

# Notice of Meeting

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# Executive

**Thursday, 27 March, 2014 at 5.00pm**

**in the Council Chamber, Council Offices,  
Market Street, Newbury**

Date of despatch of Agenda: Tuesday, 19 March 2014

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Stephen Chard / Linda Pye on (01635) 519462 / 519052

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West Berkshire  
COUNCIL

## Agenda - Executive to be held on Thursday, 27 March 2014 (continued)

<b>To:</b>	Councillors Pamela Bale, Dominic Boeck, Hilary Cole, Roger Croft, Marcus Franks, Alan Law, Gordon Lundie, Joe Mooney, Irene Neill and Graham Pask
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# Agenda

## Part I

	Pages
1. <b>Apologies for Absence</b> To receive apologies for inability to attend the meeting (if any).	
2. <b>Minutes</b> To approve as a correct record the Minutes of the meeting of the Committee held on 13 February 2014.	1 - 8
3. <b>Declarations of Interest</b> 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' <a href="#">Code of Conduct</a> .	
4. <b>Public Questions</b> Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution. <i>(Note: There were no questions submitted relating to items not included on this Agenda).</i>	
5. <b>Petitions</b> Councillors or Members of the public may present any petition which they have received. These will normally be referred to the appropriate Committee without discussion.	

## Items as timetabled in the Forward Plan

	Pages
6. <b>West Berkshire Pupil Achievement 2013 (EX2792)</b> (CSP: 3) <i>Purpose: To inform Members of school performance in 2013.</i>	9 - 32
7. <b>Voluntary Sector - Prospectus Adult Social Care (EX2741)</b> (CSP: 1 and 5) <i>Purpose: To report on findings of the consultation on the proposal to introduce an outcomes focused grants prospectus to manage the investment in the voluntary sector by Adult Social Care.</i>	33 - 50



West Berkshire  
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## Agenda - Executive to be held on Thursday, 27 March 2014 (continued)

8. **Annual Report on Complaints Activity in Children's Social Care 2012-13 (EX2775)** (CSP: 1, 8 and 9)  
*Purpose: To report on the statutory complaints process for 2012/2013.*

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9. **Non Domestic Rating - Discretionary Rate Relief (EX2782)** (CSP: 1, 5 and 7)  
*Purpose: The purpose of this report is for the Executive to consider the Council's policy for discretionary rate relief, which was established in May 2009, in the light of the changed funding arrangements in the rate retention scheme; and to establish the Council's policy for relief introduced in the Chancellors Autumn Statement. Linked to both is the establishment of an appeals process.*

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10. **Key Accountable Measures and Activities 2013/14. Update on progress: Q3 (EX2648)** (CSP: 1, 2, 3, 4 and 9)  
*Purpose: To report quarter three outturns against the key accountable measures and activities contained in the 2013/14 Council performance framework and to report by exception those measures / activities, not achieved or behind schedule and cite remedial action taken and the impact it has had.*

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11. **Proposed variation to the Trading Standards Shared Service Agreement (EX2816)** (CSP: 6 and 8)  
*Purpose: To obtain approval from the Executive to vary and extend the current shared service agreement with Wokingham Council to align it with the Environmental Health and Licensing Shared Service agreement.*

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12. **Strutt & Parker's Developers Submissions & Recommendation on Development Partner for the London Road Industrial Estate Regeneration (EX2713a)** (CSP: 2 and 4)  
*Purpose: To note that Strutt & Parker are able to make a clear recommendation to the Council as to whom the Council should choose as its development partner in order to secure both enhanced revenue and regeneration of the London Road Industrial Estate (LRIE) and subject to satisfactorily agreeing the terms of any development agreement, that the Council will be in a position by mid Summer to enter into contract with its preferred development partner.*

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## Agenda - Executive to be held on Thursday, 27 March 2014 (continued)

### 13. Members' Questions

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(a) **Question to be answered by the Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Visions submitted by Councillor Keith Woodhams**

*"In the light of the comments on the front page of the NWN 13 March 2014, 'Penalty tribunal rules against bridge fines' can the Executive Member for Highways & Transport tell me if she will heed the Traffic Penalty Tribunals findings and correct the signage on the approach to Park Way bridge or ignore their advice?"*

(b) **Question to be answered by the Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Visions submitted by Councillor Keith Woodhams**

*"Can the Executive Member for Highways & Transport tell me why Crookham Hill and the Boundary Road bridge were closed at the same time, causing severe delays for motorists on the A4 and other routes around Thatcham and Newbury?"*

(c) **Question to be answered by the Leader of the Council submitted by Councillor Keith Woodhams**

*"Will the Leader of West Berkshire Council, apologise to motorists and voters for the insulting comments made by his former Executive Member for Highways & Transport, when he said publicly that he blamed the "stupidity" of motorists and "some people just drive about with their eyes shut" and more recently when he was invited by the NWN to comment about the adjudicators ruling that signs are "not adequately clear" etc on Park Way bridge, responded by saying that his views were unprintable?"*

### 14. Exclusion of Press and Public

RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following items as it is likely that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item. [Rule 9.10.4 of the Constitution refers.](#)

## Part II

15. **Strutt & Parker's London Road Industrial Estate Developers Submissions & Recommendation on Development Partner (EX2713b)** 149 - 206

*(Paragraph 3 – information relating to financial/business affairs of particular person)*

*(CSP: 2 and 4)*

*Purpose: To present the Strutt & Parker London Road Industrial Estate (LRIE) Developers Submissions and Recommendations on Development Partner Report and to acknowledge the contents of the report which demonstrates clearly a preferred candidate with whom the Council, subject to contract signing, can enter into partnership in order to secure enhanced estate revenue and regeneration of the LRIE.*

Andy Day  
Head of Strategic Support

### West Berkshire Council Strategy Priorities and Principles

#### Council Strategy Priorities:

**CSP1** – Caring for and protecting the vulnerable

**CSP2** – Promoting a vibrant district

**CSP3** – Improving education

**CSP4** – Protecting the environment

#### Council Strategy Principles:

**CSP5** – Putting people first

**CSP6** – Living within our means

**CSP7** – Empowering people and communities

**CSP8** – Transforming our services to remain affordable and effective

**CSP9** – Doing what's important well

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**EXECUTIVE****MINUTES OF THE MEETING HELD ON  
THURSDAY, 13 FEBRUARY 2014**

**Councillors Present:** Pamela Bale, Dominic Boeck, Hilary Cole, Roger Croft, Marcus Franks, Roger Hunneman, Alan Law, Gordon Lundie and Joe Mooney

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), Rachael Wardell (Corporate Director - Communities), Councillor David Allen, Councillor Jeff Brooks, Councillor Adrian Edwards, Moira Fraser (Democratic and Electoral Services Manager), Councillor Royce Longton, Councillor Alan Macro, Councillor Gwen Mason, Linda Pye (Policy Officer), Robin Steel (Group Executive (Cons)), Councillor Quentin Webb and Councillor Keith Woodhams

**Apologies for inability to attend the meeting:** Councillor Irene Neill and Councillor Graham Pask

**PART I****68. Minutes**

The Minutes of the meeting held on 16<sup>th</sup> January 2014 were approved as a true and correct record and signed by the Leader.

**69. Declarations of Interest**

There were no declarations of interest received.

**70. Public Questions**

There were no public questions submitted.

**71. Petitions**

Antoinette Earl presented a petition containing in excess of 1300 signatures relating to Saving Pangbourne Library. The petition was referred to the Head of Culture and Environment for a response.

**72. Financial Performance Report - Quarter Three 2013/14 (EX2670)**

The Executive considered a report (Agenda Item 6) concerning the latest financial performance of the Council as at Quarter 3.

Councillor Alan Law confirmed that the forecast revenue underspend for the 2013/14 financial year was £183k which was a movement of £444k from Quarter 2 when an overspend of £261k was reported.

In the Communities Directorate, Children's Services were forecasting an overspend of £230k as a result of the level of Looked After Children and supported children. In order to address the increased projected overspend, expenditure across Children's non-placement budgets and all Communities Services' budgets was being reprofiled. Education Services was forecasting an underspend of £51k at year end which was an increase of £21k. This had been achieved through reductions in costs associated with Disabled Children's Placements.

In Environment, Highways and Transport were forecasting a pressure of £290k which was mainly due to an increased forecast in the Emergencies budget as a result of the

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recent storms and flooding and this figure would only increase given the continuing problems with flooding.

In the Resources Directorate, Strategic Support were now forecasting an underspend position of £136k which was due to Public Health being able to fund the Domestic Abuse Co-ordinator post along with contributions towards Shopmobility and Relate all of which were delivering Public Health outcomes in the current year. Increased Land Charges income had continued to be reported as had unexpected income from Government for things such as IER and Community Right to Bid.

The Capital Programme for 2013/14 was 85% committed as at the end of December 2013. £0.8m of the Capital Programme was now expected to be re-profiled into 2014/15.

The report indicated that financial performance had been well managed despite a challenging economic climate.

Councillor Jeff Brooks noted that the underspend position continued to grow and he asked if any thought had been given as to how that underspend would be utilised in the final budget preparations. Councillor Law confirmed that a detailed answer to that question would be provided at the Council meeting on 4<sup>th</sup> March 2014.

Councillor Royce Longton referred to paragraph 1.8 in Appendix 2b. He noted that the Culture and Environmental Protection Service was reporting an underspend of £204k despite pressures in Adventure Dolphin and a payment from Kennet School which had not been received. He asked how that underspend had been achieved and whether there had been service cuts as a consequence. Councillor Hilary Cole confirmed that she did not have that information to hand and would provide a written response.

**RESOLVED** that the report be noted.

**Reason for the decision:** To ensure that Members are fully aware of the financial position for the Council.

**Other options considered:** None.

### 73. **West Berkshire Council Strategy: Refresh 2014/15 (C2744)**

The Executive considered a report (Agenda Item 7) concerning the refreshed Council Strategy for 2014/15. Councillor Roger Croft in introducing the item explained that this was the third iteration of the strategy and this year only minor amendments were being proposed. He also explained that the finance section would be updated once the final budget was approved at the full Council meeting in March 2014.

Councillor Croft explained that the Council's four priorities namely : caring for and protecting the vulnerable, promoting a vibrant district, improving education, and protecting the environment would continue to provide focus and guidance for decision making by the Council. These priorities would also be linked to the Council's Medium Term Financial Strategy and would form the basis of the Council's performance monitoring framework.

Councillor Roger Hunneman commented that he was bemused that caring for and protecting the vulnerable had remained a priority when cognisance was taken of where the majority of cuts in the Council's revenue budget were coming from .

**RESOLVED** that the updated Council Strategy be recommended for approval to Full Council.

**Reason for the decision:** The Council Strategy provides the framework around which the Council will shape its resources and efforts over the next few years, supporting quality of life for people in West Berkshire whilst continuing to live within our means.

**Other options considered:** None.

**74. Investment and Borrowing Strategy 2014/15 (C2747)**

The Executive considered a report (Agenda Item 8) concerning the Council's borrowing limits which were in compliance with the Local Government Act 2003 and as set out by CIPFA's Prudential Code. The report recommended the Annual Investment and Borrowing Strategy for 2014/15.

The report set out the framework within which the Council's investments and borrowing for the forthcoming year would be conducted and it recommended prudential limits for investments in 2014/15 and borrowing limits for the next three years. An increase in the Council's maximum borrowing limits was proposed by £3m (to £15m) in 2014/15, by £8m (to £163m) in 2015/16 and by £5m (to £168m) in 2016/17. This was to allow for the planned level of borrowing required to fund the proposed capital programme and also took into account the planned level of debt repayment.

**RESOLVED** that the Strategy be recommended to Council for adoption.

**Reason for the decision:** Formulation of Treasury Management Policy in compliance with the Local Government Act 2003 and the CIPFA's Prudential Code and Code of Practice for Treasury Management.

**Other options considered:** Not applicable.

**75. Capital Strategy and Programme 2014/15 to 2018/19 (C2746)**

The Executive considered a report (Agenda Item 9) concerning the five year Capital Strategy for 2014 to 2019, including the Minimum Revenue Provision (MRP) statement and the Asset Management Plan, and to set out the funding framework for the Council's five year Capital Programme for 2014/15 to 2018/19.

Councillor Alan Law explained that to some extent this was the most significant of the budget papers. The Capital Programme was the means of delivering the Council's priorities, it provided a means for making the Council more productive, it could be used to mitigate some of the impact of the savings proposals and also assist with making the economy of the district more viable.

Councillor Law noted that around £30m of capital investment would be made in 2014/15 and a further £31m would be available in the following financial year. With the exception of AWE the Council was the major provider of infrastructure in the district. Major areas for investment included schools, roads, vulnerable residents, ICT and broadband.

**RESOLVED** that the Capital Strategy and Programme be recommended for approval by Full Council on the 4<sup>th</sup> March 2014.

**Reason for the decision:**

1. To enable the Council to align resources to agreed Council priorities.
2. To clarify the processes and procedures to ensure that the Capital Programme is managed in accordance with the Council Strategy.
3. To provide a mechanism for the effective medium term planning of capital resources.
4. To ensure effective, efficient and economic use of the Council's assets and resources, and achieve best value for money.

**Other options considered:** Not applicable.

**76. Medium Term Financial Strategy (MTFS): 2014-17 (C2748)**

The Executive considered a report (Agenda Item 10) concerning the medium term financial planning and strategy (MTFS) for the organisation. The MTFS set out the financial planning framework for the Council over the coming three years which would

ensure that the financial resources, both capital and revenue, were available to deliver the Council Strategy.

Councillor Alan Law stressed the fact that there was no planned Council Tax increase over the three year period. The report also focused on the savings/efficiencies required and set out the folly of using reserves on an ongoing basis.

Councillor Roger Hunneman queried which major service area would be used to pilot Zero Based Budgeting approach. Councillor Law confirmed that this would be announced at the Council meeting on 4<sup>th</sup> March 2014.

**RESOLVED that** the 214-17 Medium Term Financial Strategy be recommended to Full Council for approval and adoption.

**Reason for the decision:** To set the Council's financial planning framework for the coming years.

**Other options considered:** None.

### 77. Revenue Budget 2014/15 (C2749)

The Executive considered a report (Agenda Item 11) concerning the 2014-15 revenue budget. Councillor Alan Law noted that a replacement for pages 255-257 (Children Centre's Fees and Charges) of the agenda had been tabled at the meeting and these amendments would be reflected in the paperwork for full Council.

Councillor Law explained that this year the Council would again not be increasing Council Tax despite a reduction of £3.67m in the grant (the Revenue Support Grant) that the Council received from Central Government. In addition additional costs of £2.2m would be incurred to cover the costs associated with wages and contractual inflation and the Council would also experience additional pressures from some of the demand led services.

Councillor Law was therefore pleased to note that despite this the Council were only proposing £1.3m of disinvestment. This had been achieved through efficiency measures and increased productivity.

Councillor Jeff Brooks explained that the Opposition would not be commenting on the proposals at this meeting and would instead make comments on the budgets at the March Council meeting.

**RESOLVED that** the Executive recommended to Council:

That the Executive recommends to Council

- (1) That the Fees & Charges be approved as set out in Appendix F and the appropriate statutory notices be placed where required in accordance with the decision of the Executive on 13th February 2014
- (2) That the Special Expenses be approved as set out in Appendix G in accordance with the decision of the Executive on 13th February 2014.
- (3) That the 2014-15 savings proposals, as detailed in Appendix Ci) and Cii) are agreed along with the 2015-16 savings proposals, as detailed in Appendix Ciii).
- (4) That the 2014-15 budget requirement for Council tax setting purposes of £76.56 million requiring a Council Tax freeze be approved.

**Reason for the decision:** Formulation of the 2014/15 Budget is a requirement to meet the Council's Statutory duties.

**Other options considered:** None.

**78. Response to the Scrutiny Review into the Adult Social Care Eligibility Criteria (EX2786)**

The Executive considered a report (Agenda Item 12) concerning the recommendations of the investigation into the operation of the Adult Social Care eligibility criteria. Overall, it was not recommended that the Council change its eligibility criteria.

Councillor Joe Mooney thanked the Chair of the Task Group and all the Members/Officers on the group which had produced an excellent piece of scrutiny review work. He confirmed that all the recommendations arising from the review had been approved and would be taken up by the Officers concerned.

Councillor Roger Hunneman referred to the table on page 269 of the agenda which set out the waiting times from first contact to completed assessments. He felt that this situation was unacceptable and he asked when the position was expected to improve. Councillor Joe Mooney confirmed that additional resources had been put in to improve the situation and further time was required to enable those additional resources to have an impact.

Councillor Gordon Lundie thanked Councillor Quentin Webb for the work undertaken in relation to this review.

**RESOLVED** that the responses to the given recommendations be endorsed.

**Reason for the decision:** To provide feedback following a scrutiny review.

**Other options considered:** As set out in the report.

**79. Local Enterprise Partnership - Strategic Economic Plan and response to the Airports Commission Interim Report (EX2757)**

The Executive considered a report (Agenda Item 13) concerning the Local Enterprise Partnership's (LEP) Strategic Economic Plan and sought any comments on the current consultation draft. The report also outlined the conclusions of the Airports Commission Interim Report and sought to establish West Berkshire's position in response to the Interim Report.

Councillor Alan Law stressed that the recommendations contained in this report were very important for the long term prosperity of West Berkshire, Berkshire and the wider Thames Valley region.

Councillor Law explained that the Local Economic Partnership had been in existence for two years but that it had been afforded very little funding up until now. Activity had therefore been focussed on lobbying. He was pleased to note that it had been announced the previous week that Central Government and National Rail had agreed to deliver the Western Rail Access into Heathrow.

Central Government had now made £2.1bn of funding available which LEPs could bid for. The LEPs however had to have a strategy in place demonstrating the benefits enhanced growth would provide for the area covered by the LEP. The strategy also set out what the investment packages that would be applied for would be spent on. Councillor Law also explained that the document provided useful background information about the economy in Berkshire and its main selling points.

The report also set out a response to the Airports Commission's consultation on airport capacity. Councillor Law noted that Thames Valley would benefit most from an expansion of capacity at Heathrow Airport and he was therefore asking the Executive to agree the response set out in the report.

**RESOLVED that:**

- (1) The consultation draft of the Strategic Economic Plan be endorsed and the LEP be informed of any amendments or comments that the Council wished to make.
- (2) The statement proposed as a response to the Airports Commission Interim Report be agreed which supported the expansion of Heathrow.

**Reason for the decision:** To provide comments in relation to these important issues for the District and wider Thames Valley Berkshire Local Enterprise Partnership area

**Other options considered:** Not applicable.

**80. Update on Apprentices (EX2753)**

The Executive considered a report (Agenda Item 14) which sought approval for:

1. A change to the pay rates for apprentices with effect from 1<sup>st</sup> April 2014.
2. Two apprenticeship posts to be created; one to be funded by Public Health and a budget to be identified by the Head of Finance.
3. To provide information for the Executive on the employment of apprentices at the Council to date.
4. To set a target of appointing a minimum of 15 apprentices each year.

Councillor Alan Law stated that the Council had been a leading promoter and implementer of the Apprentice programme and in 2012 had been awarded a Certificate of Excellence by the West Berkshire Training Consortium. At one stage 18 apprentices had been employed by the Council but this number had fallen last year due to difficulties in recruiting on the minimum wage for apprentices of £2.68 per hour. It was therefore proposed that existing and future apprentices should be paid on the age-related national minimum wage of £3.72 per hour for under 18 and £5.03 per hour for 18-20 year olds. A target of employing 15 apprentices per year should be set with one apprenticeship post being reserved for a disabled young person as requested by the DES Board and for a LAC applicant as requested by the Communities Directorate.

Councillor Gwen Mason was pleased to see that two posts would be specifically reserved for a disabled young person and a looked after child and also welcomed the pay increase.

Councillor Jeff Brooks was also supportive of the proposals. He referred to a recent letter which he had written to the Leader of the Council which had suggested that the Council should implement procurement practices and questioned how the Council's suppliers would respond to apprenticeships. The Leader had indicated that that suggestion had made sense and Councillor Brooks queried what progress had been made. Councillor Roger Croft confirmed that this issue had been raised at a Procurement Board meeting a couple of weeks' ago and had been agreed in principle. It would be discussed in more detail at the next meeting of the Board.

**RESOLVED that:**

1. One apprenticeship post reserved for a disabled applicant be established. This post to be funded by, and placed in, Public Health in 2014/15.
2. One apprenticeship reserved for a Looked After Child (LAC) applicant be established. This post to be funded from a budget to be identified by the Head of Finance (a budget pressure).
3. With effect from 1<sup>st</sup> April 2014 all new and existing apprentices to be paid the age related national minimum wage (NMW) unless the Head of Service created a more

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responsible apprenticeship role which would be paid on the minimum spinal column point on the WBC pay grades.

4. The Executive to set a target for Directorates to employ a minimum of 15 apprentices each year (five per directorate unless otherwise agreed at Corporate Board).

**Reason for the decision:** Following a request by Management Board.

**Other options considered:** To discontinue the scheme. Rejected for the reasons described in the report. To continue to pay most apprentices on the NMW for Apprentices. Rejected for the reasons described in the report.

### 81. Members' Questions

- Question to be answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Visions submitted by Councillor Keith Woodhams**

A question standing in the name of Councillor Keith Woodhams on the subject of flooding issues was answered by the Executive Member for Highways, Transport (Operations) Emergency Planning and Newbury Visions.

- Question to be answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Visions submitted by Councillor Keith Woodhams**

A question standing in the name of Councillor Keith Woodhams on the subject of the difficulty experienced by school children and adults crossing the north side of the Thatcham Garden Centre Roundabout was answered by the Executive Member for Highways, Transport (Operations) Emergency Planning and Newbury Visions.

- Question to be answered by the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of additional sites for travellers and gypsies was answered by the Executive Member for Planning, Transport (Policy), Culture, Customer Services and Countryside.

- Question to be answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Visions submitted by Councillor Roger Hunneman**

A question standing in the name of Councillor Roger Hunneman on the subject of the timescale for the implementation of the Newbury On Street Car Parking Charging Scheme was answered by the Executive Member for Highways, Transport (Operations) Emergency Planning and Newbury Visions.

*(The meeting commenced at 5.00pm and closed at 5.49pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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# Agenda Item 6.

<b>Title of Report:</b>	<b>West Berkshire Pupil Achievement 2013</b>
<b>Report to be considered by:</b>	Executive
<b>Date of Meeting:</b>	27 March 2014
<b>Forward Plan Ref:</b>	EX2792

**Purpose of Report:** To inform Members of school performance in 2013.

**Recommended Action:** To note the content of the report and support the actions set out in the School Improvement Strategy 2013-15.

**Reason for decision to be taken:** N/A

**Other options considered:** None

**Key background documentation:** 2013 SATS, GCSE, A level Examination Results and NEET data

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

**CSP3 – Improving education**

## Portfolio Member Details

<b>Name &amp; Telephone No.:</b>	Councillor Irene Neill - Tel (0118) 971 2671
<b>E-mail Address:</b>	ineill@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	13/02/14

## Contact Officer Details

<b>Name:</b>	Elaine Ricks
<b>Job Title:</b>	Joint Principal Adviser for School Improvement
<b>Tel. No.:</b>	01635 503633
<b>E-mail Address:</b>	ericks@westberks.gov.uk

## Implications

<b>Policy:</b>	This report should be read in the context of West Berkshire's School Improvement Strategy.
<b>Financial:</b>	Continued investment in School Improvement activities.
<b>Personnel:</b>	None.
<b>Legal/Procurement:</b>	None.
<b>Property:</b>	None.
<b>Risk Management:</b>	
<b>Equalities Impact Assessment:</b>	Improved outcomes for Pupil Premium children

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input checked="" type="checkbox"/>	

# Executive Summary

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## 1. Introduction

- 1.1 The results set out in this report are confirmed, based on the final release of national performance data in January 2014. The overall picture is one of improved performance across the primary and secondary phases, though further improvements are needed to be among the top 25% of LAs in all phases.
- 1.2 The report explains the context of significant changes that national assessment systems are undergoing from Early Years Foundation Stage (EYFS), through SATS for 7 and 11 year olds, and GCSE to "A" level.
- 1.3 The changes, together with a more stringent Ofsted Schools' Inspection Framework and the national spotlight on West Berkshire (WB) schools' performance of pupils entitled to Free School Meals (FSM), has placed considerable pressures on school leaders, governing bodies and the Local Authority.
- 1.4 Performance in EYFS and for 7 year olds in KS1 SATS continues to be very high and among the top performing LAs. Performance for 11 year olds in KS2 SATs has made good improvement to above national averages. However, more improvement needs to be made in KS2, especially in mathematics and in boys' writing, so that schools make good progress from the very strong performance of KS1.
- 1.5 GCSE results have made a good recovery from the 2012 results which dipped slightly due to very disappointing English results. Results are now above average in the key indicator of 5\*-A-C English and mathematics and progress rates are generally good. Mathematics is stronger than English where further improvement is needed.
- 1.6 New performance table measures at KS4 which are based on "GCSEs only" rather than including vocational "Equivalent" qualifications show West Berkshire achieving much higher than national. From 2014, the government is reducing significantly the number of vocational qualifications which will count as GCSE equivalents.
- 1.7 Three year averages were also introduced this year in KS4 performance tables, and West Berkshire is above national on all except progress in English, where we are slightly below due to the AQA grade boundary issue in 2012 which affected West Berkshire disproportionately.
- 1.8 A level results are in the top 25% of LAs nationally, although there is significant variation across the 10 secondary schools in the key indicators of %3+A-C and %AAB. The percentage of pupils attaining at the highest levels needs to improve in some schools.
- 1.9 The performance of pupils with FSM is too low in both primary and secondary phases. There has been some improvement in the 2013 results, but the "gap" between FSM and Non FSM is too large, and improvements schools make need to be sustained over time.

- 1.10 No schools in WB are under the government's benchmark floor standard of 40% A\*-C GCSE including English and mathematics and 60% level 4 Reading, Writing and Maths at KS2.
- 1.11 With the proposed government changes, examinations will become "more challenging", more schools nationally will inevitably go below floor standard, and it will be even harder to be judged a "good" or "outstanding" school. There may be a period therefore, where more schools 'require improvement'.
- 1.12 The LA School Improvement Strategy, supported by additional investment funding from the Council, is being delivered to all schools as the key means of raising achievement further through strengthening leadership and governance, improving teaching, and targeting schools which are underperforming and "at risk" of a judgement of requiring improvement or inadequate by Ofsted.

## **2. Proposals**

- 2.1 Continue to deliver the approved School Improvement Strategy.

## **3. Equalities Impact Assessment Outcomes**

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

## **4. Conclusion**

- 4.1 Schools are moving through a period of significant and rapid change in relation to national assessments and the school curriculum.
- 4.2 Overall, changes to the Ofsted inspection framework have made it harder for schools to be judged good or outstanding. In particular, a greater emphasis is being placed on the attainment and progress of Pupil Premium children, especially those who qualify for Free School Meals (FSM).
- 4.3 The overall performance picture is one of improved achievement in both primary and secondary phases. Areas for particular improvement however include KS2 mathematics and FSM in both phases.
- 4.4 Schools in the primary and secondary sectors are being supported and challenged through the implementation of the School Improvement Strategy, made possible via additional resources.
- 4.5 A review of the impact of the additional school improvement resourcing and the first year of the school improvement strategy will be provided in a report for members during summer 2014.

# Executive Report

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## 1. Introduction

- 1.1 National and local results for primary and secondary schools in West Berkshire are final from the performance tables in December and January 2014.
- 1.2 National assessments in the primary phase and Early Years Foundation Stage (EYFS) have undergone significant changes in the ways in which pupils have been assessed, which affect comparisons with previous years.
- 1.3 This will be the second year for results for national phonics tests for 6 year olds.
- 1.4 For 11 year olds at KS2, the previous key indicator of English and mathematics combined at level 4 is now the new measure of reading, writing and mathematics combined at level 4 (RWM). The key expected progress measure of 2 levels of progress in English from KS1 to KS2 has also changed to 2 levels of progress in writing and 2 levels of progress in reading. The measure of 2 levels of progress in mathematics remains unchanged.
- 1.5 There has also been the introduction of a Spelling, Grammar and Punctuation Test at KS2 and which is reported separately.
- 1.6 What can still be compared with each of the new measures is how WB compares to the national averages and whether there has been an improvement in our rankings generally compared to previous national rankings.
- 1.7 A new national curriculum for both primary and secondary schools is being phased in from September 2014 and this will be underpinned by a radically different testing regime beginning in 2016. This will involve the removal of levels in the primary phase and secondary phases, and the scrapping of traditional A\*-G grades at GCSE in favour of system based on numbers from one to nine with nine the highest. This is an extra grade to the current system of eight and will allow more discrimination between the higher performing pupils.
- 1.8 Ofqual, the examinations regulator, has stated that reforms in the qualification system are aimed to make qualifications "more challenging". The reforms will also include a shift to end-of-course examinations, an abolition of coursework and an end to tiered examination papers for pupils with higher abilities. Testing regimes in the primary phase will also be pitched at a higher level than currently.
- 1.9 All of the proposed changes will emphasize the progress pupils make as much as attainment, especially the progress of the most vulnerable groups and the most able, and will present a more traditional academic curriculum. The Department for Education (DfE) stated goal is to have a "world class" education system that compares well with other countries.
- 1.10 In both the primary and secondary sector, there is now a relentless focus on the achievement of pupils entitled to the Pupil Premium (PP) and FSM though caution needs to be taken with performance data where numbers are very low, especially in primary schools. A school's overall rating with Ofsted, the inspection and regulation

service, is now very linked to how well a school provides for PP pupils and whether they make sufficient progress.

