

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

- Date and Time :-** Wednesday, 16 October 2019 at 11.00 a.m.
- Venue:-** Town Hall, Moorgate Street, Rotherham.
- Membership:-** Councillors Cowles, Cusworth, R. Elliott, Jarvis, Keenan, Mallinder, Steele (Chair), Taylor, Tweed, Walsh and Wyatt.

This meeting will be webcast live and will be available to view [via the Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

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

AGENDA

1. Apologies for Absence

To receive the apologies of any Member who is unable to attend the meeting.

2. Minutes of previous meeting (Pages 1 - 12)

To consider the minutes of a previous meeting of the Overview and Scrutiny Management Board held on 11 September 2019 and approve them as a true and correct record of the proceedings.

3. Declarations of Interest

To receive declarations of interest from Members in respect of items listed on the agenda.

4. Questions from Members of the Public and the Press

To receive questions relating to items of business on the agenda from members of the public or press who are present at the meeting.

5. Exclusion of the Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

Items for Pre-Decision Scrutiny

In accordance with the outcome of the Governance Review in 2016, the following items are submitted for pre-scrutiny ahead of the Cabinet meeting on 21 October 2019. Members of the Overview and Scrutiny Management Board are invited to comment and make recommendations on the proposals contained within the report.

6. Social Value Policy (Pages 13 - 37)

Cabinet Portfolio: Leader of the Council

Strategic Directorate: Chief Executive

7. Crisis Support (Local Welfare Provision) (Pages 38 - 50)

Cabinet Portfolio: Cleaner Greener Communities

Strategic Directorate: Assistant Chief Executive

8. House to House Collection Policy (Pages 51 - 90)

Cabinet Portfolio: Waste, Roads and Community Safety

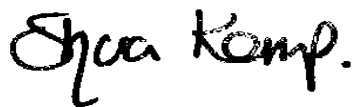
Strategic Directorate: Regeneration and Environment

9. Urgent Business

To determine any item which the Chair is of the opinion should be considered as a matter of urgency.

10. Date and time of next meeting

The next meeting of the Overview and Scrutiny Management Board will be held on Wednesday 13 November 2019 at 11.00 a.m. at Rotherham Town Hall.



SHARON KEMP,
Chief Executive.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Wednesday, 11th September, 2019

Present:- Councillor Steele (in the Chair); Councillors Cowles, Cusworth, R. Elliott, Jarvis, Keenan, Mallinder, Taylor, Tweed and Walsh.

Apologies were received from Councillors Wyatt.

The webcast of the Council Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

43. MINUTES OF PREVIOUS MEETINGS

Resolved:-

That the minutes of the Overview and Scrutiny Management Board held on 15 May, 5 June, 3 July, 10 July and 17 July 2019 be approved as true and correct records of the proceedings.

44. DECLARATIONS OF INTEREST

There were no declarations of interest.

45. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or press at the meeting.

46. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:-

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the Agenda Item 8 on the grounds that the appendices involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

47. ADULTS INDEPENDENT ADVOCACY SERVICES - COMMISSIONING AND PROCUREMENT APPROACH

Consideration was given to a report submitted for pre-decision scrutiny ahead of the Cabinet meeting on 16 September 2019 which concerned the commissioning and procurement of independent advocacy services for adults and provision for young people aged between 16 and 17 years of age. The report sought approval to include the NHS Complaints Advocacy in the scope of the advocacy procurement exercise and to commence a tender process with the objective of mobilising new independent advocacy services from 1 April 2020.

It was reported that independent advocacy services were necessary to meet all of the Council's statutory requirements under the Care Act 2014, the Mental Capacity Act 2005, the Mental Health Act 2007 and the Health and Social Care Act 2012. Statutory independent advocacy services provided support to people who:-

- Required assistance throughout the care and support assessment and through the review process.
- Lacked mental capacity to make decisions about themselves
- Were detained under the Mental Health Act
- Required support to complain about service provided by the NHS.

Members welcomed the report and specifically highlighted their pleasure at the quality of the equality analysis provided. Assurances were sought in respect of how the authority would raise awareness of advocacy and how people could access it. Furthermore, Members wanted to know how easy it was to access self-referrals and connector support. In response, it was confirmed that the Council wanted to raise better awareness and access to services and that was why the integrated approach had been recommended in the report. Details were provided of the specific approaches and methods to be deployed in increasing awareness through primary care networks and carers organisations.

Members recommended that the protected learning time which was mandated for primary care networks should be used to provide training on how to access advocacy services. In response, the Cabinet Member indicated that he could support that recommendation in principle and would look at the feasibility of how that would be promoted with primary care networks.

Reference was made to the projected increase in the number of persons with dementia and whether that had been factored into the specification for the procurement approach given that there may be increased need for advocacy services. In response, it was confirmed that the service believed that increased demand could be met within existing budgets. However, the more pressing concern was ensuring that those people and those supporting them were aware of the advocacy services available and how to access them. This would require targeted campaigns, liaison with relevant groups and a better web and social media offer.

As the report recommended following a new commissioning and procurement approach based on the practice of other local authorities, Members sought assurances that the proposed approach was effective and delivering elsewhere. In response, it was confirmed that officers had looked at the models used by Leeds City Council and Kirklees Metropolitan Borough Council, where providers had been brought together within an advocacy hub. It was noted that a potential bidder had indicated that a number of providers were willing to work within a lead provider model and there was confidence therefore that the recommendation approach would be appropriate.

Resolved:-

1. That the Cabinet be advised that the recommendations be supported.
2. That GPs be recommended to access training in respect of advocacy services through the protected training time.
3. That, following twelve months of operation after the award of the contract, an update report detailing performance and outcomes be submitted to the Health Select Commission.

48. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) PHASE 2 – NEW EDUCATION PLACES

Consideration was given to a report submitted for pre-decision scrutiny ahead of the Cabinet meeting scheduled to take place on 16 September 2019, which sought approval to utilise £1.186m of available capital funding to create 111 additional school places in Rotherham starting from 2020 for children with special education needs and disabilities.

It was reported that the Cabinet had previously approved consultation on the authority's proposals to utilise capital funding to increase the sufficiency of school places for children with special education needs and disabilities in Rotherham (minute 147 refers). Consultation had taken place since that time with schools and a number of projects had been identified within the 2019 SEND Sufficiency Strategy.

The Chair of Improving Lives Select Commission, Councillor Cusworth, indicated that her commission had spent a lot of time looking at the SEND Sufficiency Strategy, expressing concern that the first round of places initially identified would not be enough to meet demand. There had previously been concerns that School Academies would not be on board with the proposals. However, Members had been overjoyed when assurances were provided and it was clear that academies were very keen to get involved. It was considered that the local grounding of the Academy Trusts had been key to securing that level of buy in. She concluded by informing Members that Improving Lives Select Commission would continue to have oversight of this, but the Commission was fully assured by the information provided and proposals submitted. In response to her comments, the Deputy Leader of Council indicated that the progress made with academy trusts was attributable to the way in which the Education Strategic Partnership had operated since it was established in 2018, which had secured buy in from everyone and all participants ensured that key decision makers from their institutions were around the table.

Assurances were sought that children would be fully integrated into mainstream schools and SEND students would not be hived off to other areas. Furthermore, clarification was sought that schools were fully capable of managing the change. In response, it was confirmed that intention was to provide an education to a child that would meet their needs and that the proposals provided a solution with flexibility as to how that need would be met.

Members queried what further work would now take place to continue to grow the number of places after 2021. In response, it was explained that the Sufficiency Strategy was based on a projection of need that looked forward over ten years and the approach was dependent on policy drivers and funding decisions from central government. The authority was committed to undertaking a data refresh on an annual basis and the most recent data refresh had indicated potential to secure further capital funding in future, which would mean that sound decision could be made with a strong evidence base for the future.

Resolved:-

1. That the Cabinet be advised that the recommendations be supported.

49. COMMUNITY ENERGY SWITCHING SCHEME

Consideration was given to a report which was submitted for pre-decision scrutiny ahead the Cabinet meeting scheduled to take place on 16 September 2019 which sought approval to accept a tender to establish a Community Energy Switching Scheme which would have the potential save an average three bedroom semi-detached household up to £300 per year.

It was reported that an open tender process had been conducted following the Cabinet decision in December 2018 (minute 79 refers) and two submitted responses had met all of the mandatory requirements. The tenders had been evaluated and officers had recommended the development of a community energy switching scheme in partnership with a bidder who had submitted a compliant bid that would deliver against the specification.

Given the volatility of the energy market and uncertainty arising from the anticipated withdrawal of the UK from the European Union in October 2019, Members sought to understand what plans were in place to overcome any financial or reputational risk arising from the failure of the company or failure of supply. In response, it was confirmed that a guarantee had been provided by the owners of the successful bidder in respect of its continued operation. With regard to the impact on households, it was confirmed that customers would reverse back to standard tariffs. Overall, there was assurance from the due diligence work that had taken place to date.

Following on, Members sought to understand how the company operated in respect of the use of smart meters and access to engineers. In response, it was confirmed that smart meters were in use and would be installed as soon as customers signed up. Whilst there was an obligatory 28 days in which to install the smart meter, the provider's level of performance ensured that these were in place within seven days.

Clarification was sought as to whether conversations had taken place with Housing Services to establish what could be done to use this scheme for District Heating in future. In response, it was explained that whilst electricity supply would be possible, it would not be possible for those properties in the District Heating Scheme to use the Community Energy Switching Scheme, as the energy supplied was purchased by the authority on an industrial basis and was therefore on a different pricing structure.

Members sought to understand the approach that would be adopted to market the scheme to ensure that it was viable for the provider and the authority. In response, it was confirmed that the successful bidder had submitted a marketing plan with their tender documents and the Communications and Marketing Team, along with the Neighbourhoods Service, would be involved in the development of the marketing approach. In order for the scheme to be viable, it was anticipated that 3,000 customers would be required and, to that end, conversations would also take place with Housing Services and Adult Care to target the promotion of the scheme. Furthermore, the scheme would be promoted to private landlords and tenants.

Resolved:-

1. That the Cabinet be advised that the recommendations be supported.
2. That an update report on the performance and outcomes from the Community Energy Switching Scheme be submitted to the Improving Places Select Commission after twelve months from the commencement of the scheme.

50. STRATEGIC MANAGEMENT AND MAINTENANCE OF ROTHERHAM'S HIGHWAYS

Consideration was given to a report which was submitted for pre-decision scrutiny ahead of the Cabinet meeting scheduled to take place on 16 September 2019 which sought endorsement of the strategic approach to the management and maintenance of Rotherham's highways, in accordance with the Highway Asset Management Policy.

The report detailed and reviewed the current strategy for the management and maintenance of Rotherham's highways and the impact of increased investment through the 2020 Roads Programme. Further information was provided on the current performance of Rotherham's highways in respect of condition and in the delivery of highways maintenance services.

In opening the item to the wider Board membership, the Chair indicated that this was a very positive report in his view and his own experience of the service had been very good. Officers from the service acknowledged the positive feedback from the Chair and elaborated more on the customer focused approach that the service had adopted which was resulting in better feedback and reduced complaints. Furthermore, it was clear that staff in the service were very in their work and proud of the difference they were making in maintaining and improving highways across the borough.

Members noted that the quality of maintenance to pavements in parts of the borough did not match that of highways and queried whether this was contracted differently. In response, it was confirmed that specialist contractors were used for different projects, the majority of work was undertaken by the authority's workforce and pavements was part of that programme of works. Officers welcomed the feedback and provided assurances that quality checks were undertaken on pavements. Tree root damage did have a significant impact on footways and pavements, but analysis undertaken by the service did not suggest that there was a significant increase in this as an issue. The service would be seeking additional capital funding for this in future years.

Having noted the reduction in the number of potholes across the borough, Members queried whether there had been a change in materials to generate such a change. In response, officers confirmed that the improvements were due to a number of factors and made specific reference to the first time fix approach through a multi hog machine which was having a positive impact. This early intervention was beneficial in reducing the spread of potholes.

Members sought to understand what the implications there were for a bad winter and how that would impact on the programme of works. In response, officers confirmed that there could be an impact on works planned for the immediate areas outside of schools and GP practices, but works would not be postponed, but simply delayed until the beginning of the following year's programme. In recent years, only a few days had been lost to bad winter weather and the programme had been delivered. Where planned works had been communicated to residents and businesses, the service would write again to confirm when works would take place if they had been subject to delay. It was noted that the service actively engaged both the Communications and Marketing Team and the Neighbourhoods Service to ensure that messages were communicated effectively via a number of mediums. Members were pleased to learn that the service was ahead of scheduled in respect of its programme of works.

Reference was made to the condition of country lanes that were not particularly well used in respect of the volume of vehicles, but had deteriorated to a very poor condition and how regularly these were checked and maintained. In response, officers confirmed that it was the Council's responsibility to check and maintain all highways across the borough.

Resolved:-

1. That the Cabinet be advised that the recommendations be supported.

51. CHILDREN'S COMMISSIONER'S TAKEOVER CHALLENGE SCRUTINY REVIEW: YOUNG CARERS

Consideration was given to a report which outlined the findings and recommendations following a spotlight review undertaken by Rotherham Youth Cabinet, together with Rotherham Young Carers Council, regarding improved access to leisure opportunities for young carers in Rotherham.

It was reported that Rotherham Youth Cabinet (RYC) had chosen young carers as the theme for the 2019 Children's Commissioner Takeover Challenge, which had been one of its key priorities from their manifesto in 2019. In undertaking the review, the RYC had worked closely with the Rotherham Young Carers Council.

Members noted that the RYC had developed recommendations which had focused on:-

- An improved offer of discounted access to leisure activities for young carers
- Clear eligibility criteria
- Support to travel to activities
- Good promotion and publicity
- Identification of young carers and support

The report was presented to the Board in order for the recommendations to be formally submitted to the Cabinet for response in early 2020.

Resolved:-

1. That the report be received and the conclusions and recommendations noted.
2. That the report be forwarded to the Cabinet and partners for consideration and to Council for information.
3. That a detailed response from the Cabinet and partners be presented to the Overview and Scrutiny Management Board and Rotherham Youth Cabinet in January 2020.

52. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

The Chair reported that there were no further Youth Cabinet or young people's issues for consideration by the Board at the meeting.

53. WORK IN PROGRESS - SELECT COMMISSIONS

The Chairs of the Select Commissions provided the following updates on recent and planned activities:-

Health Select Commission

Councillor Keenan reported that at the meeting held on 13 June there had been consideration of the refresh of the Sexual Health Strategy for Rotherham and the Commission was awaiting the final equality analysis and feedback on suggestions for a broader and smarter set of performance measures. Members had also considered the Cabinet's response to the recommendations from workshop on Adult Residential and Nursing Care Homes, which had been entirely accepted by the executive. Consideration was also given to the Annual Report of the Director of Public Health and Members had emphasised the importance of addressing health inequalities.

In July, the Commission had received a monitoring report on Drug and Alcohol Treatment and Recovery Services and Members had made plans for a follow up visit to a treatment facility. Consideration was also given to a report in respect of the development of six primary care networks across the borough involving all GP practice in closer collaboration. Finally a report was submitted on the development of Rotherham Community Health Centre and Members reviewed proposals to move ophthalmology outpatient services from the hospital site to the Rotherham Community Health Centre.

