it were the same sex as one of the existing child(ren). A MATB1 form will be required as proof of pregnancy for the unborn child.

Single people who are not Council tenants and are pregnant and have provided proof at 21 – 24 weeks with a MATB 1 will be eligible for family accommodation before the child is born, as long as they are eligible on their date of application.

Single people who are Council tenants living in a flat will be eligible for family accommodation when their child is born.

If an applicant gives up a Council or Housing Association tenancy or is evicted for rent arrears, anti- social behaviour or other reasons the application will be cancelled from when their tenancy ended.

In accordance with Communities and Local Government (CLG) Code of Guidance the Allocation system must ensure that reasonable preference and flexibility is given to families that are separated who have carers, shared access, equal or staying access. Consideration can be given to families wishing to adopt or foster children and more bedrooms are needed to meet the adoption criteria. In cases of adoption or fostering a letter of supporting evidence is required from Children and Young People's Services.

Applicants may be considered for another bedroom in excess of their current assessed needs if they have shared access where a parent has the child up to the age of 18, to stay at least three nights per week. This will depend on the demand for properties in that particular area. It will not always be feasible to allow extra bedrooms for staying overnight or shared access. It is preferable that proof of access must be given e.g. solicitor's letter, court papers. A letter from the other parent maybe considered as proof. If proof is provided this will be acknowledged by letter which will contain the following statement:

*"I am obliged to inform you that it is a criminal offence for an applicant of Council housing to provide false information regarding their circumstances, and it could result in the application being cancelled. If a tenancy is granted and it later transpires that it was granted on the basis of false information provided by the tenant, then the Council would have the right to issue Court proceedings to seek a possession order to end the tenancy."*

If an extra bedroom is needed to give or receive care, supporting evidence would be needed e.g. reports from health care, carers or attendance allowance. A distinction should be made between a customer requiring 24 hour, seven days a week sleep over care, from a customer who only requires now and again sleep over care.

The Council will not offer a property if it will lead to a household being overcrowded.

Customers should consider the implications of the lettings criteria and a requirement upon them to provide evidence of compliance as a condition of an offer of a tenancy.

## Policy regarding occupancy levels

What properties can I apply for											
	Bedsit	1 Bed Flat	2 Bed Flat	3 Bed Flat	2 Bed Maisonette	3 Bed Maisonette	1 Bed House	2 Bed House	3 Bed House	4 Bed House	Bungalows
Single Person	Yes	Yes	Yes	Yes	Yes	No	Yes	See key below	No	No	Assessment or age limit applies
2 Individual adults	No	No	Yes	Yes	Yes	Yes	No	No	No	No	Assessment or age limit applies
3 individual adults	No	No	No	Yes	No	Yes	No	No	No	No	Assessment or age limit applies
Single person with overnight access to children	No	Yes	Yes	Yes	Yes	Yes	Yes	See key below	No	No	Assessment or age limit applies
Couple	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	Assessment or age limit applies
Household with 1 child or (single mums expecting their first child on production of a MATB1)	No	No	See key below	See key below	Yes	Yes	No	Yes	Yes	No	Assessment or age limit applies
Household with 2 children / dependents	No	No	See key below	See key below	See key below	Yes	No	See key below	Yes	No	Assessment or age limit applies
Household with 3 children / dependents	No	No	No	See key below	No	Yes	No	No	Yes	No	Assessment or age limit applies
Household with 4 or more children / dependents	No	No	No	See key below	No	See key below	No	No	See key below	Yes	Assessment or age limit applies
Colour Code to Rules											
Yellow	Ground floor flats only if child is under 12 years old										
Lilac	* Ground floor flats only if child is under 12 years old ** Children must be the same sex if they are over 8 years old and are to share a bedroom										
Blue	Council tenants under occupying 4 bedroom houses can apply for two bedroom houses										
Green	You can apply for this type of property										
Red	You cannot apply for this type of property										

**NOTE THAT: AFFORDABILITY CHECKS WILL BE MADE BEFORE A PROPERTY IS OFFERED, IF THE OUTCOME IS THAT THE APPLICANT CANNOT AFFORD TO TAKE ON THE TENANCY THE COUNCIL HAS A RIGHT NOT TO OFFER THAT PROPERTY**

### 3.5 The Banding on the Housing Register

In order to identify those in the most housing need in a fair, objective and sympathetic way we will use the information from the housing application and place in a band that best reflects the applicant's current circumstances.

Where a single applicant informs us of a change in circumstances, we will reassess his or her housing need and consider whether it is necessary to place the applicant in a different band or family category. The application will be changed from the date the customer advises of the change of circumstances. For example if a single applicant contacts the office on 1/1/2008 and advises of a birth of a child, which was on 2/2/1999 the change will be implemented from 1/1/2008 the date the customer approaches the service, not from the date of birth of the child.

Having determined the applicant's category of housing need, applicants will be placed on the Housing Register in one of the four bands from the date of assessment or from the date of receipt of the application and will be considered for rehousing in the date of application order.

The applicant will retain their banding application date throughout the rehousing waiting period. \*The only time a change will be applied is if the applicant has a change of circumstances and moves bands or gives up a Council or Housing Association tenancy or is evicted for rent arrears or anti social behaviour, in these circumstances the application will be cancelled from the date their tenancy ended.

Single applicants who subsequently add a joint applicant to their housing application will retain their application date,.

In all other circumstances where the household accepts an offer of accommodation their application will be cancelled, this also includes mutual exchanges.

### **3.6 Cancelling applications**

Applications will be cancelled in the following circumstances:

- transfer applicants on the housing register who then submit a Right to Buy application for the property they are transferring from
- is granted a tenancy by the Council or Housing Association
- has voluntarily terminated their secure tenancy. (Note that: in exceptional circumstances where tenants have given up their tenancy eg due to having to move out of their property for a period of time, possibly due to needing care or support needs and terminates to avoid accruing arrears, their application will be cancelled on receipt of the termination but they will be able to reapply when their circumstances change
- has been evicted from a Council or Housing Association tenancy
- has abandoned their Council or Housing Association home
- does not reply to a waiting list review letter within 4 weeks
- has more than one application registered
- has been nominated to a Shared Ownership Scheme
- has succeeded or been assigned a Council Tenancy
- has been granted a new secure tenancy when a successor dies
- where a joint tenancy is granted their name will be taken off the Housing Register
- On accepting and signing a Mutual Exchange
- Has applied and accepted major adaptation work that meets their long-term needs
- Has refused two suitable offers of Council or Housing Association accommodation
- Has told us to do so

Once an application is cancelled for any of the above reasons the applicant will not be allowed to re-join the Housing register for 24 months

### **3.7 Homeless Households**

Where a household presents themselves as homeless or are threatened with homelessness, the local authority will offer assistance to prevent homelessness. Where homelessness cannot be prevented, the local authority will make a homelessness assessment.

A statutory main homelessness duty (s193) is owed where the authority is satisfied that the applicant is eligible for assistance, homeless unintentionally, priority need or vulnerable and has a local connection. If the applicant qualifies to join the Housing Register, and if a homelessness duty is owed the applicant will be placed in Band 2.

Other homeless applicants who are owed a duty under s195 Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002 are still entitled to appropriate assistance. Eg Homeless households not in priority need. If the applicant qualifies to join the housing register applicants these applicants will be placed in Band 3 of the Housing Register and will also have access to advice about securing alternative housing.

If an applicant is assessed under s190 Part VII of the Housing Act 1996 as intentionally homeless or if they satisfy the criteria for 'unacceptable behaviour' then the applicant will be deemed disqualified from the housing register. (see 'unacceptable behaviour') Applicants who are intentionally homeless will be offered advice and assistance to access private rented housing or Housing Association accommodation.

The revision of the code of guidance on the allocation of accommodation published in November 2002, states: "By virtue of s.167 (2B) and (2C) an allocation scheme may provide that no preference is given to an applicant where the housing authority is satisfied that he, or a member of his household, has been guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant of the housing authority; and the housing authority is satisfied that, in the circumstances at the time the case is considered, he deserves not to be treated as a person who should be given reasonable preference." This will apply in Rotherham's Allocation Scheme.

It is recognised that social rented housing is not the only tenure available to accommodate statutorily homeless households and where appropriate they will be supported to secure a private tenancy.

Households who have been assessed as statutory homeless are entitled to 1 offer on the Housing Register in Band 2 or a Private Rented Sector Offer, and are given time limits to their banding status and are listed on table 4.1. The homelessness duty will be discharged following acceptance or refusal of a suitable offer.

Homelessness households who have been assessed as statutory homeless who refuse a suitable offer of either Council, RSL or Private Rented Sector Offer will be moved to Band 3. Once the applicant refuses 2 offers in total their Housing register application is cancelled.

Homeless households who have been accepted as homeless for more than 6 months and who have been actively bidding will be considered by Housing assessment Panel to move to Band 1 (table 4.1) and will subsequently be made 1 suitable offer.

