

Notice of Meeting

Overview and Scrutiny Management Commission

Tuesday, 1 July, 2014 at 5.00pm
in Council Chamber Council Offices
Market Street Newbury

Date of despatch of Agenda: Monday, 23 June 2014

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact David Lowe / Charlene Myers / Elaine Walker on (01635) 519817 / 519695 / 5194
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**Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 1 July
2014 (continued)**

Further information and Minutes are also available on the Council's website at
www.westberks.gov.uk

Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 1 July 2014 (continued)

To: Councillors Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Sheila Ellison, Dave Goff, Roger Hunneman, Mike Johnston, Alan Macro, Garth Simpson, Virginia von Celsing, Quentin Webb, Emma Webster and Laszlo Zverko

Substitutes: Councillors Peter Argyle, Paul Bryant, George Chandler, Gwen Mason, Tim Metcalfe, David Rendel, Julian Swift-Hook and Keith Woodhams

Other Officers & Members invited:

Agenda

| Part I | Page No. |
|---|----------|
| 1. Apologies for Absence To receive apologies for inability to attend the meeting (if any), | |
| 2. Minutes To approve as a correct record the Minutes of the meeting of the Commission held on 15 May 2014 and the 20 May 2014. | 1 - 10 |
| 3. Declarations of Interest To remind Members of the need to record the existence and nature of any Personal, Disclosable Pecuniary or other interests in items on the agenda, in accordance with the Members' Code of Conduct . | |
| 4. Actions from previous Minutes To receive an update on actions following the previous Commission meeting. | 11 - 12 |
| 5. West Berkshire Forward Plan 18 June 2014 to 30 September 2014 <i>Purpose: To advise the Commission of items to be considered by West Berkshire Council from 18 June 2014 to 30 September 2014 and decide whether to review any of the proposed items prior to the meeting indicated in the Plan.</i> | 13 - 14 |
| 6. Overview and Scrutiny Management Commission Work Programme <i>Purpose: To receive new items and agree and prioritise the work programme of the Commission for the remainder of 2013/14.</i> | 15 - 18 |



Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 1 July 2014 (continued)

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|-----|---|-----------|
| 7. | Items Called-in following the Executive on 8 May 2014 and 19 June 2014 | 19 - 36 |
| | <i>To consider any items called-in by the requisite number of Members following the previous Executive meeting.</i> | |
| 8. | Councillor Call for Action | |
| | <i>Purpose: To consider any items proposed for a Councillor Call for Action.</i> | |
| 9. | Petitions | |
| | <i>Purpose: To consider any petitions requiring an Officer response.</i> | |
| 10. | Fairer Contributions Policy | 37 - 66 |
| | <i>Purpose: To assess the intent and scope of the Fairer Contributions policy.</i> | |
| 11. | Key Accountable Measures | 67 - 102 |
| | <i>Purpose: To monitor quarterly the performance levels across the Council and to consider, where appropriate, any remedial action.</i> | |
| 12. | Severe Weather | 103 - 106 |
| | <i>Purpose: To agree the Task Group's terms of reference.</i> | |
| 13. | Scrutiny Annual Report | 107 - 110 |
| | <i>Purpose: To receive the draft Scrutiny Annual Report 2013/14</i> | |

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

**MINUTES OF THE MEETING HELD ON
THURSDAY, 15 MAY 2014**

Councillors Present: Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Paul Bryant (Substitute) (In place of Virginia von Celsing), Sheila Ellison, Dave Goff, Roger Hunneman, Mike Johnston, Alan Macro, Garth Simpson, Quentin Webb, Emma Webster and Laszlo Zverko

Apologies for inability to attend the meeting: Councillor Virginia von Celsing

PART I

1. Election of the Chairman

RESOLVED that Councillor Brian Bedwell be elected Chairman of the Overview and Scrutiny Management Commission for the 2014/15 Municipal Year.

2. Apologies for Absence

An apology for inability to attend the meeting was received on behalf of Councillor Virginia von Celsing.

3. Appointment of the Vice-Chairman

RESOLVED that Councillor Jeff Brooks be appointed Vice-Chairman of the Overview and Scrutiny Management Commission for the 2014/15 Municipal Year.

(The meeting commenced at 8.19 pm and closed at 8.21 pm)

CHAIRMAN

Date of Signature

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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

MINUTES OF THE MEETING HELD ON TUESDAY, 20 MAY 2014

Councillors Present: Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Paul Bryant (in place of Dave Goff), Sheila Ellison, Mike Johnston, Gwen Mason (in place of Alan Macro), Garth Simpson, Virginia von Celsing, Quentin Webb, Emma Webster and Laszlo Zverko

Also Present: Nick Carter (Chief Executive), Jo England (Client Financial Services Manager), June Graves (Head of Care Commissioning, Housing & Safeguarding), Rachael Wardell (Corporate Director - Communities), Councillor Jeff Beck, David Lowe (Scrutiny & Partnerships Manager), Councillor Tony Vickers and Elaine Walker (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Dave Goff and Councillor Alan Macro

PART I

4. Minutes

The Minutes of the meeting held on 8 April 2014 were approved as a true and correct record and signed by the Chairman.

5. Declarations of Interest

Councillor Roger Hunneman declared an interest in Agenda Item 10, but reported that, as his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

6. Actions from previous Minutes

The Commission received an update on actions from the previous meeting. Councillor Hunneman informed the Commission that quarterly reports relating to the Adult Social Care waiting list had not been received, but that these were now in place for future meetings.

7. West Berkshire Forward Plan 1 May 2014 to 31 August 2014

The Commission considered the West Berkshire Forward Plan (Agenda Item 5) for the period covering May 2014 to August 2014.

Councillor Emma Webster requested that the Commission's review of the severe weather during the winter of 2013/14 be cognisant of item EX2764 West Berkshire Local Flood Risk Management Strategy in order to present a consistent message.

Resolved that the Commission's review of the severe weather during the winter of 2013/14 be cognisant of item EX2764 West Berkshire Local Flood Risk Management Strategy.

8. Overview and Scrutiny Management Commission Work Programme

The Commission considered its work programme for 2014/15.

The Chairman advised the Commission that a new Task Group could now be formed as the Shaw House review had concluded. It was suggested that item OSMC/14/151 – Children’s Services governance arrangements should be considered. The Commission agreed.

Councillor Quentin Webb reported that the review into Homelessness amongst young families had met to discuss initial findings, and that a final report was expected to be submitted into the next but one executive cycle.

Delayed Transfers of Care

Councillor Hunneman requested that ‘delayed transfers of care’ (DTC) be added to the Commission’s work programme. Councillor Hunneman expressed concern that DTC, often referred to as ‘bed blocking’ was caused by delays in arranging suitable post-hospital care, and that national statistics placed West Berkshire very low in comparison tables. Councillor Hunneman asserted that it was necessary to identify issues and correct them, as delays could have a negative impact on the patient. There had been a suggestion from Officers that the published figures were not accurate, and this could also be considered during a scrutiny review. Councillor Hunneman believed that this review would be complex and would require a Task Group to be established.

Rachael Wardell clarified that whilst the published figures were not entirely accurate, it was acknowledged that correcting this would not resolve the issue, and stressed that Officers would not claim this to be the case.

Councillor Webster reminded the Commission that the Healthier Select Committee had reviewed this issue in 2011, and suggested that the recommendations from the previous review be examined during scrutiny.

The Commission agreed to add this item to the work programme.

Affordable Housing Process

Councillor Tony Vickers requested that the process for obtaining and delivering affordable housing within new developments, using Parkway as a case study, be added to the Commission’s work programme.

Following discussion at, and also afterwards, the previous meeting of the Commission, Councillor Vickers had reviewed the scope of his suggestion and amended it to request consideration of the process by which affordable housing is agreed and delivered, rather than scrutiny of planning policy. Councillor Vickers wished the Parkway development to be used as an example as the money invested by the Council in the development had shown no return benefit to the local population. Councillor Vickers added that it would be necessary to review how CIL (Community Infrastructure Levy) related to this process.

Councillor Webster agreed that the process for delivering affordable housing would be a suitable topic for scrutiny, but did not wish it to include a review of how the Parkway development was handled. Councillor Webster believed that the review should focus on improvement for the future rather than unpicking past actions.

The Chairman clarified that it was not intended that the Parkway development would be discussed, and that the focus would be on the system and how it was operating to the benefit of West Berkshire residents.

Councillor Jeff Brooks explained that by reviewing some details of the Parkway development lessons could be learnt for the future.

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 20 MAY 2014 - MINUTES

Councillor Hunneman told the Commission that there were one or two sizeable developments expected in his ward, and it would therefore be beneficial if this scrutiny could be undertaken soon.

The Commission agreed to add this item to the work plan.

Acknowledging the limited resources available to support scrutiny work, the Commission discussed the order of business for this item and Children's Services governance arrangements. Rachael Wardell commented that the review of Children's Services would provide evidence for the next Ofsted inspection. However as this was timetabled for two weeks time, although the review would not be completed in time, it would be helpful for it to conclude as soon as possible. Rachael Wardell believed that the review would lend itself to a Task Group as it would require information to be gathered from a number of partner organisations.

The Commission agreed that the review of Children's Services would be undertaken by a Task Group, and the review of affordable housing processes would take place at the next full meeting.

Resolved that:

- A Task Group be established to review Children's Services governance arrangements;
- Delayed Transfers of Care be added to the Commission's work programme;
- Affordable Housing process be added to the Commission's work programme for consideration at the next full meeting.

9. Items Called-in following the Executive on 8th May 2014

The Chairman advised the Commission that a Call-In of an Executive Decision had been received the previous week. It had been decided that there had been insufficient notice to consider the Call-In at the current meeting but it would be considered next time to allow witnesses to be invited.

10. Councillor Call for Action

There were no Councillor Calls for Action.

11. Petitions

There were no petitions to be received at the meeting.

12. Fairer Contributions Policy

(Councillor Hunneman declared a personal interest in Agenda item 10 by virtue of the fact that his mother was in receipt of a care package. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to take part in the debate and vote on the matter).

Councillor Gwen Mason introduced the item commenting that it was important to ensure that the Fairer Contributions Policy was right as it affected many people. However, Councillor Mason requested that the Disability External Scrutiny (DES) Board be invited to explain the issues that they had raised, believing that a clearer understanding would be gained by the Commission from their first hand accounts. Councillor Mason told the Commission that the DES Board considered the policy too long and complicated.

Jo England informed the Commission that the original policy had been introduced in 2003 and followed closely the guidelines set out by the Department of Health. The policy had represented a shift from an old Berkshire policy and as a result some discretionary items

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were introduced. In 2011 the policy was reviewed again and the Service consulted widely with a number of disability groups. The discretionary items were removed which led to some increase in charges and, due to the scale of the policy change, every individual affected received a letter outlining their recalculated charges.

Councillor Webb asked for clarification about the issues being debated as it was not clear whether the policy was considered to be unclear, or unfit for purpose.

Jo England explained that the element that the DES board had discussed and raised concerns over, had been Disability Related Expenditure, which formed a part of the overall Fairer Contributions Policy. Jo England stressed that whilst some individuals had been unhappy with the policy, there were approximately 3,000 assessments carried out each year and very few appeals were made against the decisions. The Service believed they were operating fully within the guidelines.

Councillor Hunneman suggested that if the issue was specifically about Disability Related Expenditure, the DES board might be able to explain further.

Councillor Webster agreed, commenting that this was an important issue and the Portfolio Holder and members of the DES board should be allowed to speak directly to the Commission in order to consider the issues with a full set of information.

Acknowledging that some members of the DES board were restricted in the hours that they could attend a meeting, Councillor Webb suggested that this item be discussed at the next meeting and that it begin at the earlier time of 5pm. Councillor Mason agreed that this would be a suitable solution.

Jo England requested clarity as to whether the issue for discussion would be the full Fairer Contributions Policy or the Disability Related Expenditure element. The Chairman said that this would be clarified when all interested parties were present.

Councillor Laszlo Zverko requested clarification as to the number of people who had been consulted and the responses received. Jo England explained that the first consultation to 2,500 service users was part of the generic, corporate consultation. The second consultation to 1,200 service users went to a proportion of the original set who received a chargeable service. The 26 responses were received from the second consultation exercise. June Graves informed the Commission that the responses were contained within the Equality Impact Assessment as themes and any adjustments made as a result of the comments were also reflected there. It was also noted that some of the responses received were favourable.

June Graves further commented that the amended policy brought West Berkshire Council in line with other authorities who had been operating a similar policy for some time.

Councillor Mason stated that the policy was next due for updating in 2016 which would be a long wait for users. Councillor Webb advised that the policy was reviewed on an annual basis.

The Commission agreed to discuss this item at the next meeting with members of the DES board invited.

Resolved that:

- The meeting of 1 July 2014 would start at 5pm;
- Members of the DES board and the Portfolio Holder would be invited to attend.
- Councillor Mason should clarify with the DES Board whether it was scrutiny of the overall Policy or Disability Related Expenditure that was required.

[19:20 - The Chairman adjourned the meeting for a 10 minute break.]

13. Shaw House

Councillor Jeff Beck presented the final report and recommendations arising from a scrutiny review into Shaw House. Councillor Beck thanked everyone who took part in the review and drew the Commission's attention to the following points from the report:

- The Council's use of the building had left many rooms underused, and the budget contributions did not reflect the true worth of the space used;
- There was considerable scope for development of the house, maintaining it for the future whilst also bringing in revenue;
- Although some clearing and tidying had been undertaken, a more complete restoration of the gardens would be required;
- The car parking arrangements would need to be addressed, and to improve the appearance of the house, it had been recommended that the front car park be returned to a grassed garden;
- The Council's registration service was based within Shaw House, and this meant that whilst wedding ceremonies could take place, the house was not permitted to hold wedding receptions. It was therefore recommended that the administration of registrations be moved;
- There were insufficient catering facilities on site to allow the preparation and service of full meals which meant that the house was not desirable as a conference venue and would not meet the needs of those holding a wedding reception. It was also difficult for outside caterers to operate in the house as there were no reheating facilities;
- The location of the toilets in the basement was not appropriate for all events;
- The Task Group were in accord with the findings of the Cultural Asset Working Group;
- The house was Grade 1 listed and conditions therefore limited alterations to the house;
- The Task Group was of the view that the house was an important attraction for West Berkshire, but it required greater self funding. There was a need for greater expertise with regard to marketing and the Task Group recommended that the Council engage with an external consultancy to obtain the required expertise.

Councillor Jeff Brooks, as Vice Chairman of the Task Group, added the following points:

- The Task Group had run after Cultural Asset Working Group, and whilst in broad agreement with the findings set out in the subsequently developed business plan, the Task Group felt there was a lack of ambition for the potential of the building;
- It was considered that assistance would be required to help market the building and to hold successful events. Examples of where this was needed were the lack of signage to inform the public that the house was open to them, the insufficiency of information on the internet; and that schools were not encouraged to visit;
- The Task Group were disappointed that the operating subsidy of £150,000 continued to be required and that it would be a number of years before this would reduce significantly due to a slow increase in income;
- Further investigation would be required to establish the allowable level of income under the Heritage Lottery Fund rules;
- Whilst financial stability was important, it was equally important that the house be maintained for the benefit of West Berkshire.

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The Chairman referred to the recommendation to return the front car park to grassed gardens, commenting that this might be to the detriment of wedding parties who would likely wish to drive up to the entrance of the house.

Councillor Garth Simpson agreed that there appeared to be a lack of ambition for the house and commented that the current décor and look of the house limited the price that companies and individuals would be willing to pay to hire rooms. The gardens must be improved in order to leverage maximum income. Councillor Simpson suggested that the coach house could be converted into a permanent high class restaurant which could also cater for functions. Councillor Simpson asked if the terms of the funding could be examined to understand the level of flexibility in investments aimed at making improvements to the house.

Councillor Brooks agreed that the level of flexibility could be examined further, and commented that the cottage at the back of the site would lend itself to becoming a catering facility. By introducing some capital investment to convert the building and upgrade other areas, a greater level of income generation would be enabled. It should be the intention to transform Shaw House into a 'go to' destination.

Councillor Virginia von Celsing told the Commission that the Heritage Lottery Fund considered Shaw House to be only partially complete. Councillor von Celsing believed that whilst improved marketing would be helpful, it was the garden and car parking that needed to be addressed first. Whilst the building did not provide an attractive setting, people would not be interested in visiting. Councillor von Celsing informed the Commission that Officer time was insufficient to manage both the museum and Shaw House, and currently Shaw House was not being prioritised. Councillor von Celsing had been informed that film and television interest would be limited due to the noise from the A34.

Councillor Hunneman asked whether the registration service could be moved elsewhere on the site to enable wedding receptions to take place. Councillor Brooks replied that the service would need to be relocated off site, but added that moving the service into the town centre would benefit residents who would find it easier to get to, and would enable the use of Shaw House for wedding receptions.

Councillor Mason asked whether the recruitment of volunteers would enable schools to access the building in a shorter timescale. Rachael Wardell advised the Commission that schools would not visit Shaw House unless it linked to their curriculum, and considered that Shaw House's offering would need to be broader to attract schools.

Having considered the report and the discussion, Councillor Webb made the following comments:

- The recommendations were welcomed and were considered to be an appropriate way forward;
- By opening the house to the public for 200 days a year, commercial opportunities might be lost;
- Catering facilities would be required;
- The management of the property should remain within the Council, however marketing expertise might be an area to consider outsourcing;
- Further conversations should take place with film and television companies. Councillor Webb believed that noise would not always be a factor as companies could make arrangements for this.

Councillor Webster raised the following points:

- Assistance from another area of the Council could be provided to enable the application for the remainder of the Heritage Lottery funding to be made;
- Noting the number of full time equivalent employees, Councillor Webster asked that their roles be examined to ensure they remained appropriate and fit for purpose;
- Highclere Castle was offered as an example of how working with a television company could be successful, and why this should be pursued;
- Councillor Webster agreed that the house was underutilised and that improved marketing would assist this, but commented that consultancy fees would be expensive and it would be likely to be more cost effective to employ someone, perhaps on a temporary basis, with expertise in this area;
- It was important that progress be made to ensure the house was not in the same position in five years time.

Councillor Brooks advised the Commission that the Task Group had not found that noise was a reason for film and television companies refusal to use Shaw House. Instead the reasons given had been a lack of exclusivity in that they could not use the location if other activities were also taking place. The Task Group had recommended that this be reviewed further, suggesting that time could be set aside to allow exclusive access for filming.

Councillor Brooks expressed his hope that the English Civil War might be included within the educational curriculum, and this would raise interest in schools visiting the house.

Councillor Brooks reported that there were tensions between those wishing to maintain the historical integrity of the building and those wishing to improve its business opportunities. This conflict might prove daunting to a new employee brought in to market the house and should be considered alongside this decision.

The Chairman suggested that the recommendations within the final report be amended slightly to reflect the discussion, and that the report then be submitted to the Executive.

The Commission agreed.

RESOLVED that the recommendations within the final report be amended to reflect the Commission's debate, and then be submitted to the Executive.

14. Benefits Reform

David Lowe presented a report outlining recommendations arising from the Commission's review of Welfare Reform and its impact in West Berkshire. Following the February meeting, the Chairman and Councillor Vickers had met to develop a set of recommendations. The Commission were invited to comment on the proposals.

The Chairman stated that the discussion at the February meeting had been closely reviewed during the development of the recommendations.

Councillor Webster expressed her support of the recommendations and proposed they be accepted.

Councillor Hunneman requested the inclusion of a comment from Councillor Vickers that the Local Government Association be lobbied.

The Commission approved the recommendations.

Resolved that the recommendations from the review of Welfare Reform be submitted to the Executive cycle.

15. Governance arrangements for Children's Services

David Lowe introduced the proposed terms of reference for the scrutiny review into Children's Services governance arrangements, and requested that the Commission consider the terms and amend them as necessary.

Rachael Wardell advised the Commission that the Children and Young People's Partnership had ceased to operate the previous week and requested that the Task Group review the effect of this.

The Commission approved the terms of reference.

Resolved that the the effect of the Children and Young People's Partnership ceasing be examined as part of the review.

(The meeting commenced at 6.30 pm and closed at 8.20 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.

| | |
|------------------------------------|---|
| Title of Report: | Actions from previous meetings |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report: To advise the Commission of the actions arising from previous meetings

Recommended Action: To note the report

| Overview and Scrutiny Management Commission Chairman | |
|--|--|
| Name & Telephone No.: | Councillor Brian Bedwell – Tel (0118) 942 0196 |
| E-mail Address: | bbedwell@westberks.gov.uk |

| Contact Officer Details | |
|-------------------------|---------------------------|
| Name: | Charlene Myers |
| Job Title: | Strategic Support Service |
| Tel. No.: | 01635 519695 |
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1. Introduction

1.1 This report provides the Overview and Scrutiny Management Commission with an update on the actions arising from previous meetings.

2. Actions

2.1 **Resolution:** Delayed Transfers of Care be added to the Commission's work programme

Action/ Response: Completed

2.2 **Resolution:** A Task Group be established to review Children's Services governance arrangements

Action/ Response: Members identified and discussions underway to agree a date for the initial meeting.

2.3 **Resolution:** Affordable Housing process be added to the Commission's work programme for consideration at the next full meeting

Action/ Response: Completed

2.4 **Resolution:** Members of the DES board and the Portfolio Holder would be invited to attend the next meeting

Action/ Response: Complete.

2.5 **Resolution:** Councillor Mason should clarify with the DES Board whether it was scrutiny of the overall Policy or Disability Related Expenditure that was required.

Action/ Response: Completed

Appendices

None

Agenda Item 5.

| | |
|------------------------------------|---|
| Title of Report: | West Berkshire Forward Plan |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report: To advise the Overview and Scrutiny Management Commission of items to be considered by West Berkshire Council from 18 June 2014 to 30 September 2014 and decide whether to review any of the proposed items prior to the meeting indicated in the plan.

Recommended Action: That the Overview and Scrutiny Management Commission considers the West Berkshire Council Forward Plan and recommends further action as appropriate.

| Overview and Scrutiny Management Commission Chairman | |
|---|--|
| Name & Telephone No.: | Councillor Brian Bedwell – Tel (0118) 942 0196 |
| E-mail Address: | bbedwell@westberks.gov.uk |

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Supporting Information

1. Introduction

- 1.1 The Forward Plan attempts to cover all decisions, not just those made by the Executive, which the Authority intends to take over the next 4 months.
- 1.2 In order to hold the Executive to account, Overview and Scrutiny Management Commission Members are asked to identify any areas of forthcoming decisions which may be appropriate for future scrutiny.
- 1.3 The West Berkshire Council Forward Plan 18 June 2014 to 30 September 2014 is available at <http://www.westberks.gov.uk/index.aspx?articleid=1594> and will be displayed on screen during the meeting.

Appendices

There are no appendices to this report.

Agenda Item 6.

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|------------------------------------|---|
| Title of Report: | Overview and Scrutiny Management Commission Work Programme |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report: To receive, agree and prioritise the Work Programme of the Commission.

Recommended Action:

- To consider the current items and any future areas for scrutiny.

| Overview and Scrutiny Management Commission Chairman | |
|--|---|
| Name & Telephone No.: | Councillor Brian Bedwell – Tel (0118) 9420196 |
| E-mail Address: | bbedwell@westberks.gov.uk |

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Supporting Information

1. Introduction

- 1.1 The work programme for the Overview and Scrutiny Management Commission is attached at Appendix A for the Commission's consideration. Members are also asked to consider any future areas for scrutiny.