Members received a further report on the ophthalmology proposals following public consultation at the meeting held on 5 September 2019. They also noted the progress made on maternity services transformation and how the requirements of national guidance 'Better Births' had been met with a focus on safe and personalised care. The Commission received an initial presented on the review of the respiratory pathway which detailed current issues, rationale for change and engagement plans. The outline business case for proposals for the new model of intermediate care and reablement based on a "home first" principle and recovery ethos were also reported to the Commission.

Looking to the future, Councillor Keenan reported that the October meeting of the Health Select Commission would include an update on the Rotherham Foundation Trust's progress against the CQC Action Plan, as well as a report on the Social, Emotional and Mental Health Strategy. Furthermore, she reported that a workshop on suicide prevention and self harm action plan was planned, which was important in light of newly released national figures on suicide.

Improving Lives Select Commission

Councillor Cusworth reported that her commission had met twice since the last update report to Overview and Scrutiny Management Board. On 11 June, Members had welcomed John Edwards, the Regional Schools Commissioner, which had proved to be a very open and informative session. Members had also agreed that a report would be brought to the September meeting in respect of elective home education. An update was provided on the Rotherham Strategic Education Partnership and Members were keen to understand what progress had been made since it was established in 2018. Members were pleased that there had been significant improvements arising from the work of the partnership.

On 19 July 2019, the Commission had received a presentation in respect of the Rotherham Multi-Agency Arrangements for Safeguarding Children, during which Members were informed of the new Multi-Agency Safeguarding Arrangements for Rotherham, which would replace the Rotherham Safeguarding Children Board. Members welcomed the decision to replace the board with a partnership body and resolved to receive an update on the progress made with the new arrangements after six months of operation.

Improving Places Select Commission

Councillor Mallinder reported that the Commission had held a meeting in June 2019 solely to discuss the contract with Dignity in respect of bereavement services, which included an update on progress against recommendations made by the Commission in February 2019, alongside the annual performance report against the contract. She was pleased that significant progress had been made in the past year, with regular monitoring and dialogue between the Council and Dignity, as well as improved links with the wider community. A further report would be submitted to the Commission in December 2019 detailing the outcomes of the extended hours pilot.

In July 2019, the Commission had received three reports for scrutiny which had provided updates on:-

- Thriving Neighbourhoods - delivery of the Thriving Neighbourhoods Strategy and the Neighbourhood Working model.
- Time for Action Enforcement Contract around enviro-crime, particularly littering offences and parking offences – performance, challenges and the importance of enhanced enforcement and visibility. Progress was being made on the recommendations previously made by Scrutiny.
- Home to School Transport - annual transport reviews, to be undertaken at the same time as Education and Health Care Plan reviews to assess the suitability of existing transport and young people's ability to partake in Independent Travel Training, was now in place. the service was on track for numbers of young people with personal travel budgets

Looking ahead, the next meeting in September would focus on the Employment and Skills Strategy and the Commission would seek to follow up on the recommendations made by OSMB at pre-decision scrutiny on the strategy.

The Chair of Overview and Scrutiny Management Board reported that he had been invited to attend a meeting of the East Midlands Scrutiny Network, along with the Leader of the Council, to report on the practices and procedures followed by scrutiny in Rotherham. Whilst it was expected that the Deputy Leader, Councillor Watson, would accompany him to the meeting, the Chair reflected on the positive nature of the invitation to attend and welcomed the interest being shown in the progress made in scrutiny at Rotherham MBC.

54. FORWARD PLAN OF KEY DECISIONS - SEPTEMBER TO NOVEMBER 2019

Consideration was given to the Forward Plan of Key Decisions for the period from 1 September to 30 November 2019 which was submitted in order to identify potential agenda items for pre-decision scrutiny by the Overview and Scrutiny Management Board and Select Commissions.

Recognising that there were a number of significant reports which would be of interest to Members from a scrutiny perspective, it was suggested that the relevant Cabinet Members be invited to arrange seminars for all Members in respect of the Social Value Policy and Crisis Support Future Options.

Resolved:-

1. That the Forward Plan of Key Decisions for the period from 1 September to 30 November 2019 be noted.
2. That the following items be identified for pre-decision scrutiny:-
 - Outcome and recommendations from Non-Residential Charging Consultation
 - House to House Collections Policy
 - Statement of Licensing Principles (Gambling Act 2005)
 - Statement of Licensing Principles (Licensing Act 2003)
 - Taxi Licensing Policy Consultation
3. That the relevant Cabinet Members be invited to consider arranging seminars for all Members in respect of the Cabinet reports on 'Social Value Policy' and 'Crisis Support Future Options'.

55. CALL-IN ISSUES

The Chair reported that there were no call-in issues requiring the consideration of the Board.

56. URGENT BUSINESS

The Chair advised that there were no urgent items of business requiring the urgent consideration of the Board.

57. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Overview and Scrutiny Management Board will be held on Wednesday 2 October 2019 commencing at 11.00 a.m. at Rotherham Town Hall.

Committee Name and Date of Committee Meeting

Cabinet – 21 October 2019

Report Title

Social Value Policy

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Sharon Kemp, Chief Executive

Report Author(s)

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Ward(s) Affected

Borough-wide

Executive Summary

The purpose of this report is to present for approval the Rotherham Council Social Value Policy and Framework (appendix 1). The policy sets out the ways in which the Council aims to maximise the local impact of its spend through its commissioning and procurement processes and work with partners and suppliers.

The key elements of the policy are to:

- Raise the living standards of Rotherham residents and commit to working towards the Joseph Rowntree Living Wage.
- Increase the proportion of the council's expenditure which goes to local businesses and providers rather than those elsewhere in the country.
- Build social value into all council contracts (in excess of £100,000) and maximise the impact gained from every pound spent and introduce a rigorous system for assessing and measuring social value.
- Commit to the principle of co-designing services wherever possible.

To achieve this the Council plans to take steps to increase the amount of additional Social Value from its contracts and commissioned services by securing Social Value in every contract above a £100,000 threshold. It will ensure that when the Council invites written quotations – where possible - at least one of the quotes is from a Rotherham organisation and, where this is not possible, from Sheffield City Region. The Council also aims to increase over time the proportion of its spend with local businesses and organisations and to open up opportunities for more co-designed services through its commissioning and procurement processes. The Social Value Framework sets out the methodology for measuring Social Value through the procurement process. It is framed around six high level outcomes. These are:

- Raising living standards for residents
- A strong local economy with employment and skills opportunities and a growing business base
- Young people have the opportunity to develop skills and find worthwhile employment
- Equality of opportunity for disadvantaged people and communities including disabled people
- Strengthened and sustainable community and voluntary organisations
- Greater environmental sustainability including accessible green public spaces.

Social Value returns will be monitored and reported on an annual basis. The first year of the policy will be a baseline year with targets set subsequently to increase the amount of Social Value secured.

Recommendations

1. That approval be given to the Social Value Policy.
2. That the adoption of the social value portal as the method to measure social value be approved.
3. That the 'Keep It Local' principles be adopted.

List of Appendices Included

Appendix 1 Initial Equalities Screening Assessment

Appendix 2 Social Value Policy

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 16 October 2019

Council Approval Required

No

Exempt from the Press and Public

No

Social Value Policy

1. Background

- 1.1 The Public Services (Social Value Act) 2012 requires public sector bodies to 'consider' Social Value in contracts that are subject to the Public Contracts Regulations 2015. Social Value is defined by the Social Value Hub as:

'The benefit to the community from a commissioning or procurement process over and above the direct purchasing of goods, services and outcomes'.

The Act has generally had mixed success. As noted by the Centre for Local Economic Strategies (CLES), because the Act merely requires public bodies to consider Social Value, rather than enforcing it, there are 'large variations in how the act has been implemented' with the Act simply resulting in a 'tick box exercise' in some cases.¹

Greater success has been had when local authorities, recognising the possible benefits to their locality, have introduced policies aiming to maximise the amount of Social Value. Manchester City Council, for example, is ensuring Social Value is built into every tender by applying mandatory percentages in the evaluation methodology.

The 'Preston Model' is one of the most cited examples of the successful implementation of a Social Value policy. In its role as a 'place leader' Preston City Council persuaded the region's 'anchor institutions'² to increase their collective procurement spend in Preston. Local spend for the anchor institutions rose from 5% in 2013 to 18.2% 2016/17 and in the wider Lancashire economy from 39% in 2013 to 79.2%. Preston City Council now spends 28% with Preston-based businesses (2016) as opposed to 14% in 2012.³

- 1.2 Rotherham has one of the fastest growing economies in Yorkshire. The Council aims to support the continued growth of the Rotherham economy so that all residents can benefit. In 2018/19, the Council spent in excess of £300m with external suppliers and as one of the leading procurers and commissioners in the area; the Council can act as a standard-bearer, leading the way in supporting Social Value and inclusive growth.

¹ Centre for Local Economic Strategies (Nov, 2018), Restoring Public Values in Public Services: A route map for national, municipal and citizen action, p. 5 available at https://cles.org.uk/wp-content/uploads/2018/11/Restoring-Public-Values-in-Public-Services-FINAL-03_12_18.pdf

² 'Anchor Institutions' are named thus as they were important full or partly centrally funded public sector institutions that couldn't re-locate out of the area. These included the Lancashire Policy Constabulary HQ, Lancashire County Council and the University of Central Lancashire (UCLan).

³ Centre for Local Economic Strategies, 'Community wealth benefits locals', available at: <https://cles.org.uk/press-releases/community-wealth-benefits-locals-in-lancashire/>

2 Key Issues

2.1 Benefits of a Social Value policy

The Council is committed to developing a positive sense of place and good quality of life for all its residents. These aspirations are set out in the Council Plan and are pursued by working with partners through the Rotherham Together Partnership (RTP) and the Sheffield City Region (SCR).

As a significant employer and commissioner of services, the Council wants to ensure that it achieves maximum value from its expenditure and that it is supporting the local economy.

The aim of the Social Value policy

The aim of the Social Value Policy is to maximise the local impact of the Council's spend. The key elements of the policy are to:

- Raise the living standards of Rotherham residents and commit to working towards the Joseph Rowntree Living Wage.
- Increase the proportion of the Council's expenditure which goes to local businesses and providers.
- Build social value into all council contracts and maximise the impact gained from every pound spent, through the introduction of a rigorous system for assessing and measuring social value.
- Commit to the principle of co-designing services wherever possible.

The policy will set out the guiding principles that should be adopted when commissioning services, developing better models of co-design and moving away from purely transactional processes of procurement towards building relationships and working with locally-based organisations.

The policy will also be accompanied by the Social Value Framework and Toolkit. The framework will provide a mechanism to measure the amount of Social Value gained on an annual basis. The aim will be to increase, over time, the percentage of spend with Rotherham businesses and to capture the scale of additional Social Value undertaken each year. The toolkit will provide a step by step guide for officers on how Social Value will be included in the procurement process. The Council's various ethical procurement standards will be brought together in a new Ethical Procurement Policy.

The Policy is based around six Social Value outcomes (see 2.2 below). It will be a contractual requirement for organisations who are awarded contracts with the Council to deliver the committed amount of Social Value identified within their tender. The Council will also want to work with organisations to develop innovative approaches to Social Value and to build on some of the good practice that has already been developed.

The Council proposes to adopt the national 'Keep It Local' principles developed by Locality, which has been incorporated in the Social Value Policy.

These ambitions will be set out in a new Social Value charter which will be developed with partners through the Rotherham Together Partnership. As such, the Council will be working closely with procurement and commissioning officers in health, fire and police services to identify opportunities to extend Social Value across public sector bodies in Rotherham. In addition, the Council and partners will work together to promote the Joseph Rowntree Living Wage across the borough.

2.2 Social Value Outcomes

The policy provides the framework for realising the Council's commitment to six Social Value outcomes. These are:

- Raising living standards for residents
- A strong local economy with employment and skills opportunities and a growing business base
- Young people have the opportunity to develop skills and find worthwhile employment
- Equality of opportunity for disadvantaged people and communities including disabled people
- Strengthened and sustainable community and voluntary organisations
- Greater environmental sustainability including accessible green public spaces

These outcomes reflect the priorities for the borough identified in the Council Plan. Each broad objective has several measures which would be included in the tender, and organisations will determine which and how many of these measures it proposes to offer. These are set out in the Social Value Framework. The priority for the first year of the policy is skills and employment.

2.3 Measurement and reporting

An effective way of measuring Social Value is a key component of the policy. Using the Themes Outcomes Measures (TOMs) method, the Council will be able to calculate how much Social Value has been secured in contracts, with the delivery of this closely monitored throughout the life of the contract. To ensure this process is simple and not time-consuming for Council officers, the list of measures has been kept deliberately concise. What is initially determined as Social Value can be expanded and updated to reflect the needs of the community. Once the baseline figure of Social Value has been determined, targets will be set to increase the amount delivered.

The Council is proposing to use the Social Value Portal as a method to measure Social Value. The portal will support the scoring and ranking of Social Value offers as well as monitoring their delivery and reporting back on a quarterly and annual basis. Using the portal will allow for an equal standard to apply across all contracts and ensure an efficient system for data collection. The Social Value Portal will be able to use their experience to ensure better delivery of Social Value commitments.

A key component of the policy is ensuring that as high a proportion as possible is spent with locally based organisation such as small and medium-sized enterprises (SMEs) and local not-for-profit organisations. As such, the level of spend will be monitored and with the aspiration to increase the proportion being spent within the borough and the wider Sheffield City Region.

The Council will be working with the Centre for Local Economic Strategies (CLES) to support and challenge the implementation of the policy and the measurement of impact. CLES will also assist the Council to gain a more sophisticated understanding of how and where the authority spends money as well as the possible opportunities for more local spend.

2.4 **Securing Social Value in new contracts**

Social Value will apply to all contracts above £100,000. The Social Value commitment will account for 20% of the overall score for the tender bid. The proposed model for scoring bids will be constituted of two components: the 'offer' and a 'method statement'. The 'offer' is a quantitative assessment and will score how much Social Value each bidder is proposing to deliver. This will be calculated using the measurements in the Social Value Framework. The 'method statement' is a qualitative assessment which scores how comprehensively each bidder is proposing to deliver on their commitment. This balanced approach will ensure that each bidder has an effective plan on how to deliver the commitments they have made. There will also be a provision to remove those bidders who make no Social Value contribution to guarantee that Social Value is secured in every contract above the threshold. The Council will also attempt to source quotations from local suppliers and will ensure - where possible - that when inviting written quotations, at least one quote is from a Rotherham supplier or one from the Sheffield City Region if this is not possible.

2.5 **Commissioning**

In addition to securing Social Value through Council contracts, the policy also makes a commitment to maximise Social Value as part of its commissioning processes through meaningful co-design. A further aim will be to review procurement models to enable local provider organisations to collaborate and make best use of all of the local assets available.

In developing the Council approach to commissioning, the national ‘Keep It Local’ principles (see below) developed by Locality will be adopted. These principles would enable the Council to make a greater shift towards a more collaborative approach grounded in local delivery, early intervention and prevention. The Keep It Local principles will help to guide commissioning and delivery decisions and would also be supported through the Thriving Neighbourhoods Strategy. Signing up to be a ‘Keep it Local’ council (which would incur no financial cost) would ensure that the Council received regular updates and best practice sharing from across the network, enable it to take part in a national conference showcasing work from the most innovative authorities, and provide a clear intellectual framework helping the Council to further develop its Social Value work.