- 1.11 These changes take place within a backdrop of a wide range of other significant changes which schools are currently facing. This includes a more stringent Ofsted and school inspection Framework; changes to teacher appraisal and pay progression and changes to schools' funding arrangements.
- 1.12 To support the increased expectations with Ofsted, additional resources have been allocated by the Council to support the delivery of the LA School Improvement Strategy 2013-2015. Importantly, this includes adding capacity to support the strengthening of governance across all schools.
- 1.13 The LA continues to be held to account for the performance of all schools, including Academies, and a new Local Authority School Improvement Inspection Framework has been introduced.
- 1.14 West Berkshire, like other LAs, can therefore expect to have its School Improvement Team inspected in the near future.

## **2. Primary Examination Results 2013 (See Appendix B and C)**

- 2.1 Outcomes in EYFS show that the high performance of recent years has been sustained. Results in EYFS show that 61% of pupils achieved a Good Level of Development (GLD) which is the new expected measure of achievement at the end of Reception Year. This is well above the national results of 52%.
- 2.2 Groups which achieved less well were pupils with FSM at 40%, boys at 52% and summer born pupils at 50%. This "gap" in achievement generally persists through all phases of education and therefore early intervention to "close the gap" is a priority, especially closing the gap between FSM and other pupils. It should be noted that the number of pupils eligible for FSM in this cohort is small (164 pupils out of 2032).
- 2.3 Results in the Year 1 phonics test for 6 year olds, which was introduced in 2012, continue to be broadly in line with national results at 67.9% (national 67.6%). Girls outperformed boys by 10ppt. Performance in this area showed considerable variation across schools and low performing schools have been targeted for further support.
- 2.4 Results for 7 year olds in KS1 made further improvement with impressive high performance in reading, writing and mathematics in all key indicators. Outcomes are well above national expectations especially in the key indicator of level 2b which is the expected level of achievement.
- 2.5 The gap in performance of pupils with FSM persists in Key Stage 1 in all key indicators.
- 2.6 In KS1, girls continue to outperform boys in reading and writing, although in 2013 an improvement in the performance of boys in reading has "closed the gap" from 10ppt to 6ppt in the key indicator of level 2b. However, boys continue to outperform girls at the higher levels in mathematics where the gap has increased in 2013. This pattern of achievement is repeated at KS2.

2.7 In KS2, there has been a good improvement for 11 year olds with WB above national expectations in the new key indicator of reading, writing and mathematics (RWM) combined level 4 with 77% of pupils achieving this measure compared with 75% nationally. This is partly due to an improvement in mathematics which, in 2012, had dipped. Performance in mathematics is broadly average but it lags behind the good performance of reading and writing, including at the higher levels.

2.8 In the new measure of Spelling, Punctuation and Grammar, WB is above the national figure of achievement with 74% achieving the expected level.

2.9 WB also performs well at level 6, being just above the national scores in reading, in line with the national scores in writing and well above the national in mathematics with 7.6% achieving this measure compared with 5.2% nationally.

2.10 Girls continue to outperform boys, except in the higher levels in mathematics, although the gap has closed in reading and writing in 2013 at level 4+.

2.11 Pupils with FSM in the last six years (FSM6) lag behind other pupils. However, provisional results show that the FSM6 LA "gap" in mathematics at level 4+ has been closed from 25% in 2012 to 18% in 2013. The number of pupils eligible for FSM is small at 152 out of a 2013 cohort of 1431 pupils.

2.12 Pupils are expected to make 2 levels of progress (2LP) between KS1 and KS2. In WB, 2LP progress in reading (87%) and writing (91%) is broadly in line with national averages of 88% and 91%.

2.13 2LP progress in mathematics is less strong at 84% compared to 88% national average. This is a priority area for improvement.

2.14 The very high performance of 7 year olds means that WB schools need to be attaining well above national averages to secure good progress rates for 11 year olds.

2.15 There are currently no primary schools in WB which are below the national floor standard. The floor standard is the minimum standard of fewer than 60% achieve level 4 or above in RWM, and being below the England median for progression by 2 levels in reading, writing and in mathematics.

2.16 Under the proposed changes, schools can expect a further raising of the floor standard and a more challenging testing regime. More schools nationally will inevitably fall below the floor target.

2.17 Good improvements have also been made in all 3 primary schools in special measures with 2 of the schools now being in line with national expectations at the end of KS2 and the third achieving results above national expectations at KS2.

2.18 Five schools achieved 100% level 4 RWM. These schools are Brightwalton C.E. Aided Primary School; Brimpton C.E. Primary School; Chieveley Primary School; Welford and Wickham C.E Primary School; and Yattendon C.E. (VC) Primary School.

2.19 The Willows Primary School in Newbury, which in the past had been a long term low attaining school, continues to make very good progress with 91% achieving L4RWM. The headteacher has been appointed as a National Leader in Education.

2.20 Analysis of West Berkshire Results show that the key areas in which West Berkshire Primary Schools needs to improve to enable all schools to achieve a judgement of a "good" school from Ofsted are:

- (a) Improving standards in mathematics to securely above national expectations so that pupils make at least good progress from KS1 to KS2, and especially the lowest and highest attainers in Key Stage 1 as their progress is slowest.
- (b) Improving the performance of boys in English.
- (c) Improving the performance of pupils with FSM6 at all phases of education.

### 3. Secondary Examination Results 2013 (See Appendix B and C)

- 3.1 GCSE results show that there has been a good improvement in the key measure of 5+A\*-C with 61.3 % of pupils achieving this measure compared with 57.2% in 2012. This is above the national result of 59.2%.
- 3.2 The improved performance is partly due to a recovery in English GCSE results which dipped to 63% in 2012 in the key measure of A\*-C and are now at 67.9%, above the national result of 66%. Seven out of 10 schools made an improvement, with 2 of these schools improving by more than 10 percentage points. The Willink School has also sustained its record of rising results and is the highest attaining West Berkshire secondary school at GCSE with performance well above national expectations. St. Bartholomew's also stands out as highest in several measures, all increased from last year.
- 3.3 Performance in mathematics at A\*-C has made further improvement to 73.9% which is above the national of 71%. The improvement trend in mathematics has been steady over time; though there is a mixed performance from individual schools. Four out of 10 schools made an improvement in 2013 and 2 of these made substantial rises on results in 2012.
- 3.4 A very strong area of GCSE performance for the LA is in the English Baccalaureate (EBACC) now being promoted as a key new national benchmark at the end of KS4. The EBACC is the combined performance in English, mathematics, science, a language and history or geography. This represents an "academic core" of subjects and WB schools achieved 29.8% achieving this measure compared to 23.0% nationally. However, performance across schools varies widely. The most impressive score is that of St. Bartholomew's School at 51%.
- 3.5 EBACC will be a central measure as part of the qualification and curriculum reforms and some WB schools are therefore better placed than others to be successful in this measure.
- 3.6 New performance tables measures at KS4 which are based on "GCSEs only" rather than including "Equivalents" show West Berkshire achieving much higher than national. This was not unexpected, as West Berkshire schools have been less likely to rely on "Equivalent" courses to improve performance than has been the case nationally. Schools will still offer "Equivalents" where appropriate.

3.7 No WB secondary schools are currently below the government's floor standard. This is the national minimum standard of fewer than 40% of pupils achieving English and mathematics and less than the national progress measures. The floor standard will be redefined as part of the new reforms. It will become chiefly a progress measure and the government estimate that if this measure were applied now, then twice as many schools nationally would be "below floor". Therefore the floor standard will be a higher expectation than currently.

3.8 As well as attainment, another key measure for schools is the progress schools make from the end of KS2 to GCSE results at the end of KS4. The "expected" progress is 3 levels progress (3LP) and "better than expected progress" is 4 levels progress (4LP). To secure a judgement of "good" or better from Ofsted, a school must be close to or above national figures for both measures.

3.9 The percentage of West Berkshire schools achieving these progress measures in English has improved significantly from 62% in 2012 to 71% in 2013, which is above the national result of 70%. Eight out of 10 schools made improvement in this measure. The percentage of schools achieving 4LP is also in line with national expectations.

3.10 Progress measures in mathematics have also improved with 74% of pupils achieving 3LP which is above national averages of 71%. Progress measures at 4LP are also robust with 36% achieving this measure compared to 33% nationally.

3.11 Although secondary progress measures overall are generally good, and in some cases very good, some issues still remain:

- (1) Performance across schools is mixed.
- (2) Schools are now judged by Ofsted "over time" so a quick improvement over one year is no longer sufficient to secure a judgement of good.
- (3) When we look at the progress made by FSM6 pupils against these measures then, in many cases, schools fare very differently.

3.12 The West Berkshire gap in the performance of pupils with FSM 5\*A-C including English and mathematics in the last 6 years (FSM6) has narrowed by 1.8% from 2012 results against a national gap reduction of 0.9%. Five schools reduced the gap, of which 2 schools had a very large reduction (The Willink and Denefield). There were 298 FSM6 pupils out of a cohort of 2009 pupils.

3.13 However, the FSM6 5\*A-C gap including English and mathematics remains too high at 34.1% compared to a national gap of 26.3%. The gap to national is 7.8%.

3.14 The FSM6 gap to national in 3LP for English 5.5% and 4.6% in mathematics.

3.15 Closing the gap in GCSE FSM6 performance is a priority for WB schools. Schools also need to show they can sustain improvements, as some schools which have small gaps this year had large gaps last year and vice versa.

3.16 The LA has already launched a Pupil Premium Strategy as part of the School Improvement Strategy, to work proactively with schools in reviewing their current provision, support improvements and enable the sharing of good practice across

schools. Additional training has also been provided for governing bodies to support them in this area. Ofsted have endorsed West Berkshires' approach.

- 3.17 Performance outcomes at A level have improved overall in both key measures of % 3+A and %AAB and results are among the top 25% nationally. Comparisons at A level are more difficult as schools make different judgements about the requirements to undertake their courses.
- 3.18 However, Ofsted will now focus more on the performance of high achievers, especially for schools who wish to be outstanding, and whilst there have been some good gains or sustained high performance in the measure of %3+A , schools need to ensure they can demonstrate that their most able pupils achieve as well as they should. Performance in this area is uneven across schools.
- 3.19 The improvements made this year have been a result of concerted efforts by schools who are very aware that to reach or sustain a judgement of "good" or "outstanding" by Ofsted, attainment and progress measures need to be consistently good or better.
- 3.20 To make further improvements, the key priorities for secondary schools are;
  - (1) To further increase achievement in GCSE English.
  - (2) To close the gap between the performance of FSM6 and non FSM.
  - (3) To increase the performance of high attainers so that they are above national expectations in all measures.
  - (4) To secure good progress rates for all pupils through consistently good or better teaching and learning.
- 3.21 As a result of focused work across the LA, the proportion of young people (aged 16 – 24) Not in Education, Employment or Training (NEET) has been reduced from 4.4% to 3.4% compared to a national figure of 14.9%.
- 3.22 Figures are also very favourable for the percentage of 16 year olds who are participating in education or training with only 4.1% not participating compared to 15.4% in the South East and 12.6% nationally. The Raising of the Participation Age (RPA) is a significant current government initiative, whereby young people will have to continue in education and training until they are 17 from 2013 and 18 from 2015. Local Authorities have been tasked to support schools to achieve this goal
- 3.23 Results show that 5 out of 6 Council Plan performance targets set have been met (See table – Appendix E) with 3 out of 6 results exceeding targets. One remaining target shows improvement and is close to target. Previous KS2 English targets for 2013 no longer apply due to in year national changes in the examination system where English is now reported separately as reading and writing.

#### **4. Equalities Impact Outcomes**

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

## 5. Conclusion

- 5.1 Schools are moving through a period of significant and rapid change in relation to national assessments and the school curriculum. Some of these government directives are being introduced with a very short timescale for implementation. This is very stressful for many school leaders.
- 5.2 The changes in Ofsted have increased expectations in what schools and governing bodies need to achieve to be a good or outstanding school. When inspected, improvements also need to be shown to be embedded over time so there are few "quick fixes" for schools in securing a judgement of good.
- 5.3 On the other hand, timescales allowed for schools to make improvements after inspection are shorter than previously. Schools judged as requiring improvement or less are expected to make rapid progress to get to good. This mixed message of recent improvement not being enough but rapid improvement is what is required is unhelpful for headteachers and governing bodies.
- 5.4 This raised expectation has created considerable anxiety for school leaders, including head teachers of good and outstanding schools. If high performance has not been sustained, or there is inconsistent teaching or where vulnerable pupils make insufficient progress, then schools are likely to be judged as requiring improvement. Headteachers also cite the difficulty of recruiting good teachers and subject leaders as increasingly challenging.
- 5.5 WB has been identified as a LA where FSM pupils have performed less well. Schools are not complacent about this and the LA is working closely with schools to ensure that the spending of Pupil Premium monies improves the achievement of the most vulnerable pupils.
- 5.6 The overall performance picture this year is one of improved achievement in both the primary and secondary phases, and a very low NEET figure.
- 5.7 Performance outcomes in EYFS and for KS1 are above national expectations. Performance outcomes at KS2 have made good improvement on the previous year, with performance overall above the national average. However, more improvement is needed especially in maths and in the performance of pupils eligible for FSM.
- 5.8 GCSE results have improved to above the national average with further improvements in mathematics and last year's dip in GCSE English results has been largely addressed. However, more improvement is needed, especially in English and in the performance of pupils eligible for Free School Meals.
- 5.9 This government will continue to promote performance tables which are "GCSEs only". This will favour West Berkshire schools as many already follow a GCSE academic core curriculum.
- 5.10 A good summary of West Berkshire's overall performance is set out in our national 'Scorecard' table (Appendix B). A significant upward shift to top or second quartile performance can be seen via a 'traffic light' system.
- 5.11 Schools in the primary and secondary sectors are being supported and challenged through the implementation of the LA School Improvement Strategy. Additional funding from the Council has added much needed capacity to deliver the plan (see

Appendix D). The key aspects of the Strategy include raising achievement for all pupils through: developing strong leadership and governance in schools; enabling schools to support each other to make improvements; providing access to high quality professional development to improve the quality of teaching and learning; implementing the LA wide Pupil Premium Strategy.

- 5.12 The LA schools causing concern policy has been revised to increase the level of challenge to school leaders and governing bodies who may be "at risk" of a judgement of inadequate or requiring improvement.
- 5.13 There are implications for secondary convertor or sponsored academies who may become disconnected from West Berkshire school improvement services but who could be at risk of being judged by Ofsted as needing improvement.
- 5.14 There is much national dissent about the proposed changes to the national curriculum and assessment systems. The government's strong stance on "tackling grade inflation" and citing lack of rigour in the current examination systems means that trends of improved performance seen recent years will stall. It is likely that more schools will be judged as requiring improvement or inadequate by Ofsted, and fewer schools will be judged as outstanding.
- 5.15 A review of the impact of the additional school improvement resourcing and the first year of the school improvement strategy will be provided in a report for members during summer 2014.

## **Appendices**

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Appendix A – Equality Impact Assessment – Stage 1.

Appendix B – West Berkshire 2013 Performance Scorecard.

Appendix C – West Berkshire KS4 & KS2 Summary of 2013 Attainment and Progress v National.

Appendix D – West Berkshire School Improvement Strategy Overview 2013-15.

Appendix E – Council Plan Performance Targets and Results.

## **Consultees**

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**Local Stakeholders:** N/a

**Officers Consulted:** Ian Pearson, Rachael Wardell, Elaine Ricks and Corporate Board

**Trade Union:** N/a

## APPENDIX A

### Equality Impact Assessment – Stage One

<b>Name of item being assessed:</b>	WB Pupil Achievement
<b>Version and release date of item (if applicable):</b>	
<b>Owner of item being assessed:</b>	Ian Pearson
<b>Name of assessor:</b>	Ian Pearson
<b>Date of assessment:</b>	13/02/14

<b>1. What are the main aims of the item?</b>
This item is to inform Members only

<b>2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>
<b>Further comments relating to the item: Item to note only</b>		

<b>3. Result</b> (please tick by clicking on relevant box)
<input type="checkbox"/> <b>High Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> <b>Medium Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> <b>Low Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/> <b>No Relevance</b> - This <b>does not</b> need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

<b>4. Identify next steps as appropriate:</b>	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	X

**Name:** Ian Pearson

**Date:** 1302/14

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# West Berkshire school & pupil achievement 2013



## Appendix B

1



# West Berkshire Scorecard

Indicator 2013 Results	Quartile / rank	
2013/(2012)		2013/(2012)
Foundation Stage Good Level of development	11 <sup>th</sup>	(26)
Foundation stage inequality gap reduction	8 <sup>th</sup>	(4)
Key Stage 1 Reading level 2+	6 <sup>th</sup>	(1)
Key Stage 1 Writing level 2+	11 <sup>th</sup>	(2)
Key Stage 1 Maths level 2+	19 <sup>th</sup>	(7)
Key Stage 2 Reading level 4+ (*2012 English level 4+)	25 <sup>th</sup>	(34)
Key Stage 2 Reading 2+ levels of progress (* 2012 En 2LP)	103 <sup>rd</sup>	(109)
Key Stage 2 Maths level 4+	64 <sup>th</sup>	(103)
Key Stage 2 Maths 2+ levels of progress	142 <sup>nd</sup>	(142)
Key Stage 2 Reading Writing and Maths level 4+ combined	43 <sup>rd</sup>	(77)
Key Stage 2 FSM RWM level 4	99 <sup>th</sup>	(149)
GCSE 5+ grades A* to G including English & maths	31 <sup>st</sup>	(16)
GCSE 5+ grades A* to C including English & maths	63 <sup>rd</sup>	(99)
GCSE English Baccalaureate	23 <sup>rd</sup>	(13)
GCSE 3+ levels of progress in English	73 <sup>rd</sup>	(134)
GCSE 3+ levels of progress in Maths	39 <sup>th</sup>	(49)
GCSE FSM 5A*-C incl English and Maths	114 <sup>th</sup>	(149)
GCSE SEN 5A*-C incl English and Maths	18 <sup>th</sup>	
A level points per candidate	30 <sup>th</sup>	(31)
A level points per entry	36 <sup>th</sup>	(55)
A Level 3+ A grades	35 <sup>th</sup>	(53)

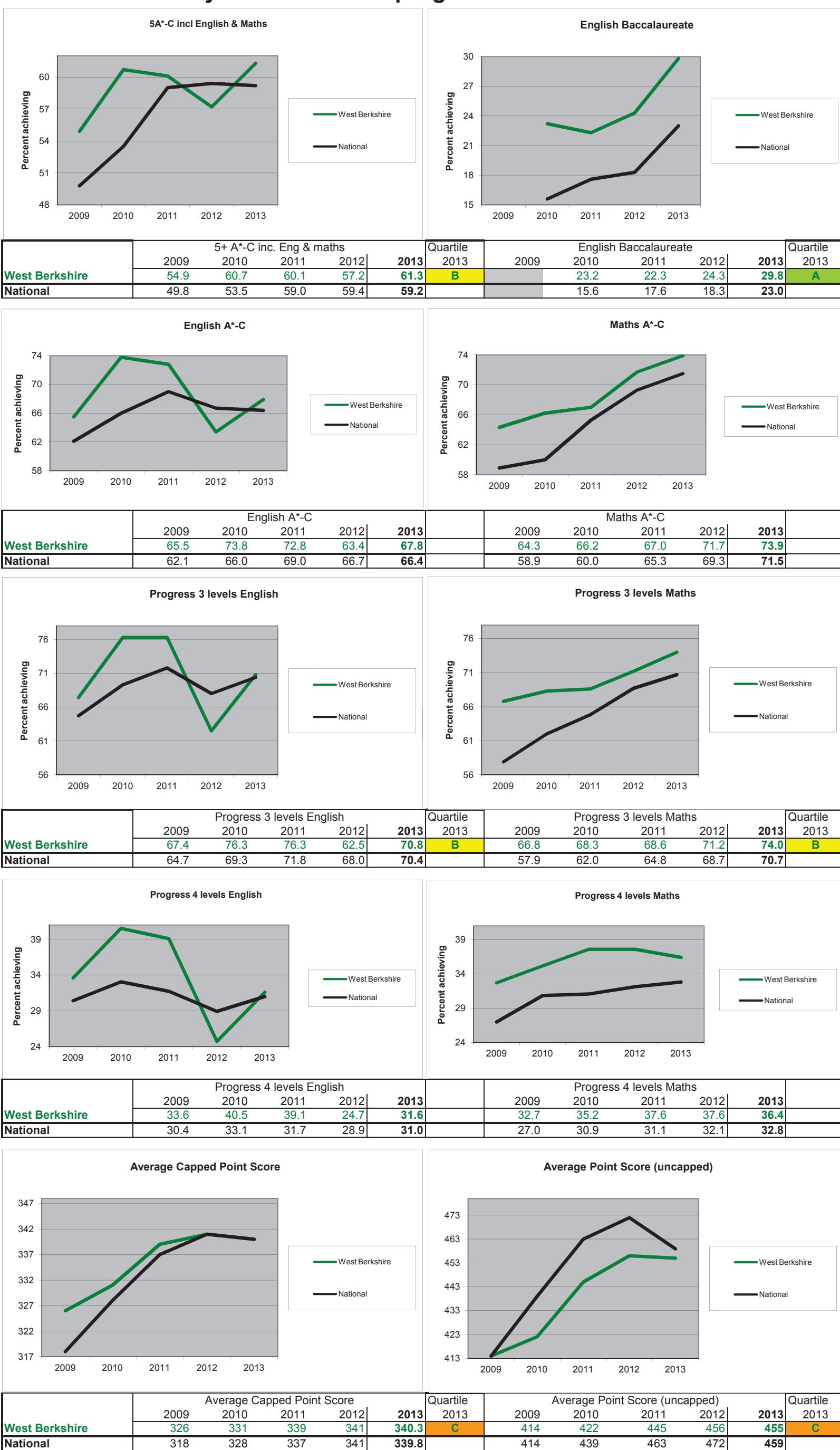
Top quartile

2<sup>nd</sup> quartile

3<sup>rd</sup> quartile

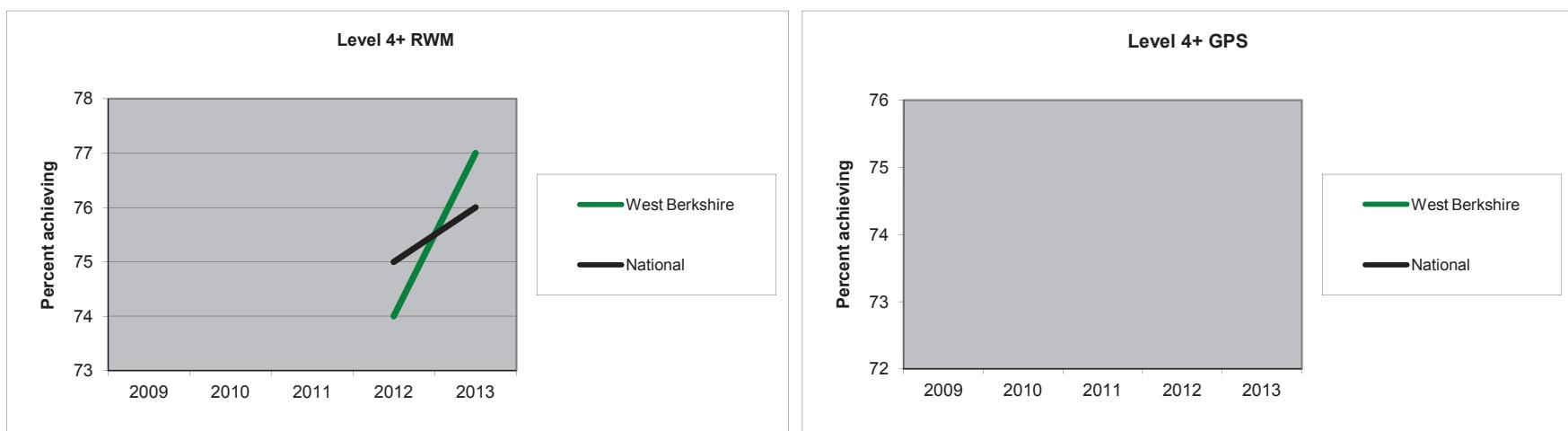
Bottom quartile

## KS4 results - % key attainment and progress measures

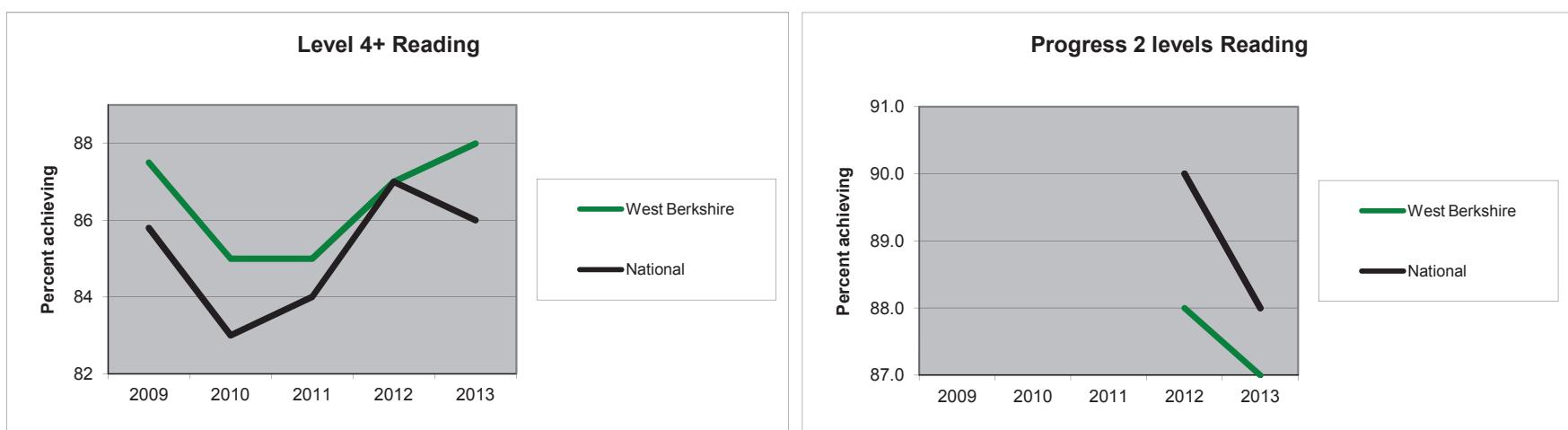


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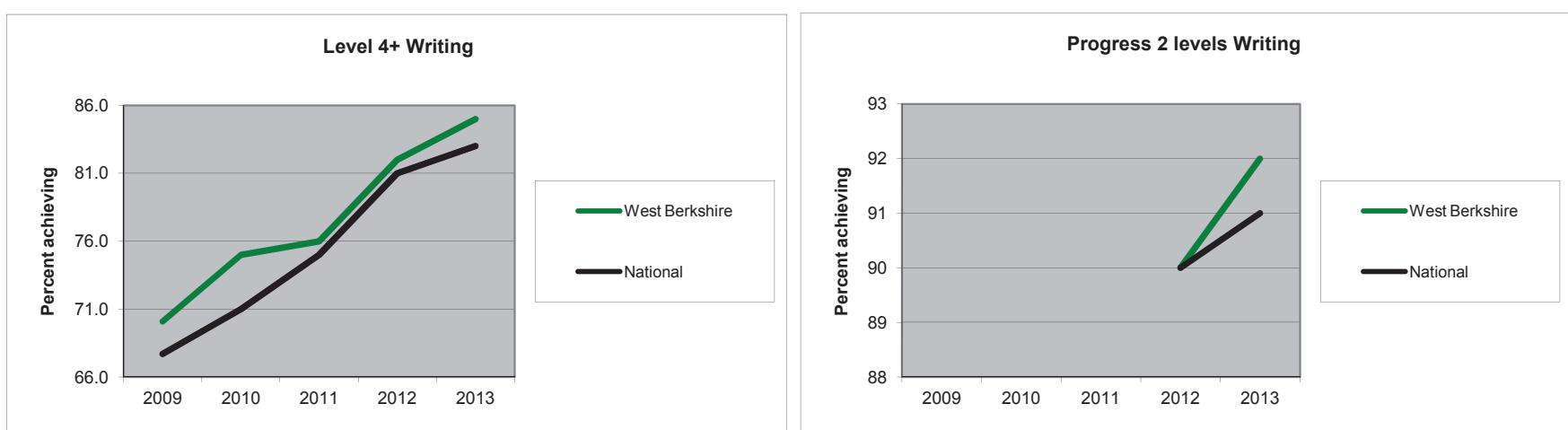
## KS2 results - % key attainment and progress measures



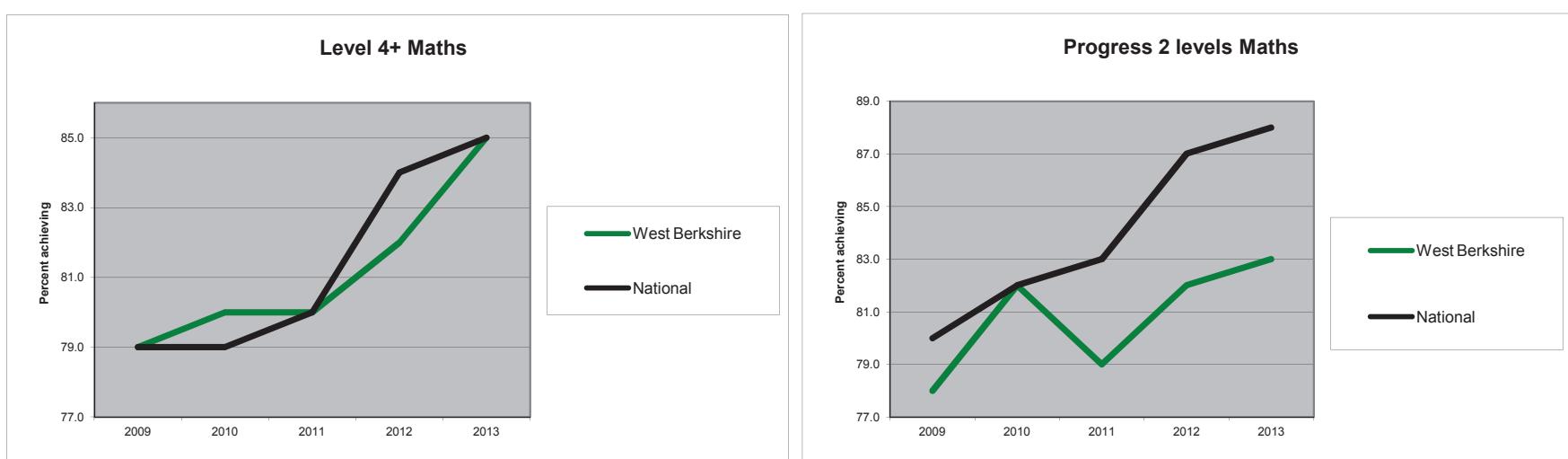
	Level 4+ RWM					Quartile 2013	Level 4+ GPS					Quartile 2013
	2009	2010	2011	2012	2013		2009	2010	2011	2012	2013	
<b>West Berkshire</b>					<b>74.0</b>	<b>77.0</b>	<b>B</b>				<b>75.0</b>	<b>B</b>
<b>National</b>					75.0	76.0					74.0	



	Level 4+ Reading					Quartile 2013	Progress 2 levels Reading					Quartile 2013
	2009	2010	2011	2012	2013		2009	2010	2011	2012	2013	
<b>West Berkshire</b>	<b>87.5</b>	<b>85.0</b>	<b>85.0</b>	<b>87.0</b>	<b>88.0</b>	<b>B</b>				<b>88.0</b>	<b>87.0</b>	<b>D</b>
<b>National</b>	85.8	83.0	84.0	87.0	<b>86.0</b>					90.0	<b>88.0</b>	



	Level 4+ Writing					Quartile 2013	Progress 2 levels Writing					Quartile 2013
	2009	2010	2011	2012	2013		2009	2010	2011	2012	2013	
<b>West Berkshire</b>	<b>70.1</b>	<b>75.0</b>	<b>76.0</b>	<b>82.0</b>	<b>85.0</b>	<b>B</b>				<b>90.0</b>	<b>92.0</b>	<b>C</b>
<b>National</b>	67.7	71.0	75.0	81.0	<b>83.0</b>					90.0	<b>91.0</b>	



	Level 4+ Maths					Quartile 2013	Progress 2 levels Maths					Quartile 2013
	2009	2010	2011	2012	2013		2009	2010	2011	2012	2013	
<b>West Berkshire</b>	<b>79.0</b>	<b>80.0</b>	<b>80.0</b>	<b>82.0</b>	<b>85.0</b>	<b>C</b>	<b>78.0</b>	<b>82.0</b>	<b>79.0</b>	<b>82.0</b>	<b>83.0</b>	<b>D</b>
<b>National</b>	79.0	79.0	80.0	84.0	<b>85.0</b>		80.0	82.0	83.0	87.0	<b>88.0</b>	

Source: LAIT October 2013

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# West Berkshire School Improvement Strategy Overview 2013-15

## The Vision

For every child, irrespective of background, to fulfil their potential through the best education possible. Our commitment is to work together with schools so that all schools aspire to excellence with "Every school at least a good school" and a high percentage of schools judged to be outstanding. Our vision is that educational achievement should be amongst the best nationally at every phase of education with all pupils equipped to be lifelong learners.