Appendices

Appendix A – Overview and Scrutiny Management Commission Work Programme

Overview and Scrutiny Management Commission Work Programme - 2014/15

| Reference | Subject | Purpose | Format | Methodology | Start Date | End Date | Lead Officer / Service Area | Portfolio Holder | Status | Comments |
|-------------|--|--|---|--|------------|----------|---|-------------------------|-----------------|---|
| OSMC/12/135 | Annual target setting | To examine the annual targets being set for 2014/15. | Task Group (Cllrs Webb, Webster & Vickers) | Task group working directly with PM officers | May-14 | Jul-14 | Jason Teal – 2102 Strategic Support | Councillor Roger Croft | Scheduled | Annual review. Task group scheduled to meet 30th June 2014. |
| OSMC/14/152 | Fairer Contributions policy | To assess the intent and scope of the Fairer Contributions policy. | In meeting | | May 14 | Jul-14 | June Graves - 2733 Head of Care Comm, Housing, Safeguarding | Councillor Joe Mooney | To be scheduled | Suggested by Councillor Gwen Mason and added to the work programme at the meeting of 25 February 2014. |
| OSMC/14/153 | Severe weather | To understand the effect of and response to severe weather experienced during the winter of 2013/14. | Special meetings | | May-14 | Jul-14 | Carolyn Richardson - 2105 Civil Contingencies Manager | Councillor Pamela Bale | To be scheduled | Suggested by Councillor Alan Macro and added to the work programme at the meeting of 25 February 2014. report to set out methodology |
| OSMC/09/02 | Performance Report for Level One Indicators | To monitor quarterly the performance levels across the Council and to consider, where appropriate, any remedial action. Quarterly Item | In meeting | | Apr-14 | Ongoing | Jason Teal – 2102 Policy & Communication | Councillor Roger Croft | Scheduled | Quarterly item. To be heard (Jan 14 for Q2, April for Q3 , next meeting TBC but exec circle end date 24th July 2014) |
| OSMC/14/155 | Affordable Housing | The process for obtaining and delivering affordable housing within new developments, using Parkway as case study | | | TBC | TBC | Gary Lugg / June Graves | Councillor Tony Vickers | in progress | Item postponed |
| OSMC/13/150 | Homelessness - young families | To understand the reasons why West Berkshire appears to have a disproportionate amount of young families facing homelessness whose friends and extended family are unwilling or unable to provide them with temporary housing. | Task Group (Cllrs Bryant, Ellisson, Vickers & Webb) | | Jan-14 | Aug-14 | Mel Brain–2403 Housing | Councillor Roger Croft | In progress | Arose from the 2012 review of homelessness (recommendation 12) Task Group established, first meeting to be held on 3 March 2014 |
| OSMC/11/129 | Housing Allocations policy | To conduct a review of the effectiveness of the Council's Housing Allocation Policy | In meeting | | Sep-14 | Sep-14 | Mel Brain - 2403 Social Care Commissioning and Housing | Councillor Roger Croft | Scheduled | Review of the policy 12 months after its implementation. |
| OSMC/14/151 | Children's Services governance arrangements | To assess the extent to which the internal and partnership bodies governing the activities of Children's Services collectively proved a framework that is necessary, comprehensive, efficient and effective. | Task Group | | May-14 | Nov-14 | Mark Evans - 2735 Children's Services | Councillor Irene Neill | To be scheduled | Suggested by Rachael Wardell and added to the work programme at the meeting of 25 February 2014. Task Group established June 2014. |
| OSMC/11/119 | Continuing Healthcare (CHC) | To assess the effect of the CHC operations policy and procedures in practise | In meeting | | Dec-13 | Oct-14 | Belwinder Kaur – 2736 Adult Social Care | Councillor Joe Mooney | Scheduled | Monitoring of the CHC independent review action plan. At the April OSMC meeting the CCGs were asked to return to the October meeting to provide further performance update. |
| OSMC/12/149 | Newbury town centre parking | To ensure that the needs of Newbury residents, businesses and visitors are appropriately balanced. | Task Group | | Sep-14 | Jan-15 | Mark Edwards–2208 Highways and Transport | Councillor Pamela Bale | To be scheduled | Suggested by Councillor Tony Vickers and added to the work programme at the meeting of 2 July 2013. To be discussed following completion of the BID/WBC car parking review |
| OSMC/09/157 | Revenue and capital budget reports | To receive the latest period revenue and capital budget reports | In meeting | Quarterly item. | Apr-14 | Ongoing | Andy Walker – 2433 Finance | Councillor Alan Law | Scheduled | May lead to areas for in depth review. |
| OSMC/11/111 | Risk Register | To scrutinise individual items on the Risk Register on an annual basis. Annual recurrence | In meeting | | Apr-14 | TBC | Ian Priestley | Councillor Roger Croft | Scheduled | Item postponed |
| OSMC/14/158 | Delayed Transfer of Care | To identify the causes of Delayed Transfers of Care (DToC) and how they might be addressed. | | | TBC | TBC | | Councillor Joe Mooney | to be scheduled | Suggested by Councillor Roger Hunneman and added to the work programme at the meeting of 20 May 2014 |

| Reference | Subject | Purpose | Format | Methodology | Start Date | End Date | Lead Officer / Service Area | Portfolio Holder | Status | Comments |
|-------------|----------------------------|--|------------|-------------|------------|----------|-----------------------------|-----------------------|-----------------|--|
| OSMC/14/154 | Self Insurance Fund | To determine the level at which the Self Insurance Fund should be set, balancing the level of risk with the size of the reserve. | Task Group | | TBC | | Andy Walker – 2433 Finance | Councillor Joe Mooney | To be scheduled | Suggested by Councillor Alan Law and added to the work programme at the meeting of 8 April 2014. |

Agenda Item 7.

| | |
|------------------------------------|---|
| Title of Report: | Item Called-in following an Executive Decision – Children’s Services External Placements |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report: To allow a review of the decision to introduce a Social Media Administrator and an increased advertising budget

Recommended Action: That the Overview and Scrutiny Management Commission reviews the decision.

| Overview and Scrutiny Management Commission Chairman | |
|---|--|
| Name & Telephone No.: | Councillor Brian Bedwell – Tel (0118) 9420196 |
| E-mail Address: | bbedwell@westberks.gov.uk |

| Portfolio Member Details | |
|----------------------------------|--|
| Name & Telephone No.: | Councillor Irene Neill |
| E-mail Address: | ineill@westberks.gov.uk |

| Contact Officer Details | |
|--------------------------------|--|
| Name: | David Lowe |
| Job Title: | Scrutiny and Partnerships Manager |
| Tel. No.: | 01635 519817 |
| E-mail Address: | dlowe@westberks.gov.uk |

Supporting Information

1. Executive Decision

- 1.1 On 8 May 2014 the Executive Member for Children and Young People received a report (EX2827) to identify the alternatives to the current external placement arrangements for Looked After Children.
- 1.2 The Executive Member for Children and Young People approved the following recommendations:
- (1) the benefits of an 'invest to save' opportunity be considered in respect of recruiting additional foster carers and implementation of a 3 tier foster carer model;
 - (2) responsibility for the commissioning and contract management of external placements be moved out of Children's Services and into Care Commissioning, Housing and Safeguarding;
 - (3) engagement with suitable providers be undertaken to work up a business case for developing residential services for looked after children within West Berkshire.

2. Call-In of the Decision

- 2.1 In accordance with the Council's Constitution, five Elected Members (Councillors David Allen, Jeff Brooks, Roger Hunneman, Tony Vickers and Alan Macro) called in an element of the Executive decision in relation to the Children's Services External Placements. The reasons for the call in are as follows:
- (1) There is no job description provided for the 'Social Media Administrator', and no indication of how their work would be directed or managed.
 - (2) There is no breakdown of the additional £20,000 per annum advertising budget, or an explanation of what this will be spent on.
 - (3) No business case has been made for the need to spend an additional £200,000, on social media and advertising, particularly when West Berkshire Council already employs 2.5 FTE press and publicity officers within Strategic Support, and the Family Placement team employ a Publicity and Recruitment Worker and numerous administration assistants. The Family Placement team already work alongside the Strategic Support publicity team when designing posters, information packs, web pages etc. It would therefore seem reasonable that the Family Placement Team could continue to liaise with the Council's press team when using social media, as the Strategic Support team already run a corporate Twitter account and Facebook page.

3. Role of the Overview and Scrutiny Management Commission

- 3.1 The role of the Overview and Scrutiny and Management Commission is to review the decision and determine whether it concurs with the original decision (in which case it will take immediate effect) or refer it back to the Executive or Individual Portfolio Holder for further consideration.
- 3.2 If the Commission is of the opinion, having taken advice from the Council's Monitoring Officer or Section 151 Officer that a decision is outside the Budget and

Policy Framework approved by the Council, the Commission may refer the decision to the Council. The Council may concur with the decision (in which case it will take immediate effect) or refer it back to the Executive or Individual Portfolio Holder for further consideration.

4. Recommendation

- 4.1 It is recommended that Members of the Overview and Scrutiny Management Commission review the decision made by the Executive.

Appendices

Appendix A – Call in notice

Appendix B – Children’s Services – External Placements (EX2827)

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15 May 2014

Mr Andy Day
Head of Policy and Communication
Market Street
Newbury
Berkshire
RG14 5LD

**West Berkshire Council Liberal
Democrat Group**

Market Street
Newbury
Berkshire RG14 5LD
Please ask for: Gillian Durrant
Direct Line: 01635 519097
e-mail: gdurrant@westberks.gov.uk

Dear Andy

Part 5 of the Council's Constitution – Call In

In accordance with Paragraph 5.3.4 of the Council's Constitution, we hereby give notice that the undersigned wish to call in an element of the Executive decision in relation to the Children's Services External Placements as agreed by the Executive at its meeting on 8 May 2014. Whilst we support the 'invest to save' concept in relation to these proposals, we would like to see the decision to employ a Social Media Administrator and an increased advertising budget, together totalling £200,000 over 4 years, scrutinised.

The reasons for the call in are as follows:

1. There is no job description provided for the 'Social Media Administrator', and no indication of how their work would be directed or managed.
2. There is no breakdown of the additional £20,000 per annum advertising budget, or an explanation of what this will be spent on.
3. No business case has been made for the need to spend an additional £200,000, on social media and advertising, particularly when West Berkshire Council already employs 2.5 FTE press and publicity officers within Strategic Support, and the Family Placement team employ a Publicity and Recruitment Worker and numerous administration assistants. The Family Placement team already work alongside the Strategic Support publicity team when designing posters, information packs, web pages etc. It would therefore seem reasonable that the Family Placement Team could continue to liaise with the Council's press team when using social media, as the Strategic Support team already run a corporate Twitter account and Facebook page.

Yours sincerely

1... Councillor Jeff Brooks

2..... Councillor David Allen



3.....Councillor Tony Vickers

4... *R. Hunneman*Councillor Roger Hunneman

5... *Alan Macro*Councillor Alan Macro

| | |
|------------------------------------|--|
| Title of Report: | Children's Services - External Placements |
| Report to be considered by: | Executive |
| Date of Meeting: | 8 May 2014 |
| Forward Plan Ref: | EX2827 |

Purpose of Report: To identify alternatives to the current external placement arrangements.

Recommended Action:

1. To consider the benefits of an 'invest to save' opportunity in respect of recruiting additional foster carers and implementing a 3 tier foster carer model.
2. To move responsibility for the commissioning and contract management of external placements out of Children's Services and into Care Commissioning, Housing & Safeguarding.
3. To engage with suitable providers to work up a business case for developing residential services for looked after children within West Berkshire.

Reason for decision to be taken: To enable action to be taken to both improve outcomes for looked after children and reduce unit costs.

Other options considered: None

Key background documentation: None

The proposals contained in this report will help to achieve the following Council Strategy priority:

CSP1 – Caring for and protecting the vulnerable

The proposals will also help achieve the following Council Strategy principles:

CSP5 - Putting people first

CSP8 - Doing what's important well

| Portfolio Member Details | |
|---|--|
| Name & Telephone No.: | Councillor Irene Neill - Tel (0118) 971 2671 |
| E-mail Address: | ineill@westberks.gov.uk |
| Date Portfolio Member agreed report: | 18 March 2014 |

| Contact Officer Details | |
|--------------------------------|-----------------|
| Name: | Steve Duffin |
| Job Title: | Head of Service |

| | |
|------------------------|--------------------------|
| Tel. No.: | 01635 519594 |
| E-mail Address: | sduffin@westberks.gov.uk |

Implications

- Policy:** No changes to existing policies have been identified. The focus of this proposal is in keeping with the Council's policy objective of improving outcomes for children.
- Financial:** The report recommends a number of changes that should, over time, reduce costs. Detailed modelling of the expected costs and savings has been provided as Appendices A and B.
- Personnel:** The proposals would involve an increase in overall staffing.
- Legal/Procurement:** The report recommends changes to the way external placements are procured and the resulting contracts managed. Procurement and Legal support will be required at key stages.
- Property:** The report recommends exploring market development opportunities for establishing small residential units for children within West Berkshire. This may involve using existing properties for that purpose.
- Risk Management:** None

| Is this item relevant to equality? | Please tick relevant boxes | | Yes | No |
|--|----------------------------|--|--------------------------|-------------------------------------|
| Does the policy affect service users, employees or the wider community and: | | | | |
| • Is it likely to affect people with particular protected characteristics differently? | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Is it a major policy, significantly affecting how functions are delivered? | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Will the policy have a significant impact on how other organisations operate in terms of equality? | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics? | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Does the policy relate to an area with known inequalities? | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality) | | | | |
| Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia | | | | <input type="checkbox"/> |
| Not relevant to equality | | | | <input checked="" type="checkbox"/> |

| | | |
|---|--|------------------------------|
| Is this item subject to call-in? | Yes: <input checked="" type="checkbox"/> | No: <input type="checkbox"/> |
|---|--|------------------------------|

Executive Summary

1. Introduction

- 1.1 External Placements are where the Council has to place a Looked After Child with an independent fostering agency (IFA), a residential children's home, a residential school or a specialist residential unit and not with the council's own in-house foster carers.
- 1.2 External placements are often not in the interests of the child or young person. Many are outside the WBC area, taking a child away from his or her family can be compounded by also removing them from their local community. They can make contact with family/friends more difficult, disrupt education and make it harder to progress plans to meet their long term needs, There is also strong evidence that children placed further afield are more vulnerable to abuse and exploitation.
- 1.3 The costs of such external placements vary enormously and in most cases, external placements do not provide the best outcome for the child involved.
- 1.4 The number and cost of these external placements creates significant budget pressures for Children's Services

2. Proposal

- 2.1 The primary aim of this proposal is to improve outcomes for children and young people by expanding the availability of local good quality foster placements. It has the additional benefit of helping us to potentially reduce costs in this area.
- 2.2 There are a number of approaches that can be taken to control costs in this area but, putting the needs of the child first, clearly reducing the number of external placements should be the primary aim.
- 2.3 In order to reduce the need for expensive external placements, it is proposed that the Council look for a model that enables the Council to retain a small number of very highly skilled 'Intensive' foster carers. These 'Intensive Retained' foster carers would be paid an allowance every week of the year, whether they had a child in their care or not; would be provided with an extensive training programme and an extensive support network would be put in place for them.
- 2.4 The difference in the average cost of a council foster carer and the cost of a placement with an independent fostering agency would suggest that there is also a potential 'invest to save' opportunity around simply increasing the number of in-house foster carers.
- 2.5 Whilst the aim will be to reduce the number of external placements it would not be possible to eradicate them totally as there will be occasions where the needs of a particular young person can only be met in such a setting. It is recognised that Children's Services does not have the required procurement and contract management expertise and therefore this report proposes that activity is transferred to Care Commissioning, Housing & Safeguarding, subject to training of that team to better understand children and family placement requirements.

2.6 The final proposal relates to undertaking some market development work in order to try to establish some more local specialist residential provision. There is a hidden yet significant cost of having to manage young people who are placed outside the district across the UK.

3. Summary

3.1 The number of looked after children has increased in recent years and that may well continue.

3.2 If we are to secure good outcomes for the children and at the same time reduce our average unit cost then we need to make significant changes to the current arrangements.

Executive Report

1. Introduction

- 1.1 External Placements are where the Council has to place a looked after child with an independent fostering agency (IFA), a residential children's home, a residential school or a specialist residential unit.
- 1.2 Coming into public care is a traumatic and difficult experience for most children who experience it. This trauma can be significantly compounded if the foster placement or children's home is a significant distance from the child's home. It is critical that children are able to have regular contact with their family and friends; this is more challenging when children are placed at distance. External placements often also require a change of school for a child which is disruptive to both their educational and social needs. Placing children out of the area also makes it more difficult for social workers to visit and form positive working relationships with children, these relationships are critical to progressing plans in a timely way that meets the child's needs. There is also strong evidence that children placed out of area are more vulnerable to exploitation and abuse.
- 1.3 The costs of such external placements vary enormously, currently between £114k per annum and £287k per annum. As well as being high cost, the residential placements are spread across the country and therefore result in significant indirect costs particularly in respect of staff time and expenses because regular contact between children and their social workers is a necessary part of good care.
- 1.4 Placing some children in other parts of the country is by choice due to their particular circumstances but for others it is simply as a result of there being no suitable facilities within West Berkshire.
- 1.5 External placements create significant budget pressures for Children's Services and do not generally secure the best outcome for the child involved.
- 1.6 Currently there are 159 looked after children, whilst this number can fluctuate on a daily basis the recent trend is clearly upwards. The following figures show the number looked after on the 31st March of each of the last 3 years;
- 123
 - 124
 - 144
- 1.7 The Council has 60 long term and short term foster carers. In addition there are currently 16 'connected person' carers. The Council has two levels of foster carers, level 1 being 'basic' and level 2 being 'fostering plus'. 'Fostering plus' applies when a young person has certain behaviours or requirements that place significant additional responsibilities on the foster carer.
- 1.8 Foster carers are only paid for periods when a young person has been placed with them. The standard weekly payments to a foster carer range from £224 to £381 depending on the age of the child. This increases to between £389 and £585 per week when 'fostering plus' applies. At the time of writing this report there were 13 'fostering plus' placements.

1.9 It is also worth noting the government's recent announcement that fostering arrangements should continue until the young person reaches the age of 21. This will put increasing pressure on the number of available in-house foster carers as the young person will stay with their foster carer for up to 3 years longer. The early indications are that the government intends to meet the cost of this change but clearly until funding levels are known this should be treated with some caution. A separate report covering this issue is being prepared for consideration by Management Board.

2. Reducing the number of external placements

2.1 There are a number of approaches that can be taken to control costs in this area but, putting the needs of the child first, clearly reducing the number of external placements should be the primary aim.

2.2 In order to reduce the number of external placements the Council would need to have a larger number of foster carers and in particular a new group of foster carers who have the special skills needed to look after more of the most challenging children. At present the demand for foster carers means that we are always hovering around 'full' and we do not have any foster carers with the required very high level of skills that would prevent some children from having to be placed via an IFA and / or outside the district.

2.3 Having considered a number of models the preference is to follow an approach that has been successfully trialled elsewhere. This involves the recruitment of a small number of 'Intensive Retained' foster carers who would be provided with extensive training and then supported by multi-agency teams when a more challenging child is placed with them.

2.4 Standard foster carers would, as at present, only be paid when a child had been placed with them. The proposed new 'Intensive Retained' foster carers would continue to be paid their weekly allowance even during periods when no child had been placed with them. Such periods are expected to be infrequent; indeed a very quick consideration of the children currently placed externally identified a significant number that could be suitable for placement with these 'Intensive Retained' foster carers.

2.5 The process for recruiting new foster carers does take a long time and therefore, unless any existing foster carers were suitable to move to these higher level roles, it would be around 9 to 12 months before we might be in a position to start bringing children back from external placements. There would also need to be additional investment in the fostering service in order to create the capacity to recruit this new type of foster carer whilst as least maintaining the current rate of standard foster carer recruitment.

2.6 The average annual cost of a placement with a council foster carer is £17k compared with over £42k for a placement with an independent fostering agency (this figure does include around £4k to pay for Social Worker support for the foster carer). This would suggest that there is merit in submitting an 'invest to save' case around foster carer recruitment.

2.7 It is apparent that with the Government intervention and new regulations for Fostering & Adoption that the IFA's and other non Local Authority agencies have

received increased funding and impetus to expand. These agencies are now aggressively using media advertising to recruit in our geographical area. Currently we have 4 IFA's and two neighbouring councils advertising in West Berkshire. With strong brand building and presence in the past we are still holding our own at present, but this is likely to change if we do not re-think our recruitment and retention strategy in the very near future.

- 2.8 Consideration has been given to the option of increasing our in-house fostering capacity through the acquisition of one or more local IFA's. This option is not being pursued at this time as our local IFA's are very small and even if we were able to acquire 2 or 3 of them they would not provide that step change in capacity. This could be achieved by acquiring a larger regional company but that would present issues around placing children further away and the costs involved in supporting both the child and the carers.
- 2.9 Action is also being taken to modernise the adoption service and a separate report is making its way through the Council's approval process. Clearly anything that reduces the time a child spends being looked after by the Council is a good outcome for the child and reduces the financial pressure on fostering and other placement costs.

3. Commissioning and Contract Management

- 3.1 Whilst the proposed changes to the foster care arrangements should reduce the number, there will always be a need for external placements. This need may arise from having a looked after child with very complex needs or simply from a spike in the number of look after children.
- 3.2 It is accepted by Children's Services that they do not have procurement and contract management expertise within the service. As a result the procurement process followed does not always deliver the best financial outcome possible.
- 3.3 The contractual arrangements tend to be based on an agreement produced by the supplier rather than on terms dictated by the Council. It does have to be borne in mind that, whilst they can be very expensive, the council does not buy a significant number of new external placements each year and that limits its buying power. The number of providers of specialist residential units for children is also small and this clearly impacts on our ability to dictate terms of business.
- 3.4 Once an external placement is made it is important that the contract is managed in order that costs do not escalate and any reductions due materialise.
- 3.5 It is proposed that the procurement and contract management functions for Children's Service's external placements transfers to Care Commissioning, Housing and Safeguarding. This service already manages the commissioning and contract management for Adult Social Care and has the required expertise to deal with the requirements of Children's Services, subject to training around the specific needs of children and family placements.
- 3.6 The number of new cases to be managed each year is low and it is not proposed that any resources transfer between the two services. This change does fit in with the Communities Directorate aim of moving to a single procurement hub as part of greater integration throughout the directorate.

4. Market Development

- 4.1 There are very limited suitable residential facilities for children in West Berkshire.
- 4.2 Whilst there are occasions when placing a child in a residential establishment a long distance from their home may be entirely appropriate, clearly for the majority it would be preferable to place them in facilities close to their homes. In the majority of cases the child would benefit from more frequent contact with their family.
- 4.3 There are significant costs incurred when supporting a child placed in other parts of the country. The Council is required to maintain regular contact with the child and undertake reviews of their progress. Apart from the obvious travel and other expenses, the amount of staff time lost on travelling has a real impact on the capacity of the service.
- 4.4 Care Commissioning, Housing and Safeguarding have considerable experience of developing the market for Adult Social Care services. This includes ensuring that the required facilities (Nursing Homes, Care homes, Extra Care Housing etc.) are available within the area. It is proposed that they undertake similar work for Children's Services to identify the feasibility of encouraging the good residential unit providers to develop facilities in our area.

5. Financial Arrangements

- 5.1 The following table provides a snapshot of the number and annual cost of the current placements. It should be noted that these placements are subject to frequent change and that children can move between residential and fostering.

| | Number of Children | Costs £ | Average Cost £ |
|---|--------------------|------------|-------------------|
| WBC Foster Carers | 66 | 1,131,449 | 17,143 |
| WBC Foster Carers Plus | 13 | 336,351 | 25,873 |
| Connected Persons Foster Care | 16 | 206,000 | 12,875 |
| Independent Fostering Agencies | 27 | 1,157,000 | 38,602* |
| Residential Children's Homes | 9 | 1,862,000 | 206,889 |
| Disability Support with Residential Education | 5 | 889,000 | 177,800 |
| Placed for Adoption or Living with Parents | 7 | 0 | 0 |
| Other** | 16 | 46,000 | 2,875 |
| Total | 159 | | |

NB

* The cost of an IFA placement includes the provision of social workers to support the Foster Carer therefore for comparison purposes this figure has been reduced by £4,250.

***"Other" includes lodgings, residential employment, living independently, respite only, young offender institutions and those receiving some disability support whilst living with parents.

- 5.2 Initially the aim would be to recruit 6 'Intensive Retained' foster carers. They would receive an allowance equivalent to the highest 'fostering plus' weekly rate, currently £585 (£30,504 per annum). The payments would continue even in the event of no child being placed with them. These 6 'Intensive Retained' foster carers would therefore cost a total of £183k per annum.
- 5.3 The saving would arise by removing 3 children from Independent Fostering Agencies and a further 3 from residential settings. An initial review of the current residential placements suggests that identifying 3 children suitable for placement with the higher skilled foster carers would not be difficult. However, clearly the cohort of children changes frequently so the cost modelling has looked at two scenarios. The first (Appendix A) considered a 'most likely' scenario where we have the 6 'Intensive Retained' foster carers taking 3 children that would otherwise be in residential setting (lowest cost placements used) and 3 children who would otherwise be placed with IFAs. The second scenario (Appendix B) looks at a 'worst case' with the 6 'Intensive Retained' foster carers just taking 6 children who would otherwise be placed with IFAs.
- 5.4 As highlighted in 2.6 above there does also appear to be a strong financial case for investing in the recruitment of more foster carers. Recruiting an additional 6 standard foster carers each year would appear to offer gross savings in the region of £154k in the first full year, a figure that would increase by £154k in each subsequent year.
- 5.5 The Family Placement Team would need additional resources in order to be able to both recruit more foster carers and recruit 'Intensive Retained' foster carers for the first time. The advertising budget would need to be increased by £20k, currently just £21k. A training programme and supporting materials would need to be developed for the new level of foster carers, this would be a one-off cost of £25k. Both the Social Workers and Family Support Worker teams would need to be increased by 1.0 fte for every 10 to 12 additional foster carers engaged, this would be a cost of £78k per annum each time that tipping point was reached.
- 5.6 There would be additional costs incurred in ensuring appropriate professional support arrangements were in place for these 'Intensive Retained' foster carers. At present the key support is provided by the Looked After Children Education Support Team (LACES), this is a virtual team consisting of specialists from a number of disciplines that support both carers and schools. If we were to both increase the number of foster carers and introduce the 'Intensive Retained' foster carers this team would need to be strengthened. The costs are expected to be in the region of £40k per annum.

- 5.7 The changes outlined above would require a net investment in the first year but deliver significant cost reductions in the following years. A summary of costs and expected savings over a 4 year period has been provided as Appendix A.
- 5.8 Whilst we fully expect the introduction of the 'Intensive Retained' foster carers to enable a reduction in the number of external residential places, it is important to consider the invest to save proposal on a worst case basis. A summary of costs and savings for that scenario has been provided as Appendix B.
- 5.9 The trend for the numbers of LAC over the last few years has clearly been upwards and the impact of the 'staying put' changes will be to take some supply out of the market initially. However there is of course a small possibility that LAC numbers reduce. If that were to be the case and we find ourselves with more foster carers than we require then arrangements already exist for that spare capacity to be 'sold' to other Councils. Clearly with 27 children currently placed with the more expensive IFA we are some years away from having an over supply of in-house foster carers.

6. Summary

- 6.1 The number of looked after children has increased in recent years and that trend looks set to continue.
- 6.2 If we are to provide good outcomes for the children and at the same time reduce our average unit cost then we need to make significant changes to the current arrangements.
- 6.3 Doing nothing is very likely to result in costs continuing to rise as in order to meet our statutory duties we will need to buy an increasing number of external placements be they with an IFA or in expensive residential units.
- 6.4 Implementing the changes recommended in this report would provide the best opportunity to both control costs and improve outcomes for looked after children.