‘Keep it Local’ principles
<i>Think about the whole system and not just individual service silos</i>
<i>Coordinate services at a neighbourhood level</i>
<i>Increase local spend to invest in the local economy</i>
<i>Focus on early intervention now to save costs tomorrow</i>
<i>Commit to our community and proactively support local organisations</i>
<i>Commission services simply and collaboratively so they are local by default</i>

2.6 Governance

A successful Social Value policy is responsive to the needs of the community – as such the Social Value framework will be reviewed on an annual basis to ensure the preferred outcomes and measures continue to reflect them. The leadership and governance of this policy will be led by the Leader of the Council and the Chief Executive and will be subject to an annual report to Cabinet.

2.7 Partnership Working

While Rotherham Council is the largest public sector procurer and commissioner in the borough, it is not the only one. It is proposed that a Social Value Charter is developed with partners, encouraging organisations to commit to increased Social Value. As such, further development and implementation of the Social Value Policy will be taken forward through the Rotherham Together Partnership.

3. Options Considered and Recommended Proposal

- 3.1 Following the review of existing practice and the approach adopted by other councils, the recommended option is to adopt the Social Value Policy.

4. Consultation on Proposal

- 4.1 Consultation has taken place both internally and externally. The framework has been shared and tested with private sector partners, the Rotherham Together Partnership’s chief executives and voluntary and community sector representatives.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The implementation of the policy will be overseen by the Leader and the Chief Executive.

Key milestones include:

Social Value approved by cabinet	October 2019
CLES commissioned to undertake analysis of supply chain	Oct/Nov 2019
Develop new Ethical Procurement policy	November 2019
Develop and publish the Social Value toolkit	November 2019
Staff development programme developed	November 2019
Staff development programme	Roll out through 2019/20
Communications and dissemination of policy	December 2019
Establish the Social Value baseline position	October 2020
Include Social Value in the Council Plan performance report	2020/21
Work with partners to develop a Social Value Charter for Rotherham	2020

6. Financial and Procurement Advice and Implications

- 6.1 The cost of utilising the Social Value Portal is £12k per annum on the basis that the Council enters into a three-year agreement, otherwise the cost will be £15k per annum. These costs will be met from within existing budgets. In addition, there is a cost payable by suppliers for use of the Portal based on 0.2% of the contract value up to a maximum of £7,500.

In addition to the Portal, the Council plans to procure the services of the Centre for Local Economic Strategies in supporting the policy implementation and the measurement of the impact. The costs of these services will be dependent on the level of support procured and provision has been made within existing budgets.

- 6.2 The procurement team supports the recommendation contained within this report. Social, economic and environmental impacts are clearly referenced within the Public Contracts Regulations 2015 as a mechanism to support common societal goals.

There will be a need for procurement to work closely with service areas in the design of the procurement procedures for those contracts valued above the £100k threshold to ensure the evaluation criteria is clearly understood and defined accurately within the tender documentation.

The requirement to effectively monitor and manage the contracts will however be critical in ensuring that commitments made through the formal tendering process are actually delivered. The use of the Social Value Portal will assist with this.

7. Legal Advice and Implications

- 7.1 The Public Services (Social Value Act) 2012 allows for the consideration of added value, such as social, economic and environmental benefits, that may be secured in addition to the normal delivery of a contract. The policy, including the Social Value Toolkit, must comply with procurement law, particularly the Public Contracts Regulations 2015.

8. Human Resources Advice and Implications

- 8.1 A key component of the policy will be ensuring that officers have the necessary training and knowledge to successfully implement it. Training, including workshops, will be required.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The outcomes within the Social Value Framework support the Council's priorities: "Every child making the best start in life" and "Every adult secure, responsible and empowered" by including support for education and employment for these groups as key Social Value outcomes.

10. Equalities and Human Rights Advice and Implications

- 10.1 The Social Value Framework allows for annual reporting on several key equalities issues such as the number of people with disabilities that have gained employment. The Framework has identified several key disadvantaged groups that should be supported through Social Value outcomes. As such, the policy will have a positive impact regarding equalities. For each individual procurement and commissioning activity there will be a full consideration of the impact on equality outcomes. This will be carried out by the officers involved in the procurement and commissioning activities.
- 10.2 An Initial Equalities Screening Assessment has been completed and is included as Appendix 1.

11. Implications for Partners

- 11.1 The Council is keen to develop a collaborative approach to Social Value with partners in the borough, particularly other 'anchor institutions'. Social Value's effectiveness is amplified when all public sector partners act together adopting similar Social Value principles.

12. Risks and Mitigation

- 12.1 There is a risk that Social Value commitments will be made but not delivered upon. To mitigate this it will be important that the Council effectively monitors contracts and uses all tools available to secure Social Value as well as using the experience of the Social Value Portal.

13. Accountable Officers

Jackie Mould, Head of Performance, Intelligence and Improvement
 Karen Middlebrook, Head of Procurement

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	07/10/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	04/10/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	04/10/19

*Report Author: Jackie Mould, Head of Performance, Intelligence and Improvement
 01709 823618 or jackie.mould@rotherham.gov.uk*

This report is published on the Council's [website](#).

PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

1. Title	
Title: Social Value Policy	
Directorate: Assistant Chief Executive's	Service area: Performance, Intelligence and Improvement
Lead person: Jackie Mould	Contact number: 01709 823618
Is this a:	
<input checked="" type="checkbox"/> Strategy / Policy	<input type="checkbox"/> Service / Function
	<input type="checkbox"/> Other
If other, please specify	

2. Please provide a brief description of what you are screening
The Policy sets out how the council will measure the added Social Value secured through the council's procurement and commission activity. As part of the development of the policy a set of Social Value outcomes were identified based on the Council Plan and 6 Social Value objectives. The Policy will introduce a mandatory 20% consideration for Social Value for all contracts with a total value above £100,000.

Appendix 1

3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		No
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		No
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>		No
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		No
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>	Yes	
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		No

If you have answered no to all the questions above, please explain the reason

The Social Value Framework allows for annual reporting on several key equalities issues such as the number of people with disabilities that have gained employment. The Framework has identified several key disadvantaged groups that should be supported through Social Value outcomes. As such the policy will have a positive impact regarding equalities. For each individual procurement and commissioning activity there will be a full consideration of the impact on equality outcomes. This will be carried out by the officers involved in the procurement and commissioning activities.

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

• How have you considered equality and diversity?

A consideration of equality and diversity was a key element in the development of the Social Value Policy. The policy's central aim is to support the employment (and education and training) of several disadvantaged groups including disabled people who are currently disadvantaged in the labour market.

• Key findings

Supporting these groups is central to the Social Value outcomes that have been identified – these include a wide range of groups who will be supported through increased training, school visits, employment, apprenticeships, and other training opportunities. In addition, the policy is also about changing the way the council commissions – adopting new principles will place new emphasis on co-designing services and involving service users throughout the process. This will increase the role and voice and seldom heard groups.

• Actions

The policy will be monitored on an annual basis and will be amended to reflect the needs of the community. Individual officers will be responsible for considering the impacts and outcomes of each individual procurement or commissioning process.

Date to scope and plan your Equality Analysis:	The Social Value Policy will be reviewed and monitored on an annual basis. This will capture the impacts of the policy on supporting disadvantaged groups.
Date to complete your Equality Analysis:	To be completed by officers for individual procurement and commissioning processes.
Lead person for your Equality Analysis (Include name and job title):	Individual officers will be responsible. The officer responsible for the overall analysis of the impact of Social Value will be Jackie Mould, Head of Performance, Intelligence and Improvement

5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Jackie Mould	Head of Performance, Intelligence and Improvement	21.08.2019

6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to equality@rotherham.gov.uk For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

Date screening completed	21.08.2019
Report title and date	Social Value Policy
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	Cabinet
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	22.08.2019

SOCIAL VALUE POLICY

Creating social value in Rotherham



www.rotherham.gov.uk

THE AIM OF THIS POLICY IS TO MAXIMISE THE LOCAL IMPACT OF THE COUNCIL'S SPEND AND THROUGH THIS HELP TO RAISE THE LIVING STANDARDS OF ROTHERHAM RESIDENTS.

FOREWORD, COUNCILLOR CHRIS READ, LEADER OF ROTHERHAM BOROUGH COUNCIL



Rotherham Council is committed to developing a positive sense of place and good quality of life for all its residents. We aim to do this not just through the services we provide and the work we do with our partners through economic development, but also by using our own purchasing power to bring added value to communities and individuals across the borough.

In 2018/19 the Council spent around £300 million with external suppliers and, as one of the leading procurers in the area, I want the Council to lead the way in supporting social value. We will do this by maximising the local impact of the Council's spend and, through this, help to raise the living standards of our residents.

I want to work with our partners, contractors and service providers to look at how we can gain additional social value from every pound we spend.

This could be achieved in a number of ways:

- It could be through creating local employment and training opportunities, particularly for young people or those who are struggling to get on a career path, such as disabled people
- It could be through supporting the growth of our community and voluntary organisations working in our neighbourhoods
- It could be through taking steps to reduce our impact on the environment.

As one of the fastest growing economies in Yorkshire, Rotherham has a strong track record of collaborative working between the public, private and voluntary sectors. This has led to major successes such as the advanced manufacturing park, our strong network of local businesses, and improved employment.

However, we still face many challenges including health, social and economic inequalities within the borough. By working together with our partners to embed social value in our contracts and commissioning processes we can help to improve the local economy further, increasing spend locally, developing innovative delivery models and creating new opportunities.

The social value policy sets out our commitment and I hope that other organisations locally, regionally and nationally will work with us to build real and lasting benefits for Rotherham communities.

INTRODUCTION

Rotherham Council is committed to developing a positive sense of place and good quality of life for all its residents. These aspirations are set out in the Council Plan and this is the overarching strategic framework for this policy. These aspirations are also pursued through collaborative work with partners in the Rotherham Together Partnership and the Sheffield City Region.

This policy sets out how the Council will use its purchasing power to maximise the local impact of its spend. This will ensure that every pound the Council spends achieves the most value for Rotherham communities and residents, which is even more important in a time of continued austerity and increasing demand for services. This means making decisions that are not just based on financial cost but look at benefits to the wider community.

This could mean, for example, ensuring that residents can access employment opportunities from new developments in the borough or that young people could gain new skills to help them

find meaningful employment. It also means promoting the Council's ethical procurement guidelines to ensure that modern day slavery is eradicated in our town and make sure all employers in the region act responsibly.

As one of the leading procurers and commissioners in the area, the Council wants to take steps to increase the amount of additional social value from its contracts and commissioned services. The aim is to increase over time the proportion the Council spends with local businesses, thus supporting the local economy and helping small and medium-sized enterprises (SMEs) to flourish. The Council recognises that more could be done to support and strengthen the local supply network and the region's economic resilience, while also maximising the amount of social value delivered by companies that are based outside of the area. In addition, the Council is keen to develop its commissioning processes to open up opportunities for more co-designed services and sustainable local delivery models.

WHAT IS SOCIAL VALUE?

The Public Services (Social Value) Act 2012 came into force on 31st January 2013. Local authorities and other public bodies have a legal obligation to consider the social good in contracts that are subject to the Public Contracts Regulation 2015. The aim of the Act is not to alter the commissioning and procurement processes, but to ensure that, as part of these processes, councils give consideration to the wider impact of the services delivered. The Act also promotes the use of co-design in commissioning processes as a valuable tool to strengthen local delivery.

Social value is defined by the Social Value Hub as:

‘The benefit to the community from a commissioning or procurement process over and above the direct purchasing of goods, services and outcomes’.

This definition is the one that has been adopted by the Council.

This policy provides an opportunity to integrate economic, environmental and social sustainability into procurement processes by developing a fresh approach to commissioning, one that builds positive relationships with providers and generates greater social value.

Policy Purpose

This document sets out for procurers, commissioners, the Council’s suppliers and residents, Rotherham Council’s approach to social value, as well as the practical steps it will take to maximise the local impact of its spend. It should be read in conjunction with the minimum standards charter, which sets out our ethical procurement standards, and the social value toolkit which provides a step-by-step guide to the social value procurement process.

Working with Partners

The Council is committed to working with partner organisations, including the NHS, Fire and Police, to collectively increase the amount of social value delivered by public sector organisations through a jointly agreed social value charter. The charter will set out the aims and outcomes for public sector organisations to maximise the amount of social value they deliver.

¹NOMIS Annual Labour Survey, 2017 figures



AIMS AND OBJECTIVES OF THE POLICY

The aim of the social value policy is to maximise the local impact of the Council's spend and to:

- Raise the living standards of Rotherham residents and work towards the JRF Living Wage.
- Increase the proportion of the Council's expenditure which goes to local businesses and providers rather than those elsewhere in the country.
- Build social value into all Council contracts and maximise the impact gained from every pound spent. We will introduce a rigorous system for assessing and measuring social value.
- Commit to the principle of co-designing services wherever possible

The Council will achieve this by:

Working with partners and local businesses to raise living standards and promote the JRF Living Wage in Rotherham

Increasing, over time the percentage of spend with Rotherham businesses

Promoting the local economy so that small and medium-sized businesses and voluntary sector bodies can thrive

Moving away from purely transactional processes of procurement towards building relationships and working with locally-based organisations

Ensuring that any contracts with a value of over £100,000 demonstrate real and quantifiable social value and capturing the scale of additional social value achieved each year

Ensuring, where possible, that where the Council invites written quotations that at least one is from a local supplier.

Adopting the national Keep It Local principles

Involving local people and organisations in our commissioning processes through meaningful co-design

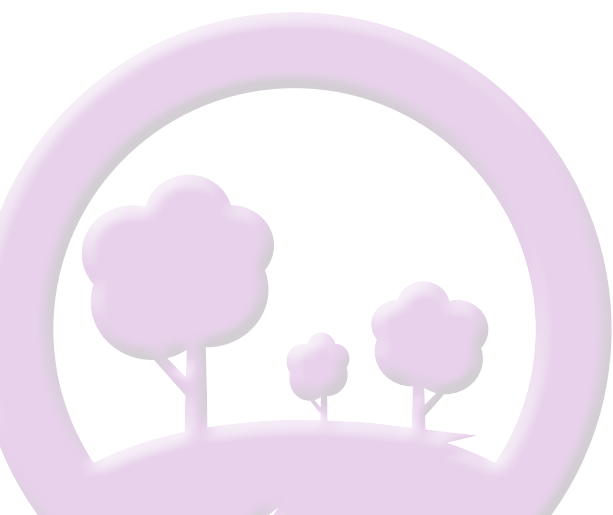
Building the capacity and sustainability of local voluntary organisations

Creating local employment and training opportunities, particularly for the most disadvantaged groups and communities

Promoting environmental sustainability and mitigating the effects of climate change through procurement and purchasing processes

Promoting fair and ethical trading through our contractors and in the supply chain

Successful implementation of the policy will be measured against six social value outcomes.



SOCIAL VALUE WILL BE MEASURED AGAINST SIX OUTCOMES



Raising living standards for residents

The central theme of this policy is increasing living standards for our residents. In Rotherham, average full time pay is 89 % of the national average and below the city region average. Pay for women in Rotherham is 61 % of male pay. We want to see more employers paying the JRF Living Wage over time.