### Key Priorities

#### Raising Achievement for Every Pupil & Closing the Gap for the Most Vulnerable

- To raise educational achievement so that every child achieves their potential
- To close the gap between the performance of vulnerable pupils (especially Pupil Premium pupils) and other groups
- To improve progress rates across KS2, especially in mathematics
- To improve the performance of boys in English
- To be among the highest performing local authorities for educational achievement in every phase
- To increase the percentage of pupils achieving at the highest levels

#### Leadership and Governance

- To support schools in developing outstanding leaders at every level and in each phase of education
- To support governing bodies to be able to provide high quality challenge and support to school leaders
- To increase the number of National and Local Leaders of Education
- To work with school leaders and governors to find viable leadership models and promote collaboration across schools, especially small schools

#### Good and Outstanding Schools

- To increase the percentage of good schools with the view that "Every school should be at least a good school"
- To increase the percentage of outstanding schools with all schools aspiring to excellence
- To ensure that all schools have at least good behaviour for learning

#### School to School Support

- To support the development of sustainable models of school to school support which contributes to the improvement of all schools
- To encourage collaborative working as a key means of transference of the best practice in West Berkshire schools

#### Teaching, Learning and Curriculum

- To provide high quality CPD and brokered Service Level Agreement support to schools in developing good and outstanding teachers
- To work with senior leaders to improve the quality of learning and teaching
- To work with schools to implement the new National Curriculum requirements so that the school curriculum motivates, encourages and inspires pupils to learn and secure key core skills
- To work with senior leaders to address the curriculum challenges within small schools

#### West Berkshire School Improvement Team

The School Improvement Team of School Improvement Advisers and Subject Development Leads also work in partnership or commissioning arrangements with a range of providers to ensure high quality support and challenge.

These include:

- The Institute of Education
- The National College for Teaching and Leadership
- PAN Berkshire Leadership Hub
- Best Practice Network
- Hampshire Inspection & Advisory Service
- The London Borough of Sutton

- NACE
- Basic Skills Agency
- Achievement for All
- Newbury College
- South East Virtual Headteachers Group
- Public Health / Council Partnerships
- Association for Achievement and Improvement through Assessment

## How will we do it?

### Service Level Agreement and Prospectus of Support

Core Elements funded by the LA for All Maintained Schools

Buy-Back Support Packages set out in the Prospectus of Support

Brokerage of Tailored External or School to School Support

#### Raising Achievement & Closing the Gap

#### Pupil Premium Strategy

#### Leadership and Governance

#### Securing Good Leadership & Governance Programme Universal; Targeted; Intensive

#### Good and Outstanding Schools

#### School to School Support

#### Teaching, Learning and Curriculum

- Improving School Programme (ISP)
- Maths and Literacy Networks
- RPA 16-19 Strategy
- Data Packages (e.g. NEXUS & FFT)
- SEND Reviews
- Raising Attainment Plans
- Pupil Progress Meetings
- Assessment Networks

- Leadership Programme for Senior and Middle Leaders;
- Supported Self Reviews
- SEND Review
- Self Evaluation Toolkit
- NLEs/LLEs
- Leadership Workshops and Forums
- PAN Berkshire Leadership Hub
- Securing Good Governance targeted programme
- Governor CPD & Supported Self-Review/Audit

- Governance Improvement Conference
- Action Planning and Tailored Governance Support Packages
- Peer to Peer Governor Mentoring
- Good to Outstanding Programme
- The Improving School Network
- Climate for Learning Reviews
- Headteacher Recruitment
- Executive Headteachers
- Tailored Support

- The setting up of Teaching Schools & Teaching Alliances
- Secondary Subject Leader Networks
- Primary Networks & Link Groups
- SCITT
- NLE/LLE
- Federation and Collaboration
- Directory of Best Practice
- Behavioural Networks
- Small Schools Federation
- Maths Specialist Teachers, ASTs, Leading Teachers

- High Quality CPD Programmes e.g. AFL
- What is Good Teaching Workshops
- The Challenge Award
- Quality Mark
- West Berkshire Early Years Quality Award
- 'Looking for Learning' Programme
- Philosophy for Children
- Letters and Sounds
- Assessment for Learning Reviews
- Curriculum CPD
- Reading, Writing and Maths Networks

WBC/EDU/SG/0813



West Berkshire  
COUNCIL

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## APPENDIX E

Related Council Plan Targets*	2012 LA Results	2012 National	LA Targets 2013	LA Results 2013	National 2013
Increase the proportion of pupils gaining 5*A-C at GCSE inc. En & Ma	57%	59%	61%	61.2%	58.6%
Increase the proportion of pupils achieving L4 or above in maths at KS2	82%	84%	83%	85%	85%
Increase the proportion of pupils achieving 2+ levels of progress from KS1 to KS2 in mathematics	82%	87%	84%	84%	88%
Increase the proportion of pupils eligible for FSM Ever6 who achieve 5+A*-C at GCSE in English & maths combined	26.3%	38.7%	28%	32%	41%
Reduce the attainment gap between pupils eligible for FSM Ever6 and their peers achieving 5+A*-C grades at GCSE in English and maths combined	35.9%	26.9%	33%	34.1%	26.3%
Reduce the number of primary schools below floor standard	2	N/A	1	0	N/A

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# Agenda Item 7.

<b>Voluntary Sector - Prospectus Adult Social Care</b>	
<b>Title of Report:</b>	
<b>Report to be considered by:</b>	Executive
<b>Date of Meeting:</b>	27 March 2014
<b>Forward Plan Ref:</b>	EX2741

<b>Purpose of Report:</b>	To report on findings of the consultation on the proposal to introduce an outcomes focused grants prospectus to manage the investment in the voluntary sector by Adult Social Care.
<b>Recommended Action:</b>	To seek agreement to the implementation of outcomes-based Voluntary Sector prospectus
<b>Reason for decision to be taken:</b>	To progress implementation of the Voluntary Sector Prospectus.
<b>Other options considered:</b>	None
<b>Key background documentation:</b>	None

The proposals contained in this report will help to achieve the following Council Strategy priority: <input checked="" type="checkbox"/> <b>CSP1 – Caring for and protecting the vulnerable</b>
The proposals will also help achieve the following Council Strategy principle: <input checked="" type="checkbox"/> <b>CSP5 - Putting people first</b>

<b>Portfolio Member Details</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Joe Mooney - Tel (0118) 9412649
<b>E-mail Address:</b>	jmooney@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	21 January 2014

<b>Contact Officer Details</b>	
<b>Name:</b>	Tandra Forster
<b>Job Title:</b>	Service Manager - Contracts, Commissioning and Care Quality
<b>Tel. No.:</b>	01635 519248
<b>E-mail Address:</b>	tforster@westberks.gov.uk

## Implications

<b>Policy:</b>	n/a
<b>Financial:</b>	Whilst not the key driver, the review of existing grants and the proposals contained in this report should deliver savings that will go towards the targets contained in the ASC Efficiency Programme.
<b>Personnel:</b>	n/a
<b>Legal/Procurement:</b>	The details of the proposed new arrangements will be agreed with both Legal and Procurement. This is not expected to be an issue as the proposed approach has already been adopted by other councils.
<b>Property:</b>	n/a
<b>Risk Management:</b>	n/a

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
<ul style="list-style-type: none"> <li>Is it likely to affect people with particular protected characteristics differently?</li> <li>Is it a major policy, significantly affecting how functions are delivered?</li> <li>Will the policy have a significant impact on how other organisations operate in terms of equality?</li> <li>Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?</li> <li>Does the policy relate to an area with known inequalities?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at <a href="http://www.westberks.gov.uk/eia">www.westberks.gov.uk/eia</a>	<input checked="" type="checkbox"/>			
Not relevant to equality	<input type="checkbox"/>			

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

# **Executive Summary**

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## **1. Introduction**

- 1.1 This paper sets out a proposal to change the way we commission services from the voluntary sector by introducing a prospectus. The aim is to shift to commissioning on the basis of outcomes, create transparency around why and how investment is driven, stimulate innovation and promote collaboration in the sector. Initially the focus will be on services commissioned by Adult Social Care, but further work is being completed that will spread this concept across the Council and potentially with partners. Further detail on this will be provided in a separate paper.
- 1.2 Adult Social Care currently invests over £1m per year in a range of preventative services delivered by voluntary sector organisations. These arrangements have developed over time on the basis of varying government initiatives, and have not changed appropriately as the spend has grown.
- 1.3 In August 2013 a report was taken to Management Board setting out a proposal to change the way the Council commission Adult Social Care services from voluntary organisations. Agreement was sought to the change in process and a public consultation carried out on the proposed outcomes that will drive the approach.
- 1.4 This work forms part of the 'Cross Cutting Themes' project that has reviewed a wide range of activity including spending within the Voluntary Sector.

## **2. Proposals**

- 2.1 Implement a new outcomes-based prospectus for voluntary sector organisations

## **3. Equalities Impact Assessment Outcomes**

- 3.1 A consultation exercise was carried out from 18th October to 29th December 2013. The aim was to ensure effective engagement, promote greater understanding of the proposal and identify any issues that would need to be addressed.
- 3.2 Key themes that emerged from the consultation included: the need to ensure transparency, concern about the potential impact of change on vulnerable adults and smaller organisations and the need for involvement by wider partners e.g. Health. More detail is provided in the body of this report.

## **4. Conclusion**

- 4.1 That Executive agrees to implement the Voluntary Sector prospectus.

# Executive Report

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## 1. Introduction

- 1.1 This paper sets out a proposal to change the way we commission services from the voluntary sector by introducing a prospectus. The aim is to shift to commissioning on the basis of outcomes, create transparency around why and how investment is driven, stimulate innovation and promote collaboration in the sector. Initially the focus will be on services commissioned by Adult Social Care, but further work is being completed that will spread this concept across the Council and potentially with partners. Further detail on this will be provided in a separate paper.
- 1.2 Within the Adult Social Care (ASC) Efficiency Programme there is a 'Cross Cutting Themes' project that has reviewed a wide range of activity including spending with the Voluntary Sector.
- 1.3 In August 2013 a report was taken to Management Board setting out a proposal to change the way the Council commissions Adult Social Care services from voluntary organisations. Agreement was sought to the change in process and a public consultation carried out on the proposed outcomes that will drive the process.

## 2. Context

- 2.1 ASC currently spends £1,081,664 per year on services delivered by voluntary sector organisations, these are largely prevention focussed. This spend excludes the commissioning of specific services delivered to named clients (the meeting of identified need required by statute) but the services are used by vulnerable adults with eligible social care needs. Existing arrangements have evolved over time, supported by government initiatives to stimulate the development of specific preventative services for example dementia support. As more services have developed overall investment has increased.

## 3. Review Process and Outcomes

- 3.1 A detailed review of all existing payments has been undertaken by ASC and colleagues from Care Commissioning, Housing and Safeguarding.
- 3.2 Appendix A provides a complete list of the payments made to voluntary sector organisations by ASC. The list identifies as Group C those payments that would end on 30th June 2014 and be replaced with a new process that is explained in the following section.
- 3.3 The consultation focused on 6 outcomes:
  - (1) Outcome 1: Helping people to continue caring
  - (2) Outcome 2: Supporting vulnerable adults to remain living independently in the community
  - (3) Outcome 3: Supporting vulnerable adults to continue to manage their long term conditions
  - (4) Outcome 4: Helping vulnerable adults to have a voice in the community

- (5) Outcome 5: Supporting vulnerable adults to access employment
- (6) Outcome 6: Preventing social isolation

#### **4. Reasons for change**

- 4.1 Although active quality/performance monitoring ensures providers are delivering good quality, effective services, the current approach has some disadvantages:
  - (1) A lack of transparency in the process
  - (2) Lack of competition, integral to delivering efficiencies
  - (3) Limited opportunity for new voluntary sector organisations to enter the market
  - (4) Expectation that service investment will continue with specific organisations
  - (5) A lack of innovation
- 4.2 Given these disadvantages it was felt that there is a requirement for a more robust, competitive, transparent commissioning process to:
  - (1) Embed a more strategic approach to commissioning, taking account of new national directives, local need and opportunities to join up with other stakeholders e.g. Health
  - (2) Ensure compliance with the Council's Contract Rules of Procedure.
  - (3) Attract new voluntary sector organisations to provide services in West Berkshire.
  - (4) Encourage innovation in service delivery
  - (5) Encourage collaboration between voluntary organisations
  - (6) Enable an outcomes based performance framework
  - (7) Build social capital
- 4.3 A traditional tender route would ensure compliance, transparency and competition, and has already been used by the Council for example the Berkshire Carer Services Contract commissioned jointly with Reading BC, Wokingham BC and the CCG. However, there is a concern that smaller organisations would struggle to meet the challenges integral to a traditional tender process. The consequence of this would be a focus on larger organisations which would continue to limit opportunities for smaller organisations and reduce innovation.

#### **5. Proposal**

- 5.1 To implement a Prospectus which will set out the Council's requirement for preventative services it would like delivered by voluntary sector organisations.

- 5.2 The prospectus would set out what is required, the outcomes to be met and an indication of the funding that could be available. Performance management of services would be based on the outcomes and outputs agreed as part of the selection process.
- 5.3 Voluntary sector organisations would then apply to deliver the services. The application would include financial due diligence, evidence of their experience and an outline of how they would meet the requirements to ensure delivery against agreed outcomes.
- 5.4 Applications would be evaluated by a panel against an agreed criteria; this would promote competition. Terms and conditions would be set at the start of the process, the application would lead to a detailed service specification and contracts would then be awarded in accordance with the Council's Contract Rules of Procedure.
- 5.5 When grants are awarded under the new prospectus account managers will be identified to manage the relationship with the successful organisations, managing performance, communicating strategic plans and ensuring a detail understanding of the organisation's intentions.
- 5.6 It is felt implementing this approach will ensure there is a robust commissioning process that is transparent, competitive and delivers value for money. It will offer more stability as it is hoped that voluntary sector organisations will be able to see in advance how the service they provide fits in to the identified outcomes. In addition organisations are likely to be awarded contracts for longer periods, but still enable the Council to respond to changes in funding important in the current climate.
- 5.7 Implementing the new process will address requirements around having a named account manager and ensuring a consistent contract performance approach. This prospectus will have an initial focus on services for adults but plans are already in place to widen it to include other service areas e.g. Children's.

## **6. Financial Implications**

- 6.1 The key aims of the review were to ensure a clear understanding of the services delivered with the current funding and to implement a more transparent and competitive process that encourages innovation.
- 6.2 The review has already identified £238,190 of grant payments that need to end with the funds transferred to commissioning budgets where they will be used on provide services at individual client level.
- 6.3 The review has also identified £40k of grant budgets that are no longer required and can be added to the achieved savings total for this project.
- 6.4 Now the consultation process has been concluded further work will be undertaken on the packaging of services, the required outcomes and the total grant available.

## 7. Consultation and feedback

7.1 The importance of establishing an on-going dialogue about any changes to services for vulnerable people was acknowledged and plans were put in place to ensure a robust consultation involving service users and voluntary sector providers.

7.2 The consultation was about moving to an outcomes-based approach but information was also provided about the proposed commissioning process.

7.3 The consultation on the proposed outcomes was undertaken from 18th October to 29th December. The feedback received was widely supportive of the approach and outcomes and will be used to refine the detail in the final prospectus. See attached consultation plan (Appendix B) for lists of range of methods used.

7.4 Consultation was conducted using a variety of methods including:

- (a) Use of existing forums and channels to link with service users, partner agencies, voluntary organisations and carers
- (b) Details of the proposal were placed on consultation finder
- (c) One-off focus group events were held with service users, carers and staff.

7.5 The following themes emerged from the feedback:

(1) Need to ensure transparency

Feedback supported introduction of a more transparent process. Some concern about how new entrants would become aware of the opportunity and importance of reaching out effectively to building trust with organisations going forward.

Engagement has already started with existing voluntary organisations to ensure that they are made aware of the prospectus; this has included a specific provider event. The prospectus will be published on the Council's procurement portal and circulated to organisations that support voluntary sector organisations and information will be sent to neighbouring authorities so that they can make voluntary organisations in their area aware.

(2) Concern about how the proposal could impact vulnerable adults

Change to existing services, either in terms of provider or the model of delivery, would impact existing service users who are happy with current arrangements.

It was recognised that existing service users may become anxious about the potential for change. Engagement with existing service users and carers about the process and potential impact formed a major part of the 6 week consultation process. Service users/carers representatives will be involved in the evaluation panels and service user engagement will be included as one of the evaluation criteria. Consideration has been given to the equalities impact of the new

approach; the consultation responses will be used to inform the measures the council should take to mitigate any adverse effects identified for individuals with protected characteristics.

(3) Clarity around the detail of the outcome and how success will be evaluated

There was concern about how the outcomes would be expressed it was suggested that descriptions used as part of the consultation were more like themes/headings and that they needed to be written so that they were more specific, requirements were clearer and could be measured.

This feedback will be used to inform the final prospectus; in addition, direct input from key stakeholders including representatives from service users will be sought as part of this.

(4) Lack of health involvement

Concern that the prospectus has not been launched jointly with health partners, potential lost opportunity to deliver joined up services that offer greater value for money.

Public Health has been engaged in the development of the draft outcomes and has committed investment to the prospectus. There has also been engagement with Clinical Commissioning Groups about the potential to do something jointly. Timescales did not allow for a joint prospectus this time but there was commitment to doing something in the future.

(5) Impact on smaller organisations and current providers

Welcomed the possibility of agreements for a longer duration and the potential financial stability it would bring. Concern around how smaller organisations and existing providers will cope with/resource a response to the new process. Concern that the focus should be on the outcome but that a more competitive process may favour lower cost organisations.

The new process has been designed so that it is more accessible by smaller organisation. A 'Meet the buyer' event has been included in the overall project plan to allow an opportunity for more technical discussions about how it will work and reasonable adjustments to be made. In addition, 3 month period has been included following contract award, this should allow sufficient time for a smooth transition to include communication with service users.

The evaluation criteria will ensure a strong focus on quality, particularly how the organisation will achieve the set outcomes. Service user/carer representatives will form part of the evaluation panel.

(6) Doubts about potential new entrants

Feedback that the new process may not result in new entrants; local voluntary sector is quite small and feeling that it will continue to remain so.

Comments are noted and further engagement will ensure the new approach will be publicised as widely as possible with a particular focus on voluntary sector infrastructure.

## **8. Conclusions and recommendations**

- 8.1 The proposals contained in this report would subject £666K of existing payments to a competitive process for the first time. Allocation of the funding will be driven by priority attached to the outcomes resulting from the consultation process.
- 8.2 The remaining investment has already been awarded on the basis of a formal tender process. This is expected to promote innovation by opening the door to new organisations.
- 8.3 Whilst the initial focus is very much on ASC, the proposed Prospectus will be expanded to include other services.
- 8.4 That Executive approves the implementation of a outcomes-based Voluntary Sector prospectus.

## **Appendices**

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Appendix A - Full list of grant payments made to Voluntary Sector Organisations

Appendix B - Consultation plan

Appendix C – Equality Impact Assessment

## **Consultees**

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**Local Stakeholders:** Consultation completed as set out at Appendix C.

**Officers Consulted:** Steve Duffin - Head of Service, ASC Efficiency Programme

June Graves - Head of Service Care Commissioning, Housing & Safeguarding

Rachael Wardell - Corporate Director, Communities

Communities Directorate Leadership Team

Barbara Billett - CCH&S

ASC Efficiency Programme Board

Jenny Matheson - Solicitor

Shiraz Sheikh – Solicitor

Corporate Board

**Trade Union:** Not applicable

## Voluntary Sector Payments

(Account Managers shown in brackets where in place)

Organisation	2013/14 Base Budget £	Description
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### Group A - Awarded under a competitive procurement process managed through Contracts & Commissioning Team

Berkshire Carers Service	48,660	Carer support service - joint contract with Reading BC, Wokingham BC and the CCG
Family Resource Service	58,500	Healthwatch - consumer watchdog focussing on health and social care services
Bromford Housing	43,849	Respite flat - preventing hospital admission by providing short term accommodation for people with mental health needs
Kinsley Centre	86,370	Brokerage service for Cash Personal Budget clients
SEAP (Support, Empower, Advocate, Promote)	20,163	Complaints advocacy service
<b>Total</b>	<b>257,542</b>	

### Group B - small grants under review

Carers Grant CAB (Citizens Advice)	20,860	Contribution to corporate agreement with CAB to provide info, advice and guidance
Alzheimer's Society	5,520	To deliver a monthly Dementia café in West Berkshire for carers. Provide info, advice and support for carers and those they care for with dementia
Parkinsons Society	3,920	To provide support to carers of people with Parkinsons
Reading Crossroads Young Dementia	10,930	Support for those caring for younger people with dementia - joint funded with Reading & Wokingham
Reading Crossroads Can Do It Club	3,954	Preventing social isolation for PD Adults
Harbour Group Drug & Alcohol	4,600	Support group for people with drug and alcohol problems
Thames Valley Positive Support	13,587	To provide support to those affected by HIV/Aids in West Berkshire and to ensure those newly diagnosed with HIV regain the quality of life they experienced pre-diagnosis. This grant will end on 31/3/14 as it has been established that responsibility for providing such support services rests with Public Health.
Basingstoke Advice Centre	10,000	To provide a telephone support and individual counselling service to anyone over the age of 16 years who has been raped, sexually abused or sexually assaulted at any time in their lives. This grant will end on 31/3/14 as it has been established that responsibility for providing such support services rests with Public Health.

Reading Deaf Centre	6,300	Contribution to a service providing info, guidance, advice and support. The contract covers a number of Council's, Reading BC being the awarding body.
West Berks Citizen Advocacy Service	40,667	Annual funding awarded following successful bids to Learning Disability Partnership Board (Board includes parents and service users). Monies available come from the Learning Disabilities Development Fund.
WBiLN (West Berkshire Independent Living Network)	37,066	Umbrella organisation promoting 'user voice' by providing support and grants to other voluntary sector organisations and individuals. The need to continue with this grant to be reviewed by March 2014, taking into account the development of the Healthwatch contract.
Total	157,404	

**Group C - To be covered by proposed new procurement arrangements  
(Account Managers shown in brackets)**

Package 1 - to be included in 'Prospectus'		
Crossroads Rapid Response (Tandra Forster)	250,670	Carers respite services
Crossroads - Café (Tandra Forster)		Carers respite services
Crossroads - Self Referral - Carer Breaks (Tandra Forster)		Carers respite services
Crossroads - Carer breaks (Tandra Forster)		Carers respite services
Crossroads - Dementia (Tandra Forster)		Carers respite services
WBM Family Advisor Service (West Berkshire Mencap) (Tandra Forster)	22,716	Support for families
WBM Carers Champion (Tandra Forster)	14,688	Support for carers

Package 2 - these services will no longer be block funded but be commissioned at client level as and when required

WBM - link up (Tandra Forster)	148,608	Day service
WBM Growing for all (Tandra Forster)	46,440	Day service
WBM Leisure Plus - Newbury (Tandra Forster)	34,142	Day service

Package 3 - to be included in 'Prospectus'		
Age UK - Handyman (Patrick Leavey)	19,125	Small repairs - would benefit from additional investment
Package 4 - to be included in 'Prospectus'		
Age UK - Westlink (Patrick Leavey)	20,068	Befriending scheme
Package 5 - to be included in 'Prospectus'		
Age UK - Home from Hospital (Patrick Leavey)	25,550	Supporting safe hospital discharge
Package 6 - to be included in 'Prospectus'		
Newbury Stroke Care - Day Ops	53,564	To provide a range of community based services to support individuals with a diagnosis of stroke and their families.
Newbury Stroke Care - Family Support Worker		
Package 7 - to be included in 'Prospectus'		
Berkshire County Blind Society	17,377	Hospital Services – supporting West Berkshire Service Users attending Ophthalmology departments in hospitals within Berkshire. Talking Book Service – providing and maintaining talking book machines as required by Service Users already registered with the Society. (This is a reducing service with no new referrals being made) Home Visits & Resource/Rehabilitation Days – providing practical advice and support to Service Users in their homes. To set aside two days specifically to advise members of the public of the resources and support that is available to visually impaired people. This service has 1,200 hours of agreed funding.
Package 8 - to be included in 'Prospectus'		
West Berks Citizen Advocacy Service	13,770	Citizen Advocacy Service and 'It's My Life' self advocacy service
Total	666,718	

## Appendix B

### Grants Prospectus – Timetable and Consultation Plan

#### Proposed timescales

Draft project plan and report to be developed June/July through Management Development Group

Paper to Management Board to seek approval for consultation;

CDLT / CCMT	3rd July 2013
ASC Board	17th July 2013
Corporate Board	6th August (deadline for submission 30th July)
Management Board	15th August (deadline for submission 8th August)

Stakeholder consultation – 18th October 2013 - 29th December 2013 (see consultation plan below)

Completion of Equalities Impact Assessment and necessary adjustments to prospectus – December 2013 / January 2014

Papers through Executive cycle to seek approval and formal approval of prospectus, approach etc

Corporate Board	7th January 2014 (deadline 31st December 2013)
Management Board	30th January (deadline 23 January 2014)
Executive	27th March (deadline 18th March 2014)

Complete final draft of grants prospectus and establish panel to review bids – March/April 2014

#### Consultation Plan (18th October 2013 - 29th December 2013)

Who	Methods	Timescales	Outcomes
WBC Staff Adult Social Care, in particular CTPLD, Commissioning, Housing etc	CCMT / SMT item  Staff seminar	August 13	Awareness raising, Commitment to changes Understanding service implications
Service users	Workshops to look at current set up Agree priorities under high level	Aug/Oct 13	Awareness raising

Who	Methods	Timescales	Outcomes
	outcomes? WBILN LDPB OP group? MH users Possible Healthwatch involvement		Understanding of any impact and consideration of any required adjustment to policy
West Berkshire Health Watch	Consultation finder	Oct/Dec	Awareness raising & feedback
Voluntary Sector Providers	Voluntary Sector - Provider launch/workshop  Learning Disability Partnership Board  Disability Equality Scrutiny Board  Carers Strategy Group  West Berkshire Independent Living Network hosted:  Carers Focus Group  Service User Focus Group	8th Nov  12th Nov  12th Nov  14th Nov  17th Dec  18th Dec	Awareness raising Understanding of any impact and consideration of any required adjustment
Public	Consultation Finder	Oct/Dec	As above

## Equality Impact Assessment Template – Stage Two

<b>Name of item being assessed:</b>	Voluntary Sector Prospectus
<b>Version and release date of item:</b>	V1.0
<b>Owner of the item being assessed:</b>	Tandra Forster
<b>Name of assessor:</b>	Tandra Forster Barbara Billett
<b>Date of assessment:</b>	30.12.13

### 1 What are the main aims of the item?

**To implement an outcomes-based prospectus for commissioning preventative services from Voluntary Sector Organisations.**

**To introduce a range of outcomes that services will be evaluated against.**

### 2 What research will you undertake to inform this assessment?

(for example, who, how and when will you consult? What existing information is available either internally or externally? Are there complaints, comments received that will inform this assessment? Are there any local groups you can talk to? Etc)

Use this space to set out your activity.