Appendices

Appendix A - Invest to Save cost model based on expected outcomes

Appendix B - Invest to Save cost model based on worst case scenario

Consultees

Local Stakeholders:

Officers Consulted: Mark Evans - Head of Children's Services
Sandi Dopson - Service Manager, Children Services
Shannon Coleman-Slaughter - Finance Manager
Corporate Board

Trade Union: n/a

Expected Outcome

| Year 1 | | | |
|--|------------------|-------------------|-------------------|
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Development of training programme | 25,000 | | |
| Social Worker 1.0 FTE & Family Support Worker 1.0 FTE (part year only) | 39,000 | | |
| Social Media Administrator | 30,000 | | |
| LACES Team (part year only) | 20,000 | | |
| Total | 134,000 | 0 | 134,000 |
| Year 2 | | | |
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Social Worker 1.0 FTE & Family Support Worker 1.0 FTE | 78,000 | | |
| Social Media Administrator | 30,000 | | |
| 6 additional in-house foster carers | 103,000 | | |
| 6 new Intensive Retained foster carers | 183,000 | | |
| Reduction of 9 IFA placements | | -385,000 | |
| Reduction of 3 residential placements | | -447,000 | |
| LACES Team | 40,000 | | |
| Total | 454,000 | -832,000 | -378,000 |
| Year 3 | | | |
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Social Worker 1.0 FTE & Family Support Worker 1.0 FTE | 78,000 | | |
| Social Media Administrator | 30,000 | | |
| 12 additional in-house foster carers | 206,000 | | |
| 6 new Intensive Retained foster carers | 183,000 | | |
| Reduction of 15 IFA placements | | -643,000 | |
| Reduction of 3 residential placements | | -447,000 | |
| LACES Team | 40,000 | | |
| Total | 557,000 | -1,090,000 | -533,000 |
| Year 4 | | | |
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Social Worker 2.0 FTE & Family Support Worker 2.0 FTE | 156,000 | | |
| Social Media Administrator | 30,000 | | |
| 12 additional in-house foster carers | 206,000 | | |
| 6 new Intensive Retained foster carers | 183,000 | | |
| Reduction of 21 IFA placements | | -900,199 | |
| Reduction of 3 residential placements | | -447,000 | |
| LACES Team | 80,000 | | |
| Total | 675,000 | -1,347,199 | -672,199 |
| Total for 4 year period | 1,820,000 | -3,269,199 | -1,449,199 |

Worse Case - No reduction in children in expensive residential placements

| Year 1 | | | |
|--|------------------|-------------------|-----------------|
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Development of training programme | 25,000 | | |
| Social Worker 1.0 FTE & Family Support Worker 1.0 FTE (part year only) | 39,000 | | |
| Social Media Administrator | 30,000 | | |
| LACES Team (part year only) | 20,000 | | |
| Total | 134,000 | 0 | 134,000 |
| Year 2 | | | |
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Social Worker 1.0 FTE & Family Support Worker 1.0 FTE | 78,000 | | |
| Social Media Administrator | 30,000 | | |
| 6 additional in-house foster carers | 103,000 | | |
| 6 new Intensive Retained foster carers | 183,000 | | |
| Reduction of 12 IFA placements | | -513,000 | |
| LACES Team | 40,000 | | |
| Total | 454,000 | -513,000 | -59,000 |
| Year 3 | | | |
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Social Worker 1.0 FTE & Family Support Worker 1.0 FTE | 78,000 | | |
| Social Media Administrator | 30,000 | | |
| 12 additional in-house foster carers | 206,000 | | |
| 6 new Intensive Retained foster carers | 183,000 | | |
| Reduction of 18 IFA placements | | -771,000 | |
| LACES Team | 40,000 | | |
| Total | 557,000 | -771,000 | -214,000 |
| Year 4 | | | |
| | Costs | Savings | Net |
| | £ | £ | £ |
| Increased advertising budget | 20,000 | | |
| Social Worker 2.0 FTE & Family Support Worker 2.0 FTE | 156,000 | | |
| Social Media Administrator | 30,000 | | |
| 12 additional in-house foster carers | 206,000 | | |
| 6 new Intensive Retained foster carers | 183,000 | | |
| Reduction of 24 IFA placements | | -1,028,000 | |
| LACES Team | 80,000 | | |
| Total | 675,000 | -1,028,000 | -353,000 |
| Total for 4 year period | 1,820,000 | -2,312,000 | -492,000 |

Agenda Item 10.

| | |
|------------------------------------|---|
| Title of Report: | Fairer Contributions Policy |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report: To introduce for scrutiny the Fairer Contributions Policy

Recommended Action: To note the contents of the report and carry out scrutiny as appropriate

| Overview and Scrutiny Management Commission Chairman | |
|--|--|
| Name & Telephone No.: | Councillor Brian Bedwell (0118 942 0196) |
| E-mail Address: | bbedwell@westberks.gov.uk |

| Contact Officer Details | |
|-------------------------|---|
| Name: | Jo England |
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Executive Report

1. Introduction

- 1.1 At its meeting of 25 February 2014 the Overview and Scrutiny Management Commission (OSMC) agreed to scrutinise the operation of the Council's Fairer Contributions Policy (the Policy).
- 1.2 This report sets out the concerns covered by the request for the topic to be scrutinised and provides background on the rationale for the Policy, the legal context within which it sits, the consultation carried out during its development, the operation of the Policy during assessments and an evaluation of its effect and likely future review.

2. Request for scrutiny

- 2.1 The Policy was proposed as a topic for scrutiny by Councillor Gwen Mason after hearing of concerns that had been raised by the Disability External Scrutiny (DES) Board.
- 2.2 Councillor Mason requested that a scrutiny review be undertaken to understand the intent of the policy and specifically
 - Its scope
 - The eligibility and qualification criteria
 - The arrangements for conflict resolution
 - Its process for review, including consultation
- 2.3 There was also an express concern about the policy's clarity.
- 2.4 The item was due to be considered at the OSMC meeting of 20 May 2014 but was postponed in order that representation might be received from the DES Board. The Client Financial Services Manager, whose team administers the operation of the policy, will be in attendance at the meeting, along with the Head of Care Commissioning, Housing and Safeguarding.

3. Purpose of the policy

- 3.1 In place since 30 April 2012, the Policy's purpose is to provide a mechanism to establish how much an individual receiving an adult social care service will be required to contribute towards the cost of their care.
- 3.2 The Policy is shown at Appendix A.

4. Legislative Context

- 4.1 Where residential care is provided, contributions are made within the framework of the National Assistance (Assessment of Resources) Regulations 1992 and the current Charging for Residential Accommodation Guide (CRAG) issued by the Department of Health (DH). The Council has to apply these rules for individuals in permanent residential care.

- 4.2 Councils are also entitled to ask for a contribution towards the cost of non-residential adult social care services provided under Section 17 of the Health and Social Services and Social Security Adjudication Act (1983). Under Section 17 (3) of this Act, users of these services can request a review of their assessed contribution at any stage.
- 4.3 In November 2001, the Department of Health issued statutory guidance to Councils on charges for non-residential social care entitled Fairer Charging Policy for Home Care and other non-residential Social Services - Guidance for Councils with Social Services Responsibilities. This guidance required that Councils implement a 'Fairer Charging' Policy.
- 4.4 In January 2008, the Department of Health issued a circular on the transformation of Adult Social Care. This required a personalised approach to Adult Social Care which will eventually allow all eligible individuals to have a personal budget to enable them to make their own choices around how their support should be provided.
- 4.5 In July 2009 The Department of Health issued a best practice 'Fairer Contributions Guidance' for use when calculating an individual's contribution to their personal budget. This supplements their current Fairer Charging Guidance.

5. Implementation and adoption within West Berkshire Council

- 5.1 On 21 July 2003 West Berkshire Council introduced its Fairer Charging Policy which was broadly in line with the Department of Health's 2001 guidance.
- 5.2 As the previous policy had only charged individuals 50% of any Attendance Allowance or care component of Disability Living Allowance in payment, the new policy dramatically increased the amount that individuals would pay.
- 5.3 To alleviate the financial impact additional elements of expenditure were also included in the 2003 policy that were over and above the DH guidance. These included the inclusion of water rates, an element for building maintenance for owner occupiers and not charging for a second carer. A decision to only charge an individual 90% of their chargeable income was also made to alleviate the financial impact.
- 5.4 The Policy was reviewed on an annual basis to take account on new DH capital thresholds and benefit rates. The next major change in the Policy was on 7 April 2008 when the Policy was amended to charge individuals 100% of their chargeable income in line with the DH guidance.
- 5.5 In 2011 in response to budget reduction proposals for 2012/13 the Policy was reviewed and following wide consultation a decision was made to remove the concessions included in the 2003 Policy. This included charging for second carers and to removing expenditure items from the policy that should be covered by general living expenses ie water rates and building maintenance.
- 5.6 At this time disability related expenditure that is allowable as part of the financial assessment was also reviewed to bring it in line with the DH guidance and neighbouring authorities.

6. Consultation on the 2011 proposed changes

6.1 In October 2011 a programme of consultation was embarked on that involved the following

- Letters were sent to 2500 to services users
- Individual letters were sent to the approximately 1200 service users who would be impacted by the changes to advise them of how the changes would impact on them as individuals. A sample letter is shown at Appendix B.
- Support from West Berkshire Independent Living Network (WBILN) to facilitate parts of the consultation process
- An open meeting led by WBLIN
- Views were sort from the “It’s my life” group a Learning Disability forum run by service users for service users
- A meeting was held with the Disability Equality Scrutiny (DES) Board

6.2 Through November 2011 to January 2012 specific meetings were also set up with the following stakeholder groups

- West Berkshire LINK (Local Involvement Network)
- Parent Carers for adults with Learning Disabilities
- Learning Disability Partnership Board
- West Berkshire Neurological Alliance

6.3 During the consultation process the following responses were received

- 127 telephone calls to the Welfare Benefit Team
- 34 completed consultation feedback forms
- 26 written responses
- Group responses from West Berkshire Disability Alliance, West Berkshire Neurological Alliance and West Berkshire Local Involvement Network

6.4 Following the consultation there were some amendments to the new policy that involved a more robust review and appeals process and consideration to financial hardship

7. Financial Assessment Process

7.1 In accordance with the DH guidance a full financial assessment is undertaken for each individual who receives services for which a contribution can be made, including those who are in receipt of a personal budget. The majority of financial assessments are done in person with the individual and/or their financial representative, in order to establish an individual’s ability to contribute towards the total cost of their chargeable services. In some circumstances the assessment is not done in person this is mainly where there individual’s financial representative lives out of the area.

7.2 The financial assessment ensures that individuals:

- Have sufficient money to meet their basic housing costs and disability related expenditure
- Retain their basic ‘Protected Income’ as defined by the DH guidance

7.3 The assessment calculation is summarised as:



8. Impact of the Policy change

- 8.1 Following the implementation of the new policy on 30 April 2012 there was an increase in requests for reviews and appeals.
- 8.2 Following a financial assessment the Individual can request a review of their assessed contribution. Reviews are undertaken by the Welfare Benefit Team Manager to ensure that the assessment is correct. Following the review if an individual is still unhappy with the financial assessment they can request an appeal panel hearing.
- 8.3 The appeal panel is made up of a Service Manger from Adult Social Care, the relevant long term Team Manager in Adult Social Care and the Service Manager for Client Financial Services. Representation can be in writing or in person.
- 8.4 In the few years preceding the new policy we had a maximum of one appeal per year but in 2012/13 we had 15 appeals and in 2013/14 we had 3 appeals.

| Year | Revised assessment | No change |
|---------|--------------------|-----------|
| 2012/13 | 7 | 8 |
| 2013/14 | 1 | 2 |

- 8.5 There have also been three Local Government Ombudsman (LGO) investigations and one legal challenge. The three LGO investigations found in our favour and the Legal challenge resulted in some amendment to the wording of the policy.

9. Going forward

- 9.1 Individuals' financial assessments continue to be reviewed on an annual basis.
- 9.2 The policy is reviewed annually in line with annual guidance from the DH and changes in benefit rates.
- 9.3 April 2016 will see the introduction of a new charging regime as the Care & Support Bill is implemented.

10. Recommendation

- 10.1 It is recommended that the Overview and Scrutiny Management Commission scrutinises the Fairer Contributions Policy and makes recommendations for its improvement as necessary.

Appendices

- Appendix A Current Fairer Contribution Policy.
- Appendix B Sample letter sent regarding individual impact

Fairer Contributions Policy for Non-Residential Care Services

Document Control

| | | | |
|--|------------------|-------------------------|------------|
| Document Ref: | | Date Created: | April 2012 |
| Version: | 5 | Date Modified: | April 2014 |
| Revision due | April 2015 | | |
| Author: | Jo England | Sign & Date: | 1/4/14 |
| Owning Service | | | |
| Equality Impact Assessment: (EIA) | Date undertaken: | March 2012 | |
| | Issues (if any): | | |

| | | |
|--|--------------|---|
| Chief Executive | Sign & Date: | |
| Corporate Director (Community Services) | Sign & Date: | |
| Councillor Joe Mooney Portfolio holder for Community Care | | Initial Policy signed off by Special Executive 12 April 2012 Version 3 signed off by Joe Mooney 25.10.12 |

Change History

| Version | Date | Description | Change ID |
|---------|-----------------|-------------------------------------|-----------|
| 1 | 12 April 2012 | New Policy | 1 |
| 2 | 23 May 2012 | Fuel rates amended to 12/13 figures | 2 |
| 3 | 25 October 2012 | Following Legal advice | 3 |
| 4 | 3 April 2013 | Review for new rates | 4 |
| 5 | 1 April 2014 | Review for new rates | 5 |
| | | | |

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Appendices

Appendix 1 Example Contribution Calculations

Appendix 2 West Berkshire District Council Rates

Appendix 3 Home Reversion Scheme

Appendix 4 Disability Related Expenditure – guide amounts

Appendix 5 Glossary of Terms

1. Introduction

The purpose of this policy is to establish how West Berkshire District Council will ask people for a contribution towards the cost of the adult social care support they receive. This document covers the following areas:

Sections 2 to 4 explain the national framework which relates to making contributions to Adult Social Care, the main legal requirements, and how the Council's policies for residential and non residential services operate,

Section 5 identifies which Adult Social Care services funded by the Council people may be asked to make a contribution towards,

Section 6 explains how a financial assessment is carried out,

Section 7 explains how peoples contribution is calculated and once that is done, how people can make the contribution, and

The final sections, 8 to 17, explain what happens if people cannot afford to pay or want to make a complaint as well as containing other relevant miscellaneous information.

Adult Social Care is going through a period of significant change, moving from "traditional" services arranged by the Council following a care assessment towards personal budgets. In both cases the Council may require the individual receiving support to make a financial contribution and this policy covers both circumstances.

The Council is committed to ensuring it uses a consistent and fair approach to assessing and collecting contributions from individuals. This approach will promote affordable, sustainable services for people who require Adult Social Care Services.

2. Legislative Context

The following is a brief outline of the legal framework relating to the contributions individuals can be asked to make towards the cost of their support.

Where residential care is provided contributions are made within the framework of the *National Assistance (Assessment of Resources) Regulations 1992* and the current Charging for Residential Accommodation Guide (CRAG) issued by the Department of Health. The Council has to apply these rules for individuals in permanent residential care.

Councils are also entitled to ask for a contribution towards the cost of non-residential adult social care services provided under Section 17 of the *Health and Social Services and Social Security Adjudication Act (1983)*. Under Section 17 (3) of this Act, users of these services can request a review of their assessed contribution at any stage.

In November 2001, the Department of Health issued statutory guidance to Councils on charges for non-residential social care entitled *Fairer Charging Policy for Home Care and other non-residential Social Services - Guidance for Councils with Social Services Responsibilities*. This guidance required that Councils implement a 'Fairer Charging' Policy.

In January 2008 The Department of Health issued a circular on the transformation of Adult Social Care. This required a personalised approach to Adult Social Care which will eventually allow all eligible individuals to have a personal budget to enable them to make their own choices around how their support should be provided.

In July 2009 The Department of Health issued a best practice 'Fairer Contributions Guidance' for use when calculating an individual's contribution to their personal budget. This supplements their current Fairer Charging Guidance.

The Council's *Fairer Contribution Policy* will ensure that with effect from 30 April 2012:

- Individuals in receipt of non-residential and short term respite care services contribute to the cost of their services subject to a financial assessment
- As part of their financial assessment, the Council offer to undertake a welfare benefits assessment for individuals to ensure they can claim all entitled benefits, thereby minimising their own contribution to support costs.

The services covered within this framework include both those chosen by an individual when planning how to spend their personal budget and those provided as a result of a community care assessment by a social worker or care manager.

3. Permanent Residential Accommodation and CRAG

Adult Social Care will seek contributions for residential accommodation in line with the current CRAG. Charges for permanent residential accommodation are not therefore covered further in this policy. This does not include short term placements of less than 56 consecutive nights as well as residential respite care. Any individual who would like information on CRAG can obtain it from the Department of Health. The link to the website being shown below:
<http://www.dh.gov.uk/en/Publicationsandstatistics/index.htm>

Whilst this *Fairer Contributions* policy is separate from CRAG, there are a number of times where it uses the same rules or limits as that contained within CRAG and these are referred to throughout the policy.

4. Contribution Principles

The Council adopts the following over-arching principles to ensure fair contributions from individuals:

- In order to act reasonably throughout the process of obtaining contributions the Council will, in all cases, consider the circumstances of each individual on the merits of each case,
- Contributions from individuals will be fair and reasonable, and calculated with their input through an individual financial assessment,
- To ensure that people contribute only what they can reasonably afford. Those individual whose capital is below the upper capital threshold will retain a sum for their basic living expenses which is equivalent to Income Support or Pension Credit Guarantee level + 25% as **Protected Income** (see 6.3), before they are asked to make any contributions,
- Whether the individual receives a service after a community care assessment by a social worker or care manager, or receives a personal budget, the financial assessment will be calculated in the same way,
- In most cases contributions will be applied to the total cost of the service funded by the Council e.g. live in carer but in some cases the contribution will be applied to the average cost e.g. home care and not the actual cost to the Council,
- Contributions will not exceed either the cost of the service or a person's individual budget (if they receive one),
- Contributions will not be required for the cost of the assessment or administration processes for the service provided, except that where an external brokerage service is provided this will be included as part of the personal budget,
- Benefits advice will be available to individuals through the assessment process to try and ensure that they have access to their full benefits and entitlements,

- If an individual does not pay their assessed contribution, or lodges an appeal against the assessed contribution, the Council will not refuse or withdraw services which meet a person's assessed needs.
- Where an individual does not pay their assessed contribution debt recovery will be pursued for all outstanding verified contributions and court proceedings will be initiated if invoices are not paid.

5. Types of Non-residential Services

The Council funds a wide range of adult social care services. The following describes what are provided without charge and what might incur a contribution:

5.1 Services Provided Free of Contributions

The Council can not apply any contribution towards:

- Community equipment services, including assistive technology, costing less than £1,000 (supplied as a result of an assessment) as defined in the Community Care (Delayed Discharges etc.) Act 2003. Examples of these include commodes, stair rails and grab rails.
- Intermediate Care services. If these are in addition to an established (albeit in some cases interrupted) package of support, contributions will continue against the established package. The individual's assessment will identify those services provided under Intermediate Care arrangements.
- Assessment and care planning services – such as supported self assessment, needs assessment, support planning and care management

5.2 Services where a contribution will be sought

People will be assessed to make a contribution for most other adult social care services, including those taken by way of a direct payment. This includes:

- Home Care (including the cost of two carers where these are necessary)
- Community Support,
- Day Care and Out reach support,
- Transport,
- Employment Support
- Respite care in a residential/nursing home (not exceeding 56 consecutive nights)
- All services arranged within a Personal Budget, including the cost of brokerage services provided outside the Council

This list is not exhaustive and other services which are not the 'non traditional' community care services listed above will require an assessed contribution (except where there is statutory guidance or a Council policy already in place on contributions for such services).

5.3 Services Outside of the 'Fairer Contribution' Policy

Adult Social Care provides a number of other services which are not community care services. These are subject to separate legislation over contributions and are not covered in this policy:

- Meals at a Resource Centre. These will be subject to a flat rate charge and although this charge will be added to any weekly assessed contribution it will not be subject to the financial assessment process.
- After-care services under the Mental Health Act (Section 117).
- Advice and assessment.
- Care for sufferers of CJD.
- Any services funded by the NHS (e.g. Continuing Health Care).
- Occupational Therapy/Equipment.
- Reablement Care Services
- Issue of Blue Badges

6. Assessing a Financial Contribution

6.1 Overview of the financial assessment process

A full financial assessment will be undertaken for individuals who receive services for which a contribution can be made, including those who are in receipt of a personal budget. This is in order to establish an individual's ability to contribute towards the total cost of their chargeable services.

The financial assessment will ensure that individuals:

- Have sufficient money to meet their basic housing costs and some disability related expenditure
- Retain their basic 'Protected Income', so this is not included in the assessment calculations, where their capital is below the upper threshold

The assessment calculation is summarised as:

Assessable Income (see 6.2)

Less: Protected Income (see 6.3)

Less: Housing Costs (see 6.4)

Less: Disability Related Expenditure (see 6.5 to 6.7)

Less: Other Allowable Expenses

Equals: Assessed Contribution



Where individuals have capital this may affect the assessed contribution. If an individual's capital exceeds the limits specified in CRAG (see Appendix 2), they will be required to pay the full contribution for services supplied. Property (and income from property) will be treated in accordance with CRAG except that the value of the main home is not included in the calculation. If the capital is below this limit there may be an assumed income called *tariff income* that is included in the calculation. This is explained in section 6.8.

Where an individual is co-habiting as part of a couple, it is the Council's policy to assess the contribution in the way which is more beneficial to the individual. This will only apply if the individual has not already been assessed as liable to pay the full cost due to their own capital and 50% of any jointly owned capital. This process is explained in more detail in section 6.8.

The Council has currently set a minimum contribution, currently £1.25 per week (see Appendix 2). If an individual's assessed contribution is less than this minimum, no charge will be made as it is not viable to collect a contribution below this level.

Examples of calculated contribution are provided at Appendix 1.

As part of the financial assessment process, advice will be provided to individuals regarding benefit entitlement. Assistance will be available to complete benefit applications should a potential entitlement be identified.

Where assistance is provided in applying for a benefit, the individual will be notified of the effect of the new benefit on their assessed contribution, which will be backdated to the date of award.

6.2 Assessable Income

The assessment process will look at the total income an individual has available to make a contribution. In line with legislation or national guidance certain sources of income will be treated differently in the calculation, as explained below.

The income below will **not** be included in the assessment:

- Earnings (as per DOH guidance)
- Statutory Sick Pay, Statutory Adoption Pay and Statutory Maternity Pay or Allowance
- Mobility component of Disability Living Allowance
- Night time element of the care component of Disability Living Allowance and Attendance Allowance unless night time care/support is provided by Adult Social Care
- Any Charitable Income
- Savings Credit element of Pension Credit
- Working Tax and Child Tax Credit
- War widows' supplementary pension
- A partner's disability related benefits
- Winter fuel and Cold Weather payments
- Social Fund Payments
- Maintenance payments specifically relating to a child
- Child benefit.
- War Disablement Pension or Armed Forces compensation Scheme: Guaranteed Income Payment and War Widows Pension or Armed Forces Compensation Scheme

The sources of income below will only partially be included in the assessment:

- Survivors Guaranteed Income Payment (The first £10 per week has to be disregarded, but anything above this is included)
- Sub tenants – Treatment of any income from sub tenants will be in accordance with the current CRAG (Presently the first £20 per week has to be disregarded, but anything above this is included)
- Boarders - Treatment of any income from boarders will be in accordance with the current CRAG (Presently the first £20 per week plus half of any income over £20 per week has to be disregarded, but anything above this is included).

Individuals whose capital and savings are less than the maximum limit as set out in CRAG but above the CRAG lower limit (shown in *Appendix 2*) will have a tariff income assumed. This will be calculated in accordance with the rules specified in CRAG. Unless stated otherwise in this policy, the treatment of all other income will follow CRAG.

If individuals have released funds using Equity Release Schemes the income may be included in the financial assessment process. Refer to *Appendix 3* for further information.

6.3 Protected Income

Individuals whose capital is below the upper capital threshold will retain income equivalent to either basic Income Support or Pension Credit Guarantee level plus 25% as 'Protected Income', which is not included in the assessment calculation. This amount will depend on the individual age and benefit entitlement as per DOH guidance.

6.4 Housing Costs

The following household expenditure may be allowed in the contribution calculation depending on the individual's circumstances:

- Rent (net of housing benefits)
- Mortgage (net of income support or pension credit assistance)
- Board and lodgings (as defined and managed in CRAG)
- Council Tax (net of Council Tax Support)
- Building insurance (not including contents)
- Essential service charges and ground rent (net of assistance funding)

6.5 Disability Related Expenditure

The Department of Health defines Disability Related Expenditure (DRE) as any reasonable additional cost that the individual incurs to meet their specific needs due to a disability or condition. To ensure that the individual retains appropriate funding to meet these costs, an allowance for DRE is included in the assessment process where applicable.

NB: Disability related expenditure is not restricted/related to West Berkshire Council's eligibility criteria under Fair Access to Care. DRE is related to any presenting need identified in the community care assessment which is not met by WBC under its Eligibility criteria.

Therefore, DRE will be considered when:

- The extra cost is needed to meet an individual's specific need due to a condition or disability as identified in the individual's community care assessment; and
- The cost is reasonable and can be verified (Receipts will be requested); and
- It is not reasonable for a lower cost alternative item or service to be used; and
- The expenditure is required to meet the individual's presenting care needs.

The Council has a schedule of reasonable DRE costs (see *Appendix 4*). These costs will be reviewed each year.