A strong local economy with employment and skills opportunities and a growing business base

As one of the fastest growing economies in Yorkshire it is important that local businesses are sustainable and able to expand. We want to increase the proportion of the Council's spend which goes to local businesses and ensure our contractors actively upskill their workforce.



Young people have the opportunity to develop skills and find worthwhile employment

It is vital to ensure that young people, especially those who struggle to find employment or training, are given the skills that will allow them to thrive in the modern economy. Research shows that a young person who has four or more meaningful encounters with an employer is 86 % less likely to be Not in Employment, Education or Training (NEET) and can earn up to 22 % more during their career.



Equality of opportunity for disadvantaged people and communities including disabled people

Some adults struggle to access employment opportunities – for instance the employment gap between those with a long-term health condition and the overall employment rate is 10.7 % . A thriving economy is based both on creating jobs and also ensuring that everyone has equal opportunities to access them.



Strengthened and sustainable community and voluntary sector

The Community and Voluntary sector plays a vital role supporting the community in Rotherham. Ensuring that the sector is thriving and sustainable is a key aim of this policy.



Greater environmental sustainability including accessible green public spaces

As the climate changes it is essential that the Council supports and protects the environment and delivers greater levels of sustainability. Central to this is ensuring we all play our part in reducing carbon dioxide emissions.

SOCIAL VALUE FRAMEWORK

The social value framework will create a structured approach so that the application of social value is standardised across the Council. The framework is designed so that suppliers can take a bespoke approach to each contract to ensure that the social value element of the tender is appropriate, relevant and achievable. This will allow suppliers to innovate and show initiative in delivering social value.

The framework will apply to all contracts of a value of more than £100,000. The social value commitment will account for 20% of the overall score for tender bids. For contracts where the Council invites written quotations at least one should be from a local supplier.

The framework (see back page) describes each social value outcomes and how they will be measured. The social value procurement process has four stages, as follows:

Opportunity assessment: The first stage of any contract process will be the undertaking of a social value 'opportunity assessment' as part of the pre-procurement activity. This will identify the appropriate, relevant and achievable elements of social value that could be delivered through the life of the contract. In addition, officers will identify any opportunities for local businesses or organisations to participate in the process and the best way to encourage and support them.

Embedding outcomes in the tender

process: Following the identification of suitable social value outcomes, these should be embedded within the tender process. The answers should then be scored based on how appropriate and achievable they are.

Formal contract: Following conclusion of the tender process, a formal contract will be entered into incorporating the commitments made as part of the preferred bidder's response.

Contract management: Through a structured contract management process, officers will monitor social value commitments ensuring they are undertaken in their entirety and using the Council's leverage when suitable to enforce commitments.

The Framework: The Rotherham social value framework (see page 11) sets out the Rotherham social value outcomes and measures. Support and guidance for potential suppliers is available through the social value toolkit, which provides a step by step guide to the procurement process.

However, this is only a guide and the social value framework list of measures is not exhaustive. The expectation is that commissioners, procurement officers and suppliers will have active conversations about the best way to deliver the social value outcomes and that they work collaboratively to explore innovative social value actions where appropriate.

Commissioning Services

The Council commissions a large number of services with the private and voluntary sectors every year.

In developing its approach to commissioning, the Council has adopted the national Keep It Local principles developed by Locality. These principles will enable the Council to make a greater shift towards a more collaborative approach grounded in local delivery, early intervention and prevention.

As a member of the Keep it Local network of councils, Rotherham Council will be able to share good practice from across the network and learn from the most innovative authorities across the country.

As part of the commitment to maximising social value as part of the commissioning approach, the Council will:

- Co-design services wherever possible
- Engage people with lived experience throughout the service design and procurement phase
- Review commissioning and procurement models to allow local provider organisations to collaborate and make best use of local assets.
- Explore opportunities to develop new and innovative delivery models such as social enterprises, mutuals and consortium arrangements.

Keep it Local principles
Think about the whole system and not just individual service silos
Coordinate services at a neighbourhood level
Increase local spend to invest in the local economy
Focus on early intervention now to save costs tomorrow
Commit to our community and proactively support local organisations
Commission services simply and collaboratively so they are local by default



Co-design Case Study

Housing Related Support is a recent example of the use of co-design to commission a new service. Housing Related Support is a preventive programme for young people aged 16-25 with multiple needs and sometimes with chaotic lives. It provides support packages allowing young people to gain their independence and obtain suitable permanent accommodation.

The Council decided, when the contract was to be re-tendered, to involve young people in co-designing the new specification in order to develop a programme of support which best supported their needs and what was important to them.

Commissioners built relationships, encouraged creative thinking, utilised best practice and delivered engagement sessions in order to hear the voices, views and lived experiences of young people in receipt of support as well as specialist workers and professionals.

The contract was won by a Sheffield-based charity with an excellent record of providing crisis support to young people who were homeless or at risk of homelessness. In addition, the design of the contract allowed for a smaller Rotherham based charity to sub-contract a portion of overall contract, thereby ensuring that the Council spend remained within the City region.

Measuring Social Value

The Council aims to capture the amount of social value secured in contracts and delivered by contracting organisations. Using the Themes Outcomes Measures (TOMs) method of social value measurement, the Council will produce a quarterly figure broken down by service area. The ambition is to increase the percentage of spend within the local area and spent with SMEs.

All suppliers who have committed to the delivery of social value outcomes through a Council contract will be required to submit a quarterly report, evidencing the progress made against these outcomes. The delivery of social value commitments will be monitored as part of the contract management process.

Governance

The leadership and governance of this policy will be led by the Leader and the chief executive and will be subject to an annual report to Cabinet. Year one will be a baseline year and an opportunity to identify the extent and quantity of social value. Following the baseline year, social value targets will be set on an annual basis. In addition, the existing outcomes and measures will be reviewed annually to ensure they continue to reflect local priorities. The Council will also develop a range of qualitative impact measures to better capture the nature of social value activity. These will be developed and reviewed on an annual basis.

SOCIAL VALUE FRAMEWORK

COUNCIL PLAN PRIORITIES	SOCIAL VALUE OUTCOMES	TENDER QUESTIONS	
		HEADLINES	MEASURES
Extending opportunity, prosperity and planning for the future	Raising living standards for residents	Good jobs	No. of local people (FTE) employed on contract for one year or the whole duration of the contract, whichever is shorter, who are paid the Joseph Rowntree Living Wage (as a minimum)
		Skills	No. of training opportunities on contract (BTEC, City & Guilds, NVQ, HNC) that have either been completed during the year, or that will be supported by the organisation to completion in the following years - Level 2, 3 or 4+
	A strong local economy with employment and skills opportunities and a growing business base	Local jobs	No. of local people (FTE) employed on contract for one year or the whole duration of the contract, whichever is shorter
		Local Spend	Total amount (£) spent in local supply chain through the contract
		Apprenticeships	No. of apprenticeships on the contract that have either been completed during the year, or that will be supported by the organisation to completion in the following years - Level 2, 3 or 4+
Every child making the best start in life	Young people have the opportunity to develop skills and find worthwhile employment	Young people work advice	No. of hours dedicated to support young people into work (e.g. CV advice, mock interviews, careers guidance) - (under 24 y.o.)
		Unpaid work placements	No. of weeks on meaningful work placements or pre-employment course; 1-6 weeks student placements (unpaid)
		Paid work placements	Meaningful work placements that pay Minimum or National Living Wage according to eligibility - 6 weeks or more (internships)
		Care Leavers	No. of employees (FTE) taken on who are care leavers
		NEETs	No. of employees (FTE) taken on who are not in employment, education or training (NEETs)
		Young Offenders	No. of employees (FTE) taken on who are rehabilitating young offenders (18-24 y.o)
Every adult secure, responsible and empowered	Equality of opportunity for disadvantaged people and communities including disabled people	Long Term Unemployed	No. of employees (FTE) taken on who are long term unemployed (unemployed for a year or longer)
		Disabled adults	No. of jobs (FTE) created for people with disabilities
		Job skills for disabled people	No. of hours dedicated to supporting unemployed people into work by providing career mentoring, including mock interviews, CV advice, and careers guidance (over 24 y.o.)
A strong community in a clean, safe environment	Strengthened and sustainable community and voluntary organisations	Monetary donation to the VCS	Monetary donation, or equipment/resources in lieu, to voluntary or community organisations
		Business advice	Provision of expert business advice to voluntary or community organisations
	Greater environmental sustainability including accessible green public spaces	Waste	Commitment to reduce the use of single-use plastics
		Emissions	Savings in CO2 emissions on contract not from transport (specify how these are to be achieved).

Committee Name and Date of Committee Meeting

Cabinet – 21 October 2019

Report Title

Crisis Support (Local Welfare Provision)

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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01709 823618 or jackie.mould@rotherham.gov.uk

Steve Eling, Policy and Partnership Officer
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Ward(s) Affected

Borough-Wide

Report Summary

The current contracts for provision of crisis support services – crisis loans; supply of food to food banks and the service level agreement for the Food in Crisis Partnership expire at the end of March 2020.

This report makes recommendations for commissioning future crisis support services over the medium term three years 2020/21- 2022/23 with voluntary sector providers through the terms of the Rotherham Compact. The process will include an invitation to bid to be the lead organisation in the voluntary sector to engage partner organisations in a co-design with the Council, leading to award of grant(s) and service level agreements.

Recommendations

1. That approval be given to the Council to invite bids for a lead voluntary sector organisation to engage with partner organisations and the Council in a co-design for the future provision of crisis support over the medium term 2020/21 – 2022/23 in accordance with the provisions of the Rotherham Compact.
2. That, following the co-design process, proposals for future delivery arrangements be brought back to Cabinet for approval.

List of Appendices Included

Appendix 1 Initial Equality Screening Assessment

Background Papers

Local welfare provision: fund for change – report to Cabinet – 13th March 2013;
<http://modgov-p-db/documents/s84644/Local%20Welfare%20Provision%20Cover%20Report.pdf>

Fund for Change – report to the Deputy Leader – 11th July 2013:
<https://moderngov.rotherham.gov.uk/documents/s87401/009%20-%20Fund%20For%20Change%20-%20Deputy%20Leader%20Report%20-%2011th%20July%202013.pdf>

Local Welfare Provision future options – report to Commissioner Manzie – 30th March 2015:
<http://modgov-p-db/documents/s99235/Local%20Welfare%20Provision%20Future%20Options.pdf>

Local Welfare Provision 2016/17 - report to Cabinet and Commissioners' Decision Making Meeting – 15th February 2016:
<https://moderngov.rotherham.gov.uk/documents/s104689/Local%20Welfare%20Provision%202016-17.pdf>

Crisis Support (local welfare provision) – report to Cabinet and Commissioners' Decision Making Meeting – 13th February 2017:
<http://modgov-p-db/documents/s109169/1%20-%20Crisis%20provision%20final%20Cabinet%20report%20-%2026%2001%202017.pdf>

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Overview and Scrutiny Management Board – 16 October 2019

Council Approval Required

No

Exempt from the Press and Public

No

Crisis Support (Local Welfare Provision)

1. Background

- 1.1 Crisis support (Local Welfare Provision), provided by the Council started in 2013 following abolition of the Government's Discretionary Social Fund.
- 1.2 The current arrangements for delivery of crisis loans; provision of food; and support for the Food in Crisis Partnership expire at the end of March 2020. This report recommends arrangements for service provision from April 2020.

2. Key Issues

- 2.1 Following abolition of the Government's Discretionary Social Fund in March 2013, under the provisions of the Welfare Reform Act 2012 (c. 5), the government provided local authorities with two years' funding (2013/14 and 2014/15) for 'local welfare provision' (LWP). The funding was provided as a section 31 grant (S. 31, Local Government Act 2003 (c. 26)). Over the two financial years 2013/14 and 2014/15 Rotherham received a total of £1.697m. Whilst this funding was not ring-fenced, the Council allocated the money for Crisis Support (Local Welfare Provision) purposes and maintained the balance of the fund at the end of the two years for future years provision. This provided a fund at the start of 2015/16 of £749,666, which has now reduced to a projected balance at the end of 2019/20 of £198,252.
- 2.2 Crisis Support provided by the Council is now the final welfare safety net for many people in Rotherham.
- 2.3 The provision in the first two years (2013/14 and 2014/15) included crisis loans and support for food provision along with grants via Furniture Solutions and emergency cash grants. The cessation of the grant in 2015/16, resulted in the furniture and cash grants being withdrawn. The current provision consists of £60,000 p.a. allocation for the provision of crisis loans; £30,000 p.a. for the supply arrangements of food to food banks (Community Food Members); and £10,000 for support for the Food in Crisis Partnership, which includes research and supply of data. Community Food Members are local organisations providing food in crisis support that sign up to the priorities for providing support agreed with the Council. The current arrangements expire at the end of March 2020.
- 2.4 Looking forward, this paper sets out recommendations for commissioning future provision through partnership working with the voluntary sector under the provisions of the Rotherham Compact. This will enable a medium term (three year) solution through co-design that will both meet established need and link into Council policy developments around tackling deprivation; advice services; and neighbourhood working.
- 2.5 The budget provision would be maintained at the current level of £100,000 p.a. being funded by the residual sum from the Section 31 grant for the first two years and would require £100,000 additional funding to be agreed within the Medium Term Financial Strategy to fund the third year of the agreement (2022/23).

Demand

- 2.6 Crisis support continues to receive significant demand in Rotherham. The current data available for 2018/19 shows that 433 people accessed crisis loans at a total value of £34,585; and 4408 food parcels were provided that fed 5867 people.
- 2.7 The reasons for accessing crisis loans shows general living expenses with a combination of food and bills being the single most frequent reason. The need to purchase electrical goods and furnishings, whilst at a lower number of loans, are a factor. Details for 2018/19 and the first quarter of 2019/20 show the following:

	2018/19	1st Quarter 2019/20
Electrical goods	30	8
Bed	10	2
Food	13	1
Bills	31	13
Food & Bills	241	69
Lost money	37	11
Benefit sanction	1	
Benefit delay	51	11
Rent arrears	12	1
Council Tax arrears		1
Urgent travel	7	4
Total	433	121

- 2.8 It is important to recognise that not everyone in crisis will be able to access a crisis loan because of regulations requiring responsible lending. This means that anyone judged as being unable to repay a loan must not be provided with one.
- 2.9 The data for food in crisis provision reveals a broad picture of demand. This provision also serves people who are not able to access crisis loans, especially those of no fixed abode; refugees and asylum seekers. Details for 2018/19 and the first quarter of 2019/20 show the following:

	2018/19	1st Quarter 2019/20
Benefit sanction	287	106
Benefit delay	863	213
Change of job	18	5
Family crisis	89	14
Unexpected expenses	85	18
Out of work with benefits	62	9

Out of work no benefits	19	4
Low income	1284	404
Poverty	253	52
Debt	221	60
Money management	202	26
Other	297	37
Total	3680	948

2.10 People of no fixed abode; refugees and asylum seekers make up a significant proportion accessing food in crisis provision:

	2018/19	1st Quarter 2019/20
No fixed abode	119	43
Refugee	36	10
Asylum seeker	624	186
Total	779	239

2.11 Postcode data for the first quarter of 2019/20 shows the following demand:

	Food	Loans
S25 Dinnington	9	2
S26 Kiveton Park	4	4
S60 Brinsworth / Treeton	128	16
S61 Kimberworth	93	19
S62 Rawmarsh	52	15
S63 Wath	75	3
S64 Swinton	19	7
S65 Eastwood / Thrybergh	246	36
S66 Maltby / Wickersley	36	17
S73 Brampton	1	1
Homeless	43	
Unspecified	134	
DN12		1
Total	840	121

There is no indication that the demand for support is reducing, or is likely to reduce.