If the household has been actively bidding and have had no previous offers then subsequently refuse a successful bid in Band 1 their homelessness duty will end and they will move to the Band 3 and be entitled to 1 final offer on the Housing Register.

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#### **4. The tables below show descriptions of Bands:**

**4.1 Band One – High Need (previously known as Priority Plus)** – all Vacant Council properties will be offered first to Band One .

Housing Assessment Panel will consider placing applications in one of four Bands but this will only be applied where the applicant is actively bidding. The award must be agreed by members of the Housing Assessment Panel, or Multi agency risk panel with at least 2 senior officers of the Council, one of which must be either the Housing Options Manager, Housing Register and Advice Manager or Coordinator or Homelessness Manager or Coordinator. In extreme urgent situations the award status can be considered by the Housing Options Manager under delegated powers.

Band One Award - The applicant will be entitled to choose up to 5 areas and be entitled to 1 offer of accommodation. When determining suitable areas the Housing Assessment Panel will consider the property household size, the type and size of property will be like for like, and subsequent stock, the turnover of a locality, the current demand, any support that maybe required and education of employment needs. The household will be advised by letter of the Housing Assessment Panel decision, including details of the property type and area they can bid for. Offers of accommodation will be dependent on confirmation that Care and Support Services are provided and funded where necessary.

In certain circumstances properties may not necessary be allocated in date order but be considered against pressing need and waiting time, such as adaptations within a property, associated risks and where the assessment recommends specific streets, or where a Band Two application has been waiting for a long period due to being restricted to certain areas due to support needs. For example a property is advertised in August 2013 and a Band One applicant is at the top of the shortlist dated 24/7/2013 but the applicant in Band Two has a date of 19/8/2010 and the property meets their needs due to being close to support needs.

With the exception of downsizing (due to financial difficulties), one offer of a property is allowed in Band One, if the offer is refused the applicant will lose their Band One status and their housing application will be moved to Band 3, Council Tenants will be moved to the Transfer Band, where 1 remaining offer will be made. If the applicant has already had 2 offers the application will be cancelled following 2 refusals. Where a property is accepted the application will be cancelled. Time limits of 28 days is given to all applicants in the Band 1 If the applicant has not made a request and properties, which meet the household size and area of choice, have been available, the Band 1 status will be cancelled and the application moved to Band 3

BAND ONE	Status awarded by:	Details	Conditions
<p>Leaving Her Majesties Armed Forces, or is a family member who has resided with the Service Personal and has no accommodation to return to. (As per Allocation of Housing Qualification Criteria for Armed Forces) (England) Regulations 2012 (SI 2012/1869)</p>	<p>Housing Assessment Panel or under Delegated Powers.</p> <p>Re-dated to date of housing assessment panel</p>	<ul style="list-style-type: none"> <li>Armed Forces personal and their family who were serving in the regular forces at any time in the five years preceding their application for an allocation of social housing.</li> <li>Applies to bereaved spouses or civil partners or other family members where they will cease to be entitled, to reside in Ministry of Defence accommodation</li> </ul>	<p>One Offer</p> <p>Do Not apply Local Connection rules</p> <p>Former members of the forces who are suffering from a serious injury, illness, or disability should be assessed by the Medical Assessment team</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>
<p>Service Sector leaving employment and have no accommodation</p>	<p>Housing Assessment Panel or under Delegated Powers</p> <p>Re-dated to date of housing assessment panel</p>	<p>1. Leaving employment where there has been a provision of Private Sector tied accommodation or Council tied accommodation and have no accommodation to return to This will only apply if conditions of employment have been met. Those applicants who have been dismissed will not be eligible.</p>	<p>One Offer</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>



Applicants who live in an Adapted property or Disabled Persons Unit (DPU) who wish to move once they no longer need the adaptation	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	This will only include households who were allocated the property due to a medical need for an adaptation and the member of the household that needed the adaptation no longer lives there. For example; the person that needed the adaptation has died or moved out.	One Offer  Not restricted to 5 areas due to limited stock of DPU  Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.
Multiple Priority Needs.	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	People in the Priority Group with at least 2 reasonable preferences. The reasonable preference groups include: <ul style="list-style-type: none"> <li>• Where there is evidence of severe medical need the assessment has been undertaken by the Assessment Team.</li> <li>• Assessed as Statutory Homelessness</li> <li>• Requiring a move from supported or temporary accommodation</li> <li>• Assessed as Statutory Over Crowded</li> <li>• Homes Subject to Repair,</li> </ul>	One Offer  Restricted to 5 areas  Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.

		<p>Renewal, Demolition, or Prohibition Order</p> <ul style="list-style-type: none"> <li>• Victims of Domestic Violence</li> <li>• Individuals engaging and receiving a drug or alcohol treatment programme</li> <li>• Prolific Offenders not high risk</li> </ul>	
Applicants who have been awarded medical priority who are terminally ill	<p>Housing Assessment Panel or under Delegated Powers</p> <p>Re-dated to date of housing assessment panel</p>	<ul style="list-style-type: none"> <li>• People who require urgent housing because they have been diagnosed as terminally ill and life expectancy has been medically diagnosed.</li> </ul>	<p>One Offer</p> <p>Not restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>
Bed Blocking in hospital	<p>Housing Assessment Panel or under Delegated Powers</p> <p>Re-dated to date of housing assessment panel</p>	<ul style="list-style-type: none"> <li>• This is where the applicant is unable to return home from hospital because their property does not meet their medical needs, and where temporary accommodation would be inappropriate</li> </ul>	<p>One Offer</p> <p>Not restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>

People subject to Multi- agency Risk Assessment Conferences MARAC meetings and are victims of Domestic Violence, or someone threatened with violence, including Adult Protection	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	<ul style="list-style-type: none"> <li>Victim of Domestic Violence who have been subject to a Multi- agency Risk Assessment Conferences (MARAC) and the where the recommendation is rehousing</li> </ul>	<p>One Offer</p> <p>Restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>
Homes Subject to Repair, Renewal or Emergency Prohibition Order, or where demolition through regeneration schemes results in only 25% of the scheme remaining occupied	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	<ul style="list-style-type: none"> <li>This includes applicants in all sectors</li> </ul>	<p>One Offer</p> <p>Restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>
Public Protection <ul style="list-style-type: none"> <li>High Risk Offenders subject to MAPPA</li> <li>Witness protection</li> </ul>	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	<ul style="list-style-type: none"> <li>Cases where the Multi Agency Public Protection recommendation is re-housing</li> <li>Cases referred by police under witness protection programme</li> </ul>	<p>One Offer</p> <p>Restricted Areas to 5 areas as defined by MAPPA. The applicant will make requests in Key Choices and will only be offered a property following a suitability assessment by the Public Protection Unit of the police.</p>

programme			Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.
Housing Management Lettings, and exceptional circumstances detailed in Section 5, such as decants due to fire or floods, customers experiencing violence and need to move for safety	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	<ul style="list-style-type: none"> <li>• See decant procedure</li> <li>• Housing Assessment panel report required</li> </ul>	<p>One Offer</p> <p>Not restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>
Households that are subject to adult or child safeguarding issues	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	<ul style="list-style-type: none"> <li>• This includes cases where social services are involved, and where re-housing is recommended so that the family can be safe or live together in suitable accommodation. This may include care proceeding where suitable accommodation is</li> </ul>	<p>One Offer</p> <p>Restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>

		required in order to prevent a child being placed in Local Authority Care	
Households that are prospective foster cares or adopters that require suitable accommodation	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	<ul style="list-style-type: none"> <li>Confirmation required from CYPS</li> </ul>	<p>One Offer</p> <p>Restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p>
Ex offenders who wish to voluntary terminate their Council tenancy on sentencing as their prison sentence is more than 6 months. Housing Assessment Panel will consider the voluntary termination and determine the level of priority that will be awarded one	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	If the Housing Assessment Panel award Band 1 status, the application will be re-dated to the date of the panel meeting. The applicant will be encouraged to make requests 1 month prior to their release from prison	<p>One Offer</p> <p>Restricted to 5 areas</p> <p>Time limited to 28 days, if no bids are made within 28 days or 1 offer is refused the application will move to band 3. If the applicant has already had 2 offers in total and these have been refused the application will be cancelled.</p> <p>Where offenders have voluntary terminated their tenancy, any live application will be cancelled. The person will be able to reapply to go on the housing register on release from</p>

months prior to being released.			prison
Households living in temporary accommodation, who are not actively bidding without any apparent good reason within a 28 days period or homeless households who have lived in temporary/supporte d accommodation for more than 6 months and are ready to live independently	Housing Assessment Panel or under Delegated Powers  Re-dated to date of housing assessment panel	Suitability as defined in Section 17.1 of the Homelessness Code of Guidance and Section 193 (5) (6C) and (7) of Housing Act 1996 as amended by Homelessness Act 2002.  The offer will which will either be a Private Rented Sector Offer, Council or Housing Association tenancy will be made in writing	One Offer  Households living in temporary accommodation for more than 6 months or who have not made requests will be made 1 offer of accommodation within the meaning of section 193 Housing Act 1996 and the Localism Act will be made to discharge the Council's duty to homeless persons under that section of the Act. For the purpose of this provision the phrase 'actively bidding' means submitting bids for suitable available properties with the genuine intent of securing that available property.
Households who are under occupying a family Housing association or Council home wanting to downsize to a Housing Association or Council home with	Housing Assessment Panel (HAP) or under Delegated Powers.  Before HAP considers a case the following must be completed by the tenant:  <ul style="list-style-type: none"> <li>Registered for a mutual exchange on</li> </ul>	<ul style="list-style-type: none"> <li>Where there are occupants living in a Housing Association or Council family house and they wish to be re-housed separately to a flat or bungalow, Band 1 will be awarded to all applicants on separate applications</li> </ul>	One Offer - For downsizers in Band 1 status for under occupation for households living in family Social rented houses (RSL and Council) willing to move to a smaller property with fewer bedrooms. Re-dated to date of housing assessment panel  Two Offers - If Band 1 is awarded by HAP to move to a home fewer less bedrooms, where council tenants financial appraisals indicate