6.6 Exclusions to a DRE

All decisions on whether expenditure is DRE will be made with reference to individual circumstances. However, DRE allowance will not usually be made for the following :-

- General items or services required for daily living, which would be used by the general population and not specific to a condition or disability i.e. food and utility bills
- Structural or landscaping work (e.g. tree surgery, path laying or re-laying) in gardens or house;
- Window cleaning
- Amounts paid in relation to private care arrangements that falls outside of an individual's assessed care needs
- Any item or service met by a payment from a Community Care Grant or where another funding source has been provided
- Cleaning that falls outside of an individual's assessed care needs
- Gardening that falls outside of an individual's assessed care needs
- Laundry that falls outside of an individual's assessed care needs
- Cost of someone going to do the individual's shopping
- Enrichment activities
- Social activities
- Dental Treatment (including dentures)
- Optical Treatment (including glasses)
- Hearing aids (including batteries and insurance)
- Massage
- Hydrotherapy
- Physiotherapy
- Toiletries
- Broadband and telephone charges
- Alternative therapies/medicines
- Personal assistant that falls outside of an individual's assessed care needs
- Mobile phone charges
- Household cleaning products
- Dog walking
- Sky or other Media packages
- The difference between the actual cost and the lower cost alternative where it is reasonable for the individual to use a lower cost alternative and the lower cost alternative is available

Where a particular item of expenditure combines more than one item or service, instead of disallowing all of the expenditure, the elements that meet the individual's specific need due to their disability or condition can be allowed. For example hair washing is allowed if the individual could not

do this task themselves. However, hair cutting would not be allowed as this is a service used by the general population and is not a disability related expense.

The individual will be requested to provide receipts for expenses claimed. If previous receipts have not been kept, the individual will be asked to provide receipts of future expenses. Receipts or evidence is required for common expenses, i.e. utilities. The amounts in *Appendix 4* show an average expenditure for various household types. This will be used to calculate the extra costs due to the individual's condition or disability. These amounts will be reviewed annually. If the individual does not provide receipts, despite requests to do so, the Council will decide that the expense should not be allowed.

6.7 Special Equipment

Costs for purchasing special equipment (e.g. stair lifts) will be allowed if they meet the individual's specific need due to a disability or condition. The amount allowed will be based on the life span of the equipment and the purchase price paid by the individual, where this is considered reasonable. This allowance will not apply if the purchase was funded by a Disabled Facilities Grant or any other source of external funding.

Maintenance and repair costs for special equipment will also be allowed if that equipment meets the individual's specific need due to a disability or condition. The weekly amount allowed will be the annual cost divided by 52 weeks.

6.8 Other factors that affect the assessment

Shared costs

If more than one person lives in the individual's home the additional costs relating to a disability or condition will be shared between the occupants whose needs contribute to the additional costs.

Capital

The value of capital and assets is as defined in CRAG and the National Assistance (Assessment of Resources) Regulations (1992).

Individuals with capital above the CRAG upper limit (including property but excluding the value of their main home), are liable to pay the full contribution for services supplied (or towards the personal budget). When an individual moves out of a property that they own and becomes ordinarily resident in alternative accommodation, the owned property will no longer be deemed their main home and will be regarded as capital for the purposes of the contribution assessment.

Where individuals have capital value below the CRAG upper limit, but more than the CRAG lower limit, their ability to contribute will be assessed using standard processes and take into account an assumed weekly income from the capital. This is called *tariff income*.

The capital limits will be reviewed annually in accordance with CRAG. If an individual knowingly reduces their capital in order to reduce their contribution (for example by excessive spending or gifting), this will be taken into account in the assessment and the contribution may be calculated as if that person still holds the capital that has been disposed of.

Couples

Where an individual is co-habiting as part of a couple, the assessment process is summarised in the sections below. This only applies if the individual hasn't already been assessed as liable to pay full cost based on their own capital and 50% of any jointly owned capital.

For these purposes a couple is defined as follows:

- A legally married husband and wife
- Two individuals who have lived together as a married husband and wife for at least twelve months but who are not legally married

- Two individuals of the same sex who under the Civil Partnership Act 2004 have formed a civil partnership
- Two individuals of the same sex who have lived together as a couple for at least twelve months but who have not formed a formal civil partnership under the Civil Partnership Act 2004.

When assessing one member of a couple the Council's has the discretion to assess in the most beneficial way to the individual. All couples will be offered a joint assessment to identify the most beneficial outcome, whilst noting that a spouse or partner is not obliged to disclose their own resources, should they choose not to. However they will be required to identify any income or capital (such as a welfare benefit) that both members of a couple are entitled to jointly.

When assessing one member of a couple as a single person:

- 100% of solely owned and 50% of all jointly owned capital and savings will be taken into account (excluding the value of the main home);
- All assessable income appropriate to the individual will be considered;
- An allowance will be made for 50% of the couple's total joint basic household expenditure;
- The 'protected income' will be 50% of the couple's allowance
- An allowance will be made for the individual's Disability Related Expenditure

When assessing as a couple:

- The income and savings capital for the couple will be considered. If the spouse or partner is not willing to disclose this information, the individual will be assessed as a single person;
- An allowance will be made for 100% of the couple's basic household expenditure;
- The 'protected income' level will be that of a couple;
- The couple's assessed disposable income is then halved prior to considering any individual Attendance Allowance or Disability Living Allowance awarded;
- An allowance will be made for the individual's Disability Related Expenditure
- When both partners receive support which is chargeable, the standard CRAG capital limits will be doubled.

7. Contributions Payable, the Contribution Period and Methods of Payment

7.1 Personal Budgets

The following points relate to contributions payable where an individual is in receipt of a personal budget:

- The contribution payable will either be the amount of the gross personal budget or the individual's assessed contribution, whichever is lower;
- Where an individual (or a suitable person who receives a Direct Payment on behalf of an individual) receives a Direct Payment their contribution will be paid in full (this process may change in future);
- An individual will be invoiced for their contribution to the personal budget. An invoice will be raised to the individual every twenty eight days in arrears.
- Individuals will contribute from the date the personal budget commences.
- Personal Budgets will be audited on an annual basis and any unspent money will need to be repaid.

7.2 Other Services

The following points relate to contributions payable where an individual has their support needs met by services organised by the Council after an assessment of need:

- The contribution payable will either be the actual chargeable cost of services supplied during the period or the individual's assessed contribution, whichever is lower
- Where an individual (or a suitable person who receives a Direct Payment on behalf of an individual) receives a Direct Payment their contribution will be invoiced every 28 days in arrears
- Where a Direct Payment is not received an individual will be invoiced for their contribution towards costs. An invoice will be raised to the individual in arrears after every twenty eight day period.
- Where a service was supplied or was available but the individual does not receive it because they are absent – for example they are away from their home at the time they are due to receive home care, a contribution will still be required unless the absence has been pre-notified (at least 24 hours in advance to the Council) or is due to hospitalisation, illness or other circumstances beyond the individual's control. Where an individual believes they should not be required to contribute to a service they should contact their care manager in the first instance.
- Any overpayments will be reimbursed to the individual or credited towards the cost of future services. The individual will be notified accordingly; and
- Individuals will contribute from the date the service commences.

7.3 Charging Week

An individual's assessed contribution will apply to any services (including non-residential or respite care) provided in each charging week. A charging week starts on a Monday and ends on a Sunday. For example services that run from Wednesday to the following Tuesday will be charged across two charging weeks, except where an individual receives only respite care, when the contribution will be apportioned over the number of nights an individual is in respite.

8. Non disclosure of Financial Details

Individuals have the right to choose not to disclose their financial details. If this right is exercised they will be required to pay the full contribution applicable at the time the service was provided or personal budget was received.

9. Delays in completing the Financial Assessment

If an individual unreasonably delays completing the financial assessment they will be required to pay the full cost of services supplied (or value of the personal budget), until a financial assessment is completed. If a financial assessment results in a lower contribution than this, consideration will be given to refunding the difference depending on the circumstances of the case. Discretion in this matter will be held by the relevant budget holding manager within Adult Social Care.

'Unreasonable delay' will be determined on a case by case basis, however as a general rule the Council will expect the individual or their representative to be available for a visit within 2 weeks of contact from the Welfare Benefit team. Where the individual or representative prefers to complete the financial circumstances statement by post, then it is expected that this will be returned to the Council within 2 weeks. If further information is required for the financial assessment then it is expected that the individual will provide this within 2 weeks of the date it was requested.

If the individual co-operates with the assessment within 28 days of service commencement, any reduction in contribution will be reimbursed or credited against future service costs.

10. Debt Recovery

If the individual does not pay the contribution either in full or in part and the invoice remains unpaid, the Council's debt recovery procedures will be instigated. This may result in legal action and extra costs to the individual.

11. Review of Financial Circumstances

Individuals are required to inform the Welfare Benefit team as soon as their financial circumstances change, as this may affect their assessed contribution. This specifically includes receipt of a new benefit or if they believe that a change will result in a reduction to their financial assessment and want it to be applied immediately.

Following notification of a change or a review visit, a new financial assessment will be completed using the information provided. If the revised assessment results in an increase in the weekly contribution, the individual will be notified of the revised contribution and it will be backdated to when the individual's circumstances changed.

If the revised assessment results in a decrease in the weekly contribution, this will be backdated to one month before the date of the review or the date that the individual's circumstances changed, whichever is the later date.

The individual's financial circumstances and assessed contribution may be reviewed at any time. Occasions that may instigate a review are listed below.

- On request from the individual or his / her authorised representative
- Following an award or withdrawal of a benefit
- When new information is received as to the individual's income and expenditure
- When the Department of Work & Pensions increases benefits
- As a result of any changes during the budget setting process
- At the request of the appropriate Service Manager

12. Annual Review

In addition to the reviews described above, the financial assessment will be reviewed annually to take account of the annual increases in benefits and other incomes which take place each April. Where the individual is in receipt of benefits paid at standard rates, the revised amount will be substituted. Benefits paid at non standard rates will be increased by the same inflator used by the Department of Work and Pensions to increase benefits.

For other components of the financial assessment, such as occupational pensions, a percentage increase linked to Consumer Price Index (CPI) will be applied unless another amount is agreed in the Council's annual budget setting process. Disability related expenditure, rent and Council tax will not automatically be increased.

Changes resulting from the annual increases or the application of a revised protected income rate will apply from the date assigned to these changes. An explanation and full details of the revised assessment will be sent to the individual, who will be asked to check the figures and contact the Welfare Benefit team if they believe it is not an accurate representation of their circumstances.

13. Contribution Issues

West Berkshire District Council aims to ensure all assessed individuals' financial contributions for services are fair and reasonable. The Council acknowledges that at times, some individuals may experience difficulties or exceptional circumstances which should be considered on an individual basis, and treated with dignity and respect. To ensure these individuals are provided with an opportunity to have their own circumstances considered, the Council offers two ways they can formally request that their assessed contribution is reconsidered, through:

- Waivers; or
- Reviews & Appeals processes

13.1 Waivers

A waiver is a request to set aside the assessed contribution for a fixed period prior to any invoices being raised. A waiver will only be issued in exceptional circumstances, where to raise a contribution would have a detrimental impact on the individual or others. If a waiver may be appropriate this will be referred to the relevant budget holding manager.

If the relevant budget holding manager agrees that the contribution would have a detrimental impact on the individual, then the contribution will be suspended for up to three months and then reviewed. Examples of reasons to issue a waiver may include (this is not an exhaustive list):

- Vulnerable adults at risk of abuse, and where Adult Social Care are closely monitoring the situation;
- Individuals at risk of self-harm or neglect e.g. through drug or alcohol abuse or mental health problems;
- Where individuals are experiencing trauma (e.g. bereavement of a close relative or family breakdown and where their financial or other circumstances are temporarily unstable);
- Where an individual is in severe financial difficulty and to incur a further debt would have a detrimental impact on them.

Any requests for such waivers must be recorded on an Adult Social Care Waiver Form. Any waivers over £1,000 will require the approval of both the relevant budget holding manager and the Head of Adult Social Care. A copy of this form will be held by the Welfare Benefit Team Manager who maintains a record of all waivers so that they can be highlighted to the Council's Section 151 Officer on a quarterly basis.

13.2 Reviews and Appeals

The Council has a robust appeals process to ensure individuals can express their views, request a review or lodge an appeal against their assessed contribution. This process does not form part of the complaints process and this process should be followed before making a complaint. The Council welcomes feedback from individuals, and has dedicated officers to manage the review, appeals and complaints processes.

An individual can appeal if:

- If they are dissatisfied with their assessed contribution calculation,
- They believe that they have insufficient funds to pay the contribution, or
- They believe that the contribution is incorrect (i.e. incorrect cost of service have been charged)

In any of these circumstances they have the right to request a review under the non-residential contribution Review and Appeals procedure.

The individual or their authorised representative can start the review process at any time by contacting their social worker or the Welfare Benefit Team.

Review and Appeals Procedure

West Berkshire District Council's Review and Appeals procedure exists to protect the rights of all individuals by encouraging a fair and open resolution of any issues. This process provides a safeguard to those people who have been assessed to make a contribution, however cannot reasonably afford to pay the assessed contribution (or part of it), or feel that the contribution has been incorrectly assessed.

Under Section 17 (3) of the Health and Social Services and Social Security Adjudication Act (HASSASSA) 1983 individuals have the right to ask the Council to review their contribution at any time if they receive a service from the Council, for which they are being asked to contribute and they believe their contribution is too much.

The person can request a review, and if they can demonstrate to the Local Authority that their means are insufficient for them to reasonably pay the assessed contribution the Local Authority may reduce the amount of the contribution accordingly. In some case they may waive the contribution.

However, it is for the person, with help if necessary from an adviser, friend or advocate to demonstrate to the Local Authority that their means are insufficient to reasonably meet their assessed contribution.

The Review and Appeals Process

As with all contributions, the individual will have a comprehensive financial assessment and be notified of their assessed contribution towards their care.

Where an individual can provide supporting evidence to the Council to demonstrate that they have been unfairly assessed or are unable to afford the contribution, they can request a review of their contribution or lodge an appeal. If individuals are concerned about their contribution, they should contact the Welfare Benefit team as soon as possible to resolve the issue promptly.

The council will consider reviews or appeals within 3 months of the date of charge notification and only accept at its discretion those received outside this timescale.

Stage 1 – Review of the assessment

Individuals can request a review by having a simple review form completed. This can be completed in by the individual, or with assistance from a family member, friend, Care Manager/ Social Worker, or advocate via the telephone, or email.

Once this completed form and information to support the review is received, the case will be reviewed within 10 working days.

The review will be considered by the Welfare Benefit Team Manager who will:

- Review information from the Financial Assessment, ensuring the information is accurate and complete;
- Establish whether the individual has additional factors or information which should be taken into consideration;
- Request the contribution to be re-calculated, if appropriate;
- Advice the individual of the review outcome and any changes to the contribution, effective date, and the individual's right to access the next stage of the process if they are still dissatisfied with the outcome and explanation provided.

This advice will be provided in writing and be ready for collection or delivery within 24 hours of Welfare Benefit Team Manager's decision.

The individual should request the review panel stage within 10 working days of the review outcome.

If the Welfare Benefit Team Manager requires clarification from the individual regarding their application for review, they will make contact with them within 10 working days. Where there is doubt regarding the stated expenditure, or expenses appear higher than typically expected, the Welfare Benefit Team Manager will request supporting evidence from the individual, as well as use their discretion in making decisions about the appropriate allowances to be awarded.

Where an individual does not co-operate with the review process, or refuses to provide satisfactory evidence, they will continue to contribute the assessed amount, or the actual cost of services supplied (if higher).

Non co-operation or objection to the principle of making a contribution will not qualify a user for a reduction in their contribution.

While a review is being undertaken, the individual will continue to pay the assessed contribution until the Welfare Benefit Team Manager decides to change or continue the assessed contribution.

The Welfare Benefit Team Manager has the discretion to backdate contribution reductions to the date of the request for an appeal, or in exceptional circumstances, to the date the charges commenced.

In cases where it appears that the individual can not reasonably be expected to pay the assessed contribution the Welfare Benefit Team Manager can defer contributions until the review is completed.

Stage 2 – Appeals Panel

If the individual is still dissatisfied at the end of the stage 1 review, they can appeal against the reviewed decision. Appeals will be considered by an Appeals Panel.

This panel consists of three people, the Client Financial Services Manager, a care Service Manager and a Team Manager or Assistant Team Manager. The Appeals Panel will be convened within 15 working days of the Council receiving the initial request for a review.

Both the Welfare Benefit Team and the individual can provide written submissions to that panel before the panel hearing.

In extraordinary circumstances if the panel members consider from the submissions that the appeal is “frivolous, vexatious, repetitive or out of jurisdiction” the panel can recommend to the Head of Adult Social Care that the appeal should not be heard. The decision of the Head of Adult Social Care as to whether to proceed is final.

The Review Panel will consider the issues and information presented at the stage 1 review and any new related information. The individual may make representations themselves or a nominated representative can make representations to the panel meeting.

The Panel will be able to hear from the individual and Welfare Benefit Team Manager and seek legal advice where appropriate.

The Chair of the Review Panel will advise the Head Adult Social Care and the individual of its findings and recommendations in writing, within 2 working days of the panel hearing.

The Head of Adult Social Care will respond in writing to the Review Panel's recommendations and identify any the action the Council will take within 3 days of receiving the Panel's recommendations.

The decision of the Adult Social Care Department prevails. Where the individual is still dissatisfied with the outcome they have the right to access the statutory complaint procedure. Timescales for the acceptance of complaints will be consistent with those used in the Statutory Complaints Procedure.

14. Independent Living Fund

The Independent Living Fund (ILF) is a national resource dedicated to the financial support of disabled people to enable them to choose to live in the community. This financial support was available to those who meet certain eligibility criteria, including being in receipt of support funded by Adult Social Care of more than £320 per week (excluding any contributions from individuals), aged between 16 and 65 and in receipt of the higher rate care allowance of the Disability Living Allowance.

Recipients of awards from ILF will continue to be financially assessed for their contribution towards adult social care. As part of their agreement with ILF they may be asked to make a contribution towards their ILF award. This contribution will be included in the financial assessment process.

The Independent Living Fund is closed to new applications and will be completely closed on 30 June 2015.

15. Privacy

Information will be collected to enable the calculation of contributions relating to services provided and assessment of welfare benefit entitlement. In accordance with the *Data Protection Act 1998*, this information will only be shared with other relevant people and agencies in accordance with the data protection principles or with the written consent of the individual or their legally appointed representative. An individual has the right to request to view their personal information held by the Council at any stage.

16. Equality Impact

An equality impact assessment has been undertaken for West Berkshire District Council's *Fairer Contribution Policy* to understand the likely impact of this policy on vulnerable people with the protective characteristics outlined in Equalities legislation.

Where there is an adverse impact on individuals, they may be considered under the transitional arrangements.

Appendices

Appendix 1 Example Contribution Calculations

In this Appendix, income means the total money an individual receives that is taken into account in the calculations and allowances mean the minimum total income an individual is allowed to keep before a contribution is required.

Examples use 201/15 Benefit rates

Example 1 Single person pensionable age no disability-related benefit

| | |
|----------------|---------|
| Income | |
| State Pension | £107.45 |
| Pension Credit | £ 40.90 |
| ----- | |
| Total Income = | £148.35 |

| | |
|--------------------------|---------|
| Allowances | |
| Pension Credit Guarantee | £148.35 |
| Plus 25% Buffer | £ 37.09 |
| ----- | |
| Total Allowances = | £185.44 |

As the income is less than allowances no contribution will be payable by the individual

Example 2 Single person aged between 18 and pensionable age + DRE of £30.00

| | |
|-----------------------------|---------|
| Income | |
| Income Support | £104.25 |
| Disability Living Allowance | £ 54.45 |
| ----- | |
| Total Income = | £158.70 |

| | |
|----------------------|---------|
| Allowances | |
| Basic Income Support | £104.25 |
| Plus 25% Buffer | £ 26.06 |
| DRE | £ 30.00 |
| ----- | |
| Total Allowances = | £160.31 |

As the income is less than allowances no contribution will be payable by the individual

Example 3 Single person over pensionable age + DRE of £5.50

| | |
|--|---------|
| Income | |
| Retirement Pension | £135.00 |
| Occupational Pension | £ 25.00 |
| Attendance Allowance | £ 54.45 |
| Tariff income (on Capital of £18,000) | £ 16.00 |
| ----- | |
| Total Income = | £230.45 |

| | |
|----------------------|---------|
| Allowances | |
| Basic Pension Credit | £148.35 |

| | |
|--------------------|---------|
| Plus 25% Buffer | £ 37.09 |
| DRE | £ 5.50 |
| ----- | |
| Total Allowances = | £190.94 |

Assessed maximum contribution = **£39.51** per week (i.e. the difference between Total Income and Total Allowances)

Example 4 Single person over pensionable age, with Attendance Allowance + DRE of £32.20

| | |
|--------------------------|---------|
| Income | |
| Retirement Pension | £107.45 |
| Pension Credit (Inc SDP) | £102.00 |
| Attendance Allowance | £ 54.45 |
| ----- | |
| Total Income = | £263.90 |

| | |
|----------------------|---------|
| Allowances | |
| Basic Pension Credit | £148.35 |
| Plus 25% Buffer | £ 37.09 |
| DRE | £ 32.20 |
| ----- | |
| Total Allowances = | £217.64 |

Assessed maximum contribution= **£46.26** per week (i.e. the difference between Total Income and Total Allowances)

Appendix 2 West Berkshire District Council Charge Rates (2014-15)

Rates for 2014-15

- Homecare - £18.95 per hour
- Community Support - £17.12 per hour
- Day Centre - £44.20 per day
- Transport - £7.95 per trip
- Outreach - £17.12 per hour

Other services will be charged at the actual cost of the service.

Minimum Assessed Contribution £1.25 per week

Capital Limits 2014-15

| | |
|-------------------|--|
| Maximum threshold | £23,250 (full contribution applies above this level irrespective of income) |
| £0 - £14,249 | Disregarded |
| Lower threshold | £14,250 |
| £14,250 – £23,249 | Tariff Income applied at the rate of £1 for every complete £250, or part £250. |

Protected Income - individuals who capital is below the upper capital threshold will retain a level of income equal to the *basic income support* (Explained above) plus a 25% buffer. This is the *Protected Income*.

Appendix 3 Equity Release Scheme

The most common form of Equity Release Scheme is a Home Reversion Scheme (HRS), where a home owner will transfer the ownership of all or part of their home to a commercial or 'not for profit' organisation. Depending on the terms of the HRS, the funds released may be paid to the home owner in full on the date of the transfer, or may be translated into an annuity, or a combination of these.

Where a HRS results in the home owner receiving an annuity or where payments are made by instalments be they for life or for a fixed period, then all such payments will be treated as income, unless any of the following provisions apply:

- Where certain detailed conditions set out in CRAG relating to annuities are met, then specified amounts comprised within the gross income from the annuity can be disregarded, namely, the component of the gross income which represents the weekly amount of interest on the loan (net or gross of income tax, where applicable);
- Where any part of the income or capital derived from a HRS plan is used to fund capital developments or disability related works to the property in question, the income so used may be disregarded from the charge calculation. The service user must produce evidence to this effect in order to claim such a disregard;
- Where the released funds are paid in instalments the total value of all the instalments outstanding will be added to the total value of all other savings held by the service user. If this total exceeds the current CRAG upper capital limit, the instalments will be treated as income and taken into account over a period equivalent to that which it represents, e.g. a payment due to be made calendar monthly is taken into account for a calendar month; and
- If this total is less than the current CRAG upper capital limit, each instalment will be treated as capital.

Other forms of equity release schemes will be considered on an individual basis. Additional information about equity release schemes can be obtained from the Access For All team on 01635 503050.

Appendix 4 Disability Related Expenditure – guide amounts

| ITEM | AMOUNT | EVIDENCE |
|-------------------------|--|---|
| Heating Allowance | <p>Single Person – Flat / Terrace £1,157 per year Couple – Flat / Terrace £1,526 per year Single Person – Semi Detached £1,229 per year Couples – Semi Detached £1,619 per year Single Person – Detached £1,495 per year Couples – Detached £1,1970 per year Difference between actual and average (above) will be divided by 52 to obtain a weekly expenditure.</p> <p>NB Where an individual lives in shared accommodation the allowance appropriate to the size of property they require will be used e.g. where 3 individuals share a property their share of the bills will be considered against those of a single person</p> | Bills from Provider |
| Community Alarm System | Actual cost unless included in Housing Benefit or Supporting People Grant. | Bills from Provider |
| Privately arranged care | Actual cost if included in care assessment to meets critical need and can not be met by West Berkshire Council. | Signed receipts for at least 4 weeks using a proper receipt book |
| Dietary needs | Max £2.96 pw if more than £25.85 pw per person is spent on food and non-alcoholic drinks AND dietary needs are identified in care assessment | |
| ILF | Client contribution as assessed by ILF | ILF award letter |
| Wheelchair/Scooter | £3.71 pw manual wheelchair £9.03 pw powered wheelchair | Evidence of purchase. Care manager or OT to confirm that this is an essential requirement. No allowance if equipment is provided free of charge |
| Powered Bed | Actual cost divided by 500 (10 yr life) up to a maximum of £4.16 pw. | Care manager or OT to confirm that this is an essential requirement. Evidence of purchase. |
| Turning Bed Actual | cost divided by 500 up to a maximum of £7.20 pw. | Care manager or OT to confirm that this is an essential requirement. Evidence of purchase. |

| | | |
|---------------------------|--|---|
| Powered reclining chair | Actual cost divided by 500 up to a maximum of £3.27 pw | Evidence of purchase. |
| Stair-lift | Actual cost divided by 500 up to a maximum of £5.82 pw | Evidence of purchase without DFG input |
| Hoist | Actual cost divided by 500 up to a maximum of £2.85 pw | Evidence of purchase without DFG input |
| Wear and tear on clothing | Max £5.00 pw if more than £5.00pw is spent on replacements and need is identified in care assessment | Receipts |
| Wear & tear on bedding | Max £2.50pw if need is identified in care assessment | Receipts |
| Incontinence Aids | Not allowed unless identified in the care assessment that NHS supplies cannot be used or are inadequate. | Receipts |
| Chiropodist | Actual cost if identified in Assessment and NHS chiropodist not available. Based on 6 weekly visits. | Receipts |
| Hair Washing | Actual cost of washing & drying allowed where service user is unable to wash their own hair, and hair wash is not part of the care package. Actual average weekly costs up to £7.50/week | Receipts |
| Medical and chemist items | Consider items that should be made available via prescription. Allow cost of annual pre paid prescription divided by 52 weeks or actual cost, whichever is lower. | Receipts. Request for future receipts to be kept if unavailable |
| Travel costs | Costs net of any DLA Mobility Component may be allowed if they are incurred solely or mainly due to disability and the critical need is identified in the care assessment. | Receipts |
| Adaptations to property | Cost net of any Disabled Facilities Grant will be considered if they are critical to the individuals assessed care need, will be taken into account where any capital uses does not have an affect on the assessment. If capital was below the lower threshold then the cost will be allowed over 5 years | Receipts |
| Other Costs | As identified in the care assessment to meet an individuals critical care needs that are not excluded DRE items | Receipts |

Appendix 5 Glossary of Terms

Basic Income Support

This term refers to the basic level of Income Support **or** guarantee level of pension credit (for individuals over pensionable age). The amount considered 'basic' is annually determined by the Department of Work and Pensions.