2.12 What the data shows is that there are a significant number of low income families whose finances are not resilient. They just about survive, but when something unexpected happens they cannot cope. The immediate impact appears to be most commonly not being able to afford food, and in all likelihood, other daily household consumables. Unexpected demands arise from the need to replace white goods and furnishings. Many of the applications for crisis loans are to pay bills, which will include utility costs.

- 2.13 Looking forward, given that partners to date in the delivery of crisis support have been from the voluntary and community sector, the option exists now to build on the experience gained to commission future provision under the terms of the Rotherham Compact. The Council has successful experiences of commissioning under the terms of the Compact including using co-design. Specific examples are Advice Provision and Voluntary Sector Infrastructure, both of which went through bidding processes and have been awarded grants with three year service level agreements for the service provision.
- 2.14 The opportunity to take a medium term view using the provisions of the Rotherham Compact co-design process will enable links to be made to other services and policy development, especially around deprived neighbourhoods and a proposed broader policy approach to tackling deprivation.
- 2.15 The co-design approach will also enable discussion around the detail of future provision to ensure that it continues to meet community need. It can start from the basis of the current provision, but also look at provision of non-food items such as household and personal hygiene goods. Options around fuel vouchers; white goods and furniture could be examined where the current loans arrangements are not appropriate in some cases, together with criteria for access to the services and assessments could also be reviewed. The co-design can also build in flexibility over the medium term as part of the SLA to enable services to evolve alongside the Council's neighbourhoods and tackling deprivation work; and strategically link to developments in advice services. The Council also supports housing tenants and prospective tenants and homeless people. As part of this, the furnished home scheme has set aside an annual Furniture Grant of £100K for new council tenants to assist in reducing the likelihood of a tenant becoming homeless, assisting people into employment and reduce financial hardship. The essential pack consists of a cooker, fridge freezer and a bed. However, these provisions address the needs of what might be described as "existing clients or service users" rather than addressing one-off crisis situations that can be addressed through the partnership approach to crisis support.

3. Options considered and recommended proposal

- 3.1 Two options have been considered.
- 3.2 Option one – discontinue crisis support in its current form

This option would discontinue the current crisis support arrangements. Theoretically £198,252 would remain for the Council to use for crisis type support.

Whilst crisis support is a discretionary function and the budget can be withdrawn, it is likely that an impact assessment would identify that people with protected characteristics would be disproportionately impacted, should this option be pursued. There would inevitably be a disproportionate adverse impact on low income and vulnerable households.

3.3 Option two - Continue to provide crisis support at the current budget level of £100,000 p.a. for three years 2020/21 – 2022/23

This option would enable crisis loans and food provision to both be continued at the current levels. The co-design under the provisions of the Rotherham Compact would allow for a single bid to be invited for a lead organisation for a partnership approach to future provision. This would bring an added advantage to the current provision where there is partnership working across “food in crisis” but this is not directly linked to crisis loans. A grant would be provided to the service provider(s) along with service level agreements and monitoring arrangements as provided for in the Council’s Financial Regulations. The co-design process would also include equality assessment to ensure access provision across all communities.

4. Consultation on proposal

4.1 Continuation of crisis provision has not been subjected to consultation as the recommended option does not involve a reduction of provision. However, consultation will form part of the co-design process, especially where any changes are proposed to access to crisis provision. Outcomes from consultation and engagement of users will inform design of the service provision.

5. Timetable and Accountability for Implementing this Decision

5.1 One month will be allowed for the bidding stage of the commissioning process. It is expected that this would be completed by the end of November. It is proposed that the co-design will follow to reach completion of Service Level Agreements (SLAs) and grant agreements by mid-February 2020. The service provision would commence from 1st April providing continuity of provision between the expiry of the current contracts and commencement of the new SLAs.

6. Financial and Procurement Advice and Implications

6.1 Assuming a three year planning of the future provision, it is recognised that the residual S. 31 grant sum of £198,252, will not maintain the current provision for three years. Consequently, the proposed future provision would require funding of £100,000 to be agreed within the Medium Term Financial Strategy to fund the third year of the contract (2022/23).

6.2 On the basis that the proposed recommendation is for the award of a grant, there are no direct procurement implications. It is however important to ensure that the agreement is structured appropriately.

7. Legal Advice and Implications

- 7.1 The Council has the ability to provide support for people in need through various provisions including S. 1 of the Localism Act 2011 (c. 20) (Local authority's general power of competence); S. 17 of the Children Act 1989 (c. 41) (Provision of services for children in need, their families and others) among other provisions.

8. Human Resources Advice and Implications

- 8.1 There are no HR implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 Many vulnerable families with children are helped through crisis provision. In 2018/19, of 5,867 people fed through "food in crisis", 1,696 were recorded as being under 18 years. Three children's centres are "community food members" providing foodbank facilities to communities.

10. Equalities and Human Rights Advice and Implications

- 10.1 Crisis support by its very nature supports the most vulnerable people in society, many of whom will also have protected characteristics. S. 1 of the Equalities Act 2010 (c. 15) places a "Public sector duty regarding socio-economic inequalities" stating in sub-section (1) "An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage."
- 10.2 Maintaining the current level of resource for crisis provision will ensure there are no adverse equalities implications. Additionally, the recent addition of the Unity Centre to those providing food in a diverse community, supplied through the Council crisis support further assists addressing inequalities.
- 10.3 The co-design process will enable an "equalities check" to be incorporated for continuing and enhancing the service provision available, with an impact assessment produced on the model of provision agreed.
- 10.4 An Initial Equality Screening Assessment has been undertaken, which is attached.

11. Implications for Partners

- 11.1 The recommended option furthers the objective of partnership working through the provisions of the Rotherham Compact, engaging with the voluntary and community sector.

12. Risks and Mitigation

- 12.1 The principal risks associated with crisis provision are demand outstripping supply and budget. The experience of recent years suggests that £100,000 p.a. will be adequate for the future, but regular monitoring will continue to assess demand and resources. The front line service provision is through partner organisations staff and volunteers.
- 12.2 It is necessary to commence the process of inviting bids for lead organisation and moving to the co-design by late autumn to ensure that service arrangements are in place to commence in April 2020.

13. Accountable Officer(s)

Shokat Lal, Assistant Chief Executive

Jackie Mould, Head of Performance, Intelligence and Improvement

Steve Eling, Policy and Partnership Officer

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	07/10/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	03/10/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	03/10/19

Report Authors:

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This report is published on the Council's [website](#).

PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

1. Title	
Title: Crisis Support (Local Welfare Provision)	
Directorate: Assistant Chief Executive	Service area: PII
Lead person: Steve Eling	Contact number: 54419
Is this a:	
<input type="checkbox"/> Strategy / Policy	<input checked="" type="checkbox"/> Service / Function
	<input type="checkbox"/> Other
If other, please specify	

2. Please provide a brief description of what you are screening
<p>The current arrangements for delivering Crisis Support; Crisis Loans; Crisis Food and support for the Food in Crisis Partnership expire at the end of March 2013.</p> <p>The proposals seek to provide Crisis Support for three years 2020/21 to 2022/23 through Local VCS organisation using a co-design model under the terms of the Rotherham Compact.</p> <p>The level of resource available for the service is maintained at the current level.</p>

3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>	X	
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>	X	
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>	X	
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		X
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		X
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		X

If you have answered no to all the questions above, please explain the reason

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

Yes. Crisis support by its very nature supports the most vulnerable people in society, many of whom will also have protected characteristics. S. 1 of the Equalities Act 2010 (c. 15) places a "Public sector duty regarding socio-economic inequalities" stating in sub-section (1) "An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage."

- **Key findings**

Maintaining the current level of resource for crisis provision will ensure there no adverse equalities implications. Additionally, the recent addition of the Unity Centre to those providing food in a diverse community, supplied through the Council crisis support further assists addressing inequalities. The proposals in the report will help to enhance the service and ensure that all equalities issues relating to the provision are assessed. The measures do not pose a risk to achieving equality objectives, quite the reverse.

- **Actions**

The co-design process will enable an "equalities check" to be incorporated for continuing and enhancing the service provision available, with an impact assessment produced on the model of provision agreed.

The scope of analysis will form part of the early stages of the co-design process. The analysis will be completed as an integral part of signing of the co-design and completing service level agreements.

Date to scope and plan your Equality Analysis:	By end of December 2019.
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Date to complete your Equality Analysis:	By end of February 2020.
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Lead person for your Equality Analysis (Include name and job title):	Steve Eling Policy and Partnership Officer
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5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:		
Name	Job title	Date
Jackie Mould	Head of Performance, Intelligence and Improvement	23 September 2019

6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to equality@rotherham.gov.uk For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

Date screening completed	20 th September 2019
Report title and date	Crisis Support (Local Welfare Provision)
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	Cabinet 21st October 2019
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	20 th September 2019

Committee Name and Date of Committee Meeting

Cabinet – 21 October 2019

Report Title

House to House Collection Policy

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

Lewis Coates, Enforcement and Regulatory Services Manager
01709 823117 or lewis.coates@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

The report details the findings of a public consultation carried out to seek views on key elements of a proposed House to House Collections Policy. In particular, the Council was keen to understand what levels of returns to charities the public expected when making donations, and in addition, the times at which collections might be considered to be reasonable.

The proposed House to House Collections Policy reflect the findings of the consultation and is presented with this report for consideration for adoption.

Recommendations

1. That the outcomes of the consultation on the proposed House to House Collections Policy be noted.
2. That the revised House to House Collection Policy be adopted and approved.

List of Appendices Included

- Appendix 1 House to House Collection Policy
- Appendix 2 Consultation Analysis and Comments Received
- Appendix 3 Equalities Screening Assessment

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 16 October 2019

Council Approval Required

No

Exempt from the Press and Public

No

House to House Collection Policy

1. Background

- 1.1 The House to House Collections Act 1939 requires all charitable collections, which collect door to door, to be licensed in the form of a permit from the Local Authority.
- 1.2 On 23 April 2018, the Licensing Board considered proposals to introduce a House to House Collection Policy, making a number of recommendations which have been included in the draft Policy presented to Cabinet.
- 1.3 On 22 October 2018, the Cabinet recommended that views should be sought around key aspects of the Council's proposed House to House Collections Policy, through a public consultation.
- 1.4 The House to House Collections Policy provides for a clear approach to the licensing of house to house collections, setting out the Council's expectations to both collectors and the public.

2. Key Issues

- 2.1 House to house collections involve the collection of either money or items directly from a person's property. They are a vital source of funds for many charities as they offer a positive opportunity for the public to support charities.
- 2.2 Recent years have seen an increase in the number of house to house collections taking place in the Borough. It is considered essential that permits are only issued to legitimate applicants, and that the application process is sufficiently robust to ensure that the public can be confident that collections are appropriately regulated and an adequate proportion of their donations are being given to the relevant charity.
- 2.3 Whilst legislation prescribes the process for licensing of house to house collections, it does not provide clear information in relation to the application process or guidance in relation to the interpretation of the legislation at a local level. This deficiency could be addressed by way of a local policy, however at the current time Rotherham Metropolitan Borough Council has not adopted a Policy.
- 2.4 The absence of a policy in relation to house to house collections may lead to a lack of transparency in relation to the application process and increase the likelihood of inconsistent decision making in relation to applications that are received.
- 2.5 A clear policy that defines the Council's expectations when applying for a permit to collect will ensure that key areas of concern such as the amount that is donated to charity from collections and the reasonableness of collection times can be highlighted and considered consistently. This will provide reassurance to the public and clarity to collectors.

2.6 Of the responses received to the public consultation the majority felt that collections should donate at least 80% of generated monies to the charities that the collection has been conducted for. In addition, it is important to note that many local and national charitable organisations rely upon the funding gained as a result of house to house collections. The policy must therefore strike the correct balance between ensuring that permits are only granted in appropriate circumstances, and proportionate application criteria, that do not introduce unnecessary barriers for legitimate and well-meaning individuals and organisations.

2.7 Key aspects of the proposed policy are summarised below:

2.7.1 The application process

The policy makes it clear that applications for a licence should be made as early as possible, and at least one month prior to the date that the proposed collection is planned to take place.

In order to be considered a complete application, the applicant must provide all required information to the Council – this is specified on the application form and accompanying notes, and includes a basic disclosure relating to the promoter, details of the way that the proceeds of the collection will be allocated, as well as the dates and times that the collection will take place.

A template form is included within the policy – all applications for a licence must be made using this form.

2.7.2 Obligations on those that are granted a licence

Collections must not take place unless the appropriate authorisation is in place.

The collections must not be undertaken in a way that causes inconvenience or annoyance to any person. The policy is clear that the Council expects that collections should not take place after 7pm and collectors will not deliver bags to households that clearly state they do not wish to receive house to house collections. The Council also expects collectors to adhere to the Code of Fundraising of Practice, and any deviations from the Code will be referred through to the Fundraising Regulator.

All collectors must wear a standard ID badge (approved by the Council) and carry a Certificate of Authority with them at all times. These documents must be available for inspection on demand by an authorised officer of the Council, a police officer or the occupant of a house where the collection is being attempted.

The policy outlines a series of requirements that apply after the collection has taken place; these generally relate to the provision of prescribed returns forms giving details of the proceeds of the collection.

2.7.3 Circumstances that may lead to the refusal of an application

The legislation details a number of factors that may result in the Council refusing an application for a licence. These factors are expanded upon in the policy, and include matters such as excessive remuneration, previous convictions or failure to ensure compliance with statutory requirements.

One key aspect of the policy is the expectation that at least 80% of the proceeds of the collection will be provided to the good cause / charitable purpose. The applicant must provide sufficient information to allow this to be calculated, a failure to do this will also lead to a refusal of the application.

2.7.4 Consideration of financial information

As has been referred to above, the amount of the proceeds of the collection that are allocated to the good cause is a central principle of the policy. When making the application, the applicant must provide sufficient financial and other information so that it is clear how and the allocation of the proceeds has been calculated.

The policy also makes it clear that a failure to furnish financial returns following previous collections will result in refusal of subsequent applications.

2.7.5 Administration / Enforcement

The application process is administered by the Council's Licensing Service – however the decision to grant or refuse an application will be made by a sub-committee of the Council's Licensing Board.

Enforcement of the statutory requirements, and the requirements of the Council's policy, rests with the Assistant Director of Community Safety and Street Scene. The Assistant Director has authorised licensing officers to discharge the enforcement functions on his behalf.

2.8 The policy also provides an extract from the legislation related to the control of house to house collections; these are mandatory obligations in relation to all collections / applications and will apply in all cases.

2.9 The proposed policy is attached to this report as Appendix 1; the effectiveness of the policy will be reviewed one year after its introduction to determine its impact, and whether the aim of the policy is being achieved.