A consultation on the proposed outcomes was undertaken from 18th October to 29th December. The feedback received has been largely supportive of the approach and outcomes and will be used to refine the detail in the final prospectus.

Consultation was conducted using a variety of methods including:

- (a) Use of existing forums and channels to link with service users, partner agencies, voluntary organisations and carers
- (b) Details of the proposal were placed on consultation finder
- (c) One-off focus group events were held with service users, carers and staff.

### 3 What are the results of your research?

Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this.
Age	<p>New outcomes might result in re-directing of resources and consequent reduction in capacity for existing services.</p> <p>People with a critical need will continue to have these met. As part of the new prospectus we will monitor demand for service ongoing and how needs are being met, this will allow for a more effective directing of resources going forward.</p>	<p>Feedback from consultation highlighted anxiety about potential change.</p> <p>Inequity in resources has been highlighted as a concern with the current approach. There is no new funding attached so any change will result in re-alignment of funding.</p>
Disability	<p>New outcomes might result in re-directing of resources and consequent reduction in capacity for existing services.</p> <p>People with a critical need will continue to have these met. As part of the new prospectus we will monitor demand for service ongoing and how needs are being met, this will allow for a more effective directing of resources going forward.</p> <p>Implementation of the new outcomes should address current gaps such as social isolation and supported employment which has been identified as part of a strategic review.</p>	<p>Feedback from consultation highlighted anxiety about potential change.</p> <p>Inequity in resources has been highlighted as a concern with the current approach. There is no new funding attached so any change will result in re-alignment of funding.</p>

#### Further Comments relating to the item:

This process will be more transparent and once up and running will involve regular review. New agreements are longer so will create stability and this should lead to innovation.

**4 What actions will be taken to address any negative effects?**

Action	Owner	By When?	Outcome
Ensure outcomes are specific with clear, measurable outputs.	Tandra Forster	February 2014	Enable effective evaluation of service that meets individual need. Highlight gaps in service Understand future demand
Establish ongoing monitoring as part of contract management	Robert Bradfield	February 2014	Enable clear accountability which is evidenced based. Ensure robust service delivery and effective targeting of resources/VFM

**5 What was the final outcome and why was this agreed?**

(Was the item adjusted, rewritten or unchanged?)

Overall process and outcomes approved. Feedback will result in outcomes being refined.

**6 What arrangements have you put in place to monitor the impact of this decision?**

Monitoring initially through ASC Efficiency Board and then through contract monitoring process

**7 What date is the Equality Impact Assessment due for Review?**

30.12.14

Signed: Tandra Forster

Date: 30.12.13

---

**Please now forward this completed template to the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.**

# Agenda Item 8.

<b>Title of Report:</b>	<b>Annual Report on Complaints Activity in Children's Social Care 2012-13</b>
<b>Report to be considered by:</b>	Executive
<b>Date of Meeting:</b>	27 March 2014
<b>Forward Plan Ref:</b>	EX2775

**Purpose of Report:** **To report on the statutory complaints process for 2012/2013.**

**Recommended Action:** **To consider and approve the report, including lessons learned and actions.**

**Reason for decision to be taken:** Local authorities must, each financial year, publish an annual report in order to keep the local authority informed about the operation of its complaints procedure. The report should be 'presented to staff, the relevant local authority committee, and to the regulator and general public.'

**Other options considered:** None

**Key background documentation:**

- 'Getting the Best from Complaints' DfE - social care complaints and representations for children, Young People and Others.'
- Statutory guidance to accompany the Children Act 1989 Representations Procedure (England) Regulations 2006 (Statutory Instrument 2006/1738)

The proposals will help achieve the following Council Strategy priority and principles:

- CSP1 – Caring for and Protecting the Vulnerable**
- CSP8 – Transforming our services to remain affordable and effective**
- CSP9 – Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priority and principles by:

Shaping future service delivery to meet the needs of the vulnerable people served.

<b>Portfolio Member Details</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Irene Neill - Tel (0118) 971 2671
<b>E-mail Address:</b>	ineill@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	28/11/2013

<b>Contact Officer Details</b>	
<b>Name:</b>	Caroline Corcoran
<b>Job Title:</b>	Service Manager
<b>Tel. No.:</b>	01635 519030
<b>E-mail Address:</b>	ccorcoran@westberks.gov.uk

## **Implications**

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<b>Policy:</b>	The complaints policy for Children & Young People (Social Care) is compliant with the requirements of the relevant legislation.
<b>Financial:</b>	Non specific to this report.
<b>Personnel:</b>	Non specific to this report.
<b>Legal/Procurement:</b>	This report ensures the Council meets its legal duty to report and publish an Annual Report.
<b>Property:</b>	Non specific to this report.
<b>Risk Management:</b>	Non specific to this report.
<b>Equalities Impact Assessment:</b>	A full Equality Impact Assessment tool, designed by a number of Complaints Managers in the social care field, has been used to assess the West Berkshire Children & Young People social care complaints process and is reviewed every year with the publication of the Annual report.

<b>Is this item subject to call-in?</b>	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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# Executive Summary and Report

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## 1. Introduction

1.1 Local authorities are required to have a specific complaints process for Children's social care matters, and to report on Complaints on an annual basis. The Report outlines the complaints and responses and explains how the Council has responded, including Lessons Learned and Actions Taken. This report contains a summary of Children's Social Care feedback received between 1 April 2012 and 31 March 2013. It highlights how the Service has performed against statutory timescales and key principles; learning and service improvements that have been made as a result of listening and responding to complaints and plans for further developments.

## 2. Findings

2.1 During this period, a total of 73 contacts were received (63 complaints and 10 representations). This is directly comparable to 75 contacts received in 2011-2012. Complaints cover multiple issues. 246 issues were raised from the 63 complaints. The key themes from issues raised related to the following categories;

- Communication/Information (24%)
- Standard of service delivery (20%)
- Accommodation/placement (15%)
- Assessment/decision issues (12%)
- Attitude of staff/staff conduct (9%)

2.2 Of the 246 issues raised, 45 issues were upheld (18% compared to 45 issues (25%) in 2011-2012) and 32 issues were partly upheld (13% compared to 25 issues (14%) in 2011-2012.)

2.3 The key themes identified from complaints which were upheld were:

- Communication/Information (30%)
- Standard of service delivery (27%)
- Assessment/decision issues (17%)
- Attitude of staff/staff conduct (16%)

2.4 91% of Stage 1 complaints were acknowledged within 3 working days, compared to 98% in 2011-2012.

2.5 59% of Stage 1 complaints were responded to within 10 working days, when compared to 61% in 2011-2012. However, the legislation allows for an extension to 20 days response time in complex cases. In 2012-2013, there have been a number of more complex complaints and this is reflected in the increase in response times within 20 working days from 20% in 2011-12 to 30% in 2012-2013.

2.6 In 2010/2011, there were two Stage 2 complaints, which were completed in 2011/2012. The issues were recorded in the 2011/2012 Annual Report as Stage 1 data and therefore, the detail of the Stage 2 cases is distilled herein. Both cases were also referred to the Local Government Ombudsman and no further action was required. The Ombudsman also considered a series of five sets of premature complaints from one complainant, and two sets of complaints which the Ombudsman agreed were historical and had been investigated before. The premature complaints progressed through the council's complaints process, and the historical cases were taken no further.

2.7 Over 70 compliments were received ranging from comments from families, children, professionals and other partner agencies.

### **3. Lessons Learned and Actions**

3.1 The Complaints report is considered by the QA Board, who will monitor and evaluate practise against the required lessons learned and actions. This will include identifying lead officers and timescales for any further remedial actions.

3.2 The actions relating to social work practise and administration practise cover 4 areas:

- Advocacy must be offered to any child/young person wishing to complain or make representation
- S47 – improvements to the management of enquiries
- Management of assessments
- Improvements in record keeping and recording

### **4. Conclusion**

4.1 There has been an increase in the number of issues raised within the detail of complaints, despite the overall number of complaints remaining fairly static. This has affected responses times, although effective written responses, mediation and follow up has resulted in complaints that have been thoroughly investigated and resolved at Stage 1. Although 69% of issues raised were not upheld, there have not been any Stage 2 cases from complaints received during the year.

4.2 Overall management of complaints is robust and undertaken with sensitivity, and meets the requirements of the relevant guidance and regulations.

4.3 However, the Council is not complacent and recognises that good communication and standard of service delivery are areas for continuing focus and ongoing improvement in order to meet the expectations of clients.

### **Appendices**

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Appendix A – Equality Impact Assessment Stage 1

Appendix B – Annual Report for Children's Social Care 2012-2013

## **Consultees**

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**Local Stakeholders:** Here4Me (advocacy service for young people)

**Officers Consulted:** Children's Services Management Team

Communities Directorate Leadership Team

Corporate Board

**Trade Union:** N/A

## APPENDIX A

### Equality Impact Assessment – Stage One

<b>Name of item being assessed:</b>	Complaints & Representations procedure Children's social care
<b>Version and release date of item (if applicable):</b>	
<b>Owner of item being assessed:</b>	Children's Services – Complaints and Access to Records Manager
<b>Name of assessor:</b>	Yvette Jones
<b>Date of assessment:</b>	November 2012
<b>1. What are the main aims of the item?</b>	
To give users and their carers access to a fair & transparent complaints process; to provide guidance to staff on providing a consistent customer focussed response to issues raised; to comply with the Children Act 1989 Representations Procedure (England) Regulations 2006 and meet statutory deadlines; to learn from complaints.	

<b>2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)</b>		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>
Parents and other involved adults, both male and female	The policy may not be accessible to parents/carers of children, male and female. A high proportion of our clients are from single parent families with children predominantly remaining with their mothers.	64% of complainants are female, 26% are from males, with 10% from couples. Engagement with all those with Parental Responsibility when assessment is undertaken ensures both parents and other involved people are given appropriate information about raising issues and complaining.
Race – all minority ethnic groups and those without English as their first language	The process is designed to be accessible to all, with translators provided when English is not the client's first language.	Records evidence translators are provided when needed.
Disabled people	Access may be difficult, and disability may impact on understanding or ability to progress matters.	A Makaton leaflet for learning disabled children is available, and where disability may impact, the Complaints Manager supports the complainant and using supportive services, including a translator or a BSL signer, and the client's usual specialist support staff.

Age – especially children & young people.	.A lack of knowledge or understanding of the right to raise issues or how it may help may occur.	The process is available to children and young people until they leave care, and they are entitled to advocacy support if they wish it. All Looked After children receive information about the process and support available at a number of stages in their engagement with us.
Ability	A client or representative may not be able to read or write or have sufficient skill to engage with the process.	The Complaints Manager meets with any complainant who needs additional support to make their complaint
Sexual orientation, religion or belief		Should failure to respect any of these aspects be a matter for complaint this would be dealt with using the process.
<b>Further comments relating to the item:</b>		
This is a process which is designed to be available to the widest spectrum of clients, and a number of tools and people are utilised to ensure this is the case.		

**3. Result** (please tick by double-clicking on relevant box and click on 'checked')

<input type="checkbox"/>	<b>High Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Medium Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	<b>Low Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>No Relevance</b> - This <b>does not</b> need to undergo a Stage 2 Equality Impact Assessment

**For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.**

<b>4. Identify next steps as appropriate:</b>	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	

**Name:** Yvette Jones

**Date:** November 2012

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# Children's Social Care

## Complaints, Compliments & Representations

Annual Report  
2012/13



West Berkshire  
C O U N C I L

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## Executive Summary

This report contains a summary of Children's Social Care feedback received between 1 April 2012 and 31 March 2013. It highlights how the Service has performed against statutory timescales and key principles; learning and service improvements that have been made as a result of listening and responding to complaints and plans for further developments.

During this period, a total of 73 contacts were received (63 complaints and 10 representations). This is directly comparable to 75 contacts received in 2011-2012. Complaints cover multiple issues. 246 issues were raised from the 63 complaints. The key themes from issues raised related to the following categories;

- Communication/Information (24%)
- Standard of service delivery (20%)
- Accommodation/placement (15%)
- Assessment/decision issues (12%)
- Attitude of staff/staff conduct (9%)

Of the 246 issues raised, 45 issues were upheld (18% compared to 45 issues (25%) in 2011-2012) and 32 issues were partly upheld (13% compared to 25 issues (14%) in 2011-2012). The key themes identified from complaints which were upheld were:

- Communication/Information (30%)
- Standard of service delivery (27%)
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- Attitude of staff/staff conduct (16%)

91% of Stage 1 complaints were acknowledged within 3 working days, compared to 98% in 2011-2012.

59% of Stage 1 complaints were responded to within 10 working days, when compared to 61% in 2011-2012. However, the legislation allows for an extension to 20 days response time in complex cases. In 2012-2013, there have been a number of more complex complaints and this is reflected in the increase in response times within 20 working days from 20% in 2011-12 to 30% in 2012-2013.

In 2010/2011, there were two Stage 2 complaints, which were completed in 2011/2012. The issues were recorded in the 2011/2012 Annual Report as Stage 1 data and therefore, the detail of the Stage 2 cases is distilled herein. Both cases were also referred to the Local Government Ombudsman and no further action was required. The Ombudsman also considered a series of five sets of premature complaints from one complainant, and two sets of complaints which the Ombudsman agreed were historical and had been investigated before. The premature complaints progressed through the council's complaints process, and the historical cases were taken no further.

Over 70 compliments were received ranging from comments from families, children, professionals and other partner agencies.

## **1. Complaints: A definition**

A complaint is described as an expression of dissatisfaction with the service the Council has provided. Feedback from users of our service is important to the Council. It is an opportunity to learn why people find our services unsatisfactory, and what we can do to improve.

We realise that young people may also want to complain, being important users of our services. All young people recording complaints are advised of their right to independent, confidential advocacy support and how to access this support, if desired.

All complaints received by West Berkshire County Council are dealt with under the statutory social care complaints procedure or the Council's corporate complaints procedure. Complaints may be received via any employee or office at any level of West Berkshire Council and are then directed to the relevant department depending on the nature of the complaint.

Issues regarding the delivery of social care services are dealt with under the social care complaints procedure. For all other complaints, the corporate complaints procedure applies.

Representations are written queries or raising of matters which require a response, but are not a complaint. These are acknowledged within 3 days and responded to within 10 working days.

## **2. Complaints Process**

The framework for managing complaints is set out within the Children's Act (1989) Regulations 2006. The complaints process for Children's Social Care complaints consists of three stages;

- STAGE 1: Local Resolution
- STAGE 2: Independent Investigation
- STAGE 3: Review Panel

The fundamental principles that underpin Children's Social Care complaints procedure are:

- Using clear and straightforward systems to capture complaints
- Ensuring that the complaints process is readily accessible to users
- Ensuring that complaints are managed effectively at all stages of the procedure
- Making considered decisions as quickly as possible
- Using lessons learnt to inform service improvements

Complaints are received via a number of routes including telephone, letter, in person, online via our customer portal and by email. West Berkshire Council aims to resolve all complaints at the earliest possible stage and at the lowest possible level. If a complaint cannot be resolved at Stage 1, complainants may request investigation at Stage 2. The Authority may decide to escalate complaints of a particularly serious nature directly to Stage 2.

If having exhausted all reasonable avenues within the Council's complaints procedure, a complainant remains dissatisfied; they may ask the Local Government Ombudsman (LGO) to consider their complaint. A complaint lodged with the LGO before a Council has had reasonable opportunity to respond will be deemed 'premature' and will be referred back to the Local Authority complaints process.

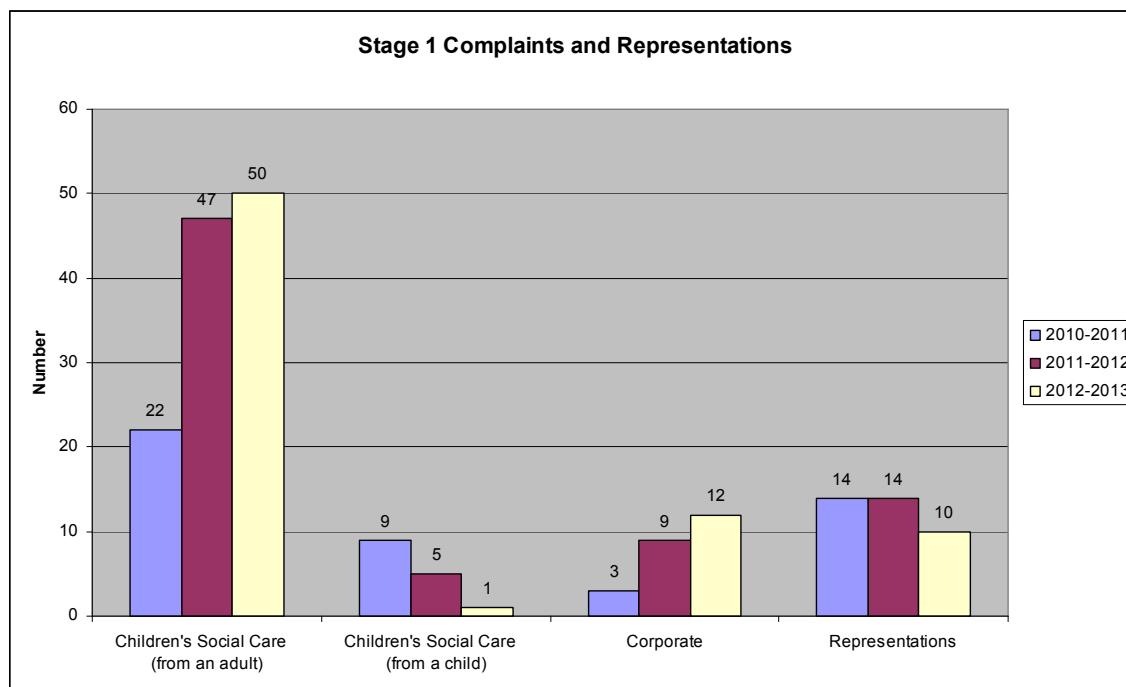
A summary of the children's social care complaints process is at Appendix A.  
A summary of the corporate complaints process is at Appendix B.

The Annual Report is presented to Corporate Board and to the Executive.

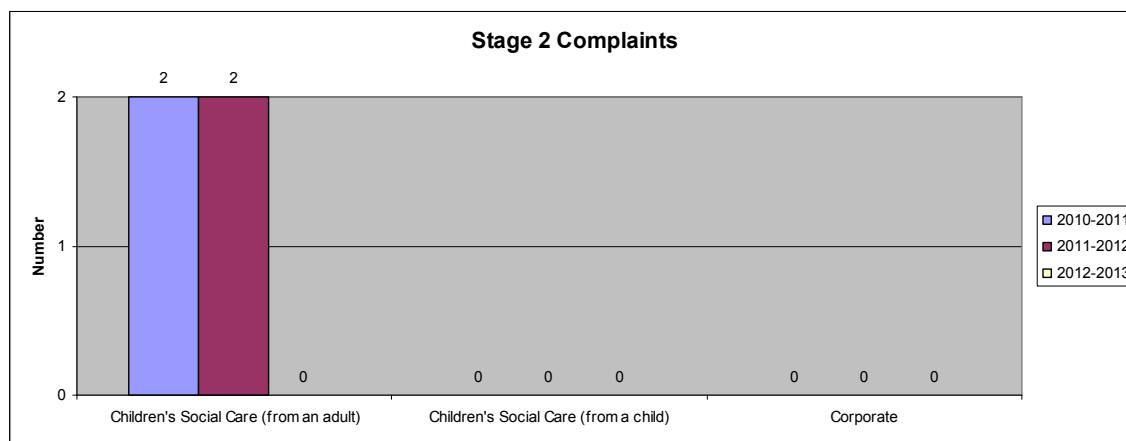
### 3. Analysis

#### Complaints Received

During this period, a total of 73 contacts were received (63 Stage 1 complaints and 10 representations). This is directly comparable to 75 contacts received in 2011-2012. There was a rise in complaints recorded in 2011-2012 which has been sustained in 2012-2013, compared to the lower levels recorded in 2010-2011.



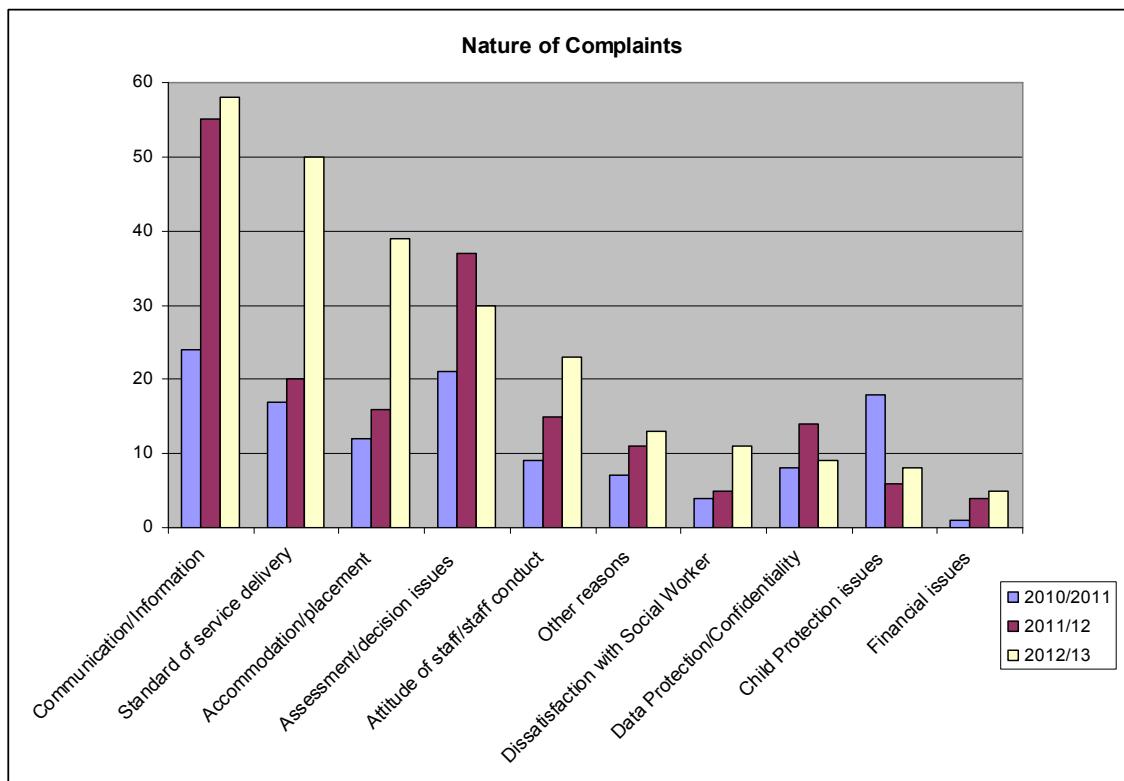
There were two Stage 2 investigations which were launched at the end of the period 2011-2012 and were completed in 2012-2013. These are recorded as having originated in 2011-2012 below:



## Nature of Stage 1 Complaints

Complaints can cover multiple issues, and therefore, the number of issues is greater than the number of complaints. 246 Issues were raised in 2012/2013, compared to 183 issues in 2011/2012.

Appendix C outlines how complaints are received by the Council. The increasing use of email has led to longer and more complex complaints, which is being reflected in an increase in the number of issues raised within each complaint.



Nature of Complaint	2010/2011	2011/12	2012/13
Communication/Information	24	55	58
Standard of service delivery	17	20	50
Accommodation/placement	12	16	39
Assessment/decision issues	21	37	30
Attitude of staff/staff conduct	9	15	23
Other reasons	7	11	13
Dissatisfaction with Social Worker	4	5	11
Data Protection/Confidentiality	8	14	9
Child Protection issues	18	6	8
Financial issues	1	4	5
<b>Total</b>	<b>121</b>	<b>183</b>	<b>246</b>

Appendix E includes the sub-categories of issue which were raised.

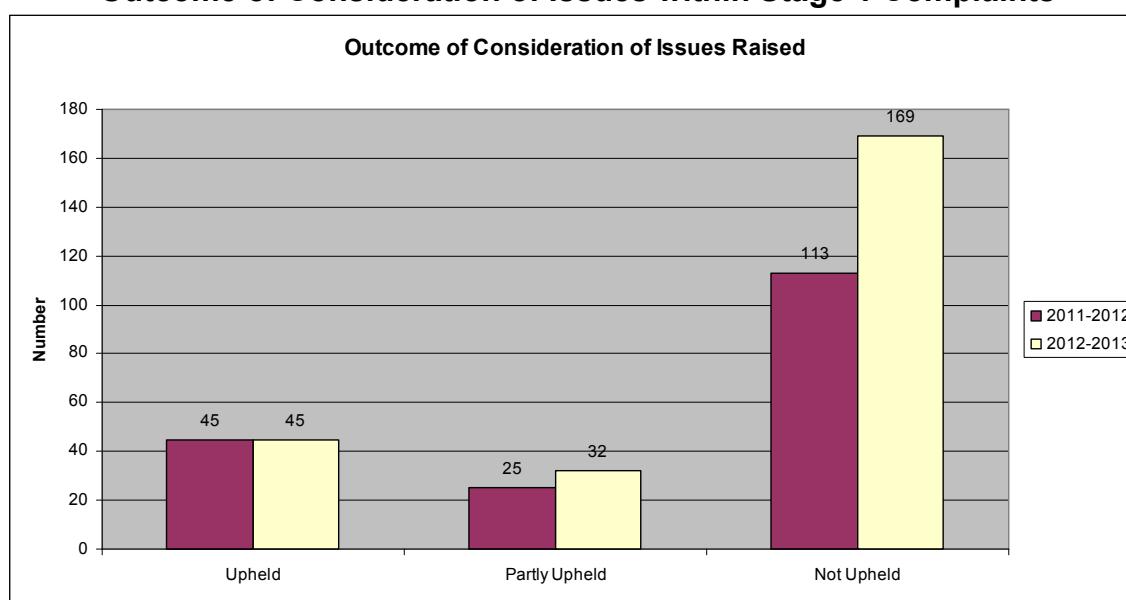
Comparison between 2011/2012 and 2013/2014 in terms of numbers of complaints that were upheld, partly upheld and not upheld, by category.

Nature of Complaint	2011/2012			2012/2013		
	Upheld	Partly	Not Upheld	Upheld	Partly	Not Upheld
Communication/Information issues	24	8	23	15	8	35
Standard of service delivery	2	4	14	13	8	29
Accommodation/placement issues	0	1	12	3	2	33
Assessment/decision issues	14	7	16	3	10	17
Attitude of staff/staff conduct	3	1	11	9	3	11
Other reasons	0	2	12	1	0	13
Dissatisfaction with Social Worker	1	1	3	1	0	10
Data Protection/Confidentiality	0	1	13	0	1	8
Child Protection issues	0	0	6	0	0	8
Financial issues	1	0	3	0	0	5
<b>Total</b>	<b>45</b>	<b>25</b>	<b>113</b>	<b>45</b>	<b>32</b>	<b>169</b>

Whilst the overall number of complaints which were upheld or partly upheld has remained fairly static, there following points are of note:

- The increase in the total number of complaints has corresponded with an increase in the number complaints which are not upheld.
- Of those which were upheld or partly upheld, the combined outcome means:
  - Decrease about Communication/information issues
  - Increase about Standard of delivery
  - Decrease about Assessment/Decision issues
  - Increase about Attitude of staff/staff conduct.