Charging for Residential Accommodation Guide (CRAG) Published by the Department of Health and available at:

www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance

CRAG offers guidance to Local Government Authorities on financially assessing individuals for contributions to services.

Day Care Services are for the elderly and people with disabilities and offer a range of activities and college tutored courses.

Direct Payments are payments made to an individual to allow them to meet their own support needs rather than services being provided directly by the Council

Guarantee Credit (Pension Credit Guarantee) Replaced Income Support for people over pensionable age. If your income is below a certain level, the guarantee credit makes up the difference.

Home Care/ Home Support services can include:

- Intimate personal care
- Prompting of medication
- Preparation and cooking of food
- Specialised help for service users suffering from Dementia.

Income Support A benefit for people with a low income. It can be paid on its own if you have no other income, or it can top up other benefits or earnings to the basic amount the law states people need to live on.

Intermediate Care is a coordinated short term care arrangement of up to six weeks to enable people to maximise their level of independence in order for them to remain living in the community.

Personal Budgets are an allocation from the Council to an individual eligible for social care support based on an assessment of need. The individual can use this allocation in the most appropriate way to meet his support needs, either by deciding what services the Council should provide, or, if they would like to obtain the services themselves, by receiving a Direct Payment.

Protected income

The non residential financial assessment process will always ensure that individuals whose capital is below the upper capital threshold will retain a level of income equal to the *basic income support* (Explained above) plus a 25% buffer. This is the *Protected Income*.

Savings Credit (Pension Credit Savings)

For people aged 65 and over, this is intended to reward people who have made provisions for retirement above the basic state pension.

Tariff Income

Where individuals have capital of £14,250 or more, but less than £23,250 (based on the 2011 – 12 rates), an assumed level of income (£1 per week for every £250) will be included in the financial assessment. This is called *Tariff Income*.

Appendix B

7 December 2011

Adult Social Care

West Berkshire District Council
West Street House
West Street
Newbury
Berkshire RG14 1BZ

Our Ref: Proposed increases

Your Ref: Pxxxx

Please ask for: Jan Evans

Fax: 01635 503388

e-mail: jevans@westberks.gov.uk

Dear Mrs XXX

Re **Mr XXXX**

I am writing following on from my recent letter regarding the proposals that West Berkshire Council has published for 2012/13, which may impact on the services you receive and the way in which you contribute towards the cost of these services.

The reverse of this letter shows how your current financial assessment would be affected if all of the proposals are implemented.

Details of the nature of the proposals were published on Thursday 24th November through the West Berkshire Council website – see Consultation Finder at www.westberks.gov.uk/research. Alternatively contact Adult Social Care on 01635 519029, leaving your name and address on the dedicated answer phone and we will send out the proposals to you.

Any feedback you may have should be sent to me at the above address by Friday 20th January 2012. Information on the range of alternative ways available to comment on the proposals is also published on the Consultation Finder. We will also be writing to you again to confirm your contribution in March 2012.

We would like to assure you that the services you currently receive will not be affected at this point in time and you will be informed before any changes are made as a result of these proposals.

Yours sincerely,



Jan Evans
Head of Adult Social Care

Service Details

The details of your current care package are as follows:

| | | | | |
|----------------------------|---|----------------------------|---|---------|
| Day Centre | x | 5 Days (NonRes) every week | = | £209.00 |
| Personal Budget Day Centre | x | 1 Day every week | = | £41.80 |
| Personal Budget Day Centre | x | 2 Days every week | = | £83.60 |
| Personal Budget Transport | x | 2 Trips every week | = | £10.50 |
| Personal Budget Transport | x | 3 Trips every week | = | £15.75 |

Total cost of the care package you receive (per week): **£360.65**

Income

| | |
|---|---------|
| DLA Care Middle Rate | £49.30 |
| DLA Mobility Low Rate (<i>value of 19.55 not included in calculation</i>) | £0.00 |
| Income Support | £19.78 |
| Severe Disablement Allowance - high rate | £76.75 |
| Total Income per week: | £145.83 |

Expenditure

General living allowance £120.44

Disability Expenditure

| | | |
|----------------------------|--|---------|
| Extra Laundry | (<i>value of 10.00 not included in calculation</i>) | £0.00 |
| Other (1) | <i>Gateway Club + swimming (value of 7.20 not included in calculation)</i> | £0.00 |
| Other (2) | <i>petrol for parents (value of 10.00 not included in calculation)</i> | £0.00 |
| Total allowances per week: | | £120.44 |

The proposed contribution from April 2012 towards non-residential care services (including respite care) is £25.39 a week. If you believe this proposed assessment will cause significant financial hardship please contact the Welfare Benefit Team on 01635 519004 for a revised assessment.

Agenda Item 11.

| | |
|------------------------------------|---|
| Title of Report: | Quarter 4 Council Performance Report |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report:

1. To report Q4 outturns against the key accountable measures and activities contained in the Council's performance framework
2. To report by exception those measures / activities not achieved or behind schedule and cite remedial action taken and the impact it has had.

Recommended Action:

1. To note progress against the key accountable measures and activities contained in the Council's performance framework.
2. Review those areas reporting as 'amber' to ensure that appropriate corrective or remedial action has been put in place

| Overview and Scrutiny Management Commission Chairman | |
|---|--|
| Name & Telephone No.: | Councillor Brian Bedwell – Tel (0118) 9420196 |
| E-mail Address: | bbedwell@westberks.gov.uk |

| Contact Officer Details | |
|--------------------------------|--|
| Name: | Charlene Myers |
| Job Title: | Strategic Support Officer |
| Tel. No.: | 01635 519695 |
| E-mail Address: | cmyers@westberks.gov.uk |

Executive Summary

1. Introduction

1.1 This report sets out the Council's progress in quarter 4 against its key accountable measures and activities for 2013/14. In doing so, it provides assurance to the Commission that objectives laid out in the Council Strategy and other areas of significance / importance across the Council are being delivered.

1.2 The report appraises progress against a basket of 47 key accountable measures and activities aligned to the objectives set out in the Council Strategy.

1.3 Of this basket of 47, data is available for 46 measures at year end.

- 36 are reported as 'green' – or have been delivered / achieved at year end.
- 9 measures are reported as 'red' – or have not been delivered / achieved at year end.

1.4 Areas where services have more significantly outperformed anticipated outturns over the course of the year include:

- a) Number of active foster carers
- b) Proportion of people supported to move on from short term accommodation into independent living
- c) Number of empty homes brought back into use
- d) Time to determine 'major' planning applications
- e) Time to determine 'other' planning applications

1.5 Reported 'reds' at year end are:

- f) Percentage of Child Protection Reviews carried out on time
- g) Proportion of children becoming the subject of a child protection plan for a second or subsequent time (within 2 yrs of previous plan)
- h) Number of children accessing Short Breaks
- i) Proportion of safeguarding alerts responded to within 24 hrs
- j) Number of repeat safeguarding referrals through the monitoring and review of protection plans
- k) Proportion of older people still at home 91 days after discharge from hospital into reablement/rehabilitation services
- l) Proportion of high priority Disabled Facilities Grants approved within 9 weeks of receipt of full grant application

- m) Number of Berkshire premises able to receive Superfast Broadband services 24Mb/s or above
- n) Proportion of upheld planning appeals is less than the national avg.

1.6 Further information is contained in the main body of the report.

2. Equalities Impact Assessment Outcomes

2.1 There is no decision to be made and therefore no Equality Impact Assessment has been undertaken.

Appendices

Appendix A – Year end Performance Report: Key Accountable Measures and Activities 2013/14.

Consultees

Local Stakeholders: n/a

Officers Consulted: All data / commentary signed off by Heads of Service as minimum, Corporate Board

Trade Union: n/a

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Year end Performance Report:

Key accountable measures and activities 2013/14

Update on progress: Year end 2013/14

compiled by:

Research, Consultation & Performance Team

Strategic Support Unit

westberks.gov.uk/performance

May 2014

For queries contact: Jason Teal (01635 519102 or jteal@westberks.gov.uk)

Purpose of this report

To provide an update on progress against the Council's key accountable measures and activities at year end, 2013/14.

The key measures / activities within this report have been distilled from those routinely monitored and managed through individual service plans to focus more singularly on those which are of particular importance / significance key in delivering the strategic objectives in the Council Strategy and to the ongoing work of the Council as a whole. This report therefore:

- provides assurance to the Executive that the objectives laid out in the Council Strategy are being delivered;
- provides assurance to the Executive that areas of significance / particular importance are performing;
- acts as an early warning system, flagging up areas of significance / particular importance which are not performing - or are not expected to perform - as hoped;
 - and therefore ensures that adequate remedial action is put in place to mitigate the impact of any issues that may arise.

Conventions used in this report

Throughout the report we have used a RAG 'traffic light' system to report progress:

- ★ means we have either achieved / exceeded - or expect to achieve / exceed - what we set out to do;
- ◆ means we are behind schedule, but still expect to achieve or complete the measure / activity by year end;
- indicates that we have either not achieved – or do not expect to achieve - the activity or target within the year;

indicators reported as Ⓞ are annual indicators that can only be reported at a particular point in time – i.e. GCSE results or the road condition survey, whilst;

indicators reported as U are where the quarterly data is not yet available.

Where measures / activities are reported as 'red', an exception report provides a description of why the measure / activity will not be achieved / completed, the impact of not achieving, the remedial action being taken to mitigate the impact of this as well as the revised anticipated year end position.

In total, there are 47 key measures or activities which are appraised by the Executive through this reporting mechanism. These are aligned to the strategic priorities laid out in the Council Strategy.

The main body of the report presents these in more detail. Along with a description of the measure, the table also provides:

- *Column 2*: an indication of whether or not the Council has direct / complete control over the measure.
- *Column 3*: an indication of the impact on either, service users or the community more generally, should the measure not be achieved.
- *Column 4*: the previous year's outturn (including comparative performance) – see below.
- *Column 5*: the current year's target.
- *Columns 6-9*: quarterly outturn and RAG rating.
- *Column 7*: supporting commentary.

Comparative outturns

To complement monitoring progress in absolute terms, this iteration includes a indication of our comparative standing, where possible. This will only relate to standardised, nationally reported measures. By default the data is compared to England as a whole.

Our comparative standing is presented in relation to quartiles, and is included against the previous year's outturn. In some cases a direct, national comparison is not available because it is a local measure.

Because of the timescales involved in central government, compiling, validating and publishing relative statistics, these are only published 6-12 months in arrears. As such, the data we are able to use to compare our relative performance, will ordinarily relate to the previous year.

Commentary on Performance

Across this reporting framework as a whole, 47 key accountable measures and activities are captured in total.

Within Education there are 4 new measures relating to attainment. As a result academic year 2012/13 will set the baseline in order to calibrate aspirations and intended performance in subsequent years. For completeness, however, these are included in the list of key accountable measures; although no RAG ratings will be ascribed this year.

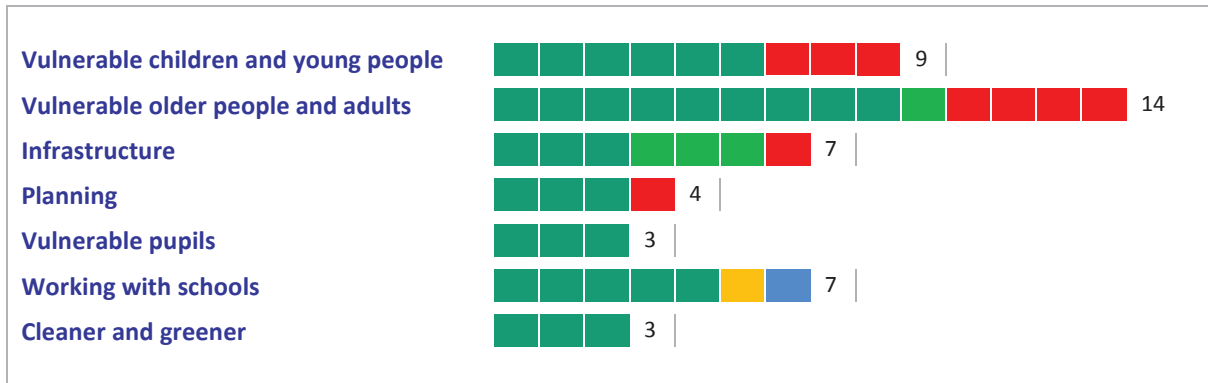
Of the 47 reported measures, outturns are available for 46.

- 36 are reported as 'green' – or have been delivered / achieved at year end.
- 9 measures are reported as 'red' – or have not been delivered / achieved at year end.
- 1 measure is reported as amber. This relates to a measure in Education service (Ofsted inspections). School performance is monitored over an academic, rather than financial, year and as such will conclude at the end of the school year, in July.
- 1 measure is reported as 'annual'. Again this relates to a measure in Education service and is dependent on KS2 results which will be provisionally published in July.

The summary table below shows year end outturns by directorate.

| Overview of performance outturns | 2011/12 | 2012/13 | 2013/14 Year end outturns | | | |
|------------------------------------|-----------|-----------|---------------------------|-----------|-----------|----------|
| | Year End | Year End | Overall | Comm | Env | Res |
| Green | 27 | 45 | 36 | 23 | 10 | 3 |
| Amber | 0 | 0 | 1 | 1 | 0 | 0 |
| Red | 12 | 3 | 9 | 7 | 1 | 1 |
| Annual (yet to be reported) | 0 | 0 | 1 | 1 | 0 | 0 |
| Unavailable at time of publication | 0 | 1 | 0 | 0 | 0 | 0 |
| Total | 39 | 49 | 47 | 32 | 11 | 4 |

This graph summarises the same data against the Council’s priorities.



■ On track / achieved
 ■ Behind schedule
 ■ Unachievable
 ■ Unreported

Within this report on year end performance, it is worth highlighting those areas where outturns have exceeded initial expectations at target setting phase at the start of the year. Below are provided examples of a number of measures from within this basket where performance has more significantly surpassed anticipated outturn.

| <i>List of measures which have more significantly outperformed anticipated outturns</i> | <i>Target</i> | <i>Outturn</i> | <i>Diff.</i> |
|---|---------------|----------------|--------------|
| Proportion of people supported to move on from short term accommodation into independent living | 60% | 77% | +17pp |
| Number of empty homes brought back into use | 30 | 93 | +210% |
| Time to determine ‘major’ planning applications | 60% | 72% | +12pp |
| Time to determine ‘other’ planning applications | 75% | 90% | +15pp |
| Reduction in domestic burglary | -2% | -33% | 31pp |

The measures which are reported as ‘red’ in this report are:

| <i>List of reported red measures / activities: year end 2013/14</i> | <i>Service</i> | <i>Target</i> | <i>Year end outturn</i> |
|---|----------------|---------------|-------------------------|
| <i>Vulnerable children and young people</i> | | | |
| 1. Percentage of Child Protection Reviews carried out on time | CCH&S | 98% | 93% |
| 2. Proportion of children becoming the subject of a child protection plan for a second or subsequent time (within 2 yrs of previous plan) | Children | 5-20% | 3% |
| 3. Number of children accessing Short Breaks | Children | 625 | 613 |
| <i>Vulnerable older people and adults</i> | | | |
| 4. Proportion of safeguarding alerts responded to within 24 hrs | CCH&S | 90% | 87% |
| 5. Number of repeat safeguarding referrals through the monitoring and review of protection plans | CCH&S | <8% | 10% |
| 6. Proportion of older people still at home 91 days after discharge from hospital into reablement/rehabilitation services | ASC | 93% | 87% |
| 7. Proportion of high priority Disabled Facilities Grants approved within 9 weeks of receipt of full grant application | CCH&S | 95% | 92% |

| <i>List of reported red measures / activities: year end 2013/14</i> | <i>Service</i> | <i>Target</i> | <i>Year end outturn</i> |
|--|----------------|---------------|-------------------------|
| Infrastructure | | | |
| 8. Number of Berkshire premises able to receive Superfast Broadband services 24Mb/s or above | ICT | 87% | 82.9% |
| Planning | | | |
| 9. Proportion of upheld planning appeals is less than the national avg. | P&C | <35% | 42% |

More information – outturns, commentary and exception reports - on each of these measures is contained in the main body of this report.

This report is published at westberks.gov.uk/strategyandperformance.

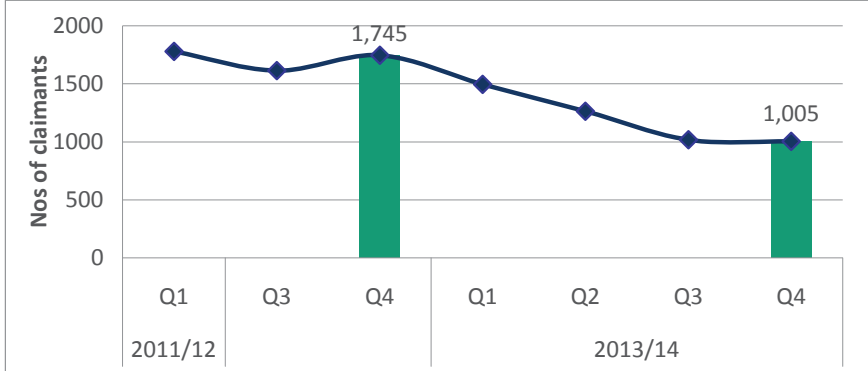
Key accountable measures and activities 2013/14

Year end 2014

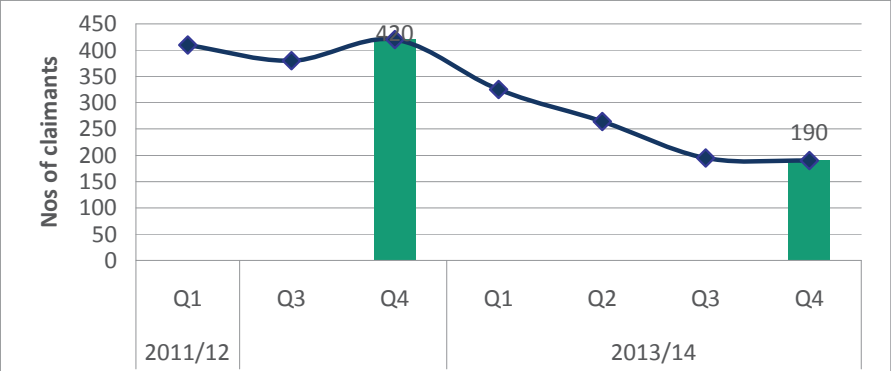
Contextual measures

State of the District: Economy

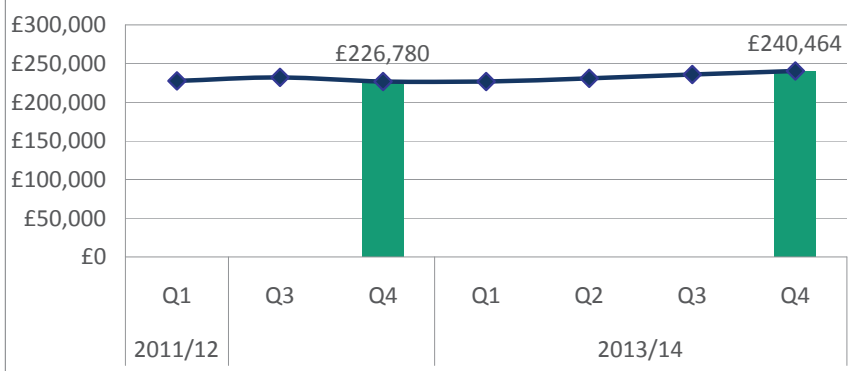
| | |
|-----------------------------------|----------|
| Total claimant count (aged 16-64) | Q4 13/14 |
| | v |
| | Q4 12/13 |
| -42% | |



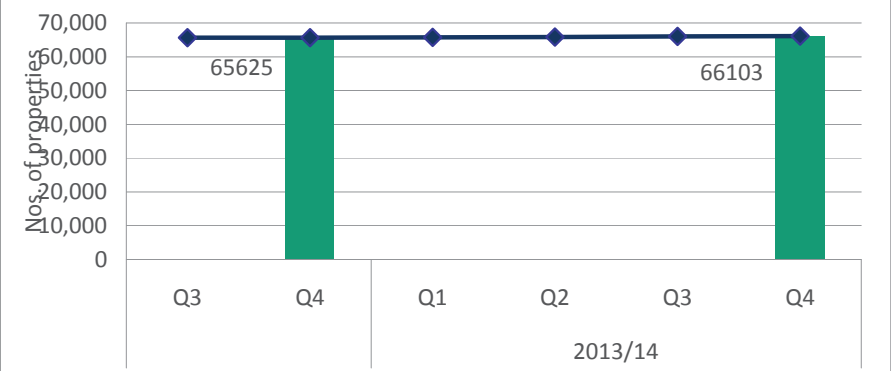
| | |
|-----------------------------------|----------|
| Total claimant count (aged 18-24) | Q4 13/14 |
| | v |
| | Q4 12/13 |
| -55% | |



| | |
|---------------------|----------|
| Average house price | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +6% | |



| | |
|--------------------------|----------|
| Net number of properties | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +1% | |



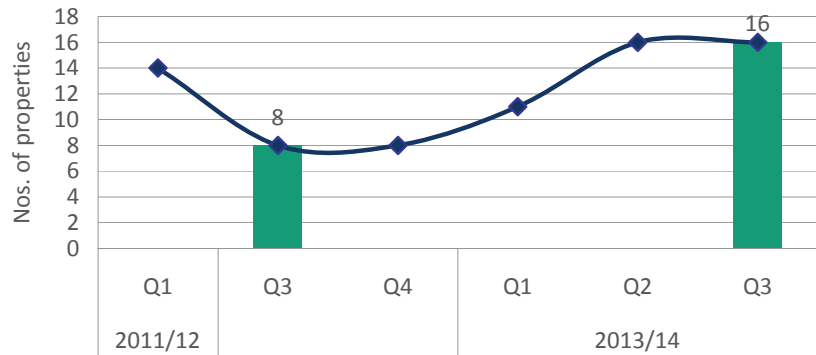
State of the District: Economy

Number of households accepted by the local authority as eligible, unintentionally homeless and in priority need in accordance with the homelessness provisions of the Housing Act 1996.

Q3 '13/14
v
Q3 '12/13

Q4 data unavailable.