<p>fewer bedrooms, a house, flat or a bungalow. An assessment will still be required for households with medical needs or who require a bungalow.</p>	<p>HOMESWAPPER</p> <ul style="list-style-type: none"> <li>• Applied for Discretionary Housing Payments</li> <li>• The tenant's financial means have been appraised by the Councils Money Advice Officer.</li> <li>• Has maintained the tenancy effectively, there are no other breaches of tenancy at the property, the tenant owes no other debts to the Council and the property is in good condition and can be re-let easily at reasonable cost</li> <li>• Is actively seeking work or training and have been seen and assisted by the Employment Solutions Officer (where appropriate)</li> </ul>		<p>they cannot afford the rent payments due to being affected by bedroom tax, and DHP has been refused a referral will be made by HAP to the Income team. The income team will consider whether the council tenant can be supported with top ups of weekly rent until they are rehoused (maximum value of £571.00 or 40 weeks rent.) If the tenant refuses 2 offers this rent top up payment will be recovered</p>
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**4.2 Band Two- Medium Need (previously known as Priority Band)** These applicants have been awarded Band 2 (priority) through an assessment process has having some form of priority status. Offers are made in date order in Band 2.

In certain circumstances properties may not necessary be allocated in date order but be considered against pressing need and waiting time, such as adaptations within a property, associated risks and where the assessment recommends specific streets, or where a Band Two application has been waiting for a long period due to being restricted to certain areas due to support needs. For example a property is advertised in August 2013 and a Band One applicant is at the top of the shortlist dated 24/7/2013 but the applicant in Band Two has a date of 19/8/2010 and the property meets their needs due to being close to support needs.

Applicants are entitled to 2 offers of accommodation on the Housing Register; if these are refused then the application will be cancelled. Where a property is accepted the application will be cancelled.

<b>Band 2</b>	<b>Status awarded by:</b>	<b>Details</b>	<b>Comments</b>
Homeless or Threatened with Homelessness and in Priority Need	Homelessness Team	<ul style="list-style-type: none"> <li>Homeless or Threatened with Homelessness and in Priority Need</li> <li>Discharge of duty can be through a suitable private rented sector offer</li> </ul>	1 Offer in Band 1 or 2 which is time limited to 28 days. This can be extended by the Homelessness Team if a suitable property has not become available. If the suitable offer is accepted or refused then the Homelessness duty will be discharged. If the property is refused the application will move to Band 3 with one offer of Council housing remaining
Homes Subject to Repair, Renewal, Demolition or Prohibition Order,	Housing Strategy Team, Environmental Health Cabinet Member	Homes subject to Demolition or Prohibition Orders, whose property has been approved for demolition/clearance and where major works are required to a customers property making it inhabitable.	<p>Prohibition Orders Make requests in Key Choices- 2 offers</p> <p>Regeneration make requests in Key Choices - 2 offers.</p> <p>A Relocation Package will be offered to those affected by regeneration work</p>



		<ul style="list-style-type: none"> <li>To be awarded Band 2 from the date of the Cabinet Member decision</li> </ul>	
Medical Needs	Assessment Team	<ul style="list-style-type: none"> <li>Medical needs include: <ul style="list-style-type: none"> <li>severe and enduring mental health problems</li> <li>physical disability</li> <li>medical problems where a bungalow is required</li> <li>Individuals with a profound learning disability who would find it difficult to live independently. Individuals providing support, if the assessment identifies that care and support is given to the customer daily, that care given must be personal care e.g. assisting with bathing, dressing, medication etc.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>2 offers and time limited to 28 days</li> <li>Confirmation of the support to be obtained by Social Care Assessment (if one undertaken by Adult Services)</li> <li>Distance to provide care and family commitments will be taken into account</li> <li>The medical team have the right not to offer a property if it doesn't meet the applicants medical needs.</li> <li>Home Owners and applicants with savings over £16,000 will be considered on a case by case basis, e.g. where the applicant cannot access alternative housing options which meet their medical need.</li> </ul>
Households who are in low paid work who cannot afford to access or	Housing Register and Advice Officer	Dated from the date the applicant notifies the Council to advice of their circumstances.	<p>2 offers</p> <p>Affordability check to be undertaken and the Council has the right not to offer a tenancy if</p>

maintain other housing options such as home ownership or private rented			the applicant cannot afford to take it on. To assist households who are struggling to manage private rented or homeownership due to affordability
Relationship Breakdown	Housing Register and Advice Officer	<p>Dated from the date the applicant notifies us of their relationship breakdown.</p> <p>Existing applications that have been moved from the previous General group will be re-dated to the date of their first bid, or if no bids have been placed the date of the policy change (1/1/14)</p> <p>However, in some cases where there are households in housing need but have not made bids in the last 12 months, these will be considered and re-dated to when their circumstances changed. (Possibly due to the fact that some applicants may have considered making a bid but were put off because of their lengthy queue position)</p>	<p>2 offers</p> <p>Where children are involved, information should be attained that details where the children will be residing.</p> <p>Note: Where there are children under the age of 18, and both parents have an arrangement for at least 3 nights access, both applicants will be eligible for a house or a maisonette/ground floor flat.</p> <p>Note that they may be subject to bedroom tax. However if the parent is in receipt of Housing Benefit the parent who receives the Child Benefit will be entitled to bedroom tax that meets the size of the household. The other partner may only be entitled to a 1 bedroom rate.</p>

Victims of Domestic Violence not subject to a MARAC	Homelessness Team Rotherham Women's Refuge Domestic Violence Coordinator (RMBC)	<ul style="list-style-type: none"> <li>Victim supported by Women's Refuge, or Domestic Violence Officer (SY Police)</li> </ul>	2 Offers
Statutorily Overcrowded	Environmental Health	<ul style="list-style-type: none"> <li>Statutorily Overcrowded, and the household requires larger housing</li> </ul>	2 offers No time Limit due to lack of stock of 4 bedrooms.
<p>Requiring Move on from Supported accommodation</p> <p>Assessed by Support Provider as ready to live Independently</p>	<p>Fleming Gardens Rush House Action Housing Youth Offending Supported Housing Action Housing Swallownest Court Browning Court Action for children Rotherham Mind SYHA Elliott Court Rotherham Women's Refuge Browning Court Any other supporting people funded accommodation projects in Rotherham</p>	<ul style="list-style-type: none"> <li>Applicants ready to live independently leaving Supported accommodation, will be categorised "ready to live independently" The Support Provider will inform the Homelessness team who will categorise and date their application.</li> <li>The date of (Please see comment box for 16/17 year olds.) the Band 2 status date will be the same date that the applicant moved into Supported Accommodation. ( this will ensure that the applicant moves quickly following assessment and will ensure that there is no</li> </ul>	<p>Young people living in Supported accommodation who are ready to live Independently – the Support Provider will contact Homelessness Manager who will arrange for the individual case to be considered at the next Moving On Panel. The Support Provider will attend panel and confirm that the young person is ready to live independently, and confirm that the young person has agreed to a support plan for at least 3 months, the category of the application will then be amended to SC</p> <p>Make requests in Key Choices- 2 offer</p> <p>If the applicant has lived in Supported accommodation for more than 6 months and are ready to live Independently –the application can be consider for Band 1 status.</p>

		blockages in supported accommodation	
Individuals engaging and receiving a Drug or Alcohol Treatment Programme for the last 6 months	PCT – DIP Homelessness officer	<ul style="list-style-type: none"> <li>Individuals who have been assessed by the Drug Strategy team as having an urgent housing need and are engaging in a drug treatment programme for the last 6 months. Checks will be made prior to offer to ensure that the applicant has been engaging for last 6 months and is still receiving treatment</li> </ul>	<p>2 Offers</p> <p>The applicant must be on a drug treatment programme for the last 6 months and still engaging.</p> <p>It is a condition of the tenancy agreement that tenants must not sell, or possess illegal drugs or commit anti-social behaviour due to drunkenness</p>
Prolific Offenders, not a high risk to the Community	Probation Youth Offending team (YOT) Action Housing DIP Homelessness officer	<ul style="list-style-type: none"> <li>Ex Offenders that require rehousing on release from prison</li> </ul>	<p>TIME LIMITED TO 6 weeks (42 DAYS) 2 Offers in the bidding process. Must be engaging with floating support services, DIP, Homelessness Officer. If the applicant is not making requests then the priority and application will be cancelled. However this can be extended by the Officer if a suitable property does not become available.</p>

**4.3 Band 3 – Low Need (Previously known as General Plus and General)** Households in the Band 3 will be entitled to 2 offers of accommodation. If these are refused the application will be cancelled. Where a property is accepted the application will be cancelled. If no bids have been made in the last 12 months the application will be cancelled.