### Outcome of Consideration of Issues within Stage 1 Complaints

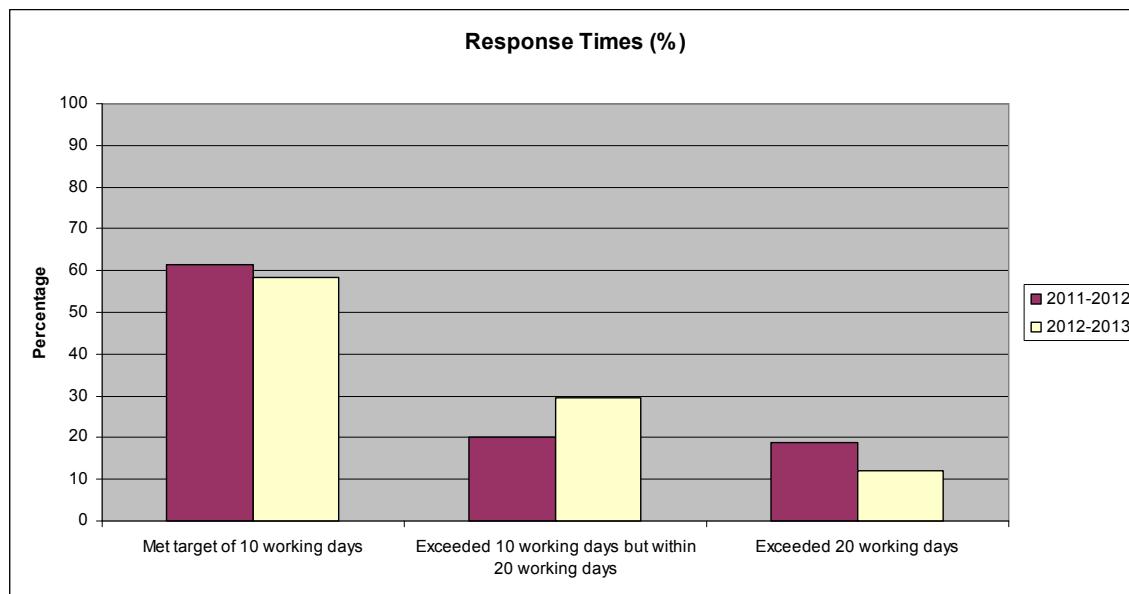


- **Timescale for Responses to Stage 1 Complaints**

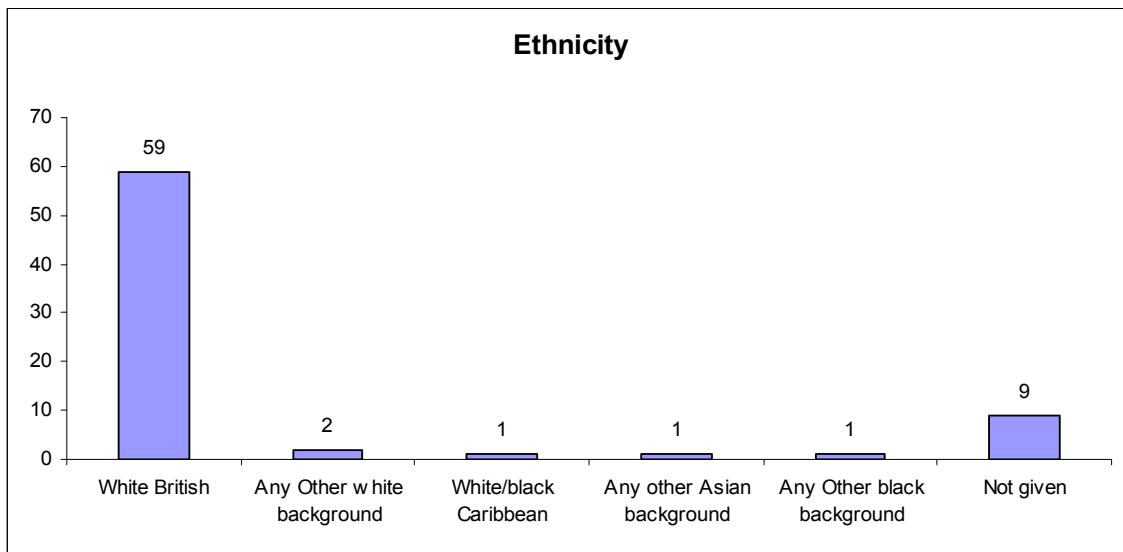
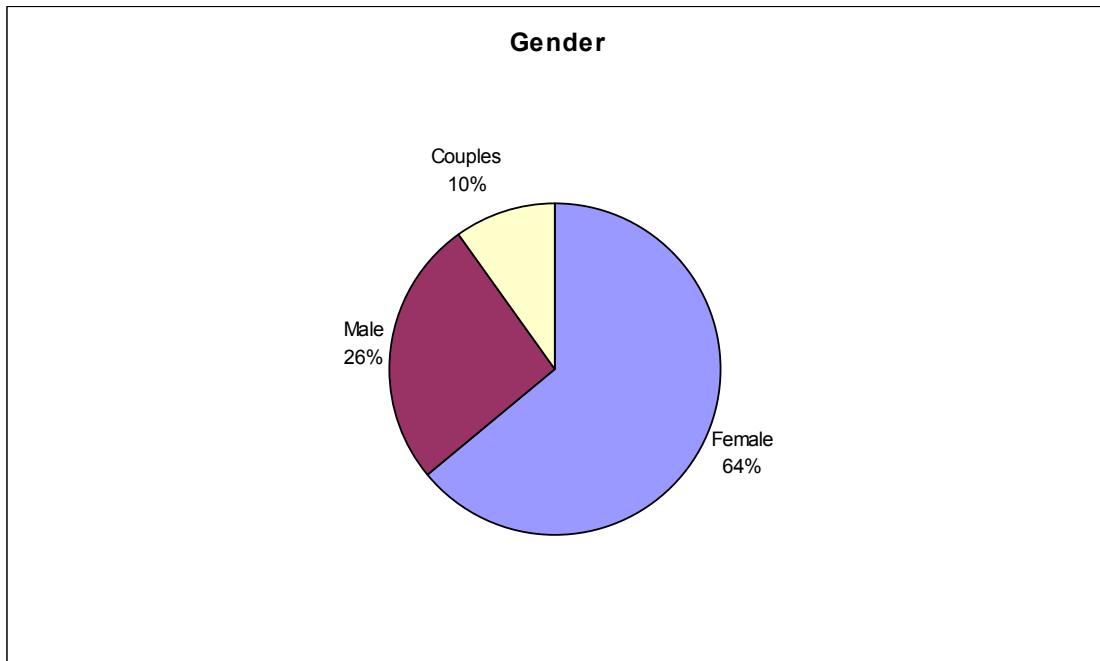
91% of Stage 1 complaints were acknowledged within 3 working days, compared to 98% in 2011-2012. Complaints are closely monitored to ensure that the complaint is actively progressing. There has been a slight decrease in the percentage of Stage 1 complaints which were responded to within 10 working days, when compared to 2011-2012.

However, the legislation allows for an extension to 20 days response time in complex cases. In 2012-2013, there have been a number of more complex complaints and this is reflected in the centre column in the chart below.

Where the timescales were significantly exceeded, the client contributed to the delay in 3 cases by failing to attend meetings or provide additional detail to enable a full consideration of the issues.



## Complainants



There were 5 complaints from people from ethnic minority backgrounds (6.85%), compared to the overall ethnicity profile of our community (5%). Correspondence and responses can be provided translated into a complainant's first language where required.

## **Stage 2 Complaints**

In 2010/2011, there were two Stage 2 complaints, which were completed in 2011/2012. The issues were recorded in the 2010/2011 Annual Report as Stage 1 data and therefore, the detail of the Stage 2 case is distilled herein.

The number of Stage 2 complaints continues to be very low, due to concerted efforts by staff to provide effective written responses, to mediate and follow up in those cases with the potential to escalate and to achieve resolution. Whilst time consuming, the outcome is more satisfactory for the complainant. This approach also relies on the complainant being willing to engage in dialogue and negotiation, and the issues being such that there is room for negotiation.

### **Case A**

One complaint did not utilise the Stage 2 process as the complainant did not accept the boundaries of the process, so the issues were examined under a management investigation led by 2 external people. The consideration did not look at individual complaint issues, so these are not included in this report. The complaint was forwarded to the Local Government Ombudsman who determined not to initiate any further investigation as the process could not achieve the remedies that complainants sought.

### **Case B**

The other complaint centred on a difficult Section 47 enquiry, and considered:

- Whether S47 had been the most appropriate route for this case
- A series of 13 issues relating to the assessment and resultant report
- A series of 14 examples relating to the quality of service

The Stage 2 complaint took 55 working days from agreement of the statement of complaint to finalisation of the two reports, and the adjudication response was sent immediately; the process was completed within the maximum 65 working day timescale.

The complaint was forwarded to the Local Government Ombudsman who determined that this complaint should not be investigated any further by either the Council or the Ombudsman.

### **Local Government Ombudsman**

Complainants sometimes refer their complaints direct to the Local Government Ombudsman without using our local procedures, and in these cases the Ombudsman usually refers the complaint back to us as 'premature'. The Ombudsman considered a series of five sets of premature complaints from one complainant, and two sets of complaints which the Ombudsman agreed were historical and had been investigated before. The premature complaints progressed through the council's complaints process, and the historical cases were taken no further.

#### **4. Lessons Learned and Actions**

The Complaints report is considered by the QA Board, who will monitor and evaluate practise against the required lessons learned and actions. This will include identifying lead officers and timescales for any further remedial actions.

**Advocacy must be offered to any child/young person wishing to complain or make representation (see Appendix D)**

Social Work Practice

- Children/young people made aware that they are able to self-refer to Advocacy Service regarding support, without going through a Social Worker
- Staff offer Advocacy if they feel a child's voice is not being heard. This can be discussed with their Line Manager if necessary
- Existence of Advocacy support reinforced at Reviews and included in new information pack provided to every child by Family Placement Team

Administration Practice

- Record of advocacy offer made and Complaints Manager notified that this action has been completed

#### **S47 – improvements to the management of enquiries**

Social Work Practice

- The alleged perpetrator should be interviewed, and if they refuse to be interviewed, the refusal is clearly recorded including in any final report
- After S47 enquiries are completed, the outcome should be fed back to the person making the allegations and the client, as appropriate, and recorded on RAISE
- Social Worker reports to Initial Child Protection Conference to be completed within timescales, and signed off by Team managers/supervisors. These should include a chronology of any previous concerns, context and clarification of the presenting issues of concern, analytical thinking, clarity re outcomes

## **Management of assessments**

### Social Work Practice

- Assessments shared with parents
- Where there is doubt about parenting capability, the need for a formal assessment is discussed with the line manager
- When circumstances change for longer term, i.e. child moves to live with different parent, the core assessment is updated

### Administration Practice

- Parent/Carer's feedback to draft assessment must be included in the final assessment document
- Where Assessments are shared with parents this should be clearly noted in documentation

## **Improvements in record keeping and recording**

### Social Work Practice

- Where a parent/carer's mental health status or substance abuse is to be recorded, care must be taken to verify medical facts
- Line Manager to be informed of any incident where there is a risk of allegations against staff being made in the future and ensure record of incident recorded on RAISE
- Openness with clients/family when recording information about them provides the client/family with reassurance

### Administration Practice

- An electronic filing system used for all complaints matters
- Monitoring procedure for the progress of complaints and access to records enquiries
- Use of written or email messages when receiving a phone call for an absent colleague
- Case recording should regular, up-to-date and clear enough for someone new to the case to understand the detail
- RAISE updated regularly, including attaching case management/draft papers with RAISE documentation. Keeping of loose papers or a separate paper or word file for less regular updating to RAISE is not permitted
- Use of electronic calendar/task to keep track allocated Complaints tasks
- Communications from solicitors must be passed through WBC Legal Team. Staff must not become involved in discussions with solicitors
- Guidance provided on recording confidential placement details/telephone numbers
- Webrisk System to be used for recording accidents and "near misses". Team Managers to ensure sufficient staff training

The lessons learned are outlined in the bullet points above. They include some issues that came to light in specific complaints whilst others were relevant to more than one complaint and consequently formed significant themes. The most significant case learning is set below:

One complaint highlighted the value an independent advocate can bring to the complaints process for children and young people. They are able to help the young person formulate their complaint in an independent and clear way without the involvement of the child's social work. This can act to strengthen their voice in the process and avoid their potential for their complaint to be diluted or moderated by the Social Worker's involvement.

Another single complaint highlighted that insufficient efforts had been made to interview an alleged perpetrator of abuse. Though an early interview was unlikely to have changed the outcome of investigation, it could have provided valuable contextual information and possibly avoided or reduced the grounds for the complaint.

The issue of notifying referrers in Section 47 cases came up in more than one complaint. Often it is not appropriate or possible to disclose the full outcome of the investigation, but is important that referrers know that their concerns have been acted on.

Completion of Child Protection reports within appropriate time scales is important as delay can be unhelpful to both parents and other professionals. Timely completion of the report is essential to enable it to be shared and fully considered in advance of key meetings and decisions being made.

The accuracy and timeliness of case recording was a significant issue in a number of cases. There were several examples of case recording being out of date and consequently unhelpful to the resolution of complaints. This is being addressed through a significant increase in our auditing and quality assurance activity. There were also some occasions where greater care was required in the use of particular language and terminology.

## 5. Compliments

Over 70 compliments were received ranging from comments from families, children, professionals and other partner agencies.

Examples of customer feedback are:

Email from a young person, 17, who was placed by us in supported lodgings after family breakdown. Since then she has identified a family friend to live with and following a successful assessment of the home, she moved in. When we closed the case, she wrote:

*Thanks for your e mail. Regarding our talk the other day, I've had a good long think this weekend, and I've decided that I feel prepared to have a go without the aid of Social Services. Also I do not feel that I need much more support, as what I have had from you and my referral social worker has left me in a very good position to support myself. For that I thank you. And thanks for your enquiry as well, as it assures me that I've got plenty of support around me should I need it. Thank you so much.*

A letter from grandparents to the Head of Children's Services said:

*We have to write and commend your social worker on her outstanding work on behalf of our grandson. If all the social workers in your department are of the same calibre as her then we can only say how lucky West Berkshire is. We realise she must have a huge caseload. We can only think that if our grandson's case is typical of her everyday undertakings, she must burn the midnight oil to get everything done!! The amount of work she undertook, her ability to listen and advise has been second to none...Thank you to you all for your dedication and commitment to the children of West Berkshire. An especially big thank you on behalf of a little boy who looked forward to your visits as did we all, and whose faith in you has been repaid a thousand fold.*



This story board by a young girl tells how when nasty people came into the life of the Panda and spoiled everything, the nice people in the home sorted out the bad men and made Pandas life, and family, happy again. She wrote the story for the worker who had helped her.

THANK YOU SO  
MUCH FOR  
HELPING ME  
AND MY  
FAMILY  
GET ON MUCH  
BETTER

## 6. Conclusion

There has been an increase in the number of issues raised within the detail of complaints, despite the overall number of complaints remaining fairly static. This has affected responses times, although effective written responses, mediation and follow up has resulted in complaints that have been thoroughly investigated and resolved at Stage 1. Although 69% of issues raised were not upheld, there have not been any Stage 2 cases from complaints received during the year.

Overall management of complaints is robust and undertaken with sensitivity, and meets the requirements of the relevant guidance and regulations.

However, the Council is not complacent and recognises that good communication and standard of service delivery are areas for continuing focus and ongoing improvement in order to meet the expectations of clients. Section 5 outlines actions already taken to deliver improvements, which have been identified by listening to feedback from our users.

## **Appendix A – The Children’s Social Care Complaints Process**

The complaints procedure has three stages with a strong emphasis on resolving complaints at the first stage.

### Stage 1 – Local Resolution

This is the most important stage of the complaints procedure. Service Managers or Team Managers provide a written response to the complainants within 10 working days. This can be extended up to 20 workings if the complaint involves complex matters or to allow time for appointing an advocate where a vulnerable person is involved. Teams are expected to resolve as many complaints as possible at this initial point.

The Complaints Manager works in partnership with managers to ensure that quality responses are made within the stipulated timescales.

### Stage 2 - Investigation

This stage is usually implemented where the complainant is dissatisfied with the findings of Stage 1, they have not received a response within the timescales or due to the Service agreeing with them that Stage 1 is not appropriate.

Stage 2 is an investigation conducted by an external Investigating Officer together with an Independent Person who oversees the fairness and transparency of the investigation process. Investigators are drawn from a pool of consultants. These individuals are appointed according to their experience and expertise.

Following an investigation the findings and any recommendations are set out in a report to the Head of Service, who would then provide a written response on behalf of the Council. Subsequently, the response and a copy of the report are sent to the complainant and relevant individuals within the Service.

The Complaints Manager monitors any recommendations and ensures that they are implemented.

The timescales for responding to a complaint at this stage is 25 working days, with an extension of up to 65 working days for complex cases.

### Stage 3 - Independent Review Panel

Where complainants wish to proceed with complaints about statutory social services functions, the Council is required to establish a complaints Review Panel (within 30 working days). Complaints Review Panels are made up of three independent panellists (external individuals appointed from a pool of consultants).

The Panel reviews the investigation carried out at Stage 2; it does not re-investigate the issues or look at any new evidence. The Panel produce their report and make recommendations within 5 working days. The Director of Children’s Services produces the Council’s response to the Panel’s findings within a further 15 working days.

#### Local Government Ombudsman

If the complainant is not satisfied with the outcome of the Independent Review Panel they have the right to take their complaint to the Local Government Ombudsman (LGO).

Complainants, however, can refer their complaint to the LGO at any time, although the Ombudsman normally refers the complaint back to the Council if it has not been considered under the relevant procedure in the first instance.

### **Appendix B – The Corporate Complaints Process**

Complaints not covered by the statutory procedure may be dealt with under the Council's corporate complaints process.

#### Stage One

Informal complaint to a member of staff at the first point of contact. The response time for this Stage is within 10 working days.

#### Stage Two

If the complainant is dissatisfied with the Stage 1 response, the complaint moves to Stage 2, which is a formal complaint to the appropriate manager, who will initiate an investigation into the complaints made and respond within 20 working days.

#### Local Government Ombudsman

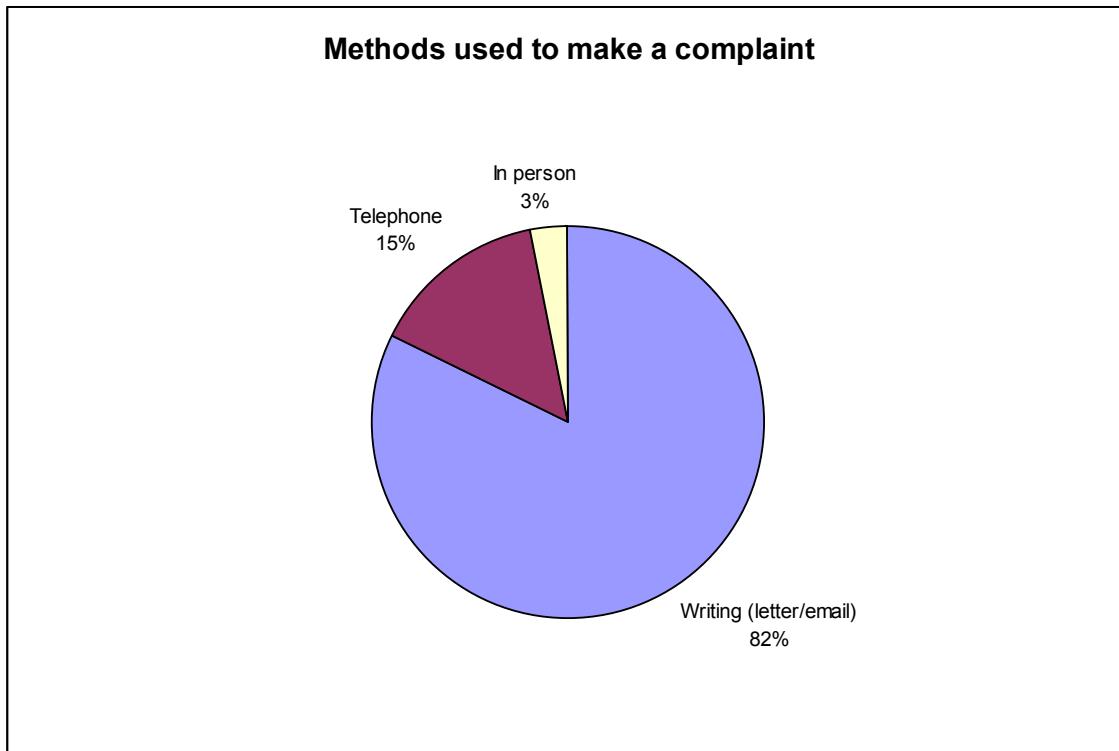
If the complainant is not satisfied with the outcome of the Stage 2 investigation, they have the right to take their complaint to the Local Government Ombudsman (LGO).

## Appendix C – How to Complain

There are two complaints leaflets, one for adults, and one for young people. A version is also available in Makaton for young people with communication difficulties. All clients are given details of the complaints process when they first engage with the Council, along with other core information. Young people receive an information pack when they come into care.

Complaints can be submitted in writing (reply slip in the complaints leaflet, email, and letter) or phone call to the Complaints Manager, or matters can be raised directly with their worker or team manager. Young people can contact the Complaints Manager by text as well.

Foster carers are proactive at encouraging young people to raise their problems, and the Reviewing process also ensures that young people are asked about issues they want to raise or have dealt with when they meet with their Independent Reviewing Officer (IRO). The IRO and the Complaints Manager work closely together to ensure young people's voices are heard and dealt with swiftly, often resulting in issues being dealt with immediately without recourse to the complaints procedure.



The increasing use of email has led to longer and more complex complaints, as complainants provide more detail, but it reduces the need for further detail to be gathered direct from the complainant at a later stage.

The Council communicates by email via a secure link with the complainant to ensure safety of personal data.

## **Appendix D – Advocacy support**

The Council offers independent advocacy support to any child indicating a wish to complain or make a representation. A contract with Action for Children “Here4me” service provides this advocacy support. Every young person under 18, and those still receiving support under the Children Leaving Care Act, are offered support. Here4me has respond immediately to request for support

If a translator is required, advocacy support is still offered as well, as the translator cannot advocate under the rules.

Some young people choose not to use advocacy support, or select a friend/ acquaintance instead (and the Council provides the friend/acquaintance with written advice about the role to ensure they are a voice for the child). Young people may also choose their foster carer as their advocate.

Advocacy support has the potential to delay progression of a complaint whilst a rapport is established, and extra time can be permitted for this if needed.

Advocacy support is also available to young people going through Child Protection conferences and for LAC Reviews. Advocates continue to support young people to raise a number of issues through these forums, which are then resolved without formal recourse to the complaints process (usually dealt with direct with the case worker or with the IRO). Feedback indicates that young people really appreciate this support.

Advocacy input helps the young person understand the process and the findings, and often contributes to the resolution at an early stage.

## **Appendix E – Issues raised in Stage 1 Complaints**

### Communication/Information

- Communication
- Dispute over information on the client file
- Delay - getting paperwork

### Standard of service delivery

- Lack of input
- Lack of support
- Quality of service
- Delay - service provision
- Needs no longer met
- Frequency of visits by Social Worker

### Accommodation/placement

- Contact Problems
- Placement problems
- Fostering issues

### Assessment/decision issues

- Disagree - report content
- Disagree - planned service
- Disagree - assessment

### Attitude of staff/staff conduct

- Attitude/Conduct of Staff
- Cancelled visits/meetings

### Other reasons

- No social worker allocated
- Property Issues
- Disagree with H&S requirements
- Disagree with the law
- Independence or bias
- Other clients

### Dissatisfaction with Social Worker

- Dislike or want change to Social Worker

### Data Protection/Confidentiality

### Child Protection issues

- Care Proceedings/Reports in Court
- Dispute over Child Protection requirements

### Financial issues

# Agenda Item 9.

<b>Title of Report:</b>	<b>Non Domestic Rating - Discretionary rate relief</b>
<b>Report to be considered by:</b>	Executive
<b>Date of Meeting:</b>	27 March 2014
<b>Forward Plan Ref:</b>	EX2782

<b>Purpose of Report:</b>	<ol style="list-style-type: none"><li>1. The purpose of this report is for the Executive to consider the Council's policy for discretionary rate relief, which was established in May 2009, in the light of the changed funding arrangements in the rate retention scheme; and</li><li>2. to establish the Council's policy for relief introduced in the Chancellors Autumn Statement. Linked to both is the establishment of an appeals process.</li></ol>
<b>Recommended Action:</b>	<ol style="list-style-type: none"><li>1. The existing schemes for discretionary and top up relief are to continue but with amendments to the hardship scheme as shown in paragraph 12.2 of the report</li><li>2. The Council adopts a policy to not grant relief in respect of partly occupied property</li><li>3. The Council adopts a retail relief scheme allowing relief to property types identified by government and as shown at paragraph 9.4 of this report. The scheme will allow for relief to be reduced for property types identified in paragraph 9.5 to the report.</li><li>4. An appeals process is to be put into place as described in paragraph 12.7</li></ol>
<b>Reason for decision to be taken:</b>	<ul style="list-style-type: none"><li>• The changed funding arrangements affect the cost of the existing scheme</li><li>• The introduction of retail relief needs a policy for the identification for eligible businesses</li></ul>
<b>Other options considered:</b>	None
<b>Key background documentation:</b>	<ul style="list-style-type: none"><li>• Executive report 1st May 2019 (EX 1866)</li><li>• Business Rates Retail Relief Guidance issued by Department for Communities and Local Government Jan 2014</li></ul>

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

- CSP1 – Caring for and protecting the vulnerable**
- CSP2 – Promoting a vibrant district**
- CSP3 – Improving education**
- CSP4 – Protecting the environment**

The proposals will also help achieve the following Council Strategy principle(s):

- CSP5 - Putting people first**
- CSP6 - Living within our means**
- CSP7 - Empowering people and communities**
- CSP8 - Doing what's important well**

#### **Portfolio Member Details**

<b>Name &amp; Telephone No.:</b>	Councillor Alan Law - Tel (01491) 873614
<b>E-mail Address:</b>	alaw@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	24 February 2014

#### **Contact Officer Details**

<b>Name:</b>	Bill Blackett
<b>Job Title:</b>	Revenues and Benefits Manager
<b>Tel. No.:</b>	01635 519305
<b>E-mail Address:</b>	bblackett@westberks.gov.uk

#### **Implications**

**Policy:** The report recommends continuation of existing policy with minor amendment. Retail relief is to be introduced from 1st April 2014 and a formal policy needs to be established to identify eligible ratepayers and in order to claim government grant. Proposals for an appeals process are also included

**Financial:** The cost of the scheme, without adoption of the recommendations, will be £115,674 based on information available at the time this report is prepared. This compares to £83,456 in 2012/13. The principal reason for this increase is the greater share of the cost which the Council must meet under rate retention rules. Adoption of the recommendation to remove part occupation relief will reduce this cost by £33,776 to £81,898. There are no recommendations which will increase costs of existing schemes. The new Retail Relief scheme is to be full funded by government.

**Personnel:** None

**Legal/Procurement:** None

**Property:** None

**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"/>		
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at <a href="http://www.westberks.gov.uk/eia">www.westberks.gov.uk/eia</a>	<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"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

# **Executive Summary**

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## **1. Introduction**

- 1.1 Discretionary rate relief has existed in a variety of forms since non-domestic rating was introduced in 1990. The majority of the cost (75%) was met by deduction from our payments to the national pool except in the case of charities receiving top up to their mandatory relief entitlement where 25% of the cost was offset against pool contributions.
- 1.2 The purpose of this report is for the Executive to:
  - (1) Consider the Council's policy for discretionary rate relief, which was established in May 2009, in the light of the changed funding arrangements in the rate retention scheme.
  - (2) For the Executive to establish the Council's policy for relief introduced in the Chancellors Autumn Statement
  - (3) To establish an appeals process
- 1.3 The report gives details of existing policy and identifies a small number of areas where administration could be improved by refining some aspects of that policy.
- 1.4 Retail relief, introduced from 1st April 2014, allows up to £1,000 relief to eligible businesses. There is a rateable value limit of £50,000 and Government have identified the types of business which would and would not be eligible. The scheme will last for two financial years and will be fully funded by Government. The Council needs to have a formal policy in place for granting relief.

## **2. Proposals**

- 2.1 The proposals are that, subject to some minor updates, the existing policy for relief will continue. The one exception to this being part occupation relief where the recommendation is for a policy for cessation of this form of relief.
- 2.2 The assumption has been made that, although there is an increased cost when compared to 2012/2013, councillors would wish to see continuation of the support given by these forms of relief in view of the linkages to council plan objectives.
- 2.3 Retail relief requires the adoption of a policy but the scheme is to be fully funded by government and the only potential cost is that of administering the scheme
- 2.4 The report recommends that an appeal process should be adopted and sets out how that should operate. The final avenue of appeal will be to a panel of councillors.

## **3. Equalities Impact Assessment Outcomes**

- 3.1 This item is not relevant to equality.

## **4. Conclusion**

- 4.1 The report recommendations reflect the proposals shown above.

# Executive Report

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## 1. Introduction

1.1 Discretionary rate relief has existed in a variety of forms since non-domestic rating was introduced in 1990. The majority of the cost (75%) was met by deduction from our payments to the national pool except in the case of charities receiving top up to their mandatory relief entitlement where 25% of the cost was offset against pool contributions. From 1st April 2013 the rate retention scheme introduced changed funding whereby the Council has to meet 49% of the cost of all relief. The purpose of this report is for the Executive to:

- (1) consider the Council's policy for discretionary rate relief, which was established in May 2009, in the light of the changed funding arrangements in the rate retention scheme.
- (2) For the Executive to establish the Council's policy for relief introduced in the Chancellors Autumn Statement
- (3) To establish an appeals process

## 2. Current policy for top up relief where mandatory charitable relief is in place

2.1 This form of relief applies to charities and, prior to 1st April 2013, 75% of the cost was met by the Council with the remainder being charged to the national pool

2.2 Provided that the rated property is used for the purpose of the charity these organisations are entitled to 80% mandatory relief. The Council can top this relief up by a further 20% thereby removing the rate liability for the organisation.

2.3 The Council's policy requires that the organisation is:

- (1) voluntary sector
- (2) Not conducted for profit
- (3) Providing services to the local community
- (4) Providing services, support or facilities which support the Council Plan

2.4 Relief is not provided if the organisation has free reserves (i.e. not legally restricted) in excess of 12 months expenditure unless there is evidence of a business plan detailing how those reserves are to be used for the benefit of the local community.