3. **Options considered and recommended proposal**

3.1 Option 1 – the Council is not required to introduce a House to House Collection Policy, albeit the Council is required to licence such activities. The Council might decide not to introduce a Policy and instead rely on the statutory text. This option would likely limit the clarity of the process and Council expectations, including the value of collections that is returned to charities, and the times at which collections might be considered to be unreasonable.

- 3.2 Option 2 –the Council might decide to adopt the House to House Collection Policy to include minimum values to be returned to charities and the times that would be reasonable for collection. In addition, this option will establish clarity and transparency to the process of licensing collections, and strengthen the Council’s influence on what is acceptable.
- 3.3 The preferred option is Option 2, and the suggested House to House Collection Policy is attached at Appendix 1.

4. **Consultation on proposal**

4.1 Public Consultation began on 3 June 2019 and closed on 28 July 2019.

4.2 A total of 29 responses were received to the consultation, with a significant majority supporting the principle that at least 80% of the value of donations should be made to the charity. Key responses to the consultation included:

- 89.66% of respondents agreed or strongly agreed that the Council should ensure that charities benefit appropriately from house to house collections
- 96.55% of respondents agreed or strongly agreed that those who donated to house to house collections expected the majority of those donations to go to charity
- 79.31% of respondents agreed or strongly agreed that 80% of the value of collected items should go to charities
- 89.66% of respondents agreed or strongly agreed that it would not be reasonable to undertake collections after 8 pm

Although the majority of respondents supported 8pm, a number thought that 8 pm was too late for house collections, therefore it is recommend that 7pm and this be reviewed after one year.

4.3 It should be noted that ten respondents also indicated that the minimum value to be returned to charities should preferably be higher than 80%. This particular aspect is perhaps worthy of consideration at the point of the first review of the Policy.

4.4 The full analysis of the consultation responses is attached at Appendix 2 which in addition also lists the further comments returned by fourteen respondents.

4.5 The House to House Collections Policy attached at Appendix 1 reflects the findings of the consultation.

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

5.1 If adopted, the revised Policy will become effective immediately.

5.2 If adopted the Policy will be published on the Council’s website and all collectors will be written to advising that the new Policy is implemented.

6. Financial and Procurement Advice and Implications

6.1 In budgetary terms there are no financial or procurement implications directly associated with this report. A fee cannot be charged for the activity as the Council has a statutory obligation for this service with no legal provision to charge a fee. The Policy will inform work currently undertaken and be contained within existing budgets.

7. Legal Advice and Implications

7.1 The House to House Collections Act 1939 lays down the requirement in relation to House to House Collections.

7.2 Section 4 of the Act provides for the Secretary of State to prescribe regulations regarding the manner in which collections may be carried out, including the conduct of promoters and collectors. There is no opportunity for local authorities to prescribe additional regulations or attach additional licence conditions.

7.3 The Secretary of State published the House to House Collections Regulations 1947, subsequently amended by the House to House Collections Regulations 1963, which took effect from 29th December 1947. These regulations, included as Appendix A to the Policy, apply to all licences issued by the Council under the House to House Collection Act 1939.

7.4 Application for a licence must be made in the prescribed manner. The Licensing Authority cannot grant a licence for a period longer than twelve months and may refuse a licence, or where granted, may revoke it, only in circumstances specified in Section 2(3) of the Act.

7.5 When an application for a licence is refused or the decision made to revoke an existing licence, a written notice should be issued to the applicant or holder of the licence stating upon which one or more of the grounds set out in Section 2(3) of the Act the licence has been refused or revoked.

7.6 There is no right of appeal through the courts against a decision to refuse or revoke an application. However, there is a right of appeal to the Secretary of State whose decision is final and that right must be set out within the written notice issued. Additionally, any decision must be reasonable as any decision could also be subject to a complaint to the Local Government Ombudsman or through a judicial review.

7.7 The Council's House to House Collection Policy refers to requesting a written assurance from collectors that they will not deliver bags to households that clearly state they do not wish to receive house to house collections. It should be noted that in the event an applicant refuses to provide a written assurance, this is not a ground for refusal and nor is it a ground for revocation should there be a failure to comply with any such assurance previously provided. In addition such an assurance would likely be the subject of legal challenge based upon interpretation.

- 7.8 The Council's Policy also states that the times of collections must not be later than 7pm. This is not something that is prescribed by the Act or the Regulations and therefore if an applicant refuses to set out the times of a collection this will not be a reason to refuse the application. However should a collection take place outside of the agreed times set out within the licence issued then the collection will have taken place without a valid licence in place.
- 7.9 The Act sets out a number of offences in respect of both those who promote a collection and those who act as a collector. The Act also makes it an offence to contravene or fail to comply with the provisions set out within the Regulations. In the event that a complaint is made to the Licensing Authority regarding the manner in which collections have been carried out or the conduct of promoters or collectors, the Council's Enforcement Policy will be adhered to and consideration given to instigating a prosecution.
- 7.10 In October 2019 the Fundraising Regulator will publish a revised Code of Fundraising Practice. This is not statutory guidance and is a voluntary code only. The Licensing Authority does not have the ability to attach additional conditions to a licence and in any event as the code is voluntary it would be unreasonable to do so as any such condition would be unenforceable by the Licensing Authority. The Council will refer any alleged breach / complaint in respect of the Code to the Fundraising Regulator for investigation.
- 7.11 As the determination of applications for House to House Collection permits is the responsibility of the Council's Licensing Board.

8. Human Resources Advice and Implications

- 8.1 There are no HR implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no additional implications for Children, Young People or Vulnerable Adults.

10. Equalities and Human Rights Advice and Implications

- 10.1 There are no implications for equalities or human rights as the proposed amendment will be within existing legal frameworks.
- 10.2 An Equalities Screening Assessment is attached at Appendix 3.

11. Implications for Partners

- 11.1 There no implications envisaged from this report for partners.

12. Risks and Mitigation

- 12.1. The policy is a fundamental element of consistent decision making which subsequently, if it was not fit for purpose, would increase the risk of judicial challenge.

12.2 Consequently, it is essential that the Policy takes into account the views of decision makers, enforcement officers, the general public and those that may be affected by the introduction of this policy.

13. Accountable Officers

Tom Smith, Assistant Director of Community Safety and Street Scene

Paul Woodcock, Strategic Director of Regeneration and Environment

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	07/10/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	02/10/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	01/10/19

This report is published on the Council's website or can be found at:-

<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Appendix 1: House to House Collection Policy

Rotherham Metropolitan Borough Council
HOUSE TO HOUSE COLLECTIONS POLICY
October 2019

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1. Introduction

Aim of this Policy

This policy aims to ensure that residents in the Rotherham Borough boundary area who want to donate to a charitable or good cause through house to house collections are able to do so secure in the knowledge that an adequate proportion of what they donate will directly benefit the named charity or good cause.

The effectiveness of the policy will be reviewed one year after its introduction to determine its impact, and whether the aim of the policy is being achieved.

General Information Regarding House to House Collections

House to house collections involve the collection of either money or items directly from a person's property. They are a vital source of funds for many charities as they offer a positive opportunity for the public to support charities. However, they need to be carried out for the benefit of the charity and in accordance with the law.

There has been an increase in the number of house to house collectors in the Borough over the last few years and as such it is vital that permits are issued to legitimate applicants. This can give the public confidence that if the collection is licensed an adequate proportion of their donations are being given to the appropriate charity.

House to house collections are currently regulated by the House to House Collections Act 1939 and the House to House Collections Regulations 1947. Permits for collections that are carried out within the Rotherham Borough boundary are issued by the Council. There are National Exemption Orders that are available to charities who have undertaken a high number of collections across local authority areas nationally in the preceding two years. These are issued to the charity by the Cabinet Office directly.

The intention of this policy is to give clear guidance to members of the Licensing Board, applicants and officers, on the factors to be taken into account when determining applications for a House to House Collection permit.

All decisions regarding the implementation of the House to House Collections Policy (such as determination of applications) are made by the Licensing Board, although the Licensing Board may delegate this to officers if the Board considers this to be necessary or appropriate. The Policy itself is a decision for Cabinet.

Any applicant that is aggrieved by a decision of the Council may appeal to the Secretary of State/Minister for the Cabinet Office, Cabinet Office, 70 Whitehall, London, SW1A 2AS, within 21 days of being given notice of the decision.

The Regulatory Framework for House to House Collections

House to house collections, as defined by the House to House Collections Act 1939, are required to be licensed by local authorities. House to house collections are defined as 'an appeal to the public, made by means of visits from house to house, to give, whether for consideration or not, money or other property'. They include, therefore, collections of money, or any other items that may be sold for money, where the proceeds are given to

any charitable, benevolent or philanthropic purpose (for example, charity clothing collection bags).

For the purpose of the House to House Collection Act 1939, the term 'house' also includes places of business. This provision, therefore, also covers collections made within places such as shops, offices and public houses where the collectors go from premises to premises collecting money, or other property, and the proceeds of such collections are given to charity (for example, rose sellers in public houses and restaurants).

Unless those who wish to conduct a collection possess an Exemption Certificate issued by the Secretary of State, it is an offence for any person to promote or make collections from door to door for charitable purposes without the promoter first obtaining a licence from this Council to do so.

Some larger charities (particularly those that operate nationally) have secured Exemption Certificates from the Secretary of State; however, most of the smaller charities operating locally do not have Exemption Certificates and, therefore, they need to apply for, and be granted, a permit before they can collect money door to door within the Borough boundary of Rotherham. There is no application fee associated with an application for a house to house collection permit.

There are two circumstances where the need for a permit from the Council can be waived following the intervention of other authorities.

1. If the Secretary of State is satisfied that a person pursues a charitable purpose throughout the whole of, or a substantial part of, England and Wales, and wants to promote collections for that purpose, he/she may then direct by Order that the promoter shall be exempt from the requirement to obtain licences from this Council. All collections exempt from licensing requirements would be described in the Order.
2. Where the chief constable for a police area is satisfied that the purpose of a collection is local in character and that the collection is likely to be completed within a short period of time, he/she may grant the promoter of the collection a certificate in the prescribed form. Where such a certificate is granted, a permit from the Council is not required and the provisions of the Regulations shall not apply to a collection made in conformity with such certificate. An example of this would be where the collection is taking place as part of an event occurring in a clearly defined locality over a short period of time (a maximum of a few days).

Any applications made for a permit will be processed and considered in accordance with Section 2 of this policy.

2. Applications for a House to House Collection Permit

The application process

Applicants are advised to contact the Council at their earliest opportunity, preferably before an application is made. This will allow Council Officers to provide appropriate advice, as well as clarifying any areas of uncertainty.

All applications must be made on the Council's prescribed application form (see Appendix A).

Applications should normally be made at least two calendar months before the first proposed collection date, the application will not be considered as complete unless the applicant provides all of the information that is specified on the application form and accompanying notes.

Any application received with less than one calendar months' notice prior to the first proposed collection date is unlikely to be considered, save for exceptional circumstances at the Council's discretion.

In addition to completing the Council's application form, the applicant must also supply information relating to:

1. Whether the collection beneficiary is a registered charity (with charity number), and the objectives of the charitable cause as supplied to the Charity Commission. The collection beneficiary is the term used to describe the organisation on whose behalf the collection is being undertaken.
2. A statement of the collection beneficiary's aims, and any literature to support this.
3. Full details of the collection beneficiary – this must include date of formation, names of trustees, directors etc.
4. If the collection is being undertaken by an individual or organisation other than the beneficiary of the collection then full details of this individual / organisation must be provided – this will include details of directors / trustees / owners (in the case of an organisation).
5. Relevant accounts and financial statements of the promoter, collection company / agent and the charity (if different)
6. The details of how the amounts to be allocated to the charity, collectors and promoter are calculated. The following must be clear from the information provided:
 - 6.1. The expected value of the money / items collected before any expenses are deducted ('the gross collection amount').
 - 6.2. Full details of any deductions that will be applied to the 'gross collection amount' and how these will be calculated.

7. A written agreement between the applicant and the charity as required by the Charities Act 1992.
8. Declaration of any previous refusals for House to House Collections
9. A basic Disclosure Certificate relating to the promoter or the director of the collection company / agent if different (this must be dated within the last six months).
10. It must be clear from the application how much the collection beneficiary will receive as part of the collection, the proportion of this as a percentage of the cost of running the collection and a clear set of returns if the organisation has operated collections before. Although each case will be considered individually, the Council considers it reasonable that a charity can expect to receive at least 80% of the total proceeds from a collection (i.e. before any deductions are made for expenses associated with the collection).
11. The times that collections are expected to take place (the Council's default position is that collections will not take place before 8am or later than 7pm).
12. Written assurance from collectors that they will not deliver bags to households that clearly state they do not wish to receive house to house collections.

All applications for a House to House Collection Permit will be referred to the Council's Licensing Board for consideration. The applicant will have the opportunity to address the Board should they wish to do so, they may also provide a written submission to the Licensing Board for consideration along with their application.

Licensing Officers and / or the Licensing Board may request additional information from applicants in order to fully consider applications that are received by the Council. In cases where additional information is requested, the application will not be processed by the Council until such time as the requested information has been provided.

Grant of a House to House Collection Permit

If the Licensing Board are satisfied that it would be appropriate to issue a permit for a House to House Collection then one will be issued for the times and dates specified on the application. The Council will issue a Certificate for the Information of the Stationery Office under the House to House Collections Act 1939. This document will allow the promoter to obtain the prescribed badge and prescribed Certificate of Authority. These documents must be carried by all collectors involved in the House to House Collection.

If the dates specified on the application have passed, then the permit will run from the date that the Licensing Board make the decision to issue the permit.

In any event, a permit authorising a house to house collection will not be valid for a period longer than twelve months.

Permits will not be issued retrospectively, therefore a permit must be in place before the collection commences. Collections undertaken without a valid permit or exemption will be unlawful and the promoter of such a collection risks prosecution by the Council.

The House Collections Act 1939 and the House to House Collections Regulations 1947 specify the obligations of all those involved in house to house collections. A copy of the House to House Collections Regulations 1947 is appended to this policy as Appendix B.

Key obligations placed on the person / organisation to whom a permit is issued are as follows:

1. the necessary written permission has been obtained from the Council;
2. no collection must be undertaken in a manner which will inconvenience or annoy any person such collections taking place at an unreasonable hour. The Council would consider that collections taking place later than 7pm would be unreasonable;
3. every collector must wear a standard badge and carry a Certificate of Authority;
4. collectors must produce their badge, on demand, to the occupant of any house, any police officer or authorised officer of the Council;
5. all collectors must be aged sixteen years or more;
6. must only collect between the hours that are specified on the permit;
7. if a collector is carrying a collecting box, it must be sealed, numbered and clearly display the name of the charity or fund which is to benefit.

The key obligations following a collection are as follows:

1. collectors must not be given access to the contents of collection boxes prior to their being returned to the promoter for opening and counting;
2. boxes should only be opened in the presence of the promoter and another responsible person. Once the boxes have been opened, the contents should be counted immediately and the amount collected in each box recorded;
3. after the collection the promoter must complete a prescribed returns form and return it to the Council within one month of the expiry of the permit. The promoter must certify the return and have it countersigned by a qualified accountant.