Existing applications that have been moved from the previous General group will be re-dated to the date of their first bid, or if no bids have been placed the date of the policy change (1/1/14) However, in some cases where there are households in housing need but have not made bids in the last 12 months, these will be considered and re-dated to when their circumstances changed. (Possibly due to the fact that some applicants may have considered making a bid but were put off because of their lengthy queue position)

<b>Band 3</b>	<b>Status awarded by</b>	<b>Details</b>	<b>Comments</b>
Homeless applicants, not in priority need with no accommodation of their own, which are staying with family or friends on a temporary basis and have been asked to leave within 28 days.	Homelessness Team	<ul style="list-style-type: none"> <li>Homeless applicants, not in priority need where the authority does not owe the main homelessness duty, Where the applicant has no accommodation to call their own, and are staying with family or friends on a temporary basis and have been asked to leave within 28 days.</li> </ul>	<p>2 Offers.</p> <p>Dated to the date the applicant informs the authority of the change of circumstances</p>
Homelessness households who refuse a suitable/affordable offer of either	Homelessness team		Homeless Households are entitled to 1 offer before the homelessness duty is discharged. Following refusal in Band 1 or 2, the application is moved to this band 3, and will have 1 remaining offer on the housing register.

Council, RSL or Private Rented Sector Offer, and the homelessness duty has ended.			Once the applicant refuses 2 offers in total their Housing Register application is cancelled.  No bids in the last 12 months the application will be cancelled
Households that have been moved from Band 1 (Council Tenants will be moved from Band 1 to the Transfer Band)	Housing Register and Advice team		These include applications that: <ul style="list-style-type: none"> <li>- were time limited to 28 days in Band 1 and no bids were made within 28 days</li> <li>- refused 1 offer in band 1</li> </ul> Note that if the applicant has already had 2 offers in total and these have been refused the application will be cancelled.
Private tenants or homeowners, who lack amenities or where the applicant cannot afford to maintain the rent or mortgage	Housing Register and Advice team	<ul style="list-style-type: none"> <li>• Private tenants with lack of amenities – no hot/cold running water, inside toilet bath/shower, wash hand basin</li> <li>•</li> </ul>	Coded and dated on receipt or to the date of notification of circumstances  An affordability check analysing income and expenditure will be undertaken to determine affordability
Families forced to live apart.	Housing Register and Advice team	<ul style="list-style-type: none"> <li>• Families forced to live separately and apart who are neither tenants nor owners of a property living in lodgings, single use of a room or sharing rooms with another person or family</li> </ul>	2 Offers.  Dated to the date the applicant informs the authority of the change of circumstances

		and the accommodation is not large enough or appropriate for the family to live together	
Mobile caravans or boats with no static amenities	Housing Register and Advice team	<ul style="list-style-type: none"> <li>Mobile caravans or boats with no static amenities</li> </ul>	
Overcrowded as defined by the bedroom space standard	Assessment made by Environmental Health	<ul style="list-style-type: none"> <li>Locally Overcrowded</li> </ul>	<p>2 Offers.</p> <p>Dated to the date the applicant informs the authority of the change of circumstances</p>
Renting unsuitable Council or Housing Association accommodation for children under 12. This includes a flat or a bedsit at all floor levels. Note that if the child reaches 12 before rehousing, the original date and category will remain unchanged.	Coded and dated on receipt or to the date of notification of change of circumstances by the Council. Single people expecting their first child will be placed in this group when the child is born.	<ul style="list-style-type: none"> <li>Upper floor Council flats</li> <li></li> </ul>	<p>2 Offers.</p> <p>Dated to the date the applicant informs the authority of the change of circumstances</p>

If an applicant with children chooses to accept a Council tenancy which is a ground floor flat, commenced	Dated to the date the Council Tenancy commenced in the ground floor by the Council.	<ul style="list-style-type: none"> <li>Ground floor Council flats only</li> </ul>	<p>2 Offers.</p> <p>If no bids are made in 12 months the application will be cancelled.</p>
Applicants who wish to be considered for Council or Housing Association accommodation who are living on a permanent basis with family or friends and are ready to move on	Coded on receipt by the Council	Applicants with no accommodation of their own, who are living with family or friends on a permanent basis and now require re-housing	<p>2 offers – If no bids are made within 12 months the application will be cancelled</p> <p>Existing applications that have been moved from the previous General group will be re-dated to the date of their first bid, or if no bids have been placed the date of the policy change (1/1/14)</p> <p>However, in some cases where there are households in housing need but have not made bids in the last 12 months, these will be considered and re-dated to when their circumstances changed. (Possibly due to the fact that some applicants may have considered making a bid but were put off because of their lengthy queue position)</p>



4.4 Transfer Band	Status awarded by	Details	Comments
<p>Existing Council or Housing Association tenants who have been a good tenant and have had no breaches in their tenancy conditions in the last 2 years.</p> <p>Council tenants that have been moved from Band 1</p>	<p>Housing Champion to confirm eligibility of the tenant before the application is registered</p>	<p>The tenant's current property and garden must be in good clean and tidy condition, with no unauthorised repairs.</p> <p>A reference must be attained from the current landlord.</p> <p>Breaches in tenancy conditions are defined in the Tenancy Agreement and includes rent arrears and reports of any anti social behaviour</p>	<p>2 Offers.</p> <p>Existing applications that have been moved from the previous General group will be re-dated to the date of their first bid</p> <p>Households in housing need that have not placed bids in the last 12 months, will be considered and re-dated to when their circumstances changed . (Possibly due to the fact that some applicants may have considered making a bid but were put off because of their lengthy queue position)</p> <p>Tenants who are not in housing need and don't want to move now will be asked reapply when they are ready to move.</p>

## **5. Housing Management Lettings**

There are certain circumstances when vacant properties may not be advertised in the “Key Choices” letting scheme, and on some occasions properties may have been advertised but the accommodation is required for a Management Letting.

These will normally apply to the following situations where the Council and its partner landlords may need to use vacant properties for specific management purposes in urgent circumstances. Some of the reasons include:

- Emergency re-housing, for example accommodation maybe required following fire, flood or other major incident
- Witness protection scheme
- Safeguarding Adults or Children
- Housing for those leaving foster care or ensuring foster placements are available
- Individuals re-housed through Multi Agency Public Protection Panel
- Customers who are in hospital and are well enough to return home, but their current home is not suitable for their needs; this is known as Bed Blocking and has direct financial consequences to the authority
- Customers who are experiencing violence and need to move to ensure their safety
- Provision of homeless temporary accommodation
- Other exceptional housing management reasons assessed by the Housing Assessment Panel, Risk Management Panel or Cabinet Member Report
- Other Exceptional urgent housing management reasons.

In extreme urgent circumstances where cases require an immediate decision, the Director of Housing and Neighbourhood Services or the Housing Option Manager will consider the case and update the Housing Assessment panel at the next meeting.

## **6. Furnished Homes**

Applicants who have been offered a Council tenancy can choose to have a furniture package. Their application will be cancelled on taking a furnished home. A furnished charge is added to the rent account. The furniture charge is fully covered by Housing Benefit regulations for people on low incomes who would normally qualify.

There are different types of furnished packages to rent, which vary in cost.

## **7. Announcement of the Allocation Outcome**

To ensure that all Allocations are transparent the results will be published on the internet on the Key Choices website and made available at all Customer Service Centres and at the “Key Choices” Property Shop. The General feedback will include the details of:

- The type of property, locality and advertised group
- Total number of requests received for the property.
- Registration Date and category of successful applicant.