+100%

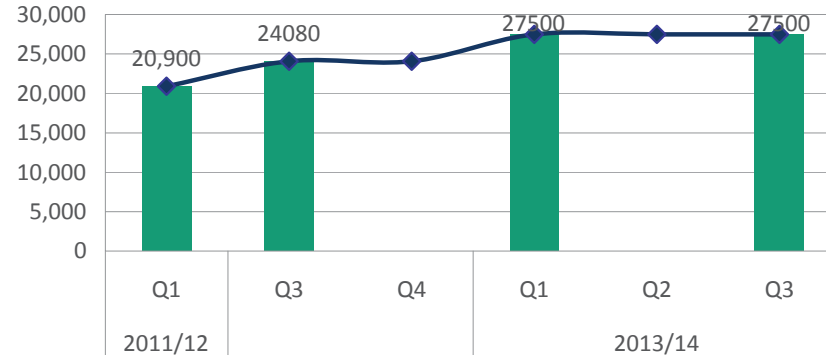


Newbury footfall

Q3 '13/14
v
Q3 '12/13

Data drawn from Footfall Survey (May & Oct each year)

+4%

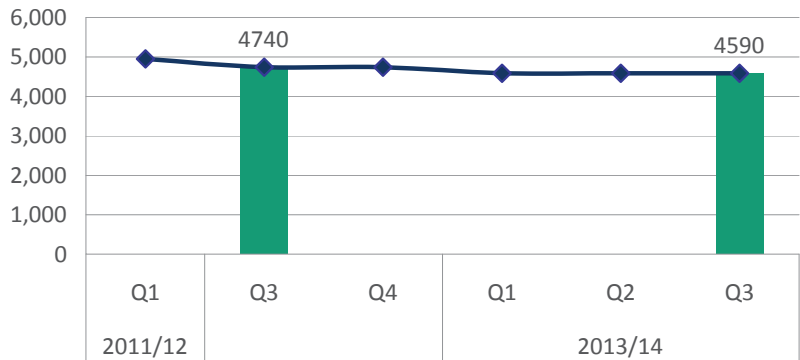


Hungerford footfall

Q3 '13/14
v
Q3 '12/13

Data drawn from Footfall Survey (Oct each year)

-3%

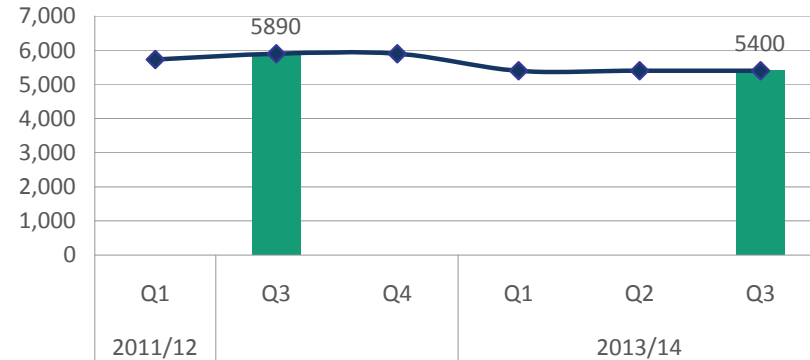


Thatcham footfall

Q3 '13/14
v
Q3 '12/13

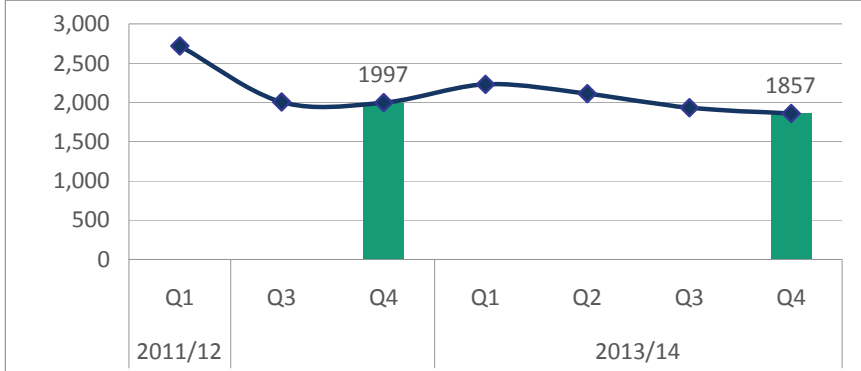
Data drawn from Footfall Survey (Oct each year)

-8%

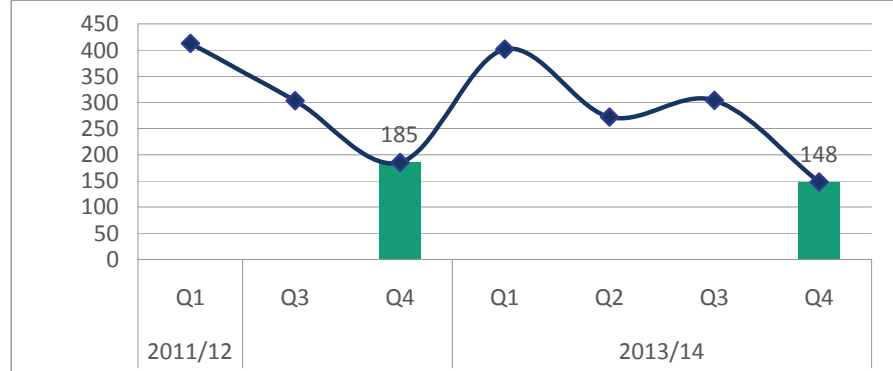


State of the District: Crime

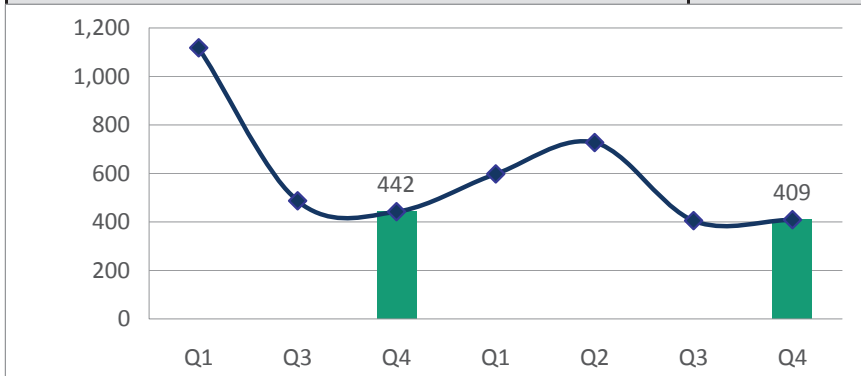
| | |
|---------------------------------|----------|
| Number of crimes reported (All) | Q4 13/14 |
| | v |
| | Q4 12/13 |
| -7% | |



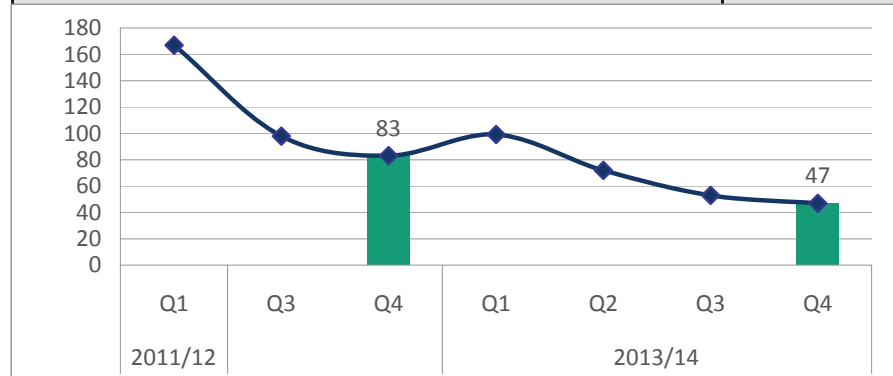
| | |
|--|----------|
| Nos. of serious acquisitive crime incidents reported | Q4 13/14 |
| | v |
| | Q4 12/13 |
| -20% | |



| | |
|----------------------------------|----------|
| Number of ASB incidents reported | Q4 13/14 |
| | v |
| | Q4 12/13 |
| -7% | |



| | |
|---------------------------------|-----------|
| Domestic burglaries (dwellings) | Q3 '13/14 |
| | v |
| | Q3 '12/13 |
| -43% | |

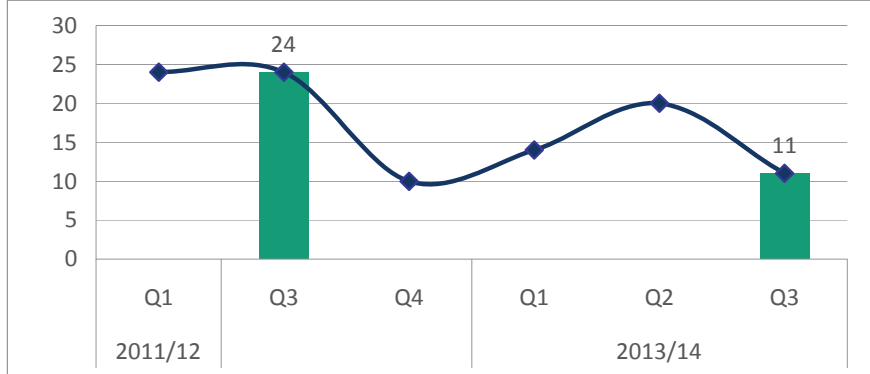


State of the District: Road safety

Number of people killed or seriously injured on roads in West Berkshire (incl. Highway Agency roads)

| | |
|-------------|----|
| Q3 '13/14 | 11 |
| ∨ | |
| Q3 '12/13 | 24 |
| -54% | |

Q4 data unavailable.



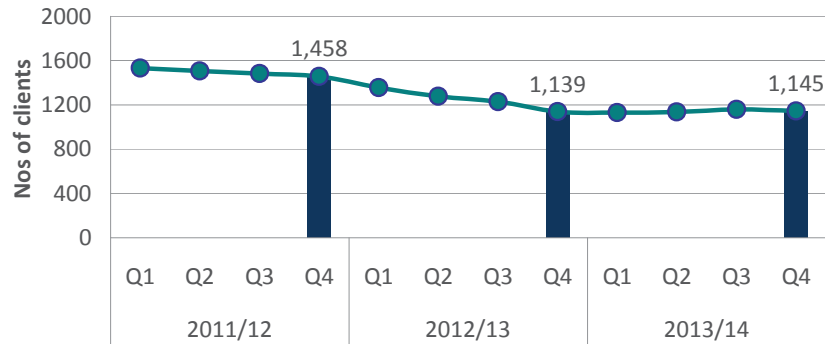
Measures of volume: Communities Directorate

Nos. of clients aged 18 - 64 having received a community based service in the past 12 months, excluding residential/nursing care home

Q4 13/14
v
Q4 12/13

Q4 data is provisional.

+1%

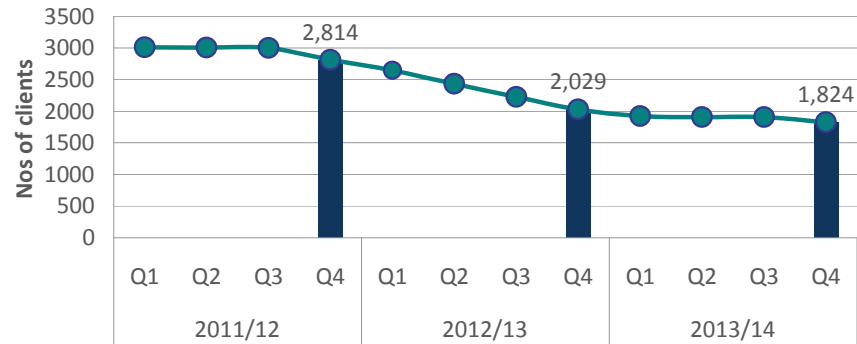


Nos. of clients aged 65 plus having received a community based service in the past 12 months, excluding residential/nursing care home

Q4 13/14
v
Q4 12/13

Q4 data is provisional.

-10%

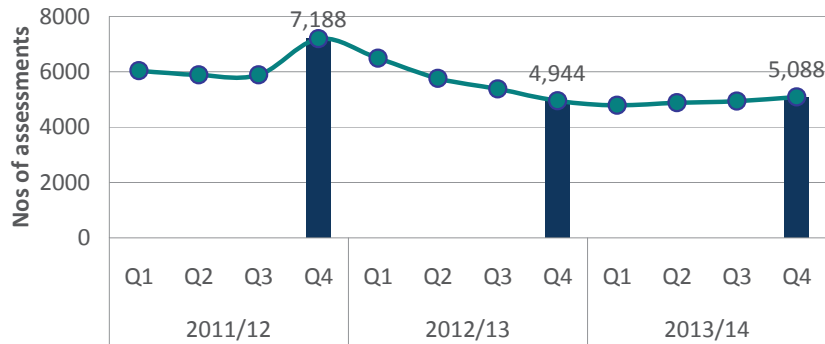


Nos. of social care assessments and reviews completed in the last 12 months

Q4 13/14
v
Q4 12/13

Q4 data is provisional.

+3%

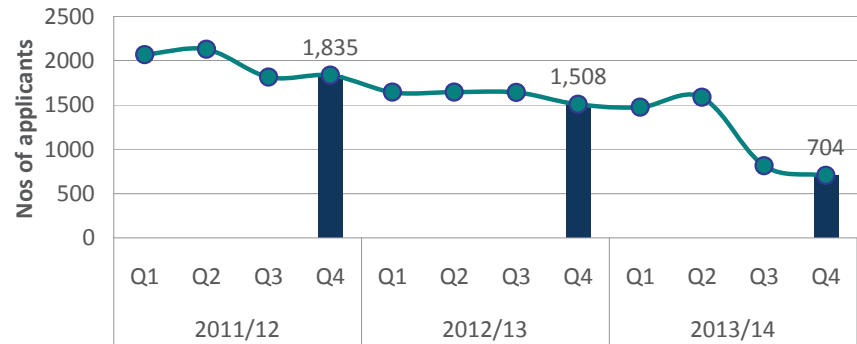


Nos. of live applicants on the Common Housing Register in the reasonable preference group

Q4 13/14
v
Q4 12/13

(Decrease reflects everyone on the housing register being required to re-register between August-November in addition to introduction of qualifying criteria.)

-53%

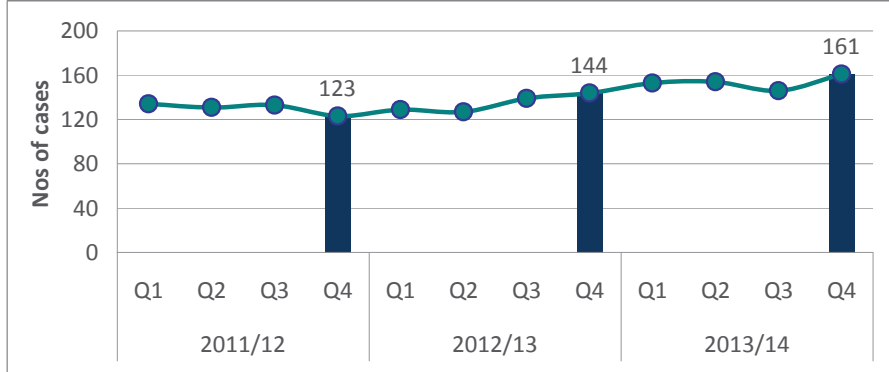


Measures of volume: Communities Directorate

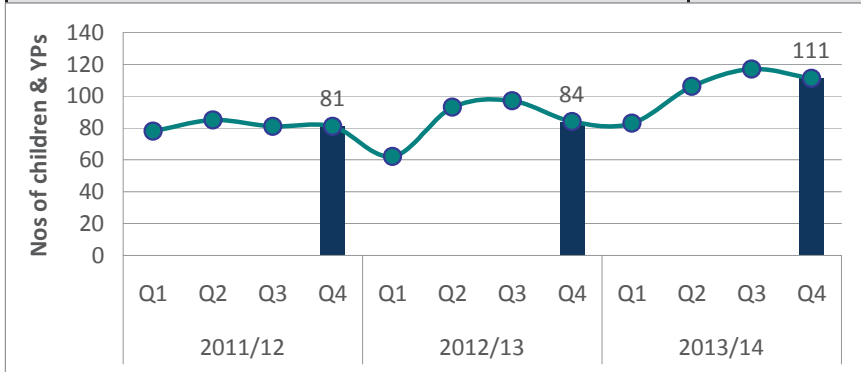
| | |
|---|----------|
| Number of adult safeguarding referrals received | Q4 13/14 |
| | v |
| | Q4 12/13 |
| -33% | |



| | |
|-------------------------------------|----------|
| Nos. of Looked After Children cases | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +12% | |

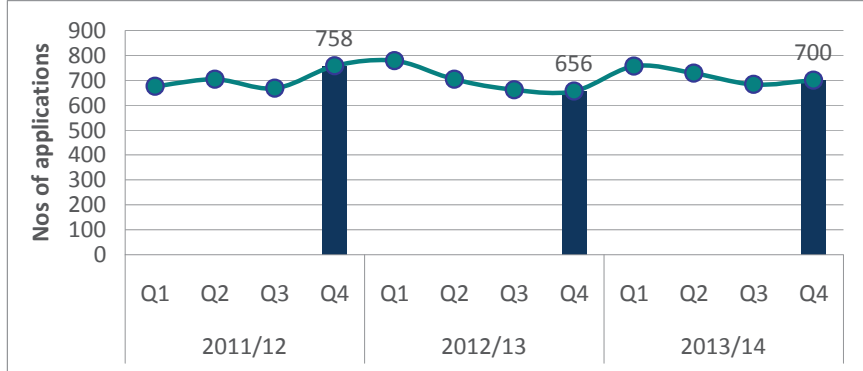


| | |
|--|----------|
| Nos. of children and young people subject to a child protection plan | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +32% | |

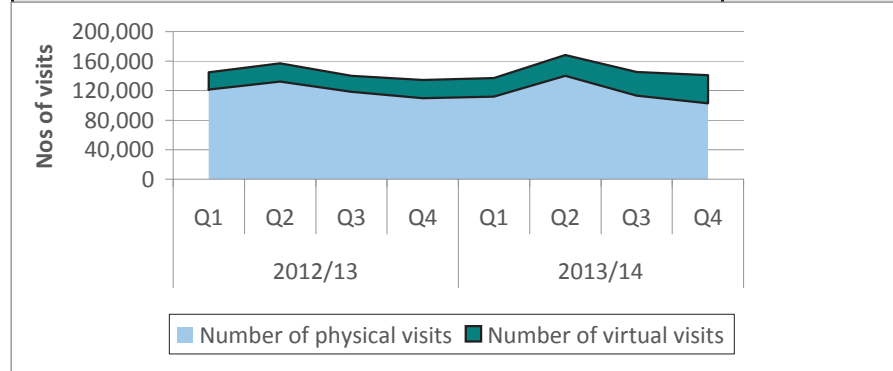


Measures of volume: Environment Directorate

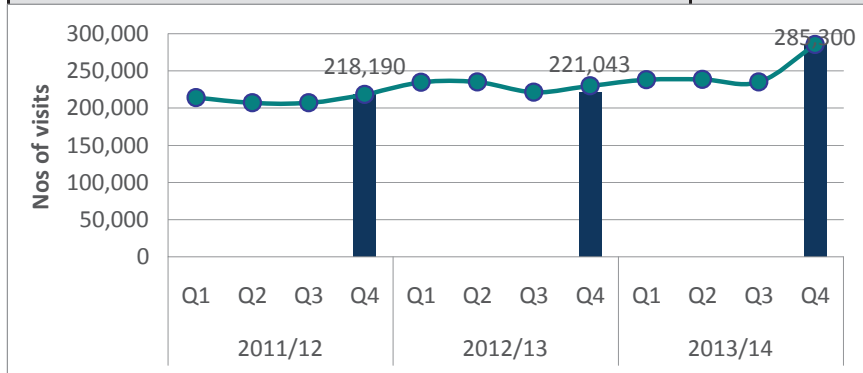
| | |
|--|----------|
| Total nos. of planning applications (Received) | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +7% | |



| | |
|---|----------------|
| Number of visits to library venues (physical / virtual) | Physical: -6% |
| | Virtual +56%: |
| | Q4 v Q4 |

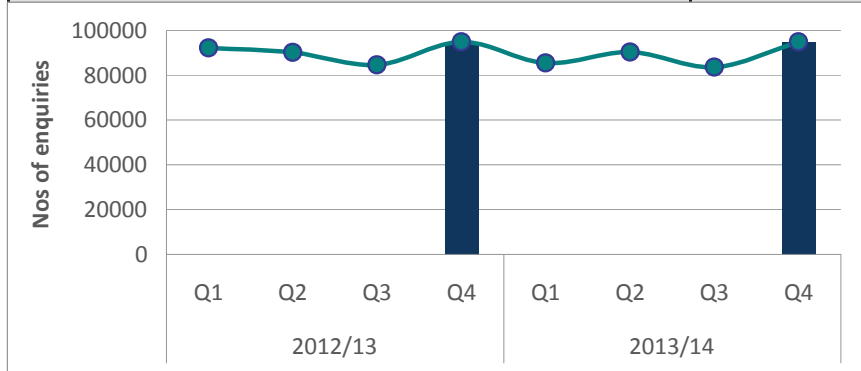


| | |
|--|----------|
| Number of visits to sports and leisure centres | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +24% | |

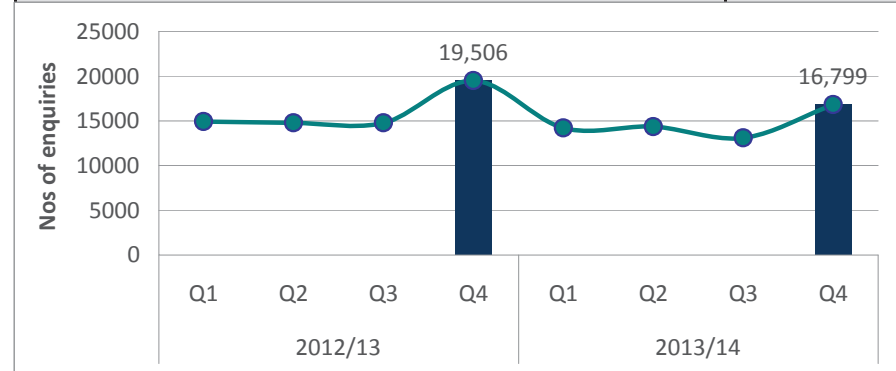


Measures of volume: Resources Directorate

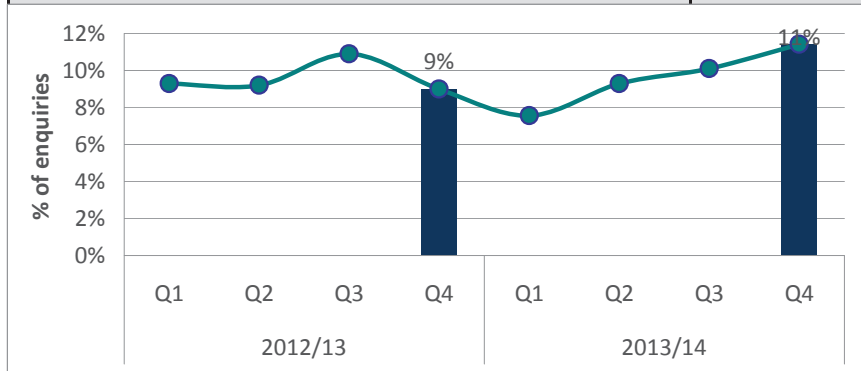
| | |
|--|----------|
| Total nos of enquiries with Contact Centre | Q4 13/14 |
| | V |
| | Q4 12/13 |
| -0% | |



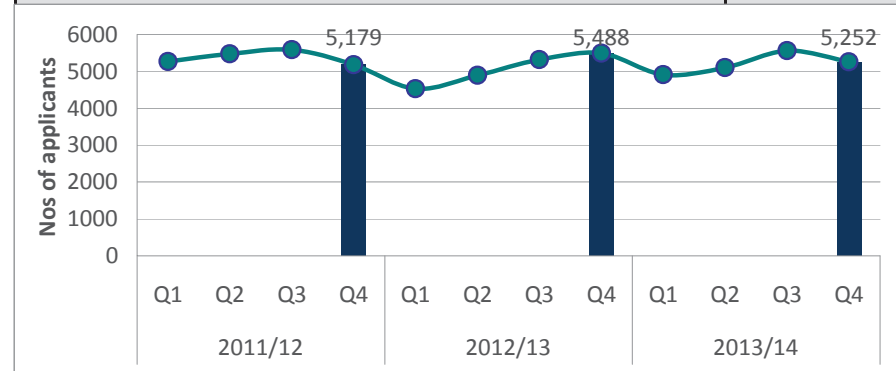
| | |
|---|----------|
| Total nos of Streetcare enquiries (received directly through Contact Centre & online fault reporting) | Q4 13/14 |
| | V |
| | Q4 12/13 |
| -14% | |



| | |
|--|----------|
| % of all enquiries (through Contact Centre and Streetcare) received via web reporting or email | Q4 13/14 |
| | V |
| | Q4 12/13 |
| +27% | |

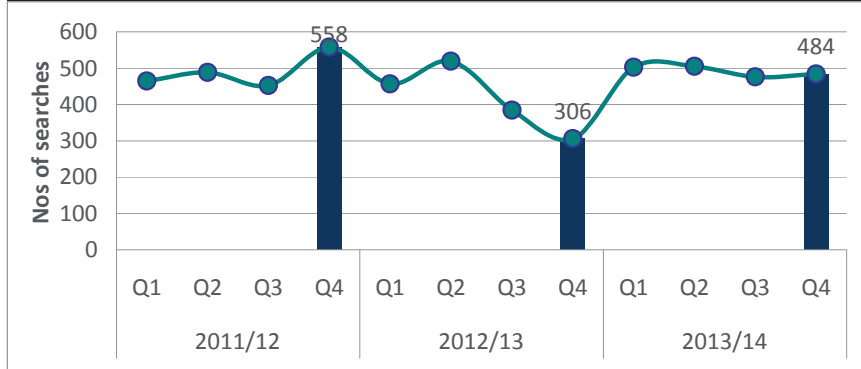


| | |
|--|----------|
| Nos. of helpdesk calls received (requests/incidents) | Q4 13/14 |
| | V |
| | Q4 12/13 |
| -4% | |

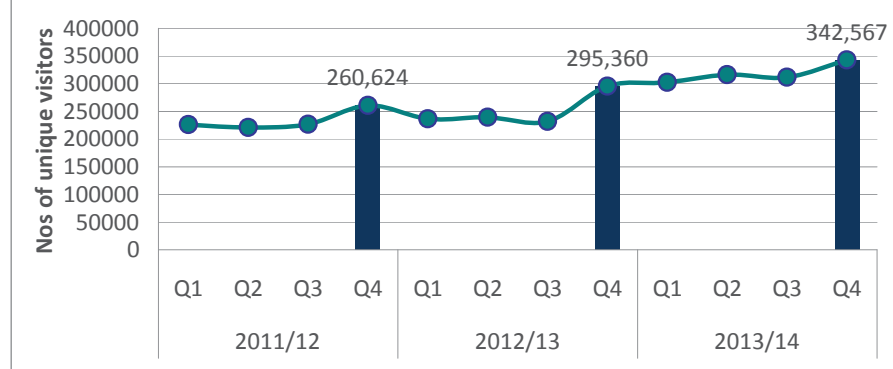


Measures of volume: Resources Directorate

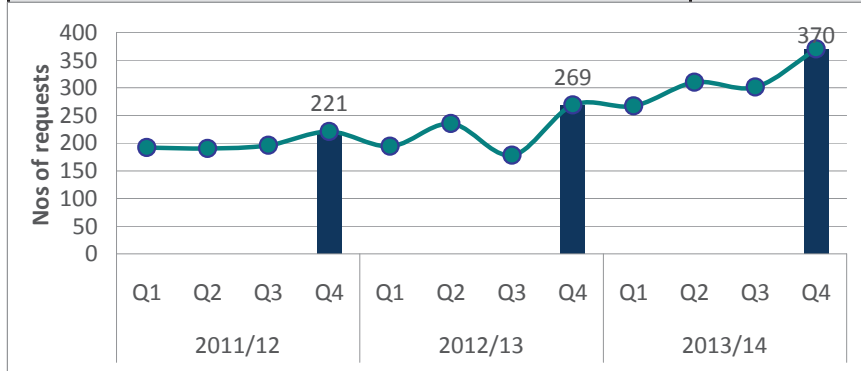
| | |
|--|----------|
| Nos. of local authority searches completed | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +58% | |



| | |
|---|----------|
| Nos. unique visitors to website (excl. staff) | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +16% | |



| | |
|---|----------|
| Nos. of Freedom of Information requests | Q4 13/14 |
| | v |
| | Q4 12/13 |
| +38% | |