The prescribed forms are detailed in Regulation 6 of the House to House Collections Regulations 1947 (as amended by the House to House Collections Regulations 1963) – an extract of these Regulations is attached as Appendix B to this policy.

The “combined badge and certificate of authority for collector performing house to house collection” (ISBN 9780113407422) is available from The Stationery Office (www.tsoshop.co.uk). Further information is available from the licensing office.

Refusal to issue a House to House Collection Permit

The statutory reasons why a licensing authority may refuse to grant a permit, or where a permit has been issued may revoke it, if it appears to the authority that:

1. The total amount likely to be applied for charitable purposes as the result of the collection (including any amount already so applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received);
2. Remuneration which is excessive in relation to the total amount aforesaid is likely to be, or has been, retained or received out of the proceeds of the collection by any person;
3. The grant of a Licence would be likely to facilitate the commission of an offence under Section Three of the Vagrancy Act 1824, or that an offence under that section has been committed in connection with the collection;
4. The applicant or the holder of the Licence is not a fit and proper person to hold a Licence by reason of the fact that he has been convicted in the United Kingdom of any of the relevant offences specified below, or has been convicted in any part of Her Majesty's dominions of any offence conviction for which necessarily involved a finding that he acted fraudulently or dishonestly, or of an offence of a kind the commission of which would be likely to be facilitated by the grant of a Licence. The relevant offences referred to above are as follows:
 - 4.1. Offences under sections 47 to 56 of the Offences against the Person Act 1861
 - 4.2. Robbery, burglary or blackmail
 - 4.3. Offences in Scotland involving personal violence or lewd, indecent, or libidinous conduct, or dishonest appropriation of property
 - 4.4. Offences under the Street Collections Regulation (Scotland) Act 1915
 - 4.5. Offences under section 5 of the Police, Factories etc. Miscellaneous Provisions) Act 1916
5. The applicant or the holder of the Licence, in promoting a collection in respect of which a Licence has been granted to him, has failed to exercise due diligence to secure that persons authorised by him to act as collectors for the purposes of the collection were fit and proper persons, to secure compliance on the part of persons so authorised with the provisions of regulations made under this Act, or to prevent prescribed badges or prescribed certificates of authority being obtained by persons other than persons so authorised; or

6. The applicant or holder of the Licence has refused or neglected to furnish to the Authority such information as they may have reasonably required for the purpose of informing themselves as to any of the matters specified in the foregoing paragraphs.

Where a House to House Collection Permit has previously been granted, the Council will ordinarily revoke the permit if it is of the opinion that any of the circumstances listed above subsequently apply.

Consideration of financial information

All financial information provided as part of an application for a House to House Collection Permit will be handled in accordance with the Council's Information Security Policy.

The proportion allocated to the collection beneficiary must be clearly detailed by the applicant, this includes the calculations that have been used to determine the way that funding is allocated to each party involved in, or benefiting from, the collection.

The Council must be satisfied that the amount to be given to the charity is adequate in relation to the proceeds received. The cost of collection needs to be taken into account and balanced against the perception of the public that all of the items or money they donate will be given to charity.

It is common practice for collectors to be paid by organisations to collect money and products. When determining the remuneration and whether this is excessive the nature of the business and the overheads should be taken into account and balanced against the amount being given to the charity. The remuneration received by individuals involved in the collection process at all levels, should also be considered as part of this assessment.

It is anticipated that in most cases, the amount allocated to the collection beneficiary should exceed 80% of the total amount collected (i.e. the amount collected before the deduction of any expenses and / or running costs).

If no previous returns have been supplied to the Council after previous licensed collections by the same organisation or individual within the Council's area then the application should be refused. In addition, any action taken as a result of not complying with regulations on operating House to House collections would also be grounds for refusal unless there are extenuating circumstances.

3. Enforcement

Enforcement activity available to the Council is prescribed in legislation and is limited to the criteria for refusals or revocations of licences, and breaches of conditions, described in section 2 of the Policy. Failure to comply with this Policy in itself is not an offence, however, the Policy clearly identifies the issues that are prescribed as offences.

The Council considers that collections should be undertaken in accordance with the Fundraising Regulator's Code of Fundraising Practice. Where the Council believes that a collector has not adhered to this Code, the Council will refer the matter(s) to the Fundraising Regulator who will then pursue the breach via their own processes.

It is recognised that well-directed enforcement activity by the Council benefits not only the public but also those responsible for organising charitable collections. In implementing this Policy, the Council will operate in accordance with the General Enforcement Policy and any other service specific enforcement policies or processes.

The provisions of this policy are discharged by the Council through the Licensing Board.

The responsibility for enforcement of the House to House Collections Act (and associated Regulations) has been delegated to the Assistant Director of Community Safety and Street Scene. The Assistant Director has authorised officers to enforce the requirements of the legislation relevant to House to House Collections.

Appendix A: House to House Collection Permit Application Form

APPLICATION FOR A HOUSE TO HOUSE COLLECTION PERMIT

This application must be completed by the individual or organisation that is promoting the collection ('the promoter'). The role and obligations of the promoter are outlined in the Council's House to House Collection Policy, and all applicants are advised to consult this document prior to making an application for a permit within the Rotherham Borough boundary.

The information below (including that which is detailed in the notes at the end of this form) is the MINIMUM that must be provided in order to make an application for a permit within the Rotherham Borough boundary. You may provide additional information in support

Name of Promoter	
Address and daytime telephone number of Promoter.	
Details of charitable purpose to which proceeds of the collection are to be applied (full details are to be enclosed with this application, including a copy of the authorisation from the charity to whom the proceeds will be sent). The additional information referred to in the notes below must also be included.	
Dates and times on which you are wish to undertake the collection(s) (Please include alternative dates should your first choice not be available)	

<p>Localities within which you wish to make the collection (if the application is to undertake a collection across the whole Borough then please state this, otherwise indicate the specific localities and the dates of each collection).</p>					
<p>Are you intending to collect money or personal financial information? (if yes then please provide details)</p>					
<p>Is it proposed to collect other property, if so, of what nature?</p> <p>Is it proposed to sell such property, give it away or use it for other purposes (please give details)?</p>					
<p>How many people will you authorise to undertake collections?</p>					
<p>How will the collectors be selected / appointed?</p>					
<p>How will the collections be undertaken? Please give details of any vehicles that will be used along with any literature / envelopes / collection bags that will be used as part of the collection.</p>					
<p>Will any person or organisation receive payment from the proceeds of the collection?</p> <p>If so then please give details of the payments that are made (see notes below for additional information) – continue on additional sheets if this is required.</p> <p>Payments to collectors:</p> <p>Payments to other persons:</p>	<table border="1" style="width: 100%; height: 100%;"> <tr> <td style="width: 50%; height: 50%;"></td> <td style="width: 50%; height: 50%;"></td> </tr> <tr> <td style="width: 50%; height: 50%;"></td> <td style="width: 50%; height: 50%;"></td> </tr> </table>				

<p>Payments to an organisation (other than the charitable purpose for which the collection is being undertaken):</p> <p>Payments to the charitable organisation:</p>	
<p>Are you intending to apply for House to House Collection Permits from other local authorities?</p> <p>If so, please list the other authorities to which applications have been or will be made (attaching a separate sheet if required).</p>	
<p>Has the applicant or anyone associated with the promotion or undertaking of the collection, ever has an application under the Act refused or revoked?</p> <p>If so, please give full details.</p>	
<p>Is it proposed to promote the collection in conjunction with a street collection?</p>	
<p>If so, is it desired that the accounts of this collection should be combined wholly or partly with the accounts of the street collection?</p>	
<p>If the collection is for a War Charity, state if such a charity has been registered or exempted from registration under the War Charities Act 1940, and give the name of the registration authority and the date of registration or exemption.</p>	
<p>Please state if your charity holds an Order of Exemption under Section 3 of the House to House Collections Act 1939, as issued by the Secretary of State.</p> <p>If so, please enclose a copy of the Order.</p>	

<p>Please provide any additional information in support of your application (enclosing additional sheets if required).</p>	
<p>Declaration</p>	<p>I / we declare that to the best of my / our knowledge and belief that the foregoing information is correct and, if a permit is granted, I / we undertake to comply strictly with the Council's House to House Regulations as listed in the Council's House to House Collections Policy.</p> <p>I / we consent to the Council sharing this information with regulatory partners for the prevention and / or detection of crime.</p> <p>I / we confirm that we have reviewed the Council's House to House Collection Policy and the important notes and the end of this form, and have taken this information into consideration when making my / our application.</p>
<p>Signature of person(s) making this application</p>	
<p>Name(s) of person(s) making this application</p>	
<p>If you are not the promoter then please state the capacity in which you are making this application and provide confirmation of your authority to make this application on behalf of the promoter.</p>	
<p>Date of signature(s)</p>	

Please tick to confirm inclusion of the following information (see notes at the end of this form)

Details of the objectives of the charitable cause.	
A statement of the collection beneficiary's aims, and any literature to support this.	
Full details of the collection beneficiary.	
Full details of this individual / organisation making the application.	
Relevant accounts and financial statements.	
Details of how the amounts to be allocated to the charity, collectors and promoter are calculated.	
A basic Disclosure Certificate relating to the promoter.	

Your application will not be considered to be complete if any of the above information or anything detailed in the Important Notes is missing or unclear.

IMPORTANT NOTES:

1. All sections of this application form must be completed – if any section is not relevant to your circumstances then please state 'not applicable' or 'n/a'.
2. The following information must also be provided with the application:
3. Whether the collection beneficiary is a registered charity (with charity number), and the objectives of the charitable cause as supplied to the Charity Commission.
4. A statement of the collection beneficiary's aims, and any literature to support this.
5. Full details of the collection beneficiary – this must include date of formation, names of trustees, directors etc.
6. If the collection is being undertaken by an individual or organisation other than the beneficiary of the collection then full details of this individual / organisation must be provided – this will include details of directors / trustees / owners (in the case of an organisation).
7. Relevant accounts and financial statements of the promoter, collection company / agent and the charity (if different)
8. The details of how the amounts to be allocated to the charity, collectors and promoter are calculated. The following must be clear from the information provided:
 - 8.1. The expected value of the money / items collected before any expenses are deducted ('the gross collection amount').
 - 8.2. Full details of any deductions that will be applied to the 'gross collection amount' and how these will be calculated.
9. A written agreement between the applicant and the charity as required by the Charities Act 1992.

10. Declaration of any previous refusals for House to House Collections
11. A basic Disclosure Certificate relating to the promoter or the director of the collection company / agent if different (this must be dated within the last six months).
12. It must be clear from your application how much the collection beneficiary will receive as part of the collection, the proportion of this as a percentage of the cost of running the collection and a clear set of returns if the organisation has operated collections before.
13. You are advised to review and consider Rotherham MBC's House to House Collection Policy and the legislative extract prior to submitting your application.

Appendix B: Extract from the House to House Collections Regulations 1947 (as amended by the House to House Collections Regulations 1963) forming the Regulations for House to House Collection Licences pursuant to section 4 of the House to House Collections Act 1939

1. Title and extent

1.1 These regulations may be cited as the House to House Collections Regulations 1947, and shall come into operation on the twenty-ninth day of December 1947.

1.2 These regulations shall not extend to Scotland.

2. Interpretation

2.1 In these regulations, unless the context otherwise requires: '*The Act*' means the House to House Collections Act 1939;

2.1.1 '*chief promoter*', in relation to a collection, means a person to whom a licence has been granted authorising him to promote that collection or in respect of whom an order has been made directing that he shall be exempt from the provisions or subsection (2) or section 1 of the Act as respects that collection;

2.1.2 '*collecting box*' means a box or other receptacle for monetary contributions, securely closed and sealed in such a way that it cannot be opened without breaking the seal;

2.1.3 '*licence*' means a licence granted by a licensing authority under section 2 of the Act;

2.1.4 '*order*' means an order made by the Secretary of State under section 3 of the Act;

2.1.5 '*prescribed badge*' means a badge in the form set out in the Fourth Schedule to these regulations;

2.1.6 '*prescribed certificate of authority*' means a certificate in the form set out in the Third Schedule to these regulations;

2.1.7 '*receipt book*' means a book of detachable forms of receipt consecutively numbered with counterfoils or duplicates correspondingly numbered;

2.1.8 '*street collection*' means a collection or sale to which regulations made under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 apply;

2.1.8.1 A mark shall for the purposes of these regulations be deemed to have been made on a collecting box if it is made on a wrapper securely gummed to the collecting box.

2.1.8.2 The Interpretation Act 1889 applies to the interpretation of these

regulations as it applies to the interpretation of an Act of Parliament.

3. Local collections of a transitory nature

- 3.1. Every certificate granted under subsection (4) of section 1 of the Act shall be in the form set out in the First Schedule to these regulations, and sections 5 and 6 and subsections (4) and (5) of section 8 of the Act shall be set forth on the back of every such certificate.
- 3.2. Where such a certificate is granted as aforesaid, the provisions of these regulations shall not apply, in relation to a collection made for the purpose specified on the certificate, within the locality and within the period so specified, to the person to whom the certificate is granted or to any person authorised by him to act as a collector for the purposes of that collection.

4. Applications for licences and orders

- 4.1 An application for a licence shall be in the form set out in the Second Schedule to these regulations, and shall give the particulars there specified.
- 4.2 An application for a licence or for an order shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection.

5. Responsibility of promoters as respects collectors

- 5.1 Every promoter of a collection shall exercise all due diligence:
 - 5.1.1 to secure that person authorised to act as collectors for the purposes of the collection are fit and proper persons; and
 - 5.1.2 to secure compliance on the part of persons so authorised with the provisions of these regulations.

6. Certificates of authority, badges, collecting boxes and receipt books

- 6.1 No promoter of a collection shall permit any person to act as a collector, unless he has issued or caused to be issued to that person:
 - 6.1.1 a prescribed certificate of authority duly completed (except as regards the signature of the collector) and signed by or on behalf of the chief promoter of the collection;
 - 6.1.2 a prescribed badge, having inserted therein or annexed thereto a general indication of the purpose of the collection; and
 - 6.1.3 if money is to be collected, a collecting box or receipt book marked with a clear indication of the purpose of the collection and a distinguishing number, which indication and number shall, in the case of a receipt book, also be marked on every receipt contained therein in addition to the

consecutive number of the receipt.

6.2 Every promoter of a collection shall exercise all due diligence to secure:

6.2.1 that no prescribed certificate of authority, prescribed badge, collecting box or receipt book is issued, unless the name and address of the collector to whom it is issued have been entered on a list showing in respect of any collecting box or receipt book the distinguishing number thereof; and

6.2.2 that every prescribed certificate of authority, prescribed badge, collecting box or receipt book issued by him or on his behalf is returned when the collection is completed or when for any other reason a collector ceases to act as such.

6.3 In case of a collection in respect of which a licence has been granted:

6.3.1 every prescribed certificate of authority shall be given on a form obtained from Her Majesty's Stationery Office, and every prescribed badge shall be so obtained; and

6.3.2 every prescribed certificate of authority shall be authenticated, and the general indication on every prescribed badge of the purpose of the collection shall be inserted therein or annexed thereto, in a manner approved by licensing authority for the area in respect of which the licence was granted.