2.5 In considering the extent of "local" provision the full 20% top-up relief has been allowed where the organisation operates solely in West Berkshire. This is reduced to 10% if the provision extends beyond the district boundaries and includes provision elsewhere in Berkshire. No relief is allowed to national organisations and to those whose work extends beyond Berkshire.

2.6 Scout and Guide groups and Cadet Forces normally attract 80% mandatory relief and it is current policy to apply a 20% discretionary top up to 100%.

### **3. Current policy for Discretionary rate relief for other organisations**

3.1 This form of relief may be granted to organisations which are not profit making and the rated property is used for purposes which are

- (1) charitable, philanthropic or religious; or
- (2) concerned with social welfare, science, literature or the fine arts; or
- (3) used wholly or mainly for recreation by a not-for-profit club or society

3.2 Prior to 1st April 2013 the Council was required to meet 25% of the cost with the remaining 75% of the cost been charged against the national pool.

3.3 As with mandatory relief, the Council policy requires that the organisation is:

- (1) voluntary sector
- (2) not for profit
- (3) Providing services to the local community
- (4) Providing services, support or facilities which support the Council Plan

3.4 Relief is not provided if the organisation has free reserves (i.e. not legally restricted) in excess of 12 months expenditure unless there is evidence of a business plan detailing how those reserves are to be used for the benefit of the local community.

3.5 Where there is a bar or gaming machine on the premises the level of the relief awarded is reduced proportionally if the net income from the bar and gaming machines, expressed as a percentage of total income, is 30% or greater.

3.6 If the organisation requires a membership or entry fee the Council will take account of whether:-

- (1) The subscription or fees are set at a high level which excludes the general community
- (2) Fee reductions are offered for certain groups such as under 18s or over 60s
- (3) Membership is encouraged from particular groups such as young people, older age groups, persons with disabilities or ethnic minorities
- (4) Facilities are available to people other than members, e.g. schools, public sessions.

3.7 In order to qualify for Discretionary Rate Relief clubs must be able to show that all facilities are available to members without discrimination.

- (1) Discrimination includes indirect discrimination and encompasses:-
  - (a) Discrimination on grounds of ethnicity, nationality, sexual orientation, religion or beliefs

(b) Discrimination on grounds of sex, age or disability, (except as a necessary consequence of the requirements of a particular sport)

3.8 A club may, however have different classes of membership depending on:-

- (1) The age of the member
- (2) Whether the member is a student
- (3) The member's employment status
- (4) Whether the member is a playing or a non-playing member
- (5) How far from the club the member lives or
- (6) The presence of a restriction on the days or times when the member has access to the club's facilities.

3.9 Golf clubs are specifically excluded from relief under current policy

**4. Current policy for 50% discretionary relief top up to 50% mandatory relief to property in rural settlements**

4.1 Relief for properties in rural settlements may be given to Post Offices, food shops, petrol filling stations and public houses provided that they are

- (1) located within rural settlements with a population below 3,000, are the sole such property within the settlement and
- (2) below rateable value limits.

These properties will receive 50% mandatory relief and the Council may allow further discretionary relief of up to a further 50%.

4.2 Prior to 1st April 2013 25% of the cost of this form of relief was be met by the Council with the remaining 75% the cost charged against the national pool.

4.3 Current policy is to apply a top up to allow 100% relief to village post offices, village shops, petrol stations and public houses where the business is the sole one of its type within the settlement.

**5. Current policy for Discretionary rate relief to other properties in rural settlements**

5.1 Subject to rateable value limits the Council may allow discretionary rate relief to other businesses which fall outside the scope of the mandatory scheme and which are located in rural settlements with populations of fewer than 3,000.

5.2 Prior to 1st April 2013 25% of the cost of this form of relief was be met by the Council with the remaining 75% the cost charged against the national pool.

5.3 Council policy is to apply this relief to village post offices, village shops, petrol stations and public houses where the business fails to qualify for mandatory relief because there is another business of the same type within the settlement. In such cases 50% discretionary relief will be granted.

## **6. Current policy for Hardship Relief**

6.1 The Council may grant hardship relief hardship where it is satisfied that –

- (1) the ratepayer would sustain hardship if the authority did not do so; and
- (2) it is reasonable for the authority to do so, having regard to the interests of the persons subject to its council tax.

6.2 Until 1st April 2013 25% of the cost of this form of relief was met by the Council with the remaining 75% the cost charged against the national pool. From 1st April 2013 49% of the cost has to be met by the council.

6.3 The Council's policy is to allow relief where –

- (1) It is in the interest of West Berkshire council tax payers to grant relief; and
- (2) there is proof of hardship evidenced by accounts; and
- (3) the business is of special amenity value, or cessation would have an adverse effect on local employment; and
- (4) The applicant is an existing, and not newly established, business as it is reasonable to expect rate liability to have been taken account of in the business plan for a new business.

6.4 The intention was that this relief should be allowed for temporary periods only. Neither "hardship" nor "temporary" are defined and are subject to the Council's own interpretation although this is not defined in current policy.

## **7. Current policy for part occupation relief**

7.1 This form of relief applies where a business is occupying part only of the rated property. Until 31st March 2013 it was fully funded by the non-domestic rating pool and was subject to very little in the way of restriction.

7.2 The Council has never had a formal member approved policy for this type of relief. The decision to grant relief is entirely discretionary and, once a decision has been taken to do so, relief is based upon the rateable value of the unoccupied part of the property as supplied by the Valuation Office Agency. The value identified by the valuation office is mandatory and, once he has issued the relevant certificate, we are obliged to charge on the basis of the values he gives.

7.3 The duration of relief is defined by legislation as:

- (1) Six months for industrial premises
- (2) Unlimited for listed buildings
- (3) Three months for other types of property

## **8. Funding**

- 8.1 One of the effects introducing local business rate retention has been to change the way in which the various forms of rate relief are funded. The granting of this relief has been, and will continue to be, either mandatory or subject to the exercise of discretion by the billing authority.
- 8.2 Mandatory relief was always fully funded under the earlier pool arrangements with billing authorities being able to deduct from their pool contributions 100% of the relief granted.
- 8.3 Discretionary relief was partially funded and billing authorities were able to deduct from their pool contributions either 25% or 75% of relief granted – the actual percentage depending upon the specific type of relief.
- 8.4 With effect from 1st April 2013, when the local retention scheme was introduced, the funding regime means that the council must meet 49% of the cost of any relief granted regardless of whether it is a mandatory or discretionary form of relief. The remaining 51% is charged to central government (50%) and to the fire authority (1%).
- 8.5 Because of this change and the consequent increase in cost to the Council it is appropriate to revisit the discretionary relief scheme and for members to consider whether any variation is necessary.
- 8.6 Entitlement to mandatory relief depends upon the applicant meeting the specific criteria laid down in legislation. If they do so the Council has no other option but to grant relief. Mandatory relief is not therefore considered in this report.
- 8.7 Discretionary relief in 2012/13 totalling £272k was applied to 98 accounts at a cost to the Council of £83.5k
- 8.8 In 2013/14, under the new funding regime, discretionary relief totalling £236k was applied to 85 accounts at a cost to the Council of £116k.
- 8.9 Details of the cost and number of recipients for each type of relief are given table at Appendix A. Details of the individual recipients of each type of relief are shown in Appendix B (where these are individuals the name is not given in order to preserve confidentiality).

## **9. Retail Relief**

- 9.1 This is a new form of relief introduced by the Chancellor in his Autumn Statement in 2013. There are, therefore, no comparative costs for prior years. Unlike other forms of relief the funding for this scheme will be provided by Central Government.
- 9.2 The scheme applies for 2014/15 and 2015/16 only and will provide relief for occupied property having a rateable value of £50,000 or less and falling within the description of shops, restaurants, cafes and drinking establishments.
- 9.3 The amount of relief will be a reduction of up to £1,000. Where other forms of relief are already in place (such as small business relief) the maximum amount of retail relief will be no more than the value of the net remaining rate liability

9.4 The Government have issued guidance on the types of property which they envisage would qualify under this scheme and have described shops, restaurants, cafes and drinking establishments to mean:

Properties that are being used for the sale of goods to visiting members of the public:

- (1) Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents , hardware stores, supermarkets, etc.)
- (2) Charity shops
- (3) Opticians
- (4) Post offices
- (5) Furnishing shops/display rooms (such as: carpet shops, double glazing, garage doors)
- (6) Car/caravan show rooms
- (7) Second hand car lots
- (8) Markets
- (9) Petrol stations
- (10) Garden centres
- (11) Art galleries (where art is for sale/hire)

Properties that are being used for the provision of the following services to visiting members of the public:

- (12) Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- (13) Shoe repairs/ key cutting
- (14) Travel agents
- (15) Ticket offices e.g. for theatre
- (16) Dry cleaners
- (17) Launderettes
- (18) PC/ TV/ domestic appliance repair
- (19) Funeral directors-
- (20) Photo processing

- (21) DVD/video rentals
- (22) Tool hire
- (23) Car hire

Properties that are being used for the sale of food and/ or drink to visiting members of the public:

- (24) Restaurants
- (25) Takeaways
- (26) Sandwich shops
- (27) Coffee shops
- (28) Pubs
- (29) Bars

9.5 That same guidance also provides a suggested list of property which the Government would consider to be outside the scope of this scheme:

Properties that are being used for the provision of the following services to visiting members of the public:

- (1) Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
- (2) Other services (e.g. estate agents, letting agents, employment agencies)
- (3) Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- (4) Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- (5) Post office sorting office
- (6) Properties that are not reasonably accessible to visiting members of the public

9.6 The Government do state that the lists set out above are not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses. However, it is intended to be a guide for authorities as to the types of uses that government considers for this purpose to be or not to be retail. Authorities should determine for themselves whether particular

properties not listed are broadly similar in nature to those above and if so to consider their eligibility or otherwise for the relief.

- 9.7 It is estimated that up to 967 properties will fall within scope of the scheme but detailed analysis needs to be carried out before a firm figure can be available
- 9.8 Because a business may have a number of qualifying premises across the country the Government have drawn attention to State Aid law and the need to familiarise ourselves with it.

## **10. Operational experience of the schemes**

- 10.1 Discretionary rate relief as currently administered does provide support to external organisations which in turn support various aspects of the Council Plan. This view was reflected in comments made at the recent budget consultation with non-domestic ratepayers
- 10.2 The schemes are relatively inexpensive, easy to administer and simple for applicants to understand.
- 10.3 The discretionary rate relief and top up relief schemes are not subject to any form of limitation in terms of cost and number of properties over which relief may be given (although where this has been noted the aims of the organisation(s) involved have been totally within scope in terms of support for the Council Plan)
- 10.4 Part occupation relief is an area where ratepayers have been able to use the scheme to their advantage. A certificate issued by the valuation officer relates to occupied and vacant areas of a property, normally defined by a plan supplied by the ratepayer or their agent. As the period of relief draws to a close it is not unknown for ratepayers to change the vacant area and to claim a continuation of relief based upon a newly defined split. This may be done simply by moving furniture within the building.
- 10.5 The hardship relief policy would benefit from a clear definition of the period over which relief will be allowed and whether it would continue into future periods.
- 10.6 The relief current schemes are open ended and the Executive may wish them to be subject to review at specified intervals.
- 10.7 Although retail relief is subject to the adoption of a local policy there is an expectation from government that relief will be granted to qualifying ratepayers.
- 10.8 Retail relief is to be fully funded by government and, subject to proper administration being in place, there are no financial implications for the Council.

## **11. Appeals**

- 11.1 Legislation provides no appeals process for unsuccessful applicants for relief other than to challenge the issue of a liability order at the magistrate's court. Nevertheless it is good practice to have a procedure in place for internal review of decisions.
- 11.2 This is a matter which has also arisen recently in relation to council tax matters and where, after review by the Head of Finance, the applicant remains dissatisfied. In

such cases arrangements will be made for a councillor review panel constituted along party lines.

## **12. Recommendations**

- 12.1 The schemes for discretionary rate relief, top up relief, rural rate relief and rural top up relief are to continue as described above.
- 12.2 The hardship scheme continues as above but with an amendment limiting to relief to 50% in the first financial year and, subject to review, to 25% in the following financial year. The maximum period of relief shall be two financial years.
- 12.3 With regard to part occupation, given the high values potentially involved and the consequent cost to the Council it is recommended that a policy to not grant relief for part occupation should be put into place.
- 12.4 West Berkshire adopts a retail relief scheme allowing up to £1,000 relief to qualifying ratepayers. For the purposes of the scheme the list of inclusions and exclusions shown at paragraph 9.4 and 9.5 will be used.
- 12.5 Ratepayers will not be required to apply for retail relief; eligibility will initially be identified by the Council.
- 12.6 All ratepayers eligible for retail relief are to be advised of the State Aid implications and shall be required to return a 'de minimus' declaration to the council.
- 12.7 Appeals will be subject to an initial internal review and, if the applicant remains dissatisfied, will be referred to the Head of Finance for a decision. Further appeal will be to a councillor review panel. The decision of that panel will be final.

## **13. Financial implications of recommendation**

- 13.1 The cost of maintaining the schemes unchanged would be £115,674 compared to £83,456 in 2012/13. Although variations in the number of eligible applicants influence the cost the principal reason for the increased cost is the change in funding arrangements brought about by the rate retention scheme. This cost will normally be absorbed into the net value of our retained business rate income.
- 13.2 Removal of part occupation relief will remove an area of higher cost where none of that cost had to be met by the council in 2012/13. The cost of this relief in 2013/14 is £33,776 and there remains potential risk which could arise if the council were to receive an application in respect of a high rateable value property. Bringing this from of relief to an end will both reduce costs and remove financial risk.
- 13.3 The recommendations are based upon a view that members would not wish to see a reduction in support offered to those organisations whose work supports the Council Plan or to those businesses in rural areas.
- 13.4 A large part of this report relates to retail relief, however this scheme will be fully funded by government and there should be no cost to the council. There will inevitably be additional costs for administration of the scheme and it is not yet clear whether this too will be centrally funded - if that should not prove to be the case the cost will fall on the service budget.

## **Appendices**

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Appendix A - Type of relief granted and associated cost to Council

Appendix B - Recipients of each type of relief in 2012/13 and 2013/14

## **Consultees**

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**Local Stakeholders:** Not consulted

**Officers Consulted:** Revenues team managers, Corporate Board

**Trade Union:** No comment received

## Appendix A - Types of relief granted and associated cost to Council

	2012		2013		cost to WBC	
	Cases	Relief	Cases	Relief	2012	2013
Discretionary	18	-£41,579.87	18	-£39,452.23	-£10,394.97	-£19,331.59
Top up	25	-£30,940.69	26	-£70,173.89	-£23,205.52	-£34,385.21
Rural discretionary	23	-£49,737.55	23	-£45,340.02	-£12,434.39	-£22,216.61
Rural top up	10	-£14,714.83	8	-£12,173.02	-£3,678.71	-£5,964.78
Part occupation	22	-£134,970.22	10	-£68,930.85	-£33,742.56	-£33,776.12
Totals	98	-£271,943.16	85	-£236,070.01	-£83,456.14	-£115,674.30

## Appendix B - Recipients of relief in 2012/13 and 2013/14

### Top up relief where 80% mandatory relief is in place

<b>Ratepayer</b>	<b>2012</b>	<b>2013</b>	<b>Total</b>
1st Mortimer B.P Scout Group	£229.00	£235.50	£464.50
Advance Housing And Support Limited	£605.96		£605.96
Beech Hill Memorial Hall Committee	£176.33	£181.34	£357.67
Berkshire Youth		£69.68	£69.68
Citizens Advice Bureau	£2,221.30	£2,284.35	£4,505.65
Education Business Partnership		£1,003.42	£1,003.42
Heros	£760.28	£781.86	£1,542.14
Kennet District Scouts Council	£97.02		£97.02
Mencap	£1,992.30	£2,048.85	£4,041.15
Newbury Community Resource Centre Ltd	£5,749.30	£4,745.84	£10,495.14
Newbury Riding For The Disabled Ltd	£146.56	£150.72	£297.28
Newbury Volunteer Bureau	£984.70	£1,012.65	£1,997.35
Racing Welfare	£586.24	£602.88	£1,189.12
Relate Berkshire	£512.96	£527.52	£1,040.48
Royal Mencap Society	£161.62		£161.62
Scope	£3,549.50	£3,650.25	£7,199.75
Serfca	£155.72	£160.14	£315.86
The Army Cadet Forces Association	£1,926.00	£1,977.36	£3,903.36
The Christopher Shoemaker Christian Centre	£916.00	£942.00	£1,858.00
The Community Furniture Project		£8,284.05	£8,284.05
The Home Farm Trust Ltd	£879.36	£443.29	£436.07
The Living Rainforest	£2,519.00	£2,590.50	£5,109.50
The Newbury Community Resource Centre Ltd	£2,423.71	£2,173.98	£4,597.69
The Ufton Court Educational Trust	£1,453.61	£1,859.79	£3,313.40
Turning Point Berkshire	£2,083.90	£2,143.05	£4,226.95

Wash Common Community Association	-£343.50	-£353.25	-£696.75
West Berks Foodbank		-£530.40	-£530.40
West Berkshire Education Business Partnership	-£1,007.60	-£346.34	-£1,353.94
Y.H.A.(England And Wales) Limited	-£865.18	-£1,020.77	-£1,885.95
<b>Total</b>	<b>-£30,940.69</b>	<b>-£39,233.20</b>	<b>-£70,173.89</b>

### Discretionary relief to non profit making bodies

<b>Ratepayer</b>	<b>2012</b>	<b>2013</b>	<b>Total</b>
Aldermaston Cricket Club	-£220.50	-£226.38	-£446.88
Burghfield Aqua Sports Club	-£900.00	-£924.00	-£1,824.00
Burghfield Community Sports Association	-£7,728.75	-£7,948.13	-£15,676.88
Burghfield Sailing Club	-£5,496.00	-£5,652.00	-£11,148.00
Hungerford Cricket Club	-£1,395.00	-£1,432.20	-£2,827.20
Hungerford Football Club	-£2,126.25	-£2,182.95	-£4,309.20
Island Sailing Club	-£1,012.50	-£1,039.50	-£2,052.00
Kennet District Gymnastic Limited	-£11,640.82	-£8,949.00	-£20,589.82
Lambourn Sports Club	-£1,350.00	-£1,386.00	-£2,736.00
Newbury Cricket & Hockey Club	-£1,237.50	-£1,270.50	-£2,508.00
Newbury Judo And Sports Club	-£911.25	-£935.55	-£1,846.80
Pangbourne F C	-£191.25	-£196.35	-£387.60
Purley Horticultural Society	-£132.75	-£136.29	-£269.04
Stratfield Mortimer Community Interest Company	-£540.00	-£554.40	-£1,094.40
Thatcham Football Supporters Club C/O Treasurer	-£5,296.67	-£5,181.00	-£10,477.67
Trustees Of Purley Sports And Social Club	-£585.00	-£600.60	-£1,185.60
West Ilsley Cricket Club Per The Treasurer	-£354.38	-£363.83	-£718.21
Yattendon & Frilsham Cricket Club	-£461.25	-£473.55	-£934.80
<b>Total</b>	<b>-£41,579.87</b>	<b>-£39,452.23</b>	<b>-£81,032.10</b>

**Rural top up relief where 50% mandatory relief is already in place**

Type	2012	2013	Total
Shop	-£1,060.90	-£1,130.40	-£2,191.30
Pub	-£925.41		-£925.41
Shop	-£2,320.72	-£2,472.75	-£4,793.47
Pub	-£2,291.25	£0.00	-£2,291.25
Shop	-£1,147.50	-£1,178.10	-£2,325.60
Shop	-£944.96	-£1,012.65	-£1,957.61
Shop	-£1,790.67	-£1,931.10	-£3,721.77
Pub	-£1,912.50	-£1,963.50	-£3,876.00
Shop	-£1,889.93	-£2,025.30	-£3,915.23
Post office	-£430.99	-£459.22	-£890.21
Total	-£14,714.83	-£12,173.02	-£26,887.85

**Discretionary relief for other rural businesses**

Type	2012	2013	Total
Shop	-£6,380.42	-£6,699.00	-£13,079.42
Post office	-£795.67	-£847.80	-£1,643.47
Shop	£0.01		£0.01
Pub	-£2,700.00	-£2,772.00	-£5,472.00
Shop	-£2,227.50	-£2,286.90	-£4,514.40
Shop	-£1,723.96	-£1,836.90	-£3,560.86
Post office	-£1,790.27	-£1,907.55	-£3,697.82
Pub	-£1,332.00	-£1,039.50	-£2,371.50
Shop	-£1,374.00	-£1,413.00	-£2,787.00
Pub	-£1,185.78		-£1,185.78
Pub	-£2,756.25	-£2,829.75	-£5,586.00
Post Office	-£1,425.38	-£1,507.20	-£2,932.58

Shop	-£537.13	-£192.67	-£729.80
Shop	-£1,080.00	-£1,108.80	-£2,188.80
Pub	-£3,093.75	-£3,176.25	-£6,270.00
Pub	-£2,025.00	-£2,079.00	-£4,104.00
Pub	-£9,079.65	-£3,844.69	-£12,924.34
Shop	-£1,723.96	-£1,836.90	-£3,560.86
Pub		-£935.29	-£935.29
Pub	-£2,290.00	-£2,355.00	-£4,645.00
Pub	-£1,912.50	-£1,963.50	-£3,876.00
Shop	-£1,763.40	-£2,080.67	-£3,844.07
Shop	-£466.60	-£496.65	-£963.25
Shop	-£778.60	-£800.70	-£1,579.30
Garage	-£1,295.74	-£1,330.30	-£2,626.04
<b>Total</b>	<b>-£49,737.55</b>	<b>-£45,340.02</b>	<b>-£95,077.57</b>

### Part occupation relief

<b>Ratepayer</b>	<b>2012</b>	<b>2013</b>	<b>Total</b>
Charles Hoile Ltd		-£ 2,694.12	-£ 2,694.12
*	-£ 0.00		-£ 0.00
Dixons Stores Group Ltd T.A Currys	£ 592.46		£ 592.46
Dunelm Estates Ltd	£ 618.42		£ 618.42
Ers Europe Ltd	-£ 3,301.28	-£ 617.27	-£ 3,918.55
Glantra Engineering Ltd	-£ 1,784.78	-£ 54.94	-£ 1,839.72
Hewlett Packard T/A Synstar Plc	-£ 16,221.55		-£ 16,221.55
Hp Enterprise Services Uk Ltd	-£ 28,517.61		-£ 28,517.61
J T S Snack Foods Ltd		-£ 3,721.79	-£ 3,721.79
Kleinwort Benson Bank Ltd	-£ 1,843.33		-£ 1,843.33
Marks And Spencer Plc	-£ 3,136.11		-£ 3,136.11
*	-£ 120.31		-£ 120.31
*		-£ 1,707.62	-£ 1,707.62
		-£ 819.84	-£ 819.84

*	£ 2,899.53		-£ 2,899.53
*	£ 0.00		£ 0.00
Nationwide Building Society	-£ 1,937.34		-£ 1,937.34
Newbury Rugby Football Club	-£ 9,789.75	£ -	-£ 9,789.75
Opperman Mastergear Ltd	-£ 3,501.71		-£ 3,501.71
*	-£ 989.41	£ 130.81	-£ 858.60
Pegasus Childcare Ltd	-£ 714.70		-£ 714.70
Pfi Cole Ltd	£ 3,994.94		£ 3,994.94
Prestige Networks Ltd	-£ 1,239.96		-£ 1,239.96
Southworth Handling Ltd	-£ 2,204.13		-£ 2,204.13
The Community Furniture Project		-£24,946.84	-£ 24,946.84
The Vineyard At Stockcross Ltd	-£ 1,271.79		-£ 1,271.79
Thermo Electron Ltd		-£ 4,026.73	-£ 4,026.73
Ups Systems Plc	£ 267.06		£ 267.06
Vodafone Ltd	-£ 16,043.98		-£ 16,043.98
West Berkshire District Council	-£ 44,925.83	-£30,472.51	-£ 75,398.34
<b>Total</b>	<b>-£134,970.22</b>	<b>-£68,930.85</b>	<b>-£203,901.07</b>

\* Name removed as it is personal data within meaning of Data Protection Act

# Agenda Item 10.

<b>Title of Report:</b>	<b>Key Accountable Measures and Activities 2013/14. Update on progress: Q3</b>
<b>Report to be considered by:</b>	Executive
<b>Date of Meeting:</b>	27 March 2014
<b>Forward Plan Ref:</b>	EX2648

<b>Purpose of Report:</b>	<ol style="list-style-type: none"><li>1. To report quarter three outturns against the key accountable measures and activities contained in the 2013/14 Council performance framework</li><li>2. To report by exception those measures / activities, not achieved or behind schedule and cite remedial action taken and the impact it has had.</li></ol>
<b>Recommended Action:</b>	<ol style="list-style-type: none"><li>1. To note progress against the key accountable measures and activities contained in the Council's performance framework</li><li>2. Review those areas reporting as 'amber' or 'red' to ensure that appropriate corrective or remedial action is put in place</li></ol>
<b>Reason for decision to be taken:</b>	This framework compiles and monitors progress in relation to the objectives laid out in the Council Strategy and on key activities and areas of risk from the Council's individual service plans. In doing so, it expresses the purpose and ambition of the Council and by extension the Council's main focus of activities and key measures of success against which we can assess ourselves and publicly report progress.
<b>Other options considered:</b>	n/a
<b>Key background documentation:</b>	Council Strategy 2013 Individual service plans

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

- CSP1 – Caring for and protecting the vulnerable**
- CSP2 – Promoting a vibrant district**
- CSP3 – Improving education**
- CSP4 – Protecting the environment**

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

- CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principle by:  
monitoring progress against the Council's strategic objectives.

#### **Portfolio Member Details**

<b>Name &amp; Telephone No.:</b>	Councillor Roger Croft - Tel (01635) 868638
<b>E-mail Address:</b>	rcroft@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	26 February 2014

#### **Contact Officer Details**

<b>Name:</b>	Jason Teal
<b>Job Title:</b>	Performance, Research and Consultation Manager
<b>Tel. No.:</b>	01635 5019102
<b>E-mail Address:</b>	jteal@westberks.gov.uk

#### **Implications**

<b>Policy:</b>	Any implications will be highlighted in the individual exception reports.
<b>Financial:</b>	Any implications will be highlighted in the individual exception reports.
<b>Personnel:</b>	Any implications will be highlighted in the individual exception reports.
<b>Legal/Procurement:</b>	Any implications will be highlighted in the individual exception reports.
<b>Property:</b>	Any implications will be highlighted in the individual exception reports.
<b>Risk Management:</b>	Any implications will be highlighted in the individual exception reports.

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"/>		
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at <a href="http://www.westberks.gov.uk/eia">www.westberks.gov.uk/eia</a>	<input type="checkbox"/>			
Not relevant to equality	<input checked="" type="checkbox"/>			

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	<input type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# Executive Summary

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## 1. Introduction

- 1.1 The report appraises progress against a basket of 47 key accountable measures and activities aligned to the objectives set out in the Council Strategy.
- 1.2 Of this 47 in Q3 data is available for 40 measures.
  - 34 are reported as 'green' – or have been delivered / achieved at year end
  - 3 are reported as 'amber' – or are behind schedule but are expected to be delivered / achieved at year end.
  - 3 are reported as 'red'.
- 1.3 Reported 'ambers' in Q3 are:
  - 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).
  - Number of active foster carers
  - Number of days taken to make a full decision on new Benefit claims;
- 1.4 Reported 'reds' in Q3 are:
  - Number of children accessing Short Breaks
  - Proportion of older people still at home 91 days after discharge from hospital into re-ablement / rehabilitation services;
  - Proportion of upheld planning appeals is less than the national average.

## 2. Equalities Impact Assessment Outcomes

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

## Appendices

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Appendix A – Quarter Three Performance Report: Key Accountable Measures and Activities 2013/14: Update on progress: October - December 2014.

## Consultees

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**Local Stakeholders:** n/a

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

**Trade Union:** n/a



## Quarter Three Performance Report:

**Key accountable measures and activities 2013/14**

**Update on progress: October – December 2013**

**compiled by:**

Research, Consultation & Performance Team

Strategic Support Unit

[westberks.gov.uk/performance](http://westberks.gov.uk/performance)

February 2014

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

Available from [westberks.gov.uk/performance](http://westberks.gov.uk/performance)

## Purpose of this report

To provide an update on progress against the Council's key accountable measures and activities for quarter three, 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  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.
- *Column 5*: the current year's target,
- *Column 6*: quarterly outturn and RAG rating.
- *Column 7*: any supporting commentary provided.

## Commentary on Performance

Across this reporting framework as a whole, 51 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.