Key accountable measures and activities 2013/14

Year end 2014

Performance outturns

2013/14 West Berkshire Council key accountable measures

| Measure / activity | Direct influence | Community / service Impact | 2012/13 Year end outturn | 2013/14 Target | Q1 RAG / outturn | Q2 (YTD) RAG / outturn | Q3 (YTD) RAG / outturn | Year end (YTD) RAG / outturn | Supporting commentary |
|---|------------------|----------------------------|--------------------------|----------------|--------------------|------------------------|------------------------|------------------------------|---|
| CARING FOR AND PROTECTING THE VULNERABLE | | | | | | | | | |
| Vulnerable children and young people | | | | | | | | | |
| Maintain the timeliness of Looked After Children (LAC) reviews carried out on time | Y | Medium | 99% | 98% | ★ 98% | ★ 100% | ★ 99% | ★ 99% | |
| Maintain the percentage of Child Protection Reviews carried out on time | Y | High | 100% 1st Qtile | 98% | ★ 100% | ★ 100% | ★ 100% | ■ 93% | YE: 68 / 73 The small number of clients involved has impacted on this measure. See exception report for details. |
| To maintain a low percentage of child protection plans that last for 2 years or more | Y | Medium | 2.63% 2nd Qtile | <5% | ★ 3% | ★ 2% | ★ 1% | ★ 2% | Q4: 2 / 117 |
| To maintain a low proportion of children becoming the subject of a child protection plan for a second or subsequent time (within two years of previous plan end date) | Y | High | 21% 4th Qtile | 5-20% | ◆ 0% | ◆ 1% | ◆ 1% | ■ 3% | Q4: 5 / 144 See exception report for details. |
| To maintain the % of Initial Assessments within 10 working days until such time as the new single assessment introduced | Y | Medium | 91% 1st Qtile | 80% | ★ 92% | ★ 88% | ◆ 85% | ★ 80% | Q4: 679 / 845 |
| To maintain the number of children accessing Short Breaks | Y | Medium | 626 | 625 | U data unavailable | ◆ 613 | ■ 613 | ■ 613 | A number of new providers started this year and it is taking some time to build up these services. See exception report for details. |
| To increase the total number of active foster carers | Y | High | 61 | 65 | ★ 63 | ★ 65 | ◆ 63 | ★ 73 | |
| To maintain the number of new looked After Children (LAC) placed within 20 miles of their home wherever possible. | Y | Medium | 88% | 80% | ★ 100% | ★ 92% | ★ 89% | ★ 80% | |
| To maintain the percentage of Looked After Children (LAC) with 2 or less placements during the year | Y | High | 94% | 90% | ★ 100% | ★ 98% | ★ 98% | ★ 96% | Q4: 154 / 160 |
| Vulnerable older people and adults | | | | | | | | | |
| Ensure 90% of safeguarding alerts are responded to within 24 hours | Y | High | - | 90% | ◆ 87% | ◆ 88% | ◆ 88% | ■ 87% | YE: 468 / 540 There have been some significant changes in staffing within the core safeguarding team in the last two quarters which means that there has not been the capacity to do routine/ongoing the quality checks on the recording. See exception report for details |
| Reduce the number of repeat safeguarding referrals through the monitoring and review of protection plans | Y | High | 8% | <8% | ★ 6% | ◆ 7% | ◆ 11% | ■ 10% | Q4: 17 / 165 Previous quarters have been confirmed. Concerns about vulnerable adults that resulted in a referral to safeguarding in Q4, were previously referred in Q1 - Q3. This relates to 17 people over the course of the last 12 months. See exception report for details. |

2013/14 West Berkshire Council key accountable measures

| Measure / activity | Direct influence | Community / service Impact | 2012/13 Year end outturn | 2013/14 Target | Q1 RAG / outturn | Q2 (YTD) RAG / outturn | Q3 (YTD) RAG / outturn | Year end (YTD) RAG / outturn | Supporting commentary |
|--|------------------|----------------------------|--------------------------|-------------------------|------------------|------------------------|------------------------|------------------------------|---|
| Increase the proportion of service users receiving a personal budget, either commissioned, cash or a mixture of both | Y | High | 55.7% (685/1230) | 60% of eligible clients | ★ 64% | ★ 64% | ★ 64% | ★ 63% | YE: 1,098 / 1,745 |
| Maintain the proportion of older people still at home 91 days after discharge from hospital into reablement/rehabilitation services | Y | Medium | 93% | 93% | ◆ 89% | ◆ 86% | ■ 85% | ■ 87% | Of recent, the trend has been that more complex patients have been admitted to hospital who, by their nature, are more likely to experience re-admission. See exception report for details. |
| Maintain percentage of financial assessments within 3 weeks of referral to the Welfare Benefits Team | Y | Medium | 99% | 97% | ★ 99% | ★ 99% | ★ 99% | ★ 99% | YE: 2,666 / 2,681 |
| Ensure 95% of claims for Local Welfare Provision are processed within 10 working days | Y | Medium | - | 95% | ★ 100% | ★ 98% | ★ 98% | ★ 95% | YE: 628 / 662 |
| Increase the number of identified carers receiving help or support from the Council | Y | Medium | 300 | 350 | ★ 251 | ★ 285 | ★ 320 | ★ 363 (P) | Provisional data. |
| Maintain the percentage of vulnerable people maintaining independent living through the provision of a housing related support service | Y | High | 99% | 98% | ★ 99% | ★ 99.6% | ★ 98.0% | ★ 97.3% (P) | YE: 2323 / 2388 There have been a number of changes to these services over 13/14. Q4 data is provisional. We are waiting on providers for the actuals. |
| Maintain the percentage of people presenting as homeless where the homelessness has been relieved or prevented | Y | High | 78% | 78% | ★ 87% | ★ 81% | ★ 81% | ★ 81% | YE: 500 / 617 |
| Maintain the number of people supported to move on from short term accommodation into independent living in a planned way | Y | Medium | 63% | 60% | ★ 81% | ★ 77% | ★ 77% | ★ 77% | |
| Approve 95% of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application | Y | High | 99% | 95% | ◆ 100% | ◆ 90% | ◆ 91% | ■ 92% | Q4: 7 / 7 YE: 49 / 53 This measure has affected by the small number of cases involved. See exception report for details. |
| Ensure 75% of claims for Discretionary Housing Payment are determined within 28 days following receipt of all relevant information | Y | High | - | 75% | ★ 81% | ★ 98% | ★ 85% | ★ 84% | YE: 501 / 599 |
| The average number of days taken to make a full decision on new Benefit claims | Y | Medium | 17.8 days | <18.5 days | ◆ 18.8 days | ◆ 18.7 days | ★ 18.3 days | ★ 18.47 days | |
| The average number of days taken to make a full decision on changes in a Benefit claimants circumstances | Y | Medium | 7.0 days | < 8 days | ◆ 8.5 days | ★ 7.7 days | ◆ 8.3 days | ★ 7.58 days | |
| PROMOTING A VIBRANT DISTRICT | | | | | | | | | |
| Infrastructure | | | | | | | | | |
| Ensure that no more than 5% of the principal road network (A roads) is in need of repair | Y | High | 4% 2nd Qtile | <5% | ● Annual | ● Annual | ● Annual | ★ 3% | |

2013/14 West Berkshire Council key accountable measures

| Measure / activity | Direct influence | Community / service Impact | 2012/13 Year end outturn | 2013/14 Target | Q1 RAG / outturn | Q2 (YTD) RAG / outturn | Q3 (YTD) RAG / outturn | Year end (YTD) RAG / outturn | Supporting commentary |
|--|------------------|----------------------------|--------------------------|--------------------|------------------|------------------------|------------------------|------------------------------|---|
| Ensure that no more than 10% of the classified non-principal road network (B and C roads) is in need of repair | Y | High | 6% 2nd Qtile | <10% | ● Annual | ● Annual | ● Annual | ★ 7% | |
| Aim to complete at least 75% of all works orders for permanent pothole repairs within 28 days of the order date. | Y | High | - | 75% | ★ 77% | ★ 77% | ★ 85% | ★ 81% | YE: 267 / 330 |
| Number of Berkshire premises able to receive standard broadband services 2Mb/s or above (Target 100% by 2015) | N | Medium | - | 359,806 (97.1%) | ● Annual | ● Annual | ● Annual | ★ 359,806 (97.1%) | |
| Number of Berkshire premises able to receive Superfast Broadband services 24Mb/s or above (Target 90% by 2015) | N | Medium | - | 322,046 (87.0%) | ● Annual | ● Annual | ● Annual | ■ 307,004 (82.9%) | BT Commercial Programme running a few months late. See exception report for details |
| Continue working in partnership with the Environment Agency, Newbury Town Council and other stakeholders to complete the Newbury Flood Alleviation Scheme. | N | Medium | Year 1 complete | Mar-14 | ★ On track | ★ On track | ★ Complete | ★ Complete | |
| Bring 30 empty homes back into use for by 31/03/14 using the councils framework for engaging with identified empty home owners | N | Medium | 88 | 30 | ★ 20 | ★ 49 | ★ 73 | ★ 93 | |
| Planning | | | | | | | | | |
| 60% of 'major' planning applications determined within 13 weeks. | Y | High | 79% 1st Qtile | 60% | ◆ 56% | ★ 66% | ★ 68% | ★ 72% | YE: 41 / 57 Estimate |
| 65% of 'minor' planning applications determined within 8 weeks. | Y | High | 75.7% 2nd Qtile | 65% | ★ 77% | ★ 70% | ★ 68% | ★ 67% | YE: 267 / 397 Estimate |
| 75% of 'other' planning applications determined within 8 weeks. | Y | High | 91% 1st Qtile | 75% | ★ 92% | ★ 91% | ★ 91% | ★ 90% | YE: 1210 / 1343 Estimate |
| Ensure that the proportion of upheld planning appeals is less than the national average. | Y | Medium | 33% 3rd Qtile | <35% | ◆ 43% | ◆ 39% | ■ 45% | ■ 42% | YE: 31.5 / 75 The national Planning Inspectorate appears to have taken a more permissive stance to some development proposals than the Council has adopted. See exception report for details. |

2013/14 West Berkshire Council key accountable measures

| Measure / activity | Direct influence | Community / service Impact | 2012/13 Year end outturn | 2013/14 Target | Q1 RAG /outturn | Q2 (YTD) RAG / outturn | Q3 (YTD) RAG / outturn | Year end (YTD) RAG / outturn | Supporting commentary |
|--|------------------|----------------------------|--|--------------------------------|-----------------|------------------------|---------------------------------|------------------------------|-----------------------|
| IMPROVING EDUCATION | | | | | | | | | |
| Vulnerable pupils | | | | | | | | | |
| Narrowing the achievement gap between SEN / non SEN scoring level 4 or above in Reading, Writing at the end of KS 2 | N | High | 11-12 acad yr: 52% (EM) | Baseline year for new measure. | ● Annual | ● Annual | ● 57% (RWM) 12/13 acad yr | ● Annual | |
| Increase the proportion of children eligible for FSM who achieve 5+A*-C grades at GCSE (incl English and Maths) | N | High | 11-12 acad yr: 21.9% (FSM) 4th Qtile | 12/13 acad yr: 32% | ● Annual | ● Annual | ★ 32% 12/13 acad yr 3rd Qtile | ● Annual | |
| Reduce the number of people aged 16-18 not in education, employment or training (NEET) | N | High | 3.7% 1st Qtile | <3.4% | ◆ 3.9% | ★ 3.4% | ★ 3.0% | ★ 3.4% | |
| Increase the proportion of YP in jobs with training, including apprenticeships | N | High | 41% | 50% | ★ 9% | ★ 48% | ★ 64% | ★ 58.6% | |
| Working with schools | | | | | | | | | |
| Increase the proportion of pupils gaining 5+ A*-C at GCSE including English and Maths to be above national levels (all schools including special) | N | High | 11-12 acad yr: 57% 3rd Qtile | 12/13 acad yr: 61% | ● Annual | ● Annual | ★ 61.3% 12/13 acad yr 2nd Qtile | ● Annual | |
| Increase the proportion of pupils gaining 5+ A*-C at GCSE including English and Maths to be above national levels (non-academies, not including special) | N | High | 11-12 acad yr: 58.3% (Excl Kennet, PH, St.Bart, Denefield) | 12/13 acad yr: >58% | ● Annual | ● Annual | ★ 66% 12/13 acad yr | ● Annual | |
| Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Reading | N | High | 11-12 acad yr: 87% 2nd Qtile | 12/13 acad yr: >87% | ● Annual | ● Annual | ★ 88% 12/13 acad yr 1st Qtile | ● Annual | |
| Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Writing | N | High | 11-12 acad yr: 82% 2nd Qtile | 12/13 acad yr: >84% | ● Annual | ● Annual | ★ 86% 12/13 acad yr 1st Qtile | ● Annual | |
| Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Maths | N | High | 11-12 AY: 82% 4th Qtile | 12/13 acad yr: >85% | ● Annual | ● Annual | ★ 85% 12/13 acad yr 2nd Qtile | ● Annual | |
| Improve the number of pupils making 2+ levels of progress in reading | N | High | - | Baseline year for new measure. | ● Annual | ● Annual | ● 87% 12/13 acad yr 3rd Qtile | ● Annual | |

2013/14 West Berkshire Council key accountable measures

| Measure / activity | Direct influence | Community / service Impact | 2012/13 Year end outturn | 2013/14 Target | Q1 RAG /outturn | Q2 (YTD) RAG / outturn | Q3 (YTD) RAG / outturn | Year end (YTD) RAG / outturn | Supporting commentary |
|--|------------------|----------------------------|--------------------------|--------------------------------|-----------------|------------------------|-----------------------------------|------------------------------|--|
| Improve the number of pupils making 2+ levels of progress in writing | N | High | - | Baseline year for new measure. | ● Annual | ● Annual | 92% 12/13 acad yr 2nd Qtile | ● Annual | |
| Improve the number of pupils making 2+ levels of progress in Maths | N | High | - | Baseline year for new measure. | ● Annual | ● Annual | 84% 12/13 acad yr 4th Qtile | ● Annual | |
| The proportion of schools judged good or better by Ofsted under the new Framework (harder test) | N | High | 62 | 70% | - | - | ★ 70% (Term 1-2) | ◆ 68% (Term 3-4) | |
| To maintain the number of primary schools below the floor standard at the end of KS2 for at least 2 of the previous 3 years | N | High | None | None | - | - | ● Annual | ● Annual | |
| PROTECTING THE ENVIRONMENT | | | | | | | | | |
| Cleaner and greener | | | | | | | | | |
| Maintain the proportion of household waste recycled/composted/reused | Y | High | 50% 1st Qtile | 49% | ★ 51% | ★ 51% | ★ 50% | ★ 49% (P) | Q4: 9,202 / 19,760 YE: 39,894 / 81,447. Q1 - Q3 results have been amended. Q4 result is an estimate based on partial availability of data and will not be finalised until these results have been validated and confirmed by DEFRA after quarter 4. |
| % of household waste landfilled | Y | High | 17% 1st Qtile | <20% | ★ 17% | ★ 16% | ★ 15% | ★ 17% (P) | |
| Maintain an acceptable level of litter, detritus and graffiti (as outlined in the Keep Britain Tidy local environmental indicators). | Y | High | Good | Good | ● Annual | ★ Good | ★ Good | ★ Good | |

Key accountable measures and activities 2013/14

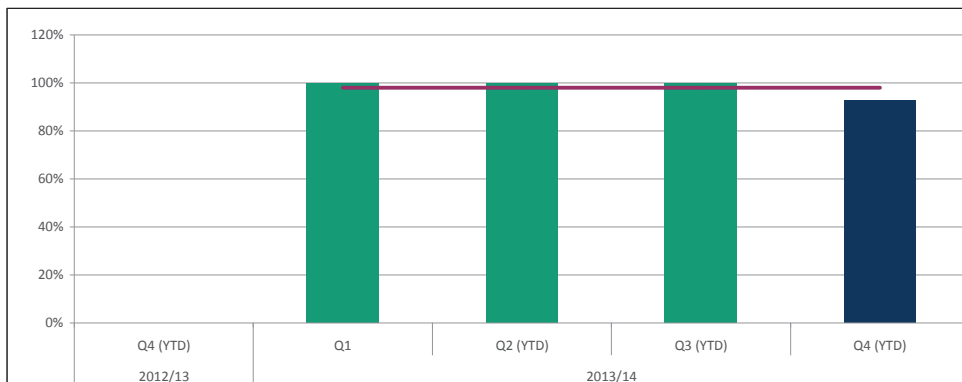
Year end 2014

Exception reports

CCH&S 1: Ensure robust processes in place to respond to safeguarding children and adults alerts

RED

OP1cchs33 - Maintain the percentage of Child Protection Reviews carried out on time



Communities Directorate

Director: Rachael Wardell
Service: CCH&S
HoS: June Graves
Polarity: Higher is better
Unit: Percentage
Frequency: Reported quarterly
Significance: Medium
Public

Commentary: 02-May-14

The small number of clients involved has impacted on this measure.

| | 2011/12 | 2012/13 | 2013/14 | | | |
|---------|----------|----------|---------|----------|----------|----------|
| | Q4 (YTD) | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | - | - | 100% | 100% | 100% | 93% |
| Target | | | 98% | 98% | 98% | 98% |
| YTD n/ | | | 54 | 75 | 88 | 68 |
| YTD /d | | | 54 | 75 | 88 | 73 |
| YTD RAG | | | ◆ | ◆ | ◆ | ■ |

Exception report

UPDATED:

02-May-14

REASON FOR RED: The decrease in percentage is due to three families, with one family having to rearrange an assessment due to circumstances outside of our control – the mother was about to give birth. There was also a miscalculation of dates relating to the other two families made by a new member of the team.

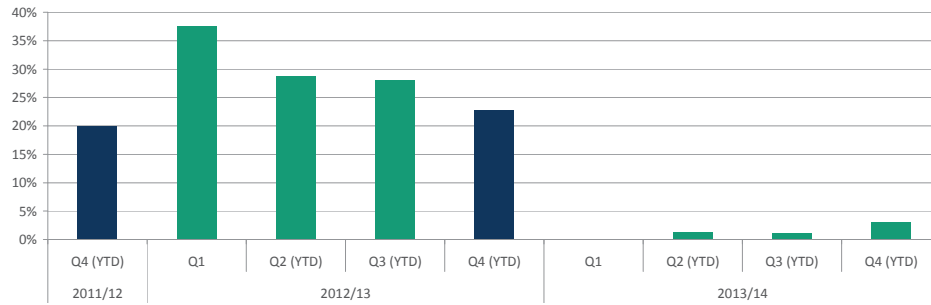
CONSEQUENCES OF NOT ACHIEVING THIS MEASURE: Not completing reviews/assessments on time resulted in the target not being achieved; no significant impact was placed on any of the families involved in this instance.

REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: The team member has been briefed on procedure and timeliness, so as not to make the same mistake again.

VULN 1 - Implement the Munro Review to modernise services to vulnerable children, focussing child protection resources on those children who are at most risk and working in partnership with schools, health and other partners to provide high-quality, preventative support for other vulnerable children and young people and their families.

RED

VULN1chld02 - To maintain a low proportion of children becoming the subject of a child protection plan for a second or subsequent time (within two years of previous plan end date)



Communities Directorate
Director: Rachael Wardell
Service: Children's Services
HoS: Mark Evans
Polarity: Usual to be within a range
Unit: Percentage
Frequency: Snapshot
Significance: High
Public

Commentary: 16-May-14

| | 2010/11 Q4 (YTD) | 2011/12 Q4 (YTD) | 2012/13 | | | | 2013/14 | | | |
|---------|---------------------|---------------------|---------|----------|----------|----------|---------|----------|----------|----------|
| | | | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | - | 20% | 38% | 29% | 28% | 23% | 0% | 1% | 1% | 3% |
| Target | | 20% | 20% | 20% | 20% | 20% | 5-20% | 5-20% | 5-20% | 5-20% |
| YTD n/ | | | 6 | 17 | 33 | 27 | 0 | 1 | 1 | 5 |
| YTD /d | | | 16 | 59 | 118 | 119 | 37 | 75 | 106 | 144 |
| YTD RAG | | | ♦ | ■ | ■ | ■ | ♦ | ♦ | ♦ | ■ |

Exception report

UPDATED:

16-May-14

REASON FOR RED: This is a complex target where we included a lower threshold as we expected to see some children who would need a 2nd plan because of new and changing circumstances in their lives. It was difficult to calibrate as we had no experience of the indicator in it's new format (with a 2 year time limit). Consequently we had less children subject to a 2nd plan than expected, this potentially a positive outcome, but will need to be tested through quality assurance work. It is also difficult to predict numbers when dealing with small cohorts (we predicted 7 children would fall into this category when only 5 did at year end).

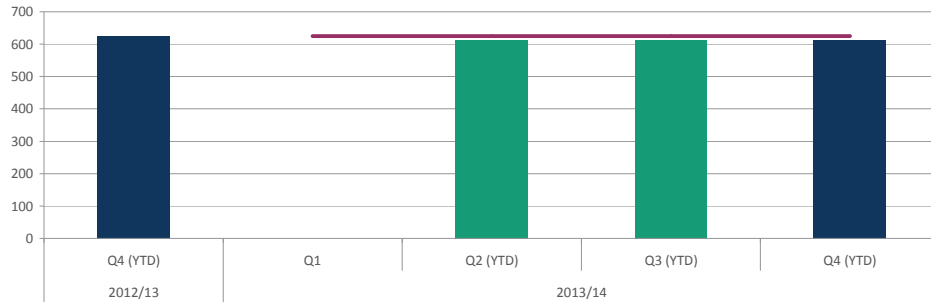
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: None possible

IMPACT OF REMEDIAL ACTION: We are removing the lower threshold for the target in future.

VULN 2 - Pilot personal budgets for disabled children to ensure that services are tailored to individual needs

RED

VULN2chld12 - To maintain the number of children accessing Short Breaks



| | |
|-------------------------|---------------------|
| Communities Directorate | |
| Director | Rachael Wardell |
| Service | Children's Services |
| HoS | Mark Evans |
| Polarity: | Higher is better |
| Unit: | Number |
| Frequency: | Snapshot |
| Significance: | Medium |
| | Public |

Commentary: 07-Feb-14

A number of new providers started this year and it is taking some time to build up these services.

| | 2012/13 | 2013/14 | | | |
|---------|----------|---------|----------|----------|----------|
| | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | 626 | 0 | 613 | 613 | 613 |
| Target | | 625 | 625 | 625 | 625 |
| YTD n/ | - | - | - | - | - |
| YTD /d | - | - | - | - | - |
| YTD RAG | | ♦ | ♦ | ■ | ■ |

Exception report

UPDATED:

07-Feb-14

REASON FOR RED: This was the first year of contracts for new and existing short break services following a tendering process. It was difficult to predict exact numbers of disabled young people who would use them as there were 3 new providers. This measure has only been missed by a very small number and on the whole I think the numbers show that these services are successful in attracting a large number of young people with disabilities who are supported and have fun. A key reason for missing the target can be explained by 1 voluntary sector provider who has failed to deliver on the youth club that they have been running in Calcot for 4 years but folded last summer. Another new provider has taken longer than expected to build up numbers in their sitting service

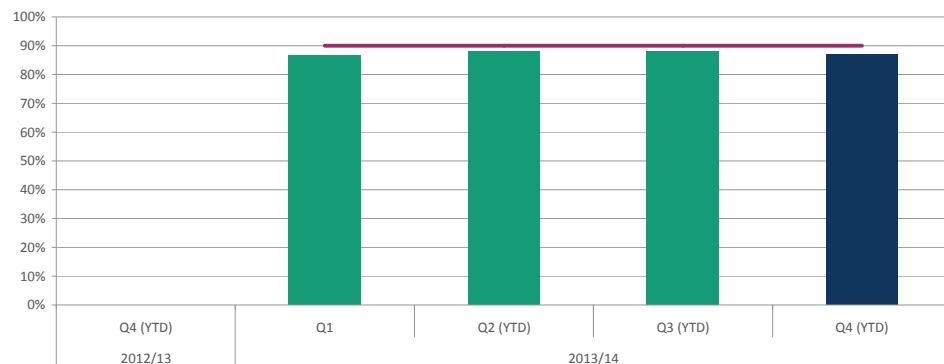
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: I have met with the youth club provider a number of times and despite attempts to re-launch the club this has not been successful. I have now consulted with legal services, and sent out a termination letter. I have also met with the other provider and various promotional activities have taken place. Numbers are slowly increasing.

IMPACT OF REMEDIAL ACTION: This contract for the youth club will now be terminated. I believe that the target should be reduced slightly next year.

CCH&S 1: Ensure robust processes in place to respond to safeguarding children and adults alerts

RED

OP1cchs36 - Ensure 90% of safeguarding alerts are responded to within 24 hours



| Communities Directorate | |
|-------------------------|--------------------|
| Director | Rachael Wardell |
| Service | CCH&S |
| HoS | June Graves |
| Polarity: | Higher is better |
| Unit: | Percentage |
| Frequency: | Reported quarterly |
| Significance: | Medium |
| | Public |

Commentary: 02-May-14

There have been some significant changes in staffing within the core safeguarding team in the last two quarters which means that there has not been the capacity to do routine/ongoing the quality checks on the recording. Overall this is seen as a training issue to be addressed by the new substantive Service Manager who will come into post in July. This is an ongoing priority area and will be monitored closely by the interim manager in the interim period.

| | 2011/12 | 2012/13 | 2013/14 | | | |
|---------|----------|----------|---------|----------|----------|----------|
| | Q4 (YTD) | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | - | - | 87% | 88% | 88% | 87% |
| Target | | | 90% | 90% | 90% | 90% |
| YTD n/ | | | 118 | 242 | 370 | 468 |
| YTD /d | | | 136 | 275 | 422 | 540 |
| YTD RAG | | | ♦ | ♦ | ♦ | ■ |

Exception report

UPDATED:

02-May-14

REASON FOR RED: This PI is intended to quality assure the recording of the action taken in response to a safe guarding alerts by the operational teams and is overseen by the core safeguarding team. There have been some significant changes in staffing within the core safeguarding team in the last two quarters which means that there has not been the capacity to do routine/ongoing the quality checks on the recording. Overall this is seen as a training issue to be addressed by the new substantive Service Manager who will come into post in July. This is an ongoing priority area and will be monitored closely by the interim manager in the interim period.