## 8. List of Housing Associations

<b>Anchor Housing Association</b> <b>Milestone Place</b> <b>100 Bolton Road</b> <b>BRADFORD</b> <b>ED1 4HD</b>  <b>Tel: 0845 7758595</b>	<b>Chevin Housing Association Ltd</b> <b>2 Carbrook Street</b> <b>Carbrook</b> <b>SHEFFIELD</b> <b>S9 2JE</b>  <b>Tel: 0114 2443388</b>	<b>English Churches Housing Group</b> <b>3 Lindon House</b> <b>Sardinia Street</b> <b>LEEDS</b> <b>LS10 1BH</b>  <b>Tel: 0845 0707074</b>
<b>Equity Housing Group Ltd</b> <b>Armitt House</b> <b>Monmouth Road</b> <b>Cheadle Hulme</b> <b>Stockport</b> <b>Cheshire</b> <b>SK8 7EF</b>  <b>Tel: 0800 733233</b>	<b>Habinteg Housing Association</b> <b>Ground Floor</b> <b>Beech House</b> <b>Woodland Park</b> <b>Bradford Road</b> <b>Chain Bar, Bradford</b> <b>BD19 6BW</b>  <b>Tel: 01274 853160</b>	<b>Housing 21</b> <b>1 Staithgate Lane</b> <b>Odsal</b> <b>BRADFORD</b> <b>BD6 1YA</b>  <b>Tel: 01274 744190</b>
<b>Johnnie Johnson Housing Trust Ltd</b> <b>Central Regional Office</b> <b>109 Burngreave Road</b> <b>SHEFFIELD</b> <b>S5 9DF</b>  <b>Tel: 0845 6041095</b>	<b>North British Housing</b> <b>The Old County Court House</b> <b>Bank Street</b> <b>SHEFFIELD</b> <b>S1 2DS</b>  <b>Tel: 0845 6044446</b>	<b>Northern Counties Housing Association</b> <b>77/79 Main Street</b> <b>MEXBOROUGH</b> <b>South Yorkshire</b> <b>S64 9ND</b>  <b>Tel: 01709 598800</b>
<b>Sadeh Lok Housing Association</b> <b>Trafford House</b> <b>11 Halifax Road</b> <b>HUDDERSFIELD</b> <b>HD3 3AN</b>  <b>Tel: 01484 435715</b>	<b>Salvation Army Housing</b> <b>33/35 New Chorley Road</b> <b>BOLTON</b> <b>BL1 4QR</b>  <b>Tel: 0845 3000008</b>	<b>Sanctuary Housing Association</b> <b>52 Netherhall Road</b> <b>DONCASTER</b> <b>DN1 2PZ</b>  <b>Tel: 0845 7573263</b>
<b>South Yorkshire Housing Association</b> <b>Southfields</b> <b>Grove Road</b> <b>ROTHERHAM</b> <b>S60 2ER</b>  <b>Tel: 01709 820538</b>	<b>Yorkshire Metropolitan Housing Association</b> <b>24 Cumberland Street</b> <b>SHEFFIELD</b> <b>S1 4PT</b>  <b>Tel: 0114 2765030</b>	

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>18th December 2013</b>
<b>3.</b>	<b>Title:</b>	<b>Amended Home to School Transport Policy</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

**5. Summary**

The Council has a statutory duty to provide free transport to and from school for “eligible” children. The criteria for assessment of entitlement to free transport assistance are contained within the Home to School Transport Policy which is updated and published annually; this report sets out proposed changes to the policy.

**6. Recommendations**

**That the Cabinet considers, agrees and approves the proposed amendments contained within the “Draft Home to School Transport Policy – September 2013” and that this Policy be published.**

## 7. Proposals and Details

The Home to School Transport Policy is usually reviewed around April annually since this allows time for it to be read and understood before the commencement of the academic year in September.

Following lobbying by ATCO (Association of Transport Co-ordinating Officers) the Department for Education (DfE) released updated statutory guidance in April 2013 which indicated that the procedures for parental appeals against the decision not to grant free transport assistance should follow a recommended format. Internal procedures were amended to reflect the new guidance and a revised Home to School Transport Policy was prepared for submission. However, following legal challenge, the DfE was forced to withdraw this statutory guidance in mid July 2013 since it had not consulted on the changes for the necessary time period. The revised Home to School Transport policy has now been shelved pending later re-issue of statutory guidance. The Transport Policy reverts back to that in existence prior to the withdrawn April 2013 statutory guidance but it has not been possible to prepare a draft version of this Policy before now.

Sections 2.03 and 2.08 have been amended as a result of clarification and agreement with CYPS and there have been some other minor text amendments. All of these amendments are identified in red text on the "Draft Home to School Transport Policy – September 2013" but none of these affect entitlement or qualification.

Comments were sought from the *Improving Lives Select Commission* at its meeting on 6<sup>th</sup> November 2013; no amendments to the revised policy were suggested.

## 8. Finance

There are no financial implications regarding publication of the Policy. Any costs relating to the publicity will be contained within the existing budget.

## 9. Risks and Uncertainties

The Department for Education presented updated guidance at the request of Local Authority Officers who administer Home to School Transport entitlement; the more detailed and prescriptive guidance was welcomed but has unfortunately been withdrawn by DfE due to lack of consultation. It is likely that this guidance will be re-issued at a later date following further consultation. An revised version of the Home to School Transport Policy containing the necessary amendments will then need to be prepared, agreed and accepted prior to publication.

## **10. Policy and Performance Agenda Implications**

All discretionary elements of transport provision have now/previously been removed from the Home to School Transport Policy; the Policy now covers only the elements that are a statutory duty. Legislation within the Education and Inspections Act 2006 introduced extended rights to free transport assistance for pupils from “low income” families; these are also covered within the Policy.

## **11. Background Papers and Consultation**

**Draft Home to School Transport Policy – September 2013**

**Home to School Transport Policy – April 2012** (currently published)

**Contact Name : Craig Ruding , Principal Education Transport Officer**  
**Tel: 22527, e-mail: [Craig.Ruding@rotherham.gov.uk](mailto:Craig.Ruding@rotherham.gov.uk)**

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>18 December 2013</b>
<b>3.</b>	<b>Title:</b>	<b>Community Right to Bid – Doncaster Gate Hospital Site</b>
<b>4.</b>	<b>Directorate</b>	<b>Environment and Development Services</b>

### **5. Summary**

This report refers to a recently received application under the Localism Act Community Right to Bid legislation, to have the former Doncaster Gate Offices listed as an asset of community value.

The application does not fulfil the requirements of the legislation to have the site listed and it is recommended, therefore, that the application be rejected.

Following Cabinet's decision on 16 October 2013 to demolish the building, there has been a degree of Public interest in preserving the Doncaster Gate building itself. It should be noted that successful registration of any community asset does not, in any event, prevent demolition as the legislation applies only to the disposal of any site.

Demolition is scheduled to commence in February 2014. In view of the Public interest, and in order to give those parties interested in putting together any proposals for the future use of the building, it is proposed to allow until 24 January for any proposals to be brought forward for consideration.

### **6. Recommendations**

**Cabinet is asked:**

- **to confirm the application to have the former Doncaster Gate Offices listed as an asset of community value be rejected and the asset be added to the unsuccessful register.**
- **to agree to allowing any interested parties until 24 January 2014 to bring forward to the Council any re-development proposals which retain all or a significant part of the building.**



## 7. Proposals and Details

The Community Right to Bid, introduced as part of the Localism Act 2011, enables town and parish councils and local voluntary and community organisations to nominate local land or buildings to be included in lists of community assets maintained by local authorities.

Local authorities are required to keep two registers; a register of successful applications and a register of unsuccessful applications.

Councils have 8 weeks to make a decision on any application received.

In the event of any proposed disposal of any asset on the successful register of assets of community value, a process will be triggered that allows the community interest group(s) to express an interest in bidding to purchase the property. Where a community group wants to submit a bid, the legislation requires the owner of the asset to allow the community group up to six months to submit a bid. This is known as the **Moratorium**.

An application was received on 14 November 2013 requesting that the former Council offices at Doncaster Gate be added to the successful register of assets of community value (Application CRTB10005). The application is attached at **Appendix 1**. Key details are noted below:

Description: Former Hospital & vacant Council Offices.

Property Owner: RMBC

Nominating Group: Rotherham District Civic Society, 43 Scholes Lane, Scholes, Rotherham

Date nomination received: 14 November 2013

Date decision to be made by: 9 January 2014

Evaluation: When a nomination for an asset of community value is received, Rotherham Metropolitan Borough Council will consider the nomination using a 2-stage process which is set out in the standard RMBC Community Right to Bid evaluation criteria form.

Stage 1 of the process deals specifically with assessing whether the nominating group is eligible to nominate and if the application has been completed in full, in order to make a decision on listing (in accordance with that set out in the Assets of Community Value (England) Regulations 2012). The nominating group was successful at this stage of the process and was considered eligible to nominate the property asset as an Asset of Community Value.

It should be noted that the nominating group stated on the nomination application form that they have no local connection to the asset being nominated. The nominating group's ability to demonstrating a local connection to the nominated asset forms part of the assessment criteria which is set out in the legislation. All eligible nominating groups must demonstrate a local connection by showing that their activities are wholly or partly concerned with the local authority area. A decision was made to progress the application at this stage (rather than rejecting it on a technicality), as the nominating group can demonstrate a local connection by having 68 individual members who are registered to vote locally within the borough of Rotherham.