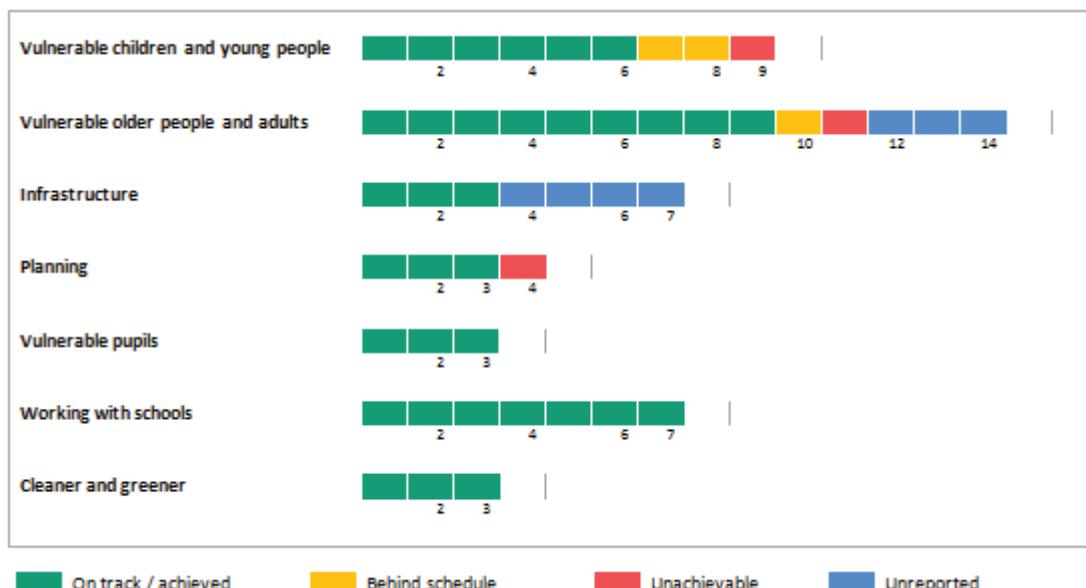
Of the remaining 47, outturns are available for 40 measures.

Of the reported measures / activities 34 are reported as 'green' – or have been delivered / achieved at year end and 3 are reported as 'amber' – or are behind schedule but are expected to be delivered / achieved at year end and 3 are reported as 'red' – or not achievable by year end.

The summary table below shows year end outturns by directorate.

Overview of performance outturns	2011/12	2012/13	2013/14 Q3 outturns			
	Year End	Year End	Overall	Comm	Env	Res
Green	27	45	34	25	8	1
Amber	0	0	3	2	0	1
Red	12	3	3	2	1	0
Annual (yet to be reported)	0	0	4	0	2	2
Unavailable at time of publication	0	1	3	3	0	0
<b>Total</b>	<b>39</b>	<b>49</b>	<b>47</b>	<b>32</b>	<b>11</b>	<b>4</b>

The graph below summarises the same data against the Council's priorities. More information – outturns and commentary - on each of these measures is contained in the main body of this report.



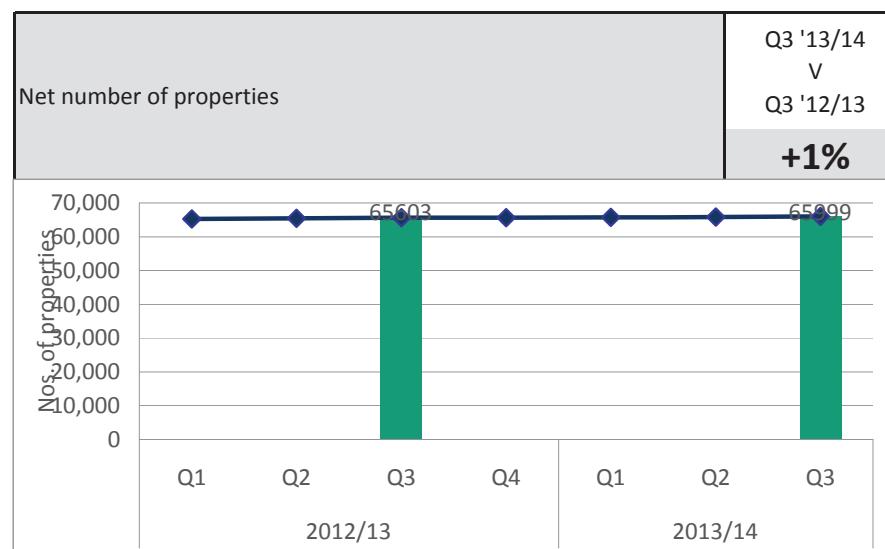
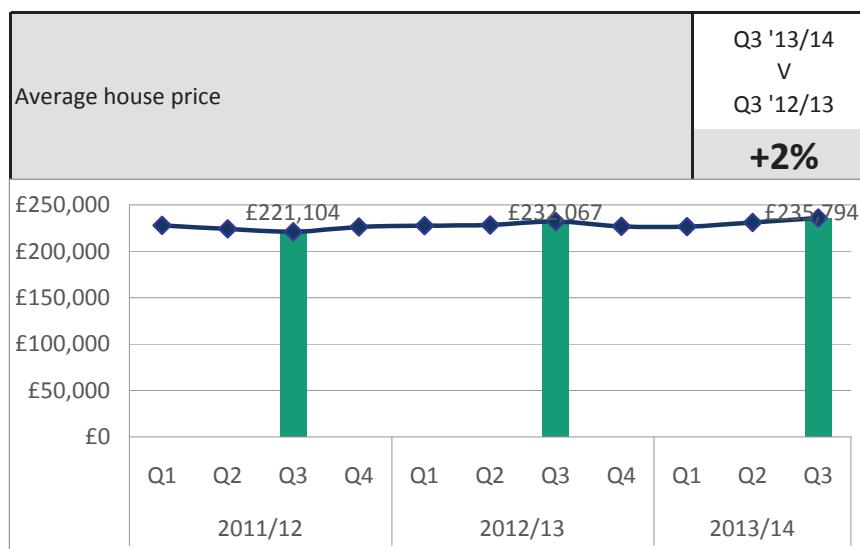
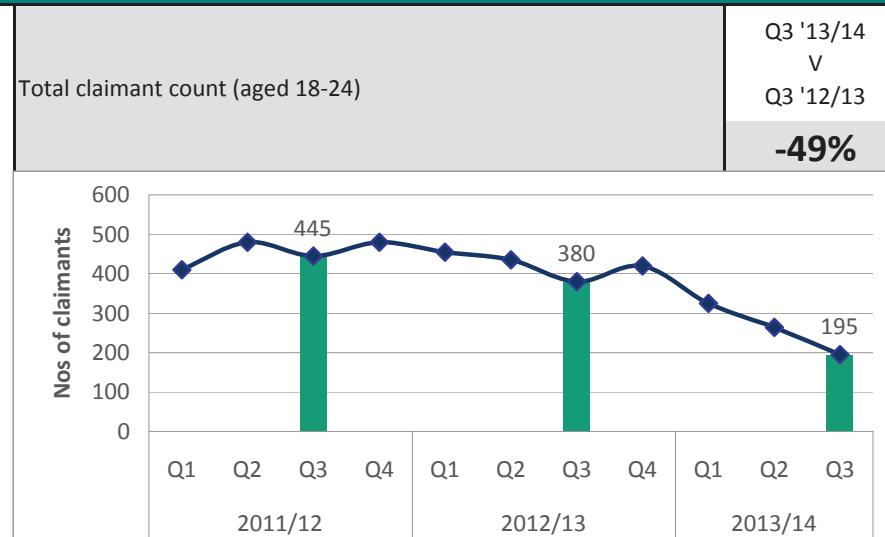
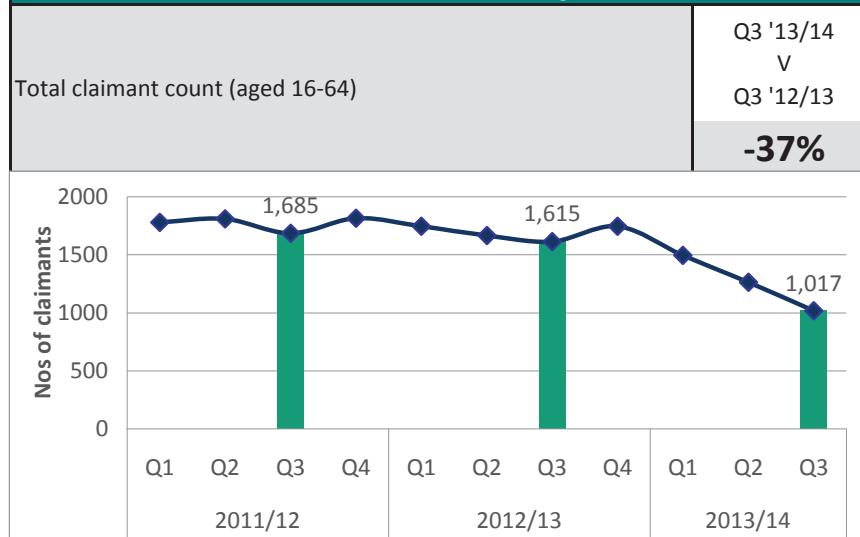
This report is published at [westberks.gov.uk/performance](http://westberks.gov.uk/performance).

# **Key accountable measures and activities 2013/14**

**Quarter three: October – December 2013**

## **Contextual measures**

## State of the District: Economy



## 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



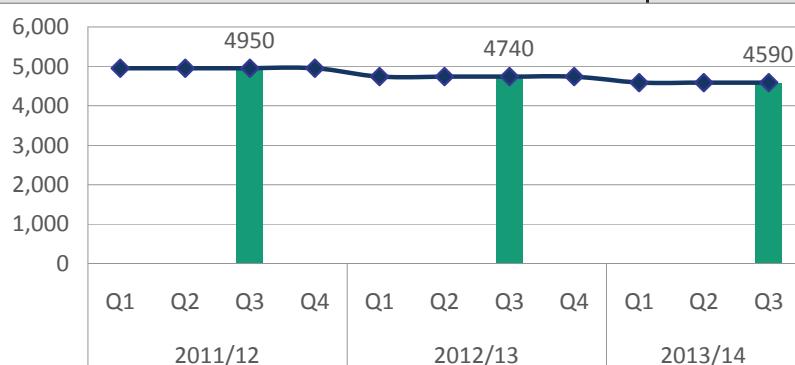
Newbury footfall

Q3 '13/14  
v  
Q3 '12/13  
**+4%**



Hungerford footfall

Q3 '13/14  
v  
Q3 '12/13  
**-3%**

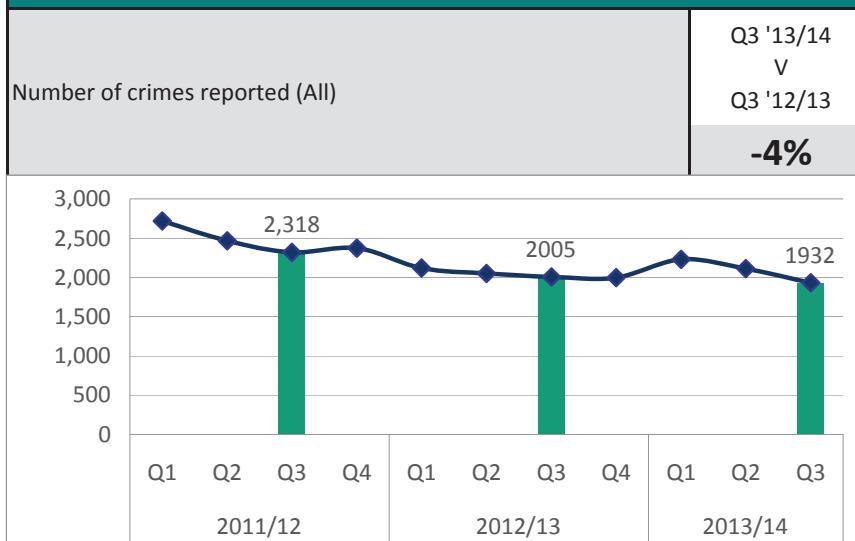


Thatcham footfall

Q3 '13/14  
v  
Q3 '12/13  
**-8%**



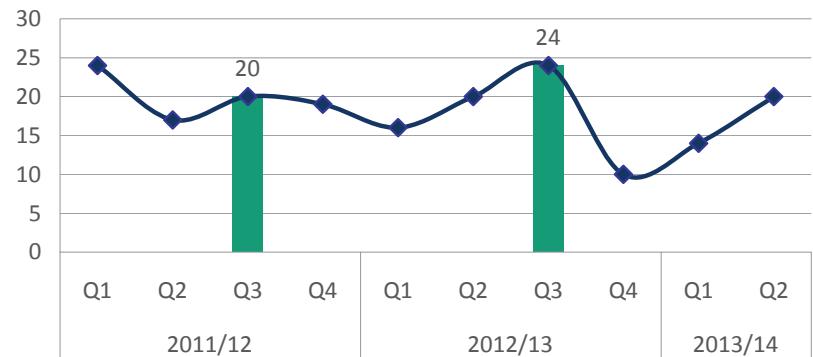
## State of the District: Crime



## State of the District: Road safety

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

Q3 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	Q3 13/14 V Q3 '12/13 <b>-6%</b>
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Nos. of clients aged 65 plus having received a community based service in the past 12 months, excluding residential/nursing care home	Q3 13/14 V Q3 '12/13 <b>-14%</b>
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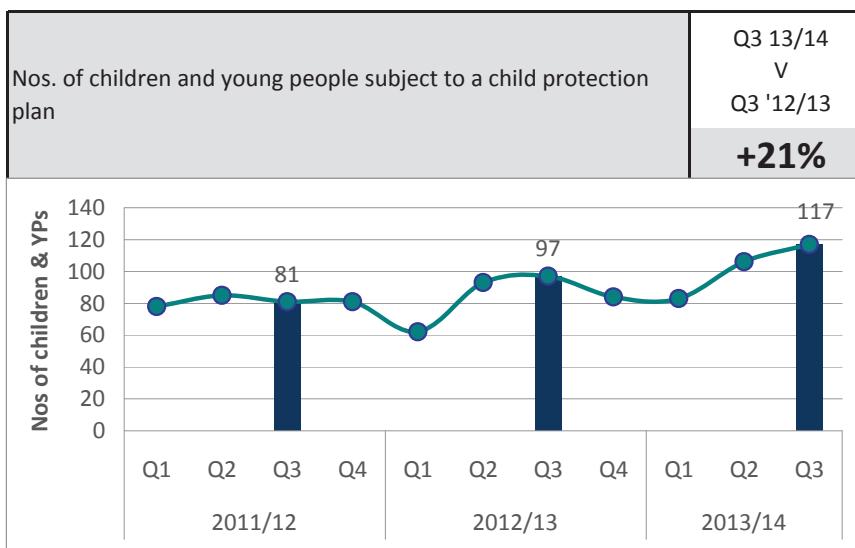
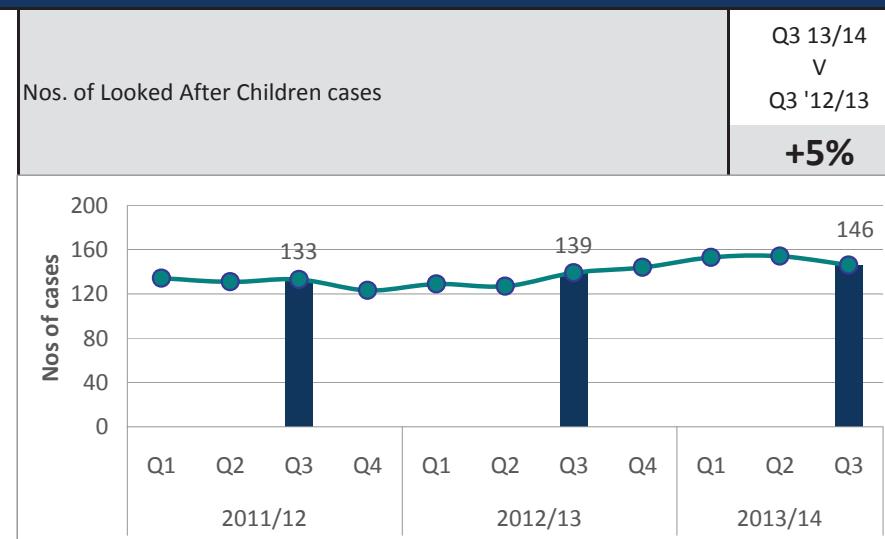
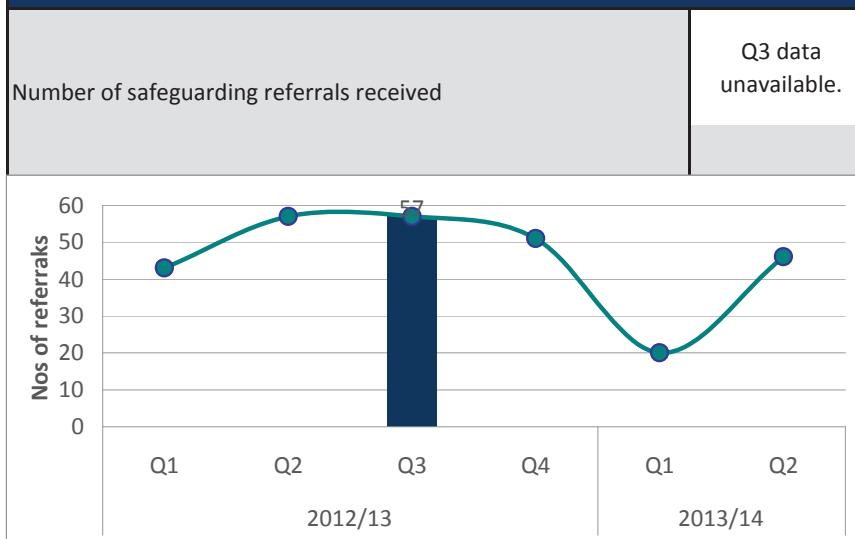
Nos. of social care assessments and reviews completed in the last 12 months	Q3 13/14 V Q3 '12/13 <b>-8%</b>
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Nos. of live applicants on the Common Housing Register in the reasonable preference group	Q3 data unavailable.
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## Measures of volume: Communities Directorate



## Measures of volume: Environment Directorate

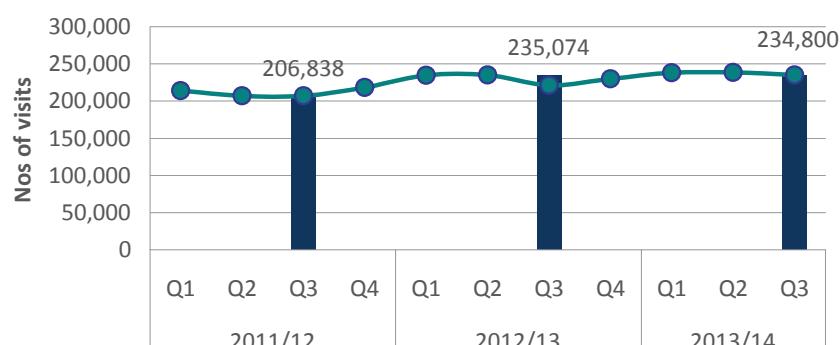
Total nos. of planning applications (Received)	Q3 13/14 V Q3 '12/13
	<b>-5%</b>



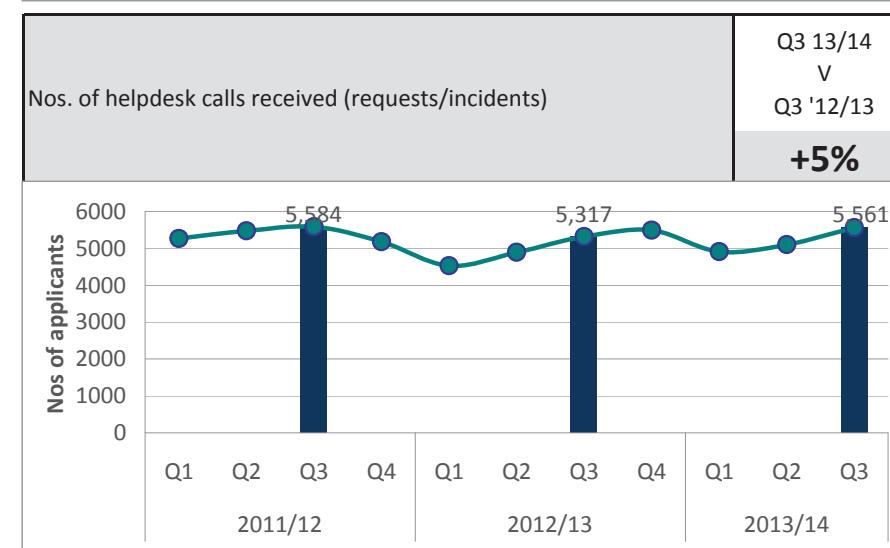
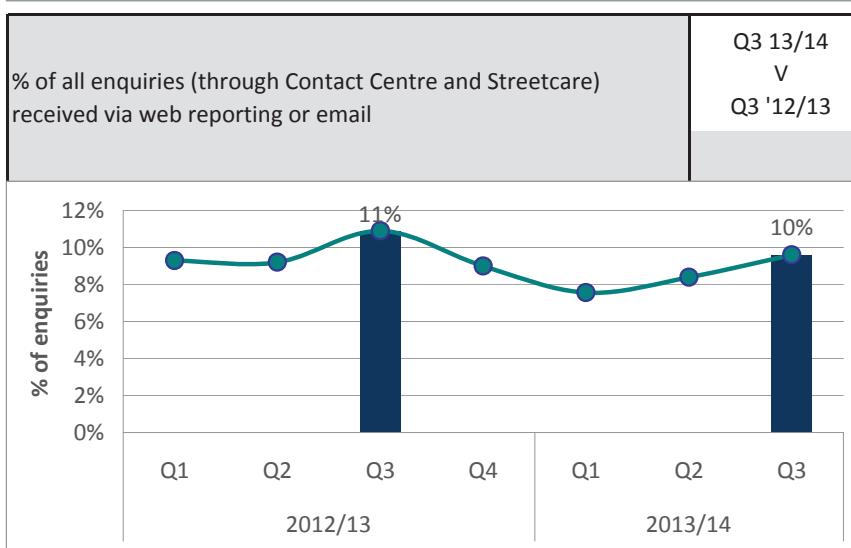
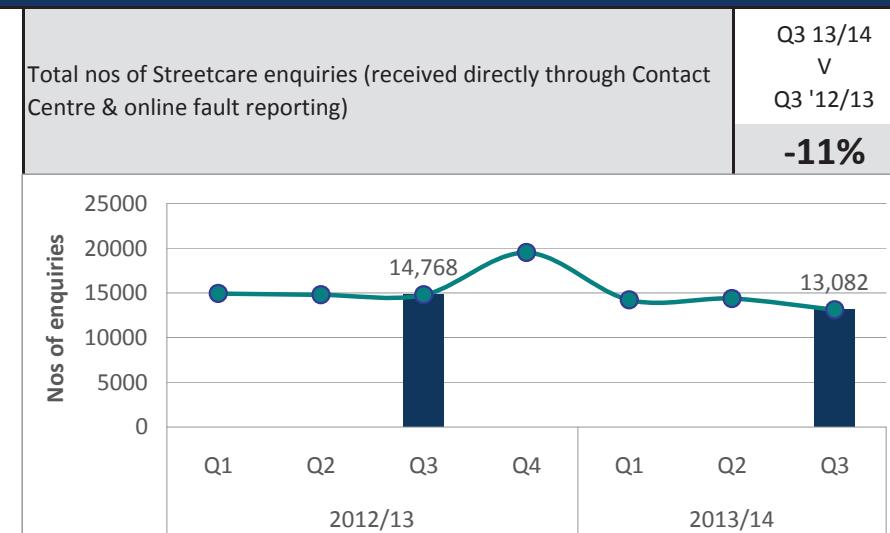
Number of visits to library venues (physical / virtual)	Q3 13/14 V Q3 '12/13
	<b>+4%</b>



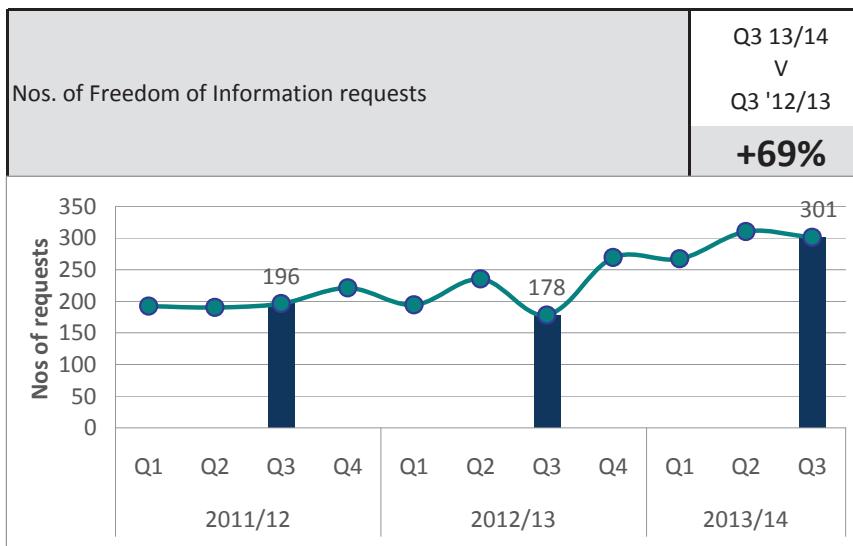
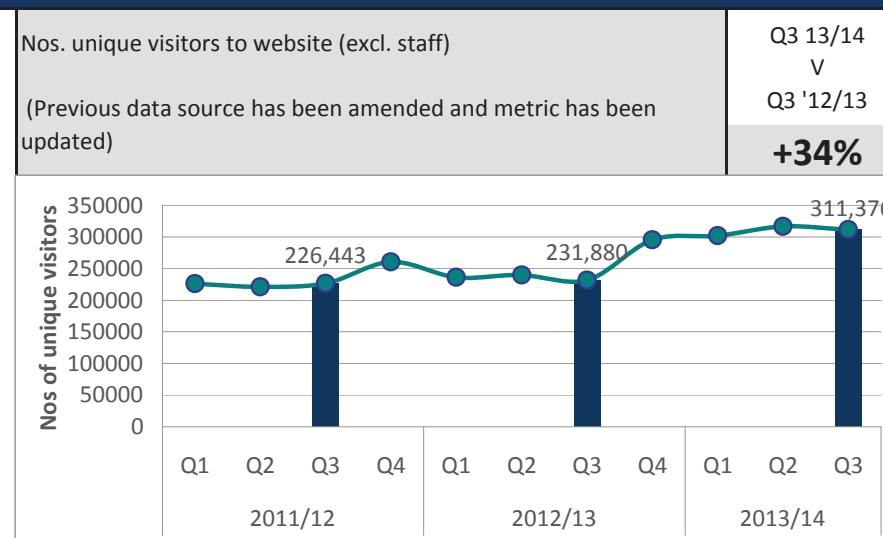
Number of visits to sports and leisure centres	Q3 13/14 V Q3 '12/13
	<b>+6%</b>



## Measures of volume: Resources Directorate



## Measures of volume: Resources Directorate



### Comment:

Please note, we have identified an error in the data source for the reporting of unique visitors over the previous periods. This has now been corrected and we have amended the outturns to reflect the updated this. For Q2 the measure showed numbers equivalent to just over 300,000 individual people visiting our websites at least once. This represents an quarterly comparison of +34%.

# **Key accountable measures and activities 2013/14**

**Quarter three: October – December 2013**

## **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	Supporting commentary
<strong>CARING FOR AND PROTECTING THE VULNERABLE</strong>								
<strong>Vulnerable children and young people</strong>								
Maintain the timeliness of Looked After Children (LAC) reviews carried out on time	Y	Medium	99%	98%	★ 98%	★ 100%	★ 99%	YTD: 141 / 142
Maintain the percentage of Child Protection Reviews carried out on time	Y	High	100%	98%	★ 100%	★ 100%	★ 100%	YTD: 88 / 88
To maintain a low percentage of child protection plans that last for 2 years or more	Y	Medium	3%	<5%	★ 3%	★ 2%	★ 1%	YTD: 3 / 205
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	23%	5-20%	♦ 0%	♦ 1%	♦ 1%	This measure is being reported as amber as although it is currently 1% we know that there are a number of children who are about to become subject to CP plans for a 2nd time.
To maintain the % of Initial Assessments within 10 working days until such time as the new single assessment introduced	Y	Medium	88%	80%	★ 92%	★ 88%	★ 85%	Q3: 461 / 541
To maintain the number of children accessing Short Breaks	Y	Medium	626	625	U data unavailable	♦ 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	It is anticipated that this target will be achieved by year end.
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%	Q3: 42 / 47
To maintain the percentage of Looked After Children (LAC) with 2 or less placements during the year	Y	High	94%	90%	★ 100%	★ 98%	★ 98%	Q3: 142 / 145
<strong>Vulnerable older people and adults</strong>								
Ensure 90% of safeguarding alerts are responded to within 24 hours	Y	High	-	90%	♦ 87%	♦ 88%	DNA	Data for Q3 is not available due to technical issues with the system. This data will be available in Q4 and actions will be taken as necessary.
Reduce the number of repeat safeguarding referrals through the monitoring and review of protection plans	Y	High	8%	8%	★ 5%	★ 6%	DNA	Data for Q3 is not available due to technical issues with the system. This data will be available in Q4 and actions will be taken as necessary.