CONSEQUENCES OF NOT ACHIEVING THIS MEASURE: Reviewing the referrals, it appears there is delay that is purely administrative i.e. work has been done but there is a failure to close the referral off. Secondly, staff are using the stage 1 to record information and actions when it is clear the referral should have been moved on to stage 2. This problem could be largely resolved if the stage 1 and 2 were used primarily to record immediate actions and outcomes and information gathering and investigation were recorded in a proper safeguarding investigation report format made available on RAISE. This will be explored for the future.

As this is mainly a recording issue rather than a response time issue, there is no evidence of direct impact on vulnerable adults.

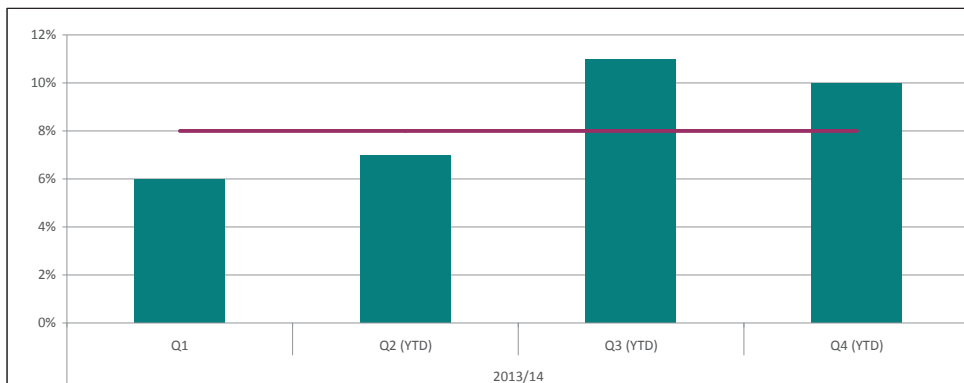
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: The current interim service manager has recently been proactive and meeting intensively with operational teams (Access for all) to ensure correct response and recording to alerts is treated as a priority. A new service manager has been recruited and will be in post from July – the interim posts will focus on improving performance on Q4.

IMPACT OF REMEDIAL ACTION: This PI remains within our service plan for 2014/15 and will be monitored closely over the coming months by the new Service Manager who will take on the lead role in ensuring all appropriate training is in place.

CCH&S 1: Ensure robust processes in place to respond to safeguarding children and adults alerts

RED

OP1cchs35 - Reduce the number of repeat safeguarding referrals through the monitoring and review of protection plans



Communities Directorate
Director: Rachael Wardell
Service: CCH&S
HoS: June Graves
Polarity: Lower is better
Unit: Percentage
Frequency: Reported quarterly
Significance: Medium
Public

Commentary: 08-May-14

Concerns about vulnerable adults that resulted in a referral to safeguarding in Q4, were previously referred in Q1 - Q3. This relates to 17 people over the course of the last 12 months.

| | 2011/12 | 2012/13 | 2013/14 | | | |
|---------|----------|----------|---------|----------|----------|----------|
| | Q4 (YTD) | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | - | - | 6% | 7% | 11% | 10% |
| Target | | | 8% | 8% | 8% | 8% |
| YTD n/ | | | 11 | 12 | 18 | 17 |
| YTD /d | | | 179 | 178 | 169 | 165 |
| YTD RAG | | | ★ | ◆ | ◆ | ■ |

Exception report

UPDATED:

08-May-14

REASON FOR RED: On reviewing the small number of repeat referrals in Q4 these fall into three broad categories,
 1- Chronic, multiple allegations where, for example a person with capacity continues to act unwisely with their finances and they prove difficult to engage / help or where a carer and cared for continue to live together by choice but the carer has their own health or other problems that generate multiple expressions of concerns. These cases are also characterised by a lot of service involvement.
 2- Repeat referrals for the same incident reported by different agencies
 3- Repeat referrals that are entirely unrelated, for example, the behaviour of a daughter towards her mother when visiting her in her care home and a minor assault on the mother by another resident of the care home.

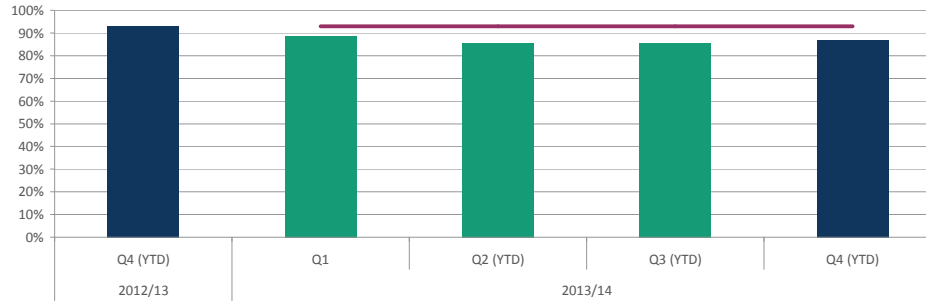
CONSEQUENCES OF NOT ACHIEVING THIS MEASURE:

REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: The Safeguarding Team will continue to monitor repeat referrals and ensure initial action to any safeguarding concerns is robust.

VULN 14 - Target services on helping adults back to independence and recovery, recognising that many can return to independence after a short period of support through reablement and rehabilitation services.

RED

VULN14asc19 - Maintain the proportion of older people still at home 91 days after discharge from hospital into reablement/rehabilitation services



| Communities Directorate | |
|-------------------------|-------------------|
| Director | Rachael Wardell |
| Service | Adult Social Care |
| HoS | Tandra Forster |
| Polarity: | Higher is better |
| Unit: | Percentage |
| Frequency: | Snapshot |
| Significance: | Medium |
| | Public |

| Commentary: 02-May-14 | |
|---|--|
| Of recent, the trend has been that more complex patients have been admitted to hospital who, by their nature, are more likely to experience re-admission. | |

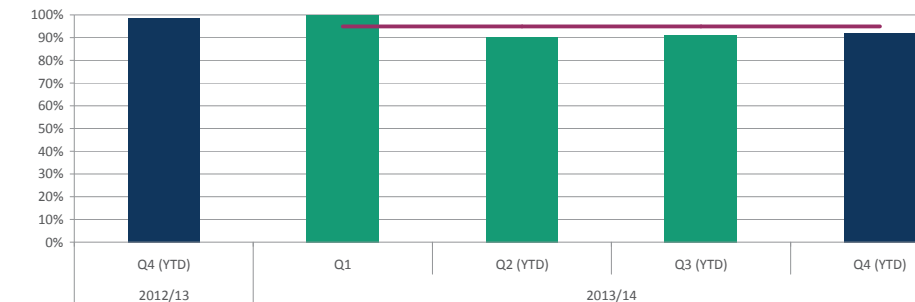
| | 2011/12 | 2012/13 | 2013/14 | | | |
|---------|----------|----------|---------|----------|----------|----------|
| | Q4 (YTD) | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | - | 93% | 89% | 86% | 85% | 87% |
| Target | | | 93% | 93% | 93% | 93% |
| YTD n/ | | | 199 | 189 | 188 | 213 |
| YTD /d | | | 224 | 221 | 220 | 244 |
| YTD RAG | | | ♦ | ♦ | ■ | ■ |

| | | |
|--|-----------------|------------------|
| Exception report | UPDATED: | 02-May-14 |
| <p>REASON FOR RED: We understand that these measures are designed to avoid hospital admissions jointly undertaken by health and social care are having an impact. Of recent, the trend has been that more complex patients have been admitted to hospital who, by their nature, are more likely to experience re-admission.</p> <p>CONSEQUENCES OF NOT ACHIEVING THIS MEASURE: There will be more pressure on services but this is a consequence of more complex patients being admitted to hospital.</p> <p>REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: The proposed work with the Better care Fund Project will enable us to achieve desirable change in this area. This work is primarily targeting better support in the community, 7 days a week and focused on avoiding hospital admissions. We are also proposing that both intermediate care and reablement resources are joined going forward and district nurses can prescribe the reablement support direct to avoid admissions.</p> <p>IMPACT OF REMEDIAL ACTION: There will be focus on achieving better support in the community via the use of better care fund; so that higher percentage of users are enabled at home after 91 days after discharge.</p> | | |

VULN 16 - Continue to work to prevent homelessness offering the widest possible range of options, advice and interventions.

RED

VULN16cchs12 - Approve 95% of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application



| Communities Directorate | |
|-------------------------|--------------------|
| Director | Rachael Wardell |
| Service | CCH&S |
| HoS | June Graves |
| Polarity: | Higher is better |
| Unit: | Percentage |
| Frequency: | Reported quarterly |
| Significance: | High |
| | Public |

Commentary: 02-May-14
 (YTD: 49/53) The indicator is affected by the small number of cases.

| | 2011/12 | 2012/13 | 2013/14 | | | |
|---------|----------|----------|---------|----------|----------|----------|
| | Q4 (YTD) | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | - | 99% | 100% | 90% | 91% | 92% |
| Target | | | 95% | 95% | 95% | 95% |
| YTD n/ | | | 14 | 28 | 42 | 49 |
| YTD /d | | | 14 | 31 | 46 | 53 |
| YTD RAG | | | ◆ | ◆ | ◆ | ■ |

Exception report

UPDATED:

02-May-14

REASON FOR RED: The overall target for the year was 95% and the outturn was 92% - in case numbers this represents a further 1 case that would have been needed to achieve the target. The Council must determine all DFG applications within 6 months of receipt of all paperwork. Where a case has been assessed as high priority, the Housing Service will try to determine the application within 9 weeks of receipt of the full grant application. In 13/14, there have been 4 high priority cases which have not been determined within 9 weeks. All of them fall into one of the following categories:

- Client Contribution – DFG is means-tested and in some cases the client will have to make a financial contribution. In West Berkshire, the adopted Private Sector Housing Policy requires client contributions to be in place before grant approvals are issued. Where it is not supplied with the grant application evidence will be sought from the client that they are able to make the contribution before the approval paperwork is issued.
- Client considering moving – to qualify for a DFG, the client must sign to state that they intend to live in the accommodation for the next five years. Information has come to light, in one or two cases, indicating that the client was considering moving. In these cases, the application has been held, to allow the client time to make the decision, before approval is issued. This ensures that the ongoing residency requirement is met at the point approval is granted.

CONSEQUENCES OF NOT ACHIEVING THIS MEASURE: The Council is well within the statutory timeframes for approving DFG APPLICATIONS,. There are no specific consequences to not achieving this measure

REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: None – the reasons are all justified, reflect a personalised approach to each application and are for the benefit of the clients and contractors. Statutory timescales are being met.

VIB 4 - Lead and deliver the Superfast Berkshire project, as part of a national infrastructure programme, to bring superfast broadband to rural areas of West Berkshire.

RED

VIB4ict02 - Number of Berkshire premises able to receive Superfast Broadband services 24Mb/s or above (Target 90% by 2015)

Commentary: 28 April 2014

Target: 322,046 (87.0%)

YE: 307,004 (82.9%)

BT Commercial Programme running a few months late.

Resources Directorate

Director Nick Carter

Service ICT & Corp. Support

HoS Kevin Griffin

Polarity: Higher is better

Unit: Percentage

Frequency: Reported Annually

Significance: Medium

Public

Exception report

UPDATED:

Commentary: 28 April 2014

REASON FOR RED: The measure of number of homes available to receive Superfast Broadband at the end of Q4 2013/14 is entirely dependent upon the commercial rollout programme being conducted by BT. This programme was scheduled to complete in April 2014 but is now expected to complete in September 2014.

CONSEQUENCES OF NOT ACHIEVING THIS MEASURE: This will inevitably cause frustration in those communities waiting for broadband improvements and some parishes are likely to be concerned about the slower progress of the rollout.

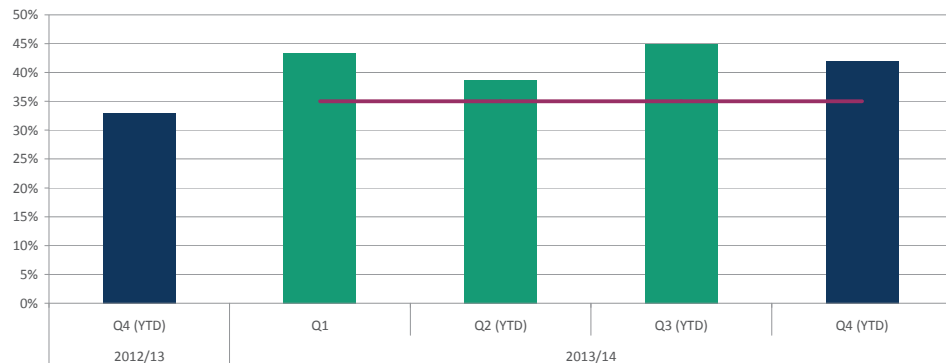
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: We are working closely with BT to ensure that any delays in the programme are not due to processes within any of the 6 Berkshire unitary councils.

IMPACT OF REMEDIAL ACTION: The remedial action is being undertaken alongside the work of the Superfast Berkshire project so will have no impact on resources. We anticipate continued improvement in the availability of superfast broadband and the Superfast Berkshire project is ahead of schedule so this target may well be caught up by the end 2014.

VIB 9 - Provide a responsive planning service with a clear policy framework that balances protection of the environment, economic development and the housing needs of local residents.

RED

VIB9pc09 - Ensure that the proportion of upheld planning appeals is less than the national average.



| Environment Directorate | |
|-------------------------|--------------------|
| Director | John Ashworth |
| Service | P&C |
| HoS | Gary Lugg |
| Polarity: | Lower is better |
| Unit: | Percentage |
| Frequency: | Reported quarterly |
| Significance: | Medium |
| | Public |

Commentary: 07-May-14
 The national Planning Inspectorate appears to have taken a more permissive stance to some development proposals than the Council has adopted. See exception report for details.

| | 2011/12 | 2012/13 | 2013/14 | | | |
|---------|----------|----------|---------|----------|----------|----------|
| | Q4 (YTD) | Q4 (YTD) | Q1 | Q2 (YTD) | Q3 (YTD) | Q4 (YTD) |
| YTD | - | 33% | 43% | 39% | 45% | 42% |
| Target | | | 35% | 35% | 35% | 35% |
| YTD n/ | | | 10 | 16 | 27.5 | 31.5 |
| YTD /d | | | 23 | 40 | 61 | 75 |
| YTD RAG | | | ♦ | ♦ | ■ | ■ |

Exception report **UPDATED:** 07-May-14

REASON FOR RED: The national Planning Inspectorate has chosen to put a different balance into considering development and has taken a more permissive stance to some development proposals than the Council has adopted. This measure is based on a national average figure and, although no adjustment has yet been made at the national level, evidence available is suggesting that there is an increase in the number of allowed Appeals of all types (Public Inquiry 60% allowed - Informal Hearing 43% allowed - Written reps – 33% allowed).

CONSEQUENCES OF NOT ACHIEVING THIS MEASURE: Government may question whether ‘good’ decisions are being made at the local level. There is a general potential that, if found to be behaving unreasonably, the costs incurred by Applicants in their Appeals will have to be paid by the Council.

REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN: An analysis is under way to try to identify if there are decision making issues for Committee and/or Delegated decisions (judgement, policy or process) that need to be addressed or whether WBC figures are simply a reflection of the national situation. There will be a report to Planning Policy Task Group to evaluate the findings. In the mean time, Team Leaders have been asked to take a second look at recommendations for Refusal of developments and the formal reasons for refusal, before decisions are finalised. Close scrutiny of the Council’s appeal statements that are presented is taking place to see if there are any issues with cases and evidence presented.

IMPACT OF REMEDIAL ACTION: As anticipated and explained previously, the remedial action suggested above has not had any impact on the year end figures because any appeals decided in Q4 have been in respect of decisions made some considerable time ago and the position already adopted by the Inspectorate. The measures and assessment will if necessary, impact on the 14/15 year.

End of report

Agenda Item 12.

| | |
|------------------------------------|---|
| Title of Report: | Severe weather scrutiny – proposed activity |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report: To advise the Commission of the intended conduct of the severe weather review.

Recommended Action: To note the contents of the report and agree or amend as necessary.

| Resource Management Select Committee Chairman | |
|---|---|
| Name & Telephone No.: | Councillor Brian Bedwell – Tel (0118) 9420196 |
| E-mail Address: | bbedwell@westberks.gov.uk |

| Contact Officer Details | |
|-------------------------|-----------------------------------|
| Name: | David Lowe |
| Job Title: | Scrutiny and Partnerships Manager |
| Tel. No.: | 01635 519817 |
| E-mail Address: | dlowe@westberks.gov.uk |

Executive Report

1. Introduction

- 1.1 At its meeting of 25 February 2014 the Overview and Scrutiny Management Commission (OSMC) agreed to carry out a review into events surrounding the severe weather that had been experienced in the district, and country, during the winter of 2013/2014.
- 1.2 This report sets out how the review will be addressed, providing proposed Terms of Reference and a broad methodology for their delivery, and details specific activities that will be undertaken.

2. Terms of Reference

- 2.1 It is proposed that the Commission undertakes a review into the effects of and response to the severe weather that affected West Berkshire during the winter of 2013/2014 in order to ensure that the appropriate lessons are learnt and measures put in place to mitigate the effect of future severe weather events. In particular the review will seek to
 - (1) Understand what happened and why
 - (2) Determine whether the plans in place prior to the flooding were effective
 - (3) Identify the lessons that should be learnt
 - (4) Assess the future severe weather risks to the District and the extent to which they might be managed
 - (5) Report to the Executive and others with recommendations as appropriate.

3. Methodology

- 3.1 It is proposed that the review should be undertaken by the full Commission over the course of a series of public meetings.
- 3.2 The meetings will be structured as set out in the schedule at Appendix A.

4. Recommendation

- 4.1 It is recommended that the Commission notes the contents of the report and agrees or amends the proposals as necessary.

Appendices

Appendix A Severe weather review schedule

Appendix A – Severe weather review schedule

| | | | | | |
|-----------------------|---|--|--|---|---|
| Date/time | 8 August 2014 | 1 September 2014 09:30 – 16:30 | 5 September 2014 09:30 – 16:30 | 11 September 2014 13:30 – 16:30 | 15 September 20/14 09:30 – 12:30 |
| Event/location | Report issued to members | Session 1 (Council Chamber) | Session 2 (Council Chamber) | Session 3 (Council Chamber) | Session 4 (Council Chamber) |
| Activity/focus | Background brief | Council services | External agencies | Communities | Drawing conclusions |
| Content | <ul style="list-style-type: none"> Weather overview Event timeline Effect of legislation/roles and responsibilities Governance and response framework Previous scrutiny activity and action taken following 2007 recommendations Climate change – impact and severity | <p>About:</p> <ul style="list-style-type: none"> Preparedness Response Recovery Learning Interagency working Mutual aid MACA Business continuity <p>From:</p> <ul style="list-style-type: none"> Civil Contingencies Highways ASC Education Customer Services Recovery working group | <p>About:</p> <ul style="list-style-type: none"> Preparedness Response Recovery Learning Interagency working Mutual aid Business continuity <p>From:</p> <ul style="list-style-type: none"> RBFRS SSE TVP Thames Water EA Sovereign Military Joint Regional Liaison Officer (JRLO) | <p>Council view:</p> <ul style="list-style-type: none"> Self help model Public understanding <p>Case studies</p> <ul style="list-style-type: none"> Great Shefford Pan Valley Flood Forum | <ul style="list-style-type: none"> Similarities to and differences from previous events Self help Communications Partnership working Preparedness for frequency/severity of weather events |

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Agenda Item 13.

| | |
|------------------------------------|---|
| Title of Report: | Scrutiny annual report |
| Report to be considered by: | Overview and Scrutiny Management Commission |
| Date of Meeting: | 1 July 2014 |

Purpose of Report: To inform the Overview and Scrutiny Management Commission of the scrutiny activity undertaken during the municipal year 2013/2014.

Recommended Action: To note the contents of the report.

| Resource Management Select Committee Chairman | |
|--|---|
| Name & Telephone No.: | Councillor Brian Bedwell – Tel (0118) 9420196 |
| E-mail Address: | bbedwell@westberks.gov.uk |

| Contact Officer Details | |
|--------------------------------|-----------------------------------|
| Name: | David Lowe |
| Job Title: | Scrutiny and Partnerships Manager |
| Tel. No.: | 01635 519817 |
| E-mail Address: | dlowe@westberks.gov.uk |

Executive Report

1. Introduction

- 1.1 This report outlines the scrutiny activity undertaken by the authority in the municipal year 2013/2014. It contains an overview of the year, giving detail on each of the activities undertaken and includes a commentary, where it is possible to give it, on the value that the activity has added.
- 1.2 When agreed, this report will be presented to Full Council on 22 July 2014.

2. Overview of the last twelve months

- 2.1 This year has seen the dissolution of the Health Scrutiny Panel and the Resource Management Working Group. The activity that was scheduled to be undertaken by these two bodies transferred (in the main) to the Overview and Scrutiny Management Commission, which had its membership expanded from twelve to sixteen.
- 2.2 The Commission has carried out scrutiny on sixteen topics, three of which were call-ins, perhaps the most high profile and in-depth being the review of Adult Social Care eligibility criteria. In addition there was, of course, its standing examination of performance activity and financial outturn.

3. Activity in detail

- 3.1 *Schools performance.* The Commission explored the reasons behind the drop in English and maths GCSE attainment in the Districts' schools during 2012. Evidence was received from the Head of Education and the headteachers of John O Gaunt and Trinity schools.

Added value. The review showed that the causes of the drop in performance were complex. The Commission was reassured that appropriate action was being taken to make improvement.

- 3.2 *Youth justice.* The Commission considered an evaluation of the effect of the introduction by Thames Valley Police of the Youth Restorative Disposal and Youth Cannabis Warning.

Added value. Concerns that the introduction of Youth Restorative Disposals and Youth Cannabis Warnings were being used to skew crime figures were allayed and the Commission was satisfied that they were being appropriately applied.

- 3.3 *Schools early years and placement strategy.* As part of the consultation for the adoption of the strategy, the Commission gave its view on a number of aspects of it.

Added value. A number of recommendations were made to the Executive and work was followed up by the Commission itself.

- 3.4 *Housing allocations policy.* A small task group worked with officers in the Housing Service to develop a new policy for the allocation of housing.

Added value. The task group was able to influence and guide the content of the policy, supporting the shift to a focus on genuine need.

- 3.5 *Homelessness review and strategy.* The decision of the Executive to adopt the review and strategy was reviewed, following its call-in.

Added value. Detail was provided to the Commission that aided public understanding of the rationale for the adoption of the strategy.

- 3.6 *Fire Service.* In response to reports in the local media that targets for attendance at incidents were being missed, the Commission received information from the Fire and Rescue Service on its coverage, manning and deployment in West Berkshire.

Added value. Through its evidence to the Commission, the Royal Berkshire Fire and Rescue Service was able to demonstrate that despite the relatively poor results in one particular aspect of its performance, overall the safety of the West Berkshire had improved year on year since 2002.

- 3.7 *Disposal of assets of community value.* The Commission considered the mechanism through which assets that had been identified by communities as having local value, such as the Control Tower at Greenham, would be disposed of by the authority.

Added value. A number of refinements were made to the process to ensure transparency and consistency.

- 3.8 *Performance management in primary healthcare.* An item transferred from the Health Scrutiny Panel, the Commission sought assurance that the performance monitoring regime in place for Primary Care Trusts was maintained following their succession by Clinical Commissioning Groups.

Added value. An understanding which informed the wider public awareness, was gained by the Commission of the performance monitoring arrangements in place for primary care.

- 3.9 *Medium Term Financial Strategy (MTFS).* A legacy item from the Resource Management Working Group, the Commission reviewed whether the MTFS remained fit for purpose.

Added value. The consideration of the MTFS by the Commission contributed to the document's wider consultation prior to its adoption.

- 3.10 *Blue Badge Improvement Scheme.* Another item from the Resource Management Working Group, the Commission sought to understand the operation of new scheme.

Added value. The examination demonstrated that there was no scope for the local determination of charges to allow the scheme to be financially self sustaining.

- 3.11 *Continuing Health Care (CHC).* The Commission examined concerns that an undue funding burden was being borne by the Council due to delays in CHC assessments.

Added value. The examination of the subject by the Commission prompted management action to address some of the systemic difficulties encountered in the assessment process

- 3.12 *Adult Social Care eligibility criteria.* A task group conducted a review to determine if the Council's application of a threshold of 'critical' for eligibility for Fair Access to Care Services was in anyway discriminatory or otherwise unlawful.

Added value. The review was able to inform the Council's determination that the 'critical' threshold was not discriminatory, thereby supporting its defence should any challenge be made through Judicial Review.

- 3.13 *A4 Calcot widening improvements.* The decision of the Executive to approve the adoption of the scheme was reviewed, following its call-in.

Added value. Road safety concerns were publicly aired and a recommendation was made to the Executive Member for Highways that a review of the scheme's operation be carried out 2 years after its implementation.

- 3.14 *Newbury on-street parking.* The decision of the Executive Member for Highways to approve the adoption of the scheme was reviewed, following its call-in

Added value. The Executive Member for Highways was requested to consider a phased introduction of the scheme, in order to assess the impact of each element as it was introduced.

- 3.15 *Home to school transport policy.* The Commission considered the changes that had been made to the policy following a radical re-write.

Added value. The Commission was able to obtain assurance that the revised policy would not have any unforeseen, or unwelcome, consequences.

- 3.16 *Welfare changes.* As more changes were being implemented, the Commission considered the impact of them locally.

Added value. The Commission was able to determine that there were a number of effects that were being felt locally and a number of recommendations were made to the Executive.

4. Recommendation

- 4.1 It is recommended that the Commission notes the contents of the report.

Appendices

There are no Appendices to this report.