The nomination application was therefore progressed to stage 2 of the evaluation criteria form.

Stage 2 criteria for assessing whether an asset is of community value is based on Part 5, Chapter 3, Section 88 of the Localism Act 2011. There are four questions that all need to be answered positively for any application to be successful. The questions are highlighted in the table below, along with a summary of the assessment conclusions. The full evaluation is attached at **Appendix 2**.

<b>Requirement</b>	<b>Conclusion</b>
(a) The asset's current use furthers the social wellbeing or social interests of the local community, or a use in the recent past has done so	<b>FAIL</b> – the building was used as a Council support services office between 2009 and 2011. It has been vacant since January 2012.  English Heritage rejected an application for listed status in 2009, concluding that the building was “ <i>not of sufficient special architectural or historic interest to merit listing</i> ”.
(b) That use is not an ancillary use	<b>Not applicable</b> as the test at (a) is failed.
(c) It is realistic to think that there will continue to be a use which furthers social wellbeing or social interests of the local community, or for land that has been in community use in the recent past, it is realistic to think that there will be use of the building within the next five years that would further the social wellbeing or social interests of the local community (in either case, whether or not that use is exactly the same as the present or past)	<b>FAIL</b> – Although there has been some Public interest in the future of the building, at this stage no firm proposals have been presented to the Council that would enable it to conclude it is realistic to believe the property could be brought back into use as a community asset.
(d) It does not fall within one of the exemptions	<b>PASS</b>

In conclusion, the application does not provide sufficient evidence in support of the nominated asset furthering the social wellbeing or social interests of the local community either currently or in the future. Therefore, subject to approval of this evaluation, the application to nominate the property as an Asset of Community Value will be unsuccessful and the application will be registered on the unsuccessful register.

### **Demolition and other interest in the building**

On 16 October 2013 Cabinet approved the demolition of Doncaster Gate Offices and arrangements have been put in place to implement Cabinet's decision.

The building is currently being 'soft-stripped' internally (i.e. all asbestos is being removed as are obsolete electrical and heating systems and other internal materials).

It is thought that the main aim of the application for inclusion of Doncaster Gate on the successful register of community assets is to preserve the building itself.

**Crucially, it should be noted that the Community Right to Bid legislation does not protect buildings from demolition; the legislation applies only to disposals.** An extract from the relevant Government Guidance is provided below.

#### ***"Moratorium***

*9.1 The moratorium requirements, as set out in section 95 of the Act, apply only to relevant disposals. "Relevant disposal" is defined in section 96. It means a transfer of the freehold or grant or assignment of a qualifying lease which gives vacant possession of the buildings and other land in question. However they will not apply to all relevant disposals, as some types of relevant disposal are exempt. These exemptions are partly in the Act and partly in the Regulations; the full combined list is set out in Annex A below. The moratorium provisions apply only to disposals, so for example if a building listed as an asset of community value is to be demolished without being sold, the moratorium rules in section 95 do not apply" \*<sup>1</sup>.*

In addition to the application for registered status received, the Council has been approached by one other party expressing an interest in the future of the site. A meeting has recently taken place with this party and although their interest has been confirmed, the Council cannot at this stage regard this as providing any certainty over the future of the building. There needs to be a fully prepared and detailed / costed plan for the site in place before any recommendation could be

□

<sup>1</sup> (source: Department for Communities and Local Government: Community Right to Bid: Non-statutory advice note for local authorities - Part 5 Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012)

made to halt the demolition of the building. Plans will also need to include provision for purchasing the site from the Council at its market value.

The actual demolition itself is scheduled to commence in February 2014, after the completion of the 'soft-strip'.

In view of this and the Public interest in the building, the Council could allow any interested parties to bring forward any proposals for the building by 24 January 2014, the latest date on which demolition could be halted.

### **8. Finance**

Registering the application as being unsuccessful will have no financial implications other than officer time in dealing with the application.

### **9. Risks and Uncertainties**

The Community Right to Bid process deals with a new area of legislation and relies upon regulations for interpretation and the considering of applications.

The risk exists that the applicant may challenge the Council's decision.

### **10. Policy and Performance Agenda Implications**

Operation of the Register of Community Assets under the provisions of the Community Right to Bid contributes towards priorities set out in the Council's Corporate Plan. Where appropriate it assists to reinforce Rotherham neighbourhoods and communities and ensure community cohesion.

### **11. Background Papers and Consultation**

Cabinet, 16 October 2013 (exempt)

Copy of application attached in Appendix 1 – see below

### **Appendices:**

**Appendix 1** – Copy of application

**Appendix 2** – Completed evaluation criteria form.

### **Contact Names:**

David Stimpson, Estates Manager, ext 54057 [david.stimpson@rotherham.gov.uk](mailto:david.stimpson@rotherham.gov.uk)

Colin Earl, Director of Audit and Asset Management, ext 2203

[colin.earl@rotherham.gov.uk](mailto:colin.earl@rotherham.gov.uk)

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**  
**ASSETS OF COMMUNITY VALUE – THE COMMUNITY RIGHT**  
**TO BID**

**NOMINATION FORM**

Before completing this form please refer to the Nomination Criteria document which can be downloaded from the website: [www.rotherham.gov.uk/righttobid](http://www.rotherham.gov.uk/righttobid)

**Section 1 Information on the property to be nominated**

Name of property:	<i>The Former Doncaster Gate Hospital</i>
Description of Property (what it is (eg local shop, village public house):	<i>Former Hospital &amp; Council Offices</i>
Property address and postcode:	<i>Doncaster Gate, Rotherham S65 1DT</i>
Is the property Freehold or Leasehold:	
Boundary of property and extent of site: Please include a boundary plan identifying the land or building(s) that you are nominating (see attachment checklist Section 6)	
Property owners name:	<i>ROTHERHAM METROPOLITAN BOROUGH COUNCIL</i>
Address:	<i>Riverside House,</i>
Postcode:	<i>MAIN STREET, ROTHERHAM</i>
Telephone number (if known):	<i>S60 1AE</i>
Current occupiers name (if known):	



**Section 2 About your organisation**

Name of organisation: <i>full name as written in your constitution or rules (if appropriate)</i>	
<b>ROTHERHAM DISTRICT CIVIC SOCIETY</b>	
Your Position in organisation: <b>SECRETARY</b>	
Address: <b>43, Scholes Lane, Scholes,</b>	
<b>ROTHERHAM, S61 2RL</b>	
Postcode:	
Email address: <b>plawshridge@blueyonder.co.uk</b>	
Contact Telephone Number: <b>0114 2464703</b>	

**Section 3 Organisation type**

Description	Put a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity	<b>X</b>	
Community interest company		
Unincorporated body		
Company limited by guarantee		
Industrial and provident society		

**Section 3 (A)****Your organisation's rules (see attachment checklist 6)**

Please provide us with the relevant type of document for your organisation, and put a cross in the next column to indicate which one this is	Put a cross against the type of document that applies
Memorandum and Articles of Association (for a company)	
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	

**Section 4 Making a nomination and supporting information**

It is important that your community group is eligible to nominate. Please provide as much information as possible.

**4 (A) Number of members registered to vote locally (unincorporated bodies only)**

In the case of an unincorporated body, at least 21 of its individual members must be registered to vote locally. If relevant please confirm the number of members:

76 68

**4 (B) Nominating the asset of community value**

**Note: The following are not able to be nominated as assets of community value:**

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

Do you have a local connection to the property you are wishing to nominate?

No

Note: Please provide additional information if required.

Why do you feel that the property is an asset of community value? Please give as much information as possible.

It was built in 1870 by police subscription. It is a well known feature of the town centre. It contains a war memorial and a warbur of features of local interest.

Note: Please provide additional information if required.



Does it currently or could it in the future further the social wellbeing or social interests of the local community? If so how? (This could be different from its current or past use).

We believe that the facade of the building should be retained in a development that may include community / heritage uses.

Note: Please provide additional information if required.

**Section 5 Submitting this nomination**

What to include

- Copy of group constitution (if you are a constituted group)
- Name & home addresses of 21 members registered to vote in nomination area (if group is not constituted)
- Site boundary plan
- Completed nomination form

**Section 6 Declaration**

By signing this you are confirming that the information provided within the form is correct accurate and to the best of your knowledge.