7. Duties of collectors in relation to certificates and badges

7.1 Every collector shall:

7.1.1 sign his name on the prescribed certificate of authority issued to him and produce it on the demand of any police constable or of any occupant of a house visited by him for the purpose of collection;

7.1.2 sign his name on the prescribed badge issued to him and wear the badge prominently whenever he is engaged in collecting; and

7.1.3 keep such certificate and badge in his possession and return them to a promoter of the collection on replacement thereof or when the collection is completed or at any other time on the demand of a promoter of the collection.

8. Age Limits

8.1. No person under the age of sixteen years shall act or be authorised to act as a collector of money.

9. Importuning

9.1. No collector shall importune any person to the annoyance of such person, or remain in, or at the door of, any house if requested to leave by any occupant thereof.

10. Collecting of Money

- 10.1. Where a collector is collecting money by means of a collecting box, he shall not receive any contribution save by permitting the person from whom it is received to place it in a collecting box issued to him by a promoter of the collection.
- 10.2. Where a collector is collecting money by other means than a collecting box, he shall, upon receiving a contribution from any person, forthwith and in the presence of such a person enter on a form of receipt in a receipt book issued to him by a promoter of the collection and on the corresponding counterfoil or duplicate the date, the name of the contributor and the amount contributed, and shall sign the form of receipt, the entries and signature being in ink or indelible pencil, and shall hand the form of receipt to the person from whom he received the contribution.

11. Duty of collectors to return boxes and books

- 11.1. Every collector, to whom a collecting box or receipt book has been issued, shall:
- 11.1.1. when the collecting box is full or the receipt book is exhausted, or
 - 11.1.2. upon the demand of a promoter of the collection, or
 - 11.1.3. when he does not desire to act as a collector, or
 - 11.1.4. upon the completion of the collection, return to a promoter of the collection that collecting box with the seal unbroken or that receipt book with a sum equal to the total amount of the contributions (if any) entered therein.

12. Examination of boxes and books

- 12.1. Subject as provided in paragraph (2) of this regulation, a collecting box when returned shall be examined by, and, if it contains money, be opened in the presence of, a promoter of the collection and another responsible person.
- 12.2. Where a collecting box is delivered unopened to a bank, it may be examined and opened by an official of the bank in the absence of a promoter of the collection.
- 12.3. As soon as a collecting box has been opened, the contents shall be counted and the amount shall be entered with the distinguishing number of the collecting box on a list, which shall be certified by the persons making the examination.
- 12.4. Every receipt book when returned and all sums received therewith shall be examined by a promoter of the collection and another responsible person, and the amount of the contributions entered in the receipt book shall be checked with the money and entered with the distinguishing number of the receipt book on a list, which shall be certified by the persons making the examination.

13. Provision for envelope collections

- 13.1. Where the promoter of a collection to whom an order has been granted informs

the Secretary of State that he desires to promote an envelope collection, and the Secretary of State is of opinion that the collection is for a charitable purpose of major importance and is suitably administered, the Secretary of State may, if he thinks fit, give permission for the promotion of an envelope collection.

13.2. Where an envelope collection is made in accordance with this regulation:

- 13.2.1. every envelope used shall have a gummed flap by means of which it can be securely closed;
- 13.2.2. no collector shall receive a contribution except in an envelope which has been so closed; and
- 13.2.3. these regulations shall have effect subject to the following modifications:
 - 13.2.3.1. sub-paragraph (c) of paragraph (1) of regulation 6 shall not apply;
 - 13.2.3.2. regulation 10 shall not apply;
 - 13.2.3.3. regulations 11 and 12 shall have effect as if each envelope in which a contribution is received were a collecting box;
 - 13.2.3.4. in regulation 11 for the words 'with the seal unbroken' there shall be substituted the word 'unopened';
 - 13.2.3.5. in paragraph (3) of regulation 12 for the words 'As soon as a collecting box has been opened' there shall be substituted the words 'As soon as the envelope has been opened' and the words 'with the distinguishing number of the collecting box' shall be omitted.
- 13.2.4. In this regulation 'envelope collection' means a collection made by persons going from house to house leaving envelopes in which money may be placed and which are subsequently called for.

14. Promoters to furnish accounts

- 14.1. The chief promoter of a collection in respect of which a licence has been granted shall furnish an account of the collection to the licensing authority by which the licence was granted within one month of the expiry of the licence:
- 14.2. Provided that if licences are granted to the same person for collections to be made for the same purpose in more than one licensing area a combined account of the collections made in all or any of those licensing areas may, by agreement between the chief promoter and the respective licensing authorities be made only to such of the respective licensing authorities as may be so agreed.
- 14.3. The chief promoter of a collection in respect of which an order has been made shall furnish an account annually to the Secretary of State so long as the order remains in force, and if the order is revoked a final account shall be furnished

within three months of the date of the revocation of the order.

- 14.4. The licensing authority or the Secretary of State may extend the period within which an account is required to be furnished to the authority or to him, as the case may be, if satisfied that there are special reasons for so doing.
- 14.5. The chief promoter of a collection which is made in connection in whole or in part with a street collection of which an account is required to be furnished to a licensing authority by regulations made under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916, may, if the said licensing authority agrees, combine the accounts of the house to house collection, in so far as it is made in connection with the street collection, with the accounts of the street collection, and the amount so included in the combined account shall not be required to form part of the account required to be furnished under paragraph (5) or, as the case may be, paragraph (2) of this regulation, so, however, that in the case of an account furnished under said paragraph (2) the account shall show, in addition to an account in respect of moneys received from house to house collections not made in connection with a street collection, a statement showing the total proceeds of all combined collections, the total expenses and the balance applied to charitable purposes.

15. Form and certification of accounts

15.1. The account required by the preceding regulation:

- 15.1.1. where money has been collected, shall be furnished in the form set out in the Fifth Schedule to these regulations and, where property has been collected and sold, shall be furnished in the form set out in the Sixth Schedule to these regulations, and in either case shall be certified by the chief promoter of the collection and by an independent responsible person as auditor; and
- 15.1.2. where property (other than money) has been collected and given away or used, shall be furnished in the form set out in the Seventh Schedule to these regulations and shall be certified by the chief promoter and by every person responsible for the disposal of the property allocated.

16. Vouching of accounts

- 16.1. Every account furnished under paragraph (a) of regulation 15 of these regulations shall be accompanied by vouchers for each item of the expenses and application of the proceeds and, in the case of a collection of money, by every receipt book used for the purposes of the collection and by the list referred to in paragraph (2) of regulation 6 of these regulations and the list referred to in regulation 12 of these regulations.
- 16.2. Paragraph (1) of this regulation shall not apply to an account certified by an auditor who is a member of an association or society of accountants incorporated at the date of these regulations or is on other grounds accepted as competent by the authority to which the account is submitted, but where in such case the vouchers, receipt books and lists mentioned in the said paragraph (1) are not

submitted with an account, the chief promoter shall ensure that they are available for three months after the account is submitted and shall, if the authority to which the account was submitted so requires at any time within that period, submit them to that authority.

17. Disposal of disused certificates of authority, etc

17.1. The chief promoter of a collection shall exercise all due diligence to secure that all forms of prescribed certificates of authority and prescribed badges obtained by him for the purposes of the collection are destroyed when no longer required in connection with that collection or in connection with a further collection which he has been authorised to promote for the same purpose.

Appendix 2 Consultation Analysis and Comments Received

Consultation and response analysis

Q1. The Council should ensure that charities benefit appropriately from collections made house to house for charity	Strongly agree	24	82.76%
	Agree	2	6.90%
	Neither agree or disagree	0	0.00%
	Disagree	0	0.00%
	Strongly disagree	3	10.34%
	<i>no response</i>	0	0.00%
	Total	29	100.00%
Q2. Collectors should not benefit from house to house collections more than the charities that they are collecting for	Strongly agree	26	89.66%
	Agree	1	3.45%
	Neither agree or disagree	1	3.45%
	Disagree	0	0.00%
	Strongly disagree	1	3.45%
	<i>no response</i>	0	0.00%
	Total	29	100.00%
Q3. People who give to charity through house to house collections expect that the charity will receive most of the money raised	Strongly agree	27	93.10%
	Agree	1	3.45%
	Neither agree or disagree	0	0.00%
	Disagree	0	0.00%
	Strongly disagree	1	3.45%
	<i>no response</i>	0	0.00%
	Total	29	100.00%
Q4. The Council should set a minimum amount that the charity, on whose behalf collections are undertaken, should benefit	Strongly agree	14	48.28%
	Agree	4	13.79%
	Neither agree or disagree	7	24.14%
	Disagree	1	3.45%
	Strongly disagree	2	6.90%
	<i>no response</i>	1	3.45%
	Total	29	100.00%
Q5. The charities who benefit from house to house collections should receive at least 80% of the value of the items collected	Strongly agree	17	58.62%
	Agree	6	20.69%
	Neither agree or disagree	2	6.90%
	Disagree	1	3.45%

	Strongly disagree	2	6.90%
	<i>no response</i>	1	3.45%
	Total	29	100.00%
Q6. The charities who benefit from house to house collections should receive less than 80% of the value of the items collected	Strongly agree	6	20.69%
	Agree	0	0.00%
	Neither agree or disagree	2	6.90%
	Disagree	6	20.69%
	Strongly disagree	14	48.28%
	<i>no response</i>	1	3.45%
	Total	29	100.00%
	Q7. House to house collectors should only undertake collections at reasonable times	Strongly agree	17
Agree		8	27.59%
Neither agree or disagree		2	6.90%
Disagree		0	0.00%
Strongly disagree		1	3.45%
<i>no response</i>		1	3.45%
Total		29	100.00%
Q8. It would not be appropriate for house to house collections to be undertaken after 8pm in the evening		Strongly agree	24
	Agree	2	6.90%
	Neither agree or disagree	1	3.45%
	Disagree	2	6.90%
	Strongly disagree	0	0.00%
	<i>no response</i>	0	0.00%
	Total	29	100.00%

Comments Received

<p>Would prefer charities NOT to be allowed to be cold callers at my door.</p>
<p>I should like to see the distribution of plastic bags for these collections end completely. On average I find 2-3 bags every week posted in my letterbox. It's inconceivable that households have items to contribute on such a frequent basis.</p> <p>I am not against charitable giving, but surely there is a better way. Perhaps a paper handbill/leaflet listing all participating charities could be made available to each home, with a freephone contact to request collection. This would also be a great saving to the charities involved, reducing the many thousands of bags being distributed with nil result, as well as the operational cost of driving around the area with on guarantee of anything being collected.</p> <p>The level of plastic bag waste seems to be in direct conflict with the current thinking on reducing plastic.</p>
<p>I think the 8pm cut off for collections is too late. Especially on darker evenings having a stranger calling can be worrying. I also found this too late when i had a young child. they were usually in bed by 7pm and we frequently had people knocking on the door later.</p>
<p>Roadside collections can contribute to littered streets. The amount of distributed plastic bags not used add to the amount of non-recyclable plastic going into waste locally.</p>
<p>I think 8pm is to late for door to door collections it should be no later than 6 pm because between 6 & 8pm that's when family's are get children settled in bed.</p>
<p>I would ban them as they use and waste plastic. They should be held accountable and houses should opt in to receive such plastic bags from charities.</p>
<p>These companies should be limited to one empty bag drop each street per month. I get a bag nearly every day!</p>
<p>As long as the charity is happy with the donation percentage, I don't see a problem.</p>
<p>It should be a condition of the licence that collectors take notice of households displaying no cold callers</p>
<p>There are far too many bags being delivered. Thinking of the waste of plastic bags, maybe the amount of charities could be cut down.</p>
<p>Charities should receive most of the money for the house to house collection - that's what the public leave it out for - say RSPCA sends a bag - I expect RSPCA to receive most of the money. Also be aware that people steal the bags left out for charity to either keep for themselves or sell on. People also use the charity bags to get rid of unwanted waste/poor/soiled clothing to avoid taking to skip</p>

I would like to bring to your attention something which has opened my eyes to how these ""charity bags"" operate. I was looking for a storage unit and went to Junction 1 storage Rotherham. When I entered the compound I saw 3 huge units open inside they were stuffed full of full charity bags. Outside on the floor was a huge pile of these bags and some foreign women opening them and obv sorting through the items. A white plain transit van pulled up and that was crammed full of full collection bags. The men looked eastern European and were scruffy in dirty tracksuits unload the bags in a big pile for the women to sort and then went obv to collect more. This all looked suspicious. Obv they are making Alot of money to afford to pay for 3 units! Where does the rest go.? I asked the man showing me around an empty unit what were they doing and he just said they send it all abroad. There are loads of storage units around and if this is happening all over they are making alot of money. None of which properly goes to charity in the UK or any charity for that matter! This needs urgently looking I to. As people are leaving out bags thinking its going to a good cause.

Councils have no right to regulate this industry. Excessive use of powers and exceptionally authoritarian.

I don't think that there is any reason why they should call house to house I don't answer my door to anyone I don't know there are too many bogus callers and there's plenty of ways to give to a charity which means something to you

Appendix 3: Equalities Screening Assessment



Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity.
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an equality analysis.

Directorate: Regeneration and Environment	Service area: Regulation and Enforcement
Lead person: Lewis Coates	Contact number: 01790 823117

1. Title: House to House Collections Policy		
Is this a:		
<input checked="" type="checkbox"/> Strategy / Policy	<input type="checkbox"/> Service / Function	<input type="checkbox"/> Other
If other, please specify		

2. Please provide a brief description of what you are screening

The report details the formulation of a House to House Collection Policy to ensure that collectors and public alike have a clear and transparent document from which to refer. The Policy adds clarity to the way that the Council will deliver against the requirements of the House to House Collection Act 1939 and the House to House Collections Regulations 1947

Consultation undertaken demonstrates that a significant majority of respondents to the consultation agreed that it would be appropriate for the Council to ensure a minimum of 80% of the value of collections to be returned to charities, and that it would be unreasonable to carry out collections after 7pm in the evening

3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Does the activity have implications regarding the accessibility of services to the whole community?		X
Is there an impact for an individual or group with protected characteristics? (Discrimination, harassment or victimisation of individuals with protected characteristics)		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect the Council's workforce or employment practices?		X

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals prior to carrying out an **Equality Analysis**.

Considering equalities and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below and use the prompts for guidance.

- **How have you considered equality and diversity?**

(**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

- **Key findings**

(**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

- **Actions**

(**think about** how you will promote positive impact and remove/reduce negative impact)

Date to scope and plan your Equality Analysis:	
--	--

Date to complete your Equality Analysis:	
--	--

Lead person for your Equality Analysis (Include name and job title):	
---	--

5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Lewis Coates	Regulatory Services Manager	29 th July 2019

6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given. If an Equality Analysis is not required the screening document will need to be published.

If this screening relates to a **Key Delegated Decision, Executive Board, full Council** or a **Significant Operational Decision** a copy should be emailed to Corporate Governance (**to include contact**) and will be published along with the relevant report.

A copy of **all** screenings should also be sent to Zaidah.ahmed@rotherham.gov.uk For record keeping purposes it will be kept on file (but not published).

Date screening completed	29 th July 2019
If relates to a Key Decision - date sent to Cabinet	Not a key decision
Date screening sent to Equalities Officer zaidah.ahmed@rotherham.gov.uk	29 th July 2019