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	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%	Personal Budget (PB) Reports have been revised to include all clients funded from OP Domiciliary Care and PD Domiciliary Care cost centres as these clients have been allocated a PB at Resource Panel and then received a commissioned PB home care service. The denominator to capture eligible users for PB has been amended in line with new SALT (Short and Long Term) statutory reporting guidance that should exclude electrical equipment maintenance from long term services.	
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%	Our local system has been taking more complex cases through the reablement service. 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%	Q2:736 / 738 YTD: 1359 / 1368	
Ensure 95% of claims for Local Welfare Provision are processed within 10 working days	Y	Medium	-	95%	★ 100%	★ 98%	★ 98%	Q2: 182 / 186 YTD: 345 / 353	
Increase the number of identified carers receiving help or support from the Council	Y	Medium	300	350	★ 251	★ 285	★ 320	Rolling 12 months, on track to reach target of 350 carers receiving services	
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%	Q3: 567 / 597 - Still waiting for providers for Q2 and Q3	
Maintain the percentage of people presenting as homeless where the homelessness has been relieved or prevented	Y	High	78%	78%	★ 87%	★ 81%	★ 81%	Q3: 125 / 156 YTD: 383 / 475	
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%	Q3: 45 / 59 YTD: 124 / 161	
Approve 95% of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application	Y	High	99%	95%	♦ 100%	♦ 90%	DNA	Data not available until Q4 due to technical issues with the reporting spreadsheet for DFGs.	
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%	Q3: 123 / 145	
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	♦ 18.73 days	★ 18.27 days		

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	Supporting commentary			
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	★ 7.74 days	♦ 8.34 days	Slightly above target at Q3. It is anticipated that this will be met by year end			
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%	<5%	● Annual	● Annual	● Annual	Reports in Q4			
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%	<10%	● Annual	● Annual	● Annual	Reports in Q4			
Aim to complete at least 75% of all works orders for permanent pothole repairs within 28 days of the order date.	Y	High	tbc	75%	★ 77%	★ 77%	★ 85%	Q3: 48 / 50 YTD: 106 / 125			
Number of Berkshire premises able to receive standard broadband services 2Mb/s or above (Target 100% by 2015)	N	Medium	-	TBC (Awaiting Superfast Berkshire Bid Response)	● Annual	● Annual	● Annual	Reports in Q4			
Number of Berkshire premises able to receive Superfast Broadband services 24Mb/s or above (Target 90% by 2015)	N	Medium	-	TBC (Awaiting Superfast Berkshire Bid Response)	● Annual	● Annual	● Annual	Reports in Q4			
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				
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				
Planning											
60% of 'major' planning applications determined within 13 weeks.	Y	High	(38/52) 73.1%	60%	♦ 56%	★ 66%	★ 68%	Q3: 9 / 12 YTD: 30 / 44 Provisional data.			
65% of 'minor' planning applications determined within 8 weeks.	Y	High	(352/465) 75.7%	65%	★ 77%	★ 70%	★ 68%	Q3: 68 / 104 YTD: 210 / 308 Provisional data.			

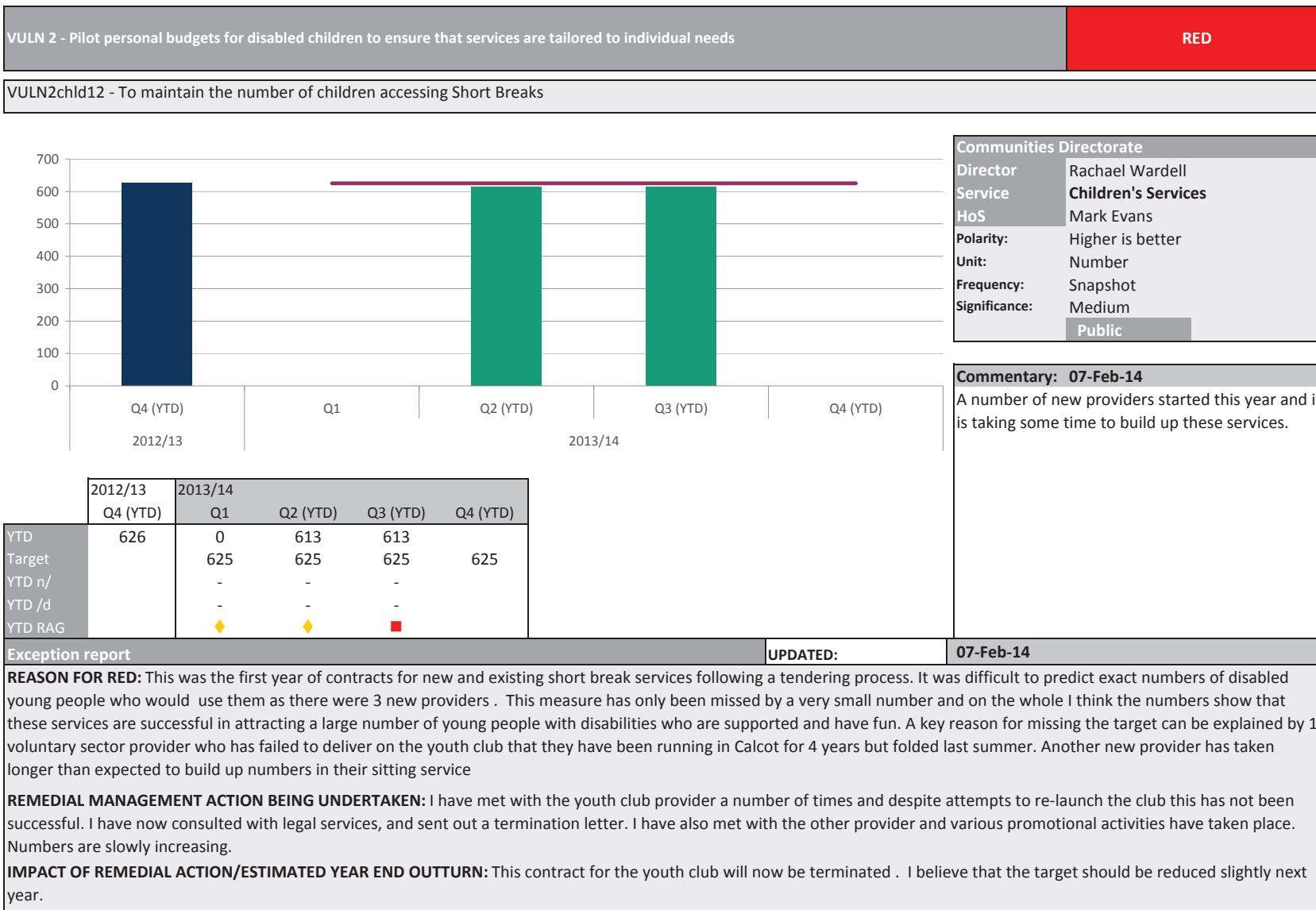
2013/14 West Berkshire Council key accountable measures											
Measure / activity	Direct influence	Community / service Impact	2012/13 Year end outturn	2013/14 Target	Q1 RAG /outturn	Q2 (YTD) RAG / outturn	Q3 (YTD) RAG / outturn	Supporting commentary			
75% of 'other' planning applications determined within 8 weeks.	Y	High	(1257/1381) 91%	75%	★ 92%	★ 91%	★ 91%	Q3: 292 / 319 YTD: 951 / 1044 Provisional data.			
Ensure that the proportion of upheld planning appeals is less than the national average.	Y	Medium	33%	<35%	♦ 43%	♦ 39%	■ 45%	Q3: 12 / 21 YTD: 27.5 / 61 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.			
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	2011-12 AY: 52% (EM)	Baseline year for new measure.	● Annual	● Annual	57% (RWM)	Not targeted as gathering baseline data			
Increase the proportion of children eligible for FSM who achieve 5+A*-C grades at GCSE (incl English and Maths)	N	High	2011-12 AY: 21.9% (FSM) 26.2% (FSM ever 6)	2012/13 AY: 32%	● Annual	● Annual	★ 32%				
Reduce the number of people aged 16-18 not in education, employment or training (NEET)	N	High	3.70%	<3.4%	♦ 3.9%	★ 3.4%	★ 3%				
Increase the proportion of YP in jobs with training, including apprenticeships	N	High	41%	50%	★ 9%	★ 48%	★ 64%				
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	2011-12 AY: 57%	2012/13 AY: 61%	● Annual	● Annual	★ 61.3%				

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	Supporting commentary			
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	2011-12 AY: 58.3% (Excl Kennet, PH, St.Bart, Denefield)	2012/13 AY: >58%	● Annual	● Annual	★ 62.3%				
Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Reading	N	High	2011-12 AY: 87%	2012/13 AY: >87%	● Annual	● Annual	★ 88%				
Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Writing	N	High	2011-12 AY: 84%	2012/13 AY: >84%	● Annual	● Annual	★ 86%				
Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Maths	N	High	2011-12 AY: 82%	2012/13 AY: >82%	● Annual	● Annual	★ 85%				
Improve the number of pupils making 2+ levels of progress in reading	N	High	-	Baseline year for new measure.	● Annual	● Annual	87%	Baseline year for new measure. 2013/14 AY outturn available Q2 2014/15.			
Improve the number of pupils making 2+ levels of progress in writing	N	High	-	Baseline year for new measure.	● Annual	● Annual	92%	Baseline year for new measure. 2013/14 AY outturn available Q2 2014/15.			
Improve the number of pupils making 2+ levels of progress in Maths	N	High	-	Baseline year for new measure.	● Annual	● Annual	84%	Baseline year for new measure. 2013/14 AY outturn available Q2 2014/15.			
The proportion of schools judged good or better by Ofsted under the new Framework (harder test)	N	High	62	> prev year	dna	dna	★ 70% (Term 1)				
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	0	dna	dna	★ None (Term 1)				
PROTECTING THE ENVIRONMENT											
Cleaner and greener											
Maintain the proportion of household waste recycled/composted/reused	Y	High	50%	49%	★ 51%	★ 51%	★ 50%	YTD: 31,518 / 62,492. Qtr 2 has been amended . Q3 result is an estimate based on partial availability of data and will not be finalised until the next quarter. These results are also subject to change once figures are validated and confirmed by DEFRA after quarter 4.			
% of household waste landfilled	Y	High	17%	<20%	★ 17%	★ 16%	★ 15%	Q3: 2,455 / 20,022 YTD: 9,151 / 62,910			
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				

# **Key accountable measures and activities 2013/14**

**Quarter three: October – December 2013**

**Exception reports**



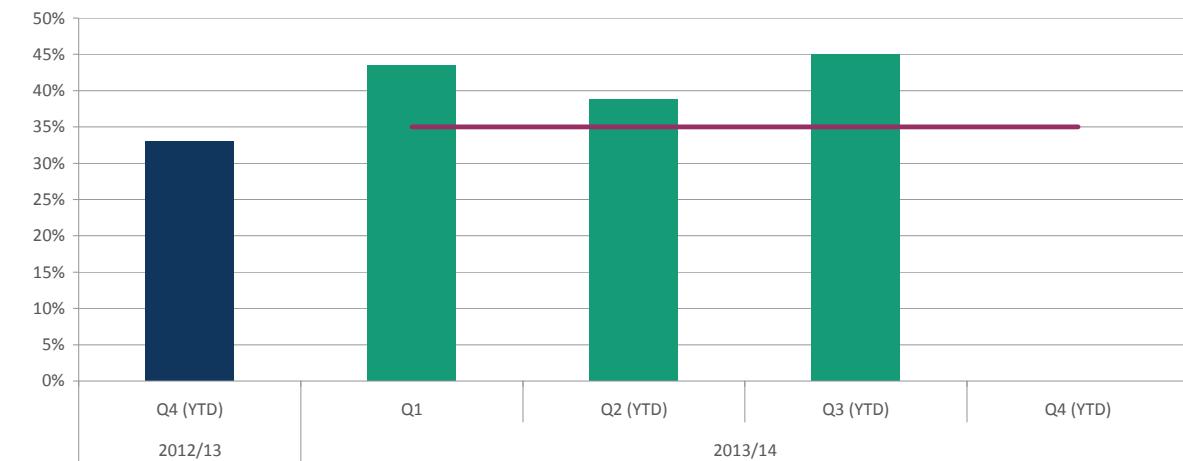
VULN 14 - Target services on helping adults back to independence and recovery, recognising that many can return to independence after a short period of support through reablement and rehabilitation services.	RED
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VULN14asc19 - Maintain the proportion of older people still at home 91 days after discharge from hospital into reablement/rehabilitation services
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	<b>Communities Directorate</b> <b>Director</b> Rachael Wardell <b>Service</b> Adult Social Care <b>HoS</b> Balwinder Kaur <b>Polarity:</b> Higher is better <b>Unit:</b> Percentage <b>Frequency:</b> Snapshot <b>Significance:</b> Medium <b>Public</b>																																										
	<b>Commentary: 11-Feb-14</b> Our local system has been taking more complex cases through the reablement service with an ambition of them staying at home rather than moving into residential care. See exception report for details.																																										
<table border="1"> <thead> <tr> <th>2011/12 Q4 (YTD)</th> <th>2012/13 Q4 (YTD)</th> <th colspan="4">2013/14</th> </tr> <tr> <th></th> <th></th> <th>Q1</th> <th>Q2 (YTD)</th> <th>Q3 (YTD)</th> <th>Q4 (YTD)</th> </tr> </thead> <tbody> <tr> <td>YTD</td> <td>-</td> <td>93%</td> <td>89%</td> <td>86%</td> <td>85%</td> </tr> <tr> <td>Target</td> <td></td> <td></td> <td>93%</td> <td>93%</td> <td>93%</td> </tr> <tr> <td>YTD n/</td> <td></td> <td></td> <td>199</td> <td>189</td> <td>188</td> </tr> <tr> <td>YTD /d</td> <td></td> <td></td> <td>224</td> <td>221</td> <td>220</td> </tr> <tr> <td>YTD RAG</td> <td></td> <td></td> <td>◆</td> <td>◆</td> <td>■</td> </tr> </tbody> </table>	2011/12 Q4 (YTD)	2012/13 Q4 (YTD)	2013/14						Q1	Q2 (YTD)	Q3 (YTD)	Q4 (YTD)	YTD	-	93%	89%	86%	85%	Target			93%	93%	93%	YTD n/			199	189	188	YTD /d			224	221	220	YTD RAG			◆	◆	■	<b>Exception report</b> <b>UPDATED:</b> 11-Feb-14
2011/12 Q4 (YTD)	2012/13 Q4 (YTD)	2013/14																																									
		Q1	Q2 (YTD)	Q3 (YTD)	Q4 (YTD)																																						
YTD	-	93%	89%	86%	85%																																						
Target			93%	93%	93%																																						
YTD n/			199	189	188																																						
YTD /d			224	221	220																																						
YTD RAG			◆	◆	■																																						
<b>REASON FOR RED:</b> Our local system has been taking more complex cases through the reablement service with an ambition of them staying at home rather than moving into residential care, we have as a result been unable to meet the target because we have ended up either with people being re-admitted to hospital, or unable to remain in their own homes as originally intended.																																											
<b>CONSEQUENCES OF NOT ACHIEVING THIS MEASURE:</b> There will be more pressure on services but this is a consequence of more complex patients being admitted to hospital.																																											
<b>REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN:</b> The proposed work with Better care Fund Projects work is primarily enabling better support in the community, 7 days a week and focussed 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 to avoid admissions.																																											
<b>IMPACT OF REMEDIAL ACTION/ESTIMATED YEAR END OUTTURN:</b> 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.																																											

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
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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: 11-Feb-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 Q4 (YTD)	2012/13 Q4 (YTD)	2013/14			
			Q1	Q2 (YTD)	Q3 (YTD)	Q4 (YTD)
YTD	-	33%	43%	39%	45%	
Target			35%	35%	35%	35%
YTD n/			10	16	27.5	
YTD /d			23	40	61	
YTD RAG			♦	♦	■	

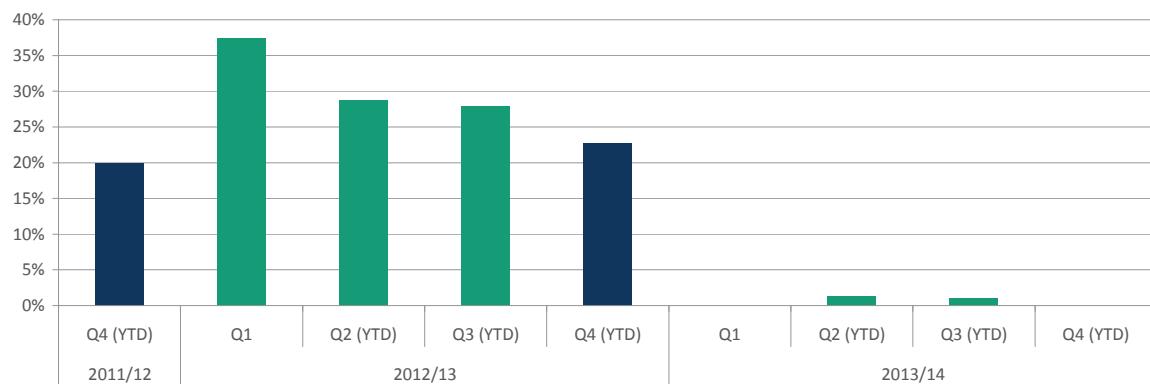
Planning and Countryside - Gary Lugg

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

Exception report	UPDATED:	11-Feb-14
<p><b>REASON FOR RED:</b> 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).</p> <p><b>CONSEQUENCES OF NOT ACHIEVING THIS MEASURE:</b> 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.</p> <p><b>REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN:</b> 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.</p> <p><b>IMPACT OF REMEDIAL ACTION/ESTIMATED YEAR END OUTTURN:</b> The remedial action suggested above is unlikely to have any impact on the year end figures because any appeals decided in Q4 will be 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 next year.</p>		

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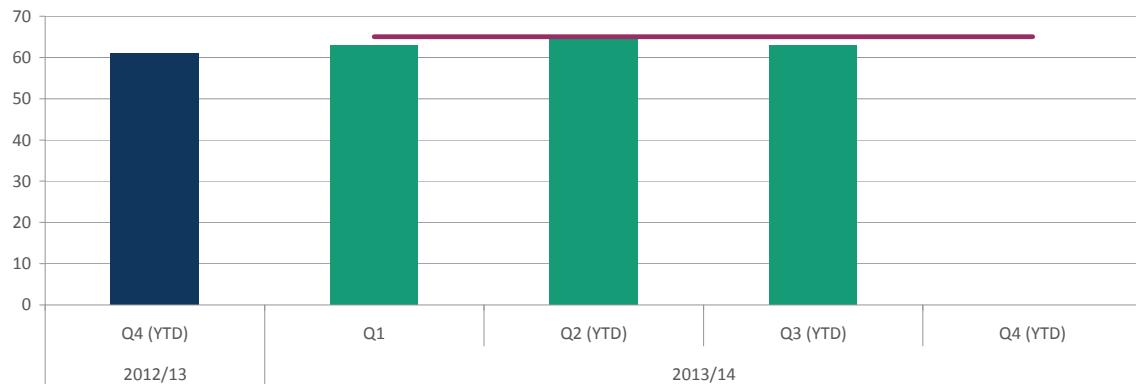
Communities Directorate	
Director	Rachael Wardell
Service	Children's Services
HoS	Mark Evans
Polarity:	Usual to be within a range
Unit:	Percentage
Frequency:	Snapshot
Significance:	High
Public	

Commentary:									
CP Plans this should remain amber as although it is currently 1% we know that there are a number of children who are about to become subject to CP plans for a 2nd time.									

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

VULN 3 - Recruit more local carers to ensure that looked after children are placed as locally as possible in family-based settings	Amber
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VULN3chld15 - To increase the total number of active foster carers
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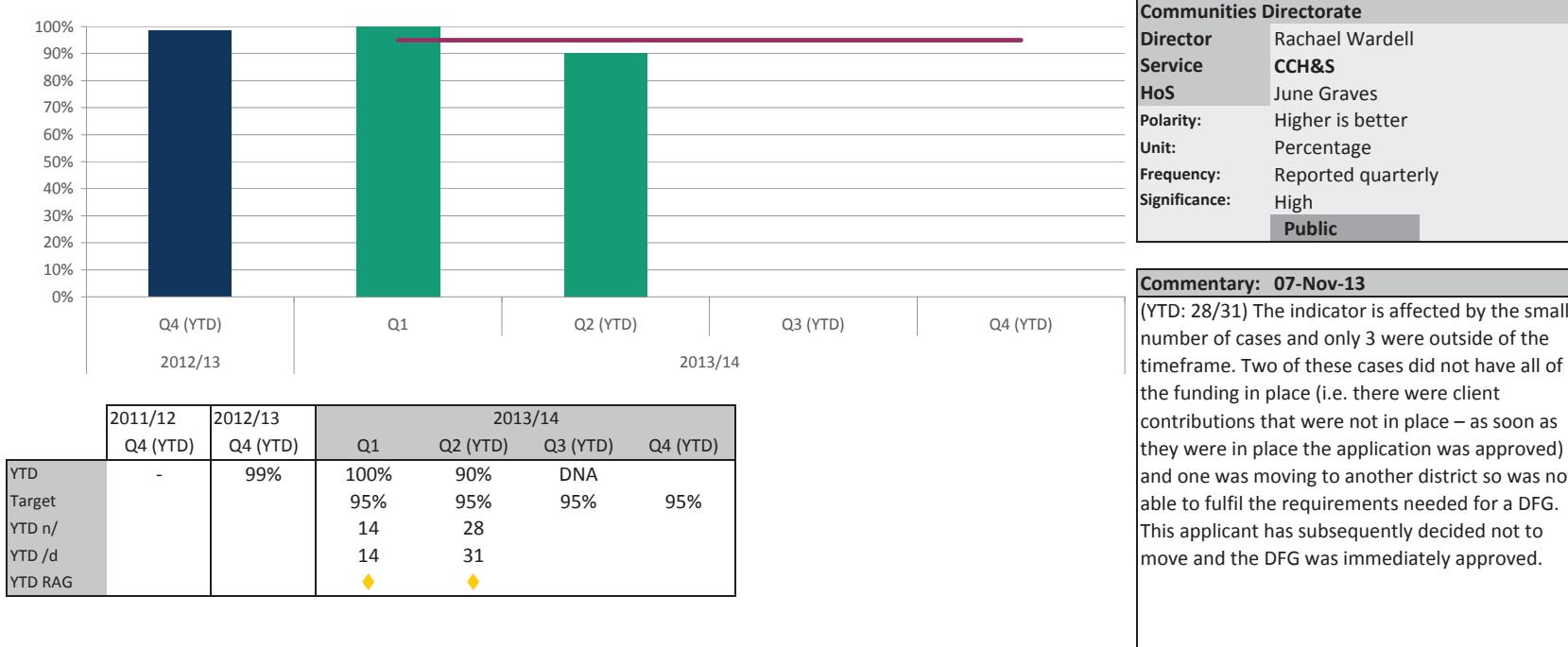
Communities Directorate	
Director	Rachael Wardell
Service	Children's Services
HoS	Mark Evans
Polarity:	Higher is better
Unit:	Number
Frequency:	Reported quarterly
Significance:	High
	Public

Commentary: 12-Feb-14	
	We are slightly below our target for the number of active WBC Foster Carers. We are working hard to recruit new carers and retain existing carers.

	2012/13 Q4 (YTD)	2013/14 Q1	Q2 (YTD)	Q3 (YTD)	Q4 (YTD)
YTD	61	63	65	63	65
Target		65	65	65	65
YTD n/					
YTD /d					
YTD RAG	★	★	◆		

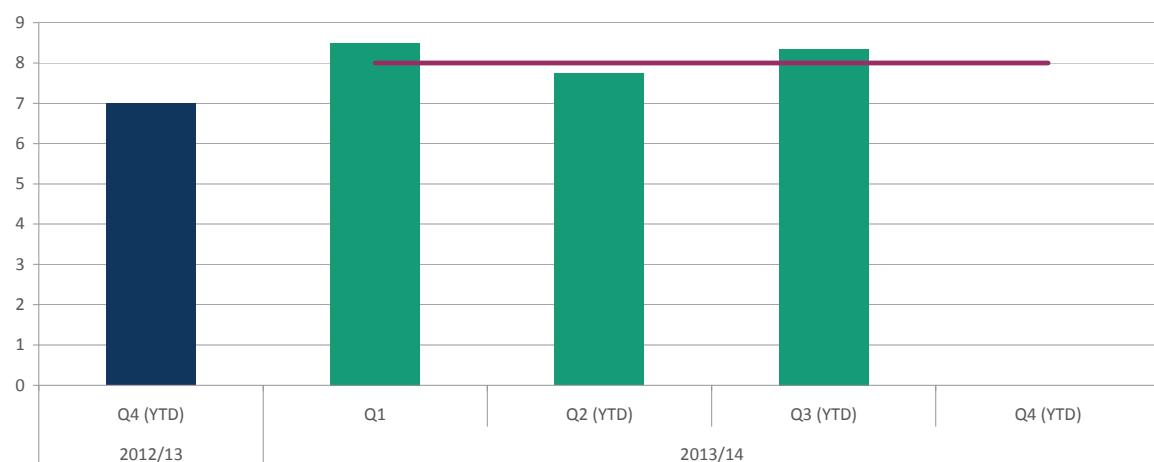
VULN 16 -Continue to work to prevent homelessness offering the widest possible range of options, advice and interventions.	Amber
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VULN16cchs12 - Approve 95% of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application
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B&E 3. deliver a responsive Benefit Service where new claims and changes in circumstances are processed quickly	Amber
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OP3cs19 - The average number of days taken to make a full decision on changes in a Benefit
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Resources Directorate	
Director	Nick Carter
Service	Customer Services
HoS	Sean Anderson
Polarity:	Lower is better
Unit:	Nos of days
Frequency:	Reported quarterly
Significance:	Medium
	Public

Commentary: 11-Feb-14	
	Slightly above target at Q3. It is anticipated that this will be met by year end

	2011/12		2013/14			
	Q4 (YTD)	2012/13 Q4 (YTD)	Q1	Q2 (YTD)	Q3 (YTD)	Q4 (YTD)
YTD	8	7	8.5	7.7	8.3	
Target			8	8	8	8
YTD n/						
YTD /d						
YTD RAG			♦	★	♦	

**End of report**

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# Agenda Item 11.

<b>Title of Report:</b>	<b>Proposed variation to the Trading Standards Shared Service Agreement</b>
<b>Report to be considered by:</b>	Executive
<b>Date of Meeting:</b>	27 March 2014
<b>Forward Plan Ref:</b>	EX2816

<b>Purpose of Report:</b>	To obtain approval from the Executive to vary and extend the current shared service agreement with Wokingham Council to align it with the Environmental Health and Licensing Shared Service agreement.
<b>Recommended Action:</b>	That approval is granted to vary and extend the Trading Standards shared service agreement to expire in line with the Environmental Health & Licensing agreement on 19 <sup>th</sup> January 2017.
<b>Reason for decision to be taken:</b>	To bring into line with the Environmental Health and Licensing to allow us to consider the longer term issues and opportunities when the initial agreement periods ends in 2017.
<b>Other options considered:</b>	The agreement could be allowed to expire on 7 <sup>th</sup> June 2015 and both Councils would revert back to running their own TS services. A longer extension could be entered into e.g. 5 or 10 years.
<b>Key background documentation:</b>	Trading Standards Shared Service agreement.

The proposals will help achieve the following Council Strategy principles:

**CSP6 - Living within our means**  
 **CSP8 - Transforming our services to remain affordable and effective**

<b>Portfolio Member Details</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Dominic Boeck
<b>E-mail Address:</b>	dboeck@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	Report e-mailed to Councillor Boeck on 12 February 2014

<b>Contact Officer Details</b>	
<b>Name:</b>	Steve Broughton
<b>Job Title:</b>	Head of C&EP
<b>Tel. No.:</b>	01635 519387
<b>E-mail Address:</b>	slbroughton@westberks.gov.uk

## Implications

<b>Policy:</b>	None
<b>Financial:</b>	The shared service made a saving of 15% for both Councils which involved a restructuring including the loss of one of the team managers. Additional costs would be incurred to revert back to individual services at each Council
<b>Personnel:</b>	Staff from Wokingham Council were transferred under TUPE Regulations to West Berkshire Council as the host authority.
<b>Legal/Procurement:</b>	The current shared service agreement allows for the agreement to be varied (clause 35). The agreement can be varied to allow for an early extension as set out in this report as agreed between the parties.
<b>Property:</b>	None
<b>Risk Management:</b>	There could be a financial risk associated with terminating the shared service agreement and returning a service to Wokingham BC together with a loss of the benefits of resilience.

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:	<ul style="list-style-type: none"> <li>• Is it likely to affect people with particular protected characteristics differently? <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>• Is it a major policy, significantly affecting how functions are delivered? <input type="checkbox"/> <input type="checkbox"/></li> <li>• Will the policy have a significant impact on how other organisations operate in terms of equality? <input type="checkbox"/> <input type="checkbox"/></li> <li>• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics? <input type="checkbox"/> <input type="checkbox"/></li> <li>• Does the policy relate to an area with known inequalities? <input type="checkbox"/> <input type="checkbox"/></li> </ul>			
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at <a href="http://www.westberks.gov.uk/eia">www.westberks.gov.uk/eia</a>	<input type="checkbox"/>			
Not relevant to equality	<input type="checkbox"/>			
<b>Is this item subject to call-in?</b>	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>		

# **Executive Summary**

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## **1. Introduction**

- 1.1 The shared Trading Standards Agreement with Wokingham Borough Council has an initial period of 5 years. The agreement contains a clause that allows the arrangement to be extended for a period of up to ten years. This agreement began on 8th June 2010 and ends on 7th June 2015.
- 1.2 The shared Environmental Health/Licensing Agreement, also with Wokingham Borough Council, began on 10 January 2012 and ends on 9 January 2017. Both services are hosted by West Berkshire Council
- 1.3 The Trading Standards shared service has produced financial savings, increased resilience, access to a broader range of skills and expertise and access to external funding.

## **2. Proposals**

- 2.1 It is proposed that the TS agreement is varied and extended with Wokingham borough Council, within the terms of the current agreement to expire in line with the EH&L agreement. At which point it would then be proposed to consider both agreements in tandem. This will enable more coordinated decisions to be made over both shared services

## **3. Equalities Impact Assessment Outcomes**

- 3.1 This item is not relevant to equality.

## **4. Conclusion**

- 4.