Print name:	PETER RUSSELL HAWK RIDGE
Signed:	PHawkins
Dated:	11 <sup>th</sup> November 2013

**Confidentiality and data protection**

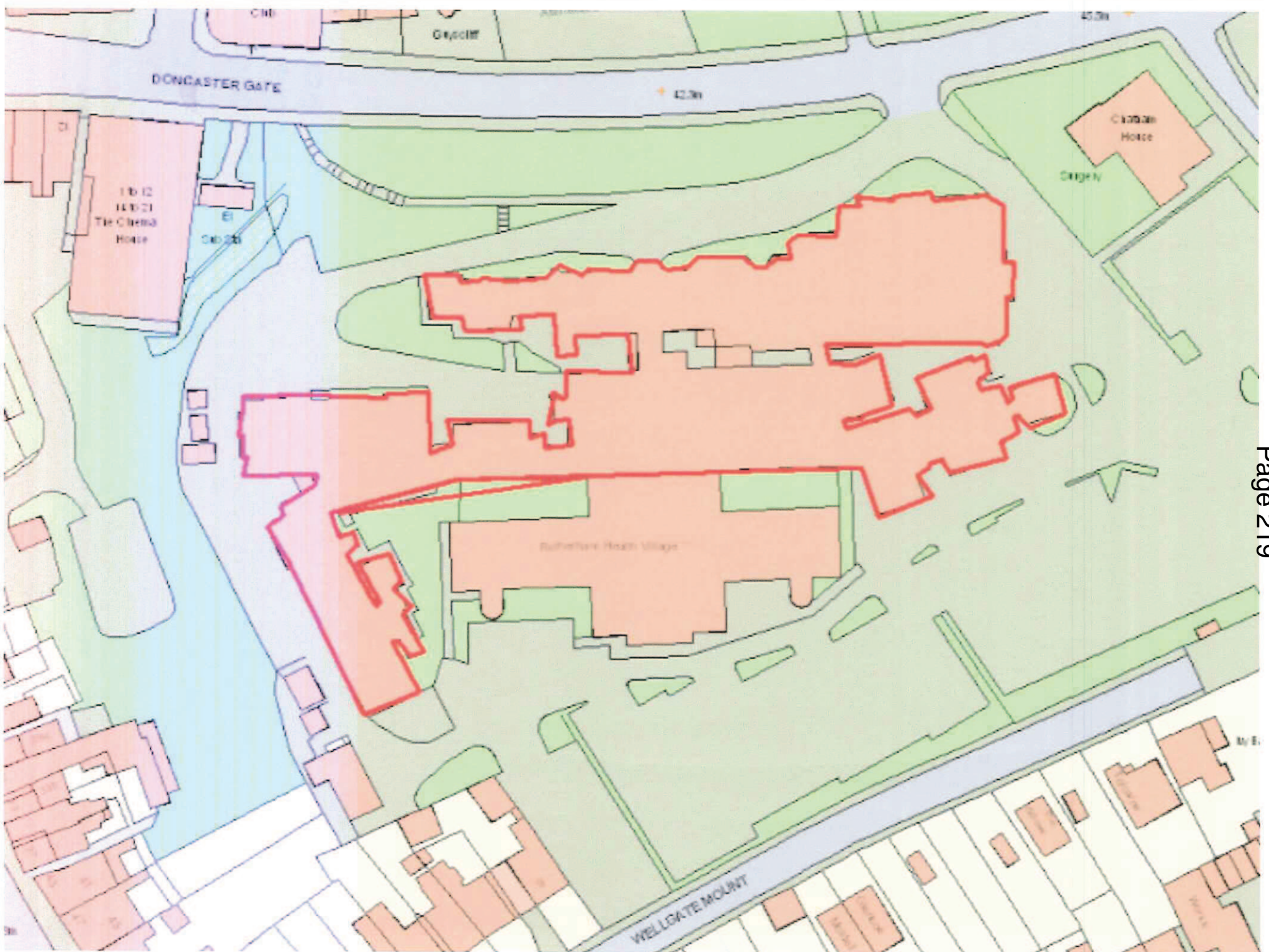
Information provided in response to this nomination form, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

# Members of the Society

First Name	Surname	Address
<i>pa</i>	<i>Allen</i>	<i>Apptment. Hapton House, Rectory Lane, Branston, Lincs</i>
M	Andrews	10 Newman Court Moorgate S60 3JA
M O	Auburn JP	15 Melrose Grove Moorgate S60 2NA
M T	Aukland	Rossiter House Rossiter Rd Greasbrough S61 4PZ
Christine	Bell	10 Ash Close Brecks S65 3DX
Clare	Birch	15 Longlands Drive Thnybergh S65 4DZ
Jeannie	Black	96 Spineyfield S60 3BB
Jeremy	Blundell	Thundercliffe Grange Grange Lane S61 2SQ
Gillian	Boothman	7 Woodlands Broom Lane S60 3EQ
Ron J	Bye	12 Hall Grove Moorgate S60 2BS
Ann	Carver	20 Worrygoose Lane Whiston S60 4AD
Kathleen	Cronk	9 Summerfield, Chatham St, Clifton S65 1DR
J	Cutts	206 Hague Ave Rawmarsh S62 7PR
Margaret	Dallinson	1 Kirkcroft Ave Thorpe Hesley S61 2UG
Betty P	Davies	71 Springfield Rd Wickersley S66 2DQ
Sybil	Davies	7 Barrowby Rd Rotherham
Sheila	Dibb	6 Selwood Doncaster Rd S65 2BW
Ken	Eastburn	5 Spineyfield S60 3HW
Celia King	Eastburn	5 Spineyfield S60 3HW
John	Eddington	39 Grange Rd S60 3LH
Rita	Eddington	39 Grange Rd S60 3LH
Hamish	Ferguson-Stuart	13 Oakwood Hall Drive Moorgate S60 3AQ
Linda	Ferguson-Stuart	13 Oakwood Hall Drive Moorgate S60 3AQ
Pat	Fuller	29 Broom Crescent Broom S60 2SS
A E	Grice	28 Wood Lane Wickersley S66 1JX
Peter	Griffith	159 Doncaster Rd S65 2DQ
Barbara	Griffith	159 Doncaster Rd S65 2DQ
George	Hannigan	1 Shoreham Drive Rotherham S60 3DT
John	Hargreaves	4 Herringthorpe Avenue, Rotherham, S65 3AA
Colin	Harrison	81 Clough Road, S61 1RG
Ian	Hawkrigde	52 Broom Crescent Rotherham S60 2SS
Peter	Hawkrigde	43 Scholes Lane Scholes S61 2RG
Jeremy	Healy	5 Marcliff Crescent Listerdale S66 2AV
Ray	Hearne	28 Flintway Wath-upon-Dearne S63 7TR
David	Hedges	23 Kendal Drive Wath-upon-Dearne S63 8NT
Russ	Hird	120 St John's Rd Laughton-en-le-Morthen Dinnington S25 1YN
May	Hirst	34 Woodfoot Rd Duke of Norfolk S60 3DY
Christopher P	Holmes	1 Aldam Chase Wickersley S66 1FR
M H	Hussain	Barbot Hall Carr Hill Greasbrough S61 4QL
Gwen	Jarvis	12 Grayson Close Ravenfield S65 4LG
Brian	King JP	22 Barden Crescent Brinsworth S60 5HR
Lionel D	Leader	12 Black Carr Rd Listerdale S66 2DJ



M	Leader	12 Black Carr Rd Listerdale S66 2DJ
J G	Lister	Fig Tree Cottage 13 Main St Old Ravenfield S65 4Na
Margaret	Longdon	123 Strauss Crescent Maltby S66 7QL
E	Mitchell	28 Springfield Rd Wickersley S66 0DG
W B	Morrison	16 Whiston Grove Moorgate S60 2TX
Peter E	Muntus	10 St James' View Ravenfield S65 4NL
Christine	Palmer	20 Whiston Grove Moorgate S60 2TX
John G	Price	3Nabeel Court, S60 2PL
Pauline	Quail	12 Millais Rise, Flanderwell, S66 2XW
Patricia	Ralphs	The Knowle/Knoll Kingsway S60 3AV
Frank	Ramsbottom	272 Wickersley Rd Rotherham S60 4JR
Jim	Ramsden	65 Greystones Road, Whiston, S60 4DB
Kathleen	Senior	Chiberword 37 Benton Way Kimberworth S61 1QD
Gordon	Sharpe	25 Beaconsfield Rd Broom S60 3HD
Ann	Sharpe	25 Beaconsfield Rd Broom S60 3HD
Margaret	Sides	16 First Avenue, S65 2RP
Stephen	Smith	10 Mowbray Place, Eastdene, S65 2UN
J F	Staniforth	101B Rawmarsh Hill Parkgate S62 6DQ
E	Staniforth	101B Rawmarsh Hill Parkgate S62 6DQ
J P	Staniforth	101 Rawmarsh Hill Parkgate S62 5DQ
D A	Sykes	6 College Park Close Moorgate S60 2TW
Janet	Sykes	6 College Park Close Moorgate S60 2TW
L Pearl	Taylor	4 Gough Close Rotherham S65 3BS
Henry W	Tompkin	30 Hall Crescent Rotherham S60 3LQ
S D M	Watson	Longmeadow Kingsway Rotherham S60 3AU
D	Wild	32 Coral Drive Aughton Sheffield S31 0RA
Peter S	Young	20 Jubb Close Rotherham S65 3DZ



**RMBC Evaluation Criteria for Assets of Community Value – Doncaster Gate, Former Hospital & Offices, Rotherham, S65 1DJ**

<b>DATE APPLICATION RECEIVED:</b>	14 NOVEMBER 2013	<b>DATE DECISION TO BE MADE BY: (8 WEEKS FROM RECEIPT OF APPLICATION)</b>	9 JANUARY 2014
<b>NOMINATED ASSET AND ADDRESS:</b>	FORMER DONCASTER GATE HOSPITAL & COUNCIL OFFICES, DONCASTER GATE, ROTHERHAM, SOUTH YORKSHIRE, S65 1DJ		
<b>NOMINATING ORGANISATION:</b>	ROTHERHAM DISTRICT CIVIC SOCIETY, 43 SCHOLLS LANE, SCHOLLS, ROTHERHAM		

**When a nomination for an asset of community value is received, Rotherham Metropolitan Borough Council will consider the nomination using a staged process.**



## **STAGE 1**

Part A, B and C criteria for assessing whether the nominating group is eligible to nominate and if the application has been completed in full in order to make a decision on listing (in accordance with that set out in the Assets of Community Value (England) Regulations 2012). Each section relates to the nominating organisations completed nomination form and contains a reference to the relevant legislation.

<b>PART A – Who can nominate an Asset of Community Value (criteria specified in the Asset of Community Value Regulations 2012)</b>	<b>CHECKLIST</b>
A1. Is the nominating organisation an eligible body to nominate? (Section 5 of the Regulations)	<b>Pass/Fail</b>  <b>PASS</b> – Charity
A2. If the nominating is not constituted has it supplied the name and home addresses of a minimum of 21 members registered to vote in the nominating area?	<b>PASS</b> - The nominating group have 68 individual members who are registered to vote locally within the borough of Rotherham. Each of these names and addresses has been provided as part of the completed application form.
A3. Has a site identification plan which identifies the extent of the boundary been supplied as part of the completed application?	<b>PASS</b> - site identification plan supplied as part of the completed application

**IF 'YES' TO ALL OF PART A, MOVE TO PART B**

**IF 'NO' TO ONE OR MORE OF PART A, FOLLOW PROCESS FOR UNSUCCESSFUL NOMINATIONS (PROCESS TO BE CONFIRMED)**

<b>PART B – Information on the nominated property</b>	<b>CHECKLIST</b>
B1. Is the description of the property and the property address completed on the nomination form?	<b>Pass/Fail</b>  <b>PASS</b>
B2. Has the property owners name and address been supplied on the completed on the nomination form?	<b>PASS</b>
B3. Is the nominated asset outside of one of the categories that cannot be assets of community value? (Schedule 1 of the Regulations)	<b>PASS</b>

**IF ‘YES’ TO ALL OF PART B, MOVE TO PART C**

**IF ‘NO’ TO ONE OR MORE OF PART B, FOLLOW PROCESS FOR UNSUCCESSFUL NOMINATIONS (PROCESS TO BE CONFIRMED)**

<b>PART C – A local connection to the property/land being nominated</b>	<b>CHECKLIST</b>
C1. Does the nominating body have a local connection to the asset nominated? (Section 4 of the Regulations)	<b>Pass/Fail</b>  <b>PASS</b> – The application form states that the nominating group have <b>NO</b> local connection to the asset being nominated. However, the nominating group have 68 individual members who are registered to vote locally within the borough of Rotherham. Each individual names and addresses have been provided as part of the application form. Therefore, it is considered that the nominating group has a local connection to the asset nominated. Therefore move to Stage 2 of the evaluation criteria form.

**IF ‘YES’ TO PART C, MOVE TO STAGE 2**

**IF ‘NO’ TO ONE OR MORE OF PART B, FOLLOW PROCESS FOR UNSUCCESSFUL NOMINATIONS (PROCESS TO BE CONFIRMED)**



## **STAGE 2**

**Stage 2 criteria for assessing whether an asset is of community value has been developed by Rotherham Metropolitan Borough Council based on Part 5, Chapter 3, Section 88 of the Localism Act 2011.**

Section 88 of the Localism Act states that the asset will be considered to be one of community value if:

- a) its actual current use furthers the social wellbeing and interests of the local community, or a use in the recent past has done so. *(the legislation does not provide for a specific period, but as a general rule use in the past five years is considered to be relevant)*
- b) that use is not an ancillary one; and
- c) for land in current community use it is realistic to think that there will continue to be a use which furthers social wellbeing and interests, or for land that has been in community use in the recent past, it is realistic to think that there will be community use within the next five years (in either case, whether or not that use is exactly the same as the present or past); and
- d) it does not fall within one of the exemptions (see Stage 1 B3).

CRITERIA FOR DETERMINING WHETHER THE USAGE CURRENTLY OR IN THE RECENT PAST FURTHERS SOCIAL WELLBEING AND INTERESTS OF THE LOCAL COMMUNITY			CHECKLIST
D1. <b>Does</b> the nominated property currently further the social wellbeing or social interests of the local community? (this could be different from its current or past use).	Evidence provided by nominee:	The nominating organisation has stated on the nomination application form that they believe that the façade of the building should be retained in a development that may include community/heritage uses. This is the only evidence which has been provided in relation to D1.	<b>Pass/Fail</b>
	Evidence gained from other relevant sources (owner, Ward member etc.):	<p>The building was vacated by Rotherham Council in January 2012 (i.e. two years ago). Before then it was used to host Rotherham Council support services. It was vacated by the health service in 2009.</p> <p>The property does not meet the requirements of this criteria.</p> <p>English Heritage declined to recommend Doncaster Gate Hospital buildings as a listed building in 2009.</p>	<b>FAIL</b>

D2. <b>Could</b> the nominated property in the future further the social wellbeing or social interests of the local community? (this could be different from its current or past use).	Evidence provided by nominee:	The nominating organisation has stated that they believe that the façade of the building should be retained in a development that may include community/heritage uses. This is the only evidence which has been provided in relation to D1.	<b>Pass/Fail</b>  <b>FAIL</b>
	Evidence gained from other relevant sources (owner, Ward member etc.):	<p>The nominating group have only mentioned the original front façade of the building and not the entire building as identified on the application form and identification plan. The nominating organisation has not provided any future viable scheme(s) for the listing of the building as an asset of Community Value on their nomination form other than for “community/heritage uses”.</p> <p>The property has been marketed for sale for a period of approximately 18 months with no viable schemes or offers having being received for the continued future use or alternative use for the building. No viable scheme has been presented to the Council which could in the foreseeable future further the social wellbeing or social interests of the local community. The continued retention of the building is therefore no longer a viable option and would not further the social wellbeing or social interests of the local community in the future.</p>	

		It could cost up to £4m to put the building into a useable condition and secure its future use. There have been no plans put forward that show the funding and plans could be put in place.	<b>FAIL</b>
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OTHER SUPPORTIVE INFORMATION SUPPLIED BY THE NOMINATING GROUP			CHECKLIST
D3. <b>Why</b> do you feel that the property is an asset of community value?	Evidence provided by nominee:	The nominating organisation has stated; a) That the property was built in 1890 by public subscription. b) It is a well known feature of the town centre. c) It contains a war memorial and a number of features of local interest.	<b>Pass/Fail</b>
	Evidence gained from other relevant sources (owner, Ward member etc.):	The property is acknowledged as being a longstanding feature of Rotherham town centre which includes a war memorial. However, this is insufficient in itself to warrant the listing of the asset on the successful register.  Since the original date of construction the site has been comprehensively redeveloped and the building itself has been subject to a series of works of reconfiguration as both a hospital and latterly as office accommodation. Thus the original character of the internal elements of the building has been lost.	<b>FAIL</b>

		<p>From a planning perspective English Heritage declined a previous opportunity to list the building as it was not considered of adequate architectural interest.</p> <p>The application does not present a viable economic justification which provides a future sustainable use of the entire building.</p>	<b>FAIL</b>
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**IF THE NOMINATION PASSES STAGE 2 PARTS D1, D2 AND D3 THE PROPERTY WILL BE LISTED ON THE SUCCESSFUL REGISTER AS AN ASSET OF COMMUNITY VALUE.**

**IF THE NOMINATION FAILS STAGE 2 PARTS D1, D2 AND D3 THE PROPERTY WILL BE LISTED ON THE UNSUCCESSFUL REGISTER AND NOT LISTED AS AN ASSET OF COMMUNITY VALUE.**

<b>RECOMMENDATION:</b>	Not to list Doncaster Gate as an Asset of Community Value
<b>REASON FOR DECISION:</b>	The nomination application form does not provide sufficient evidence in support of the nominated asset, furthering the social wellbeing or social interests of the local community either currently or in the future (as evidenced above). Therefore the application to nominate the property as an Asset of Community Value is unsuccessful and will be registered on the unsuccessful register.
<b>RECOMMENDATION MADE BY:</b>	David Stimpson (Estates Manager)
<b>DATE:</b>	10 December 2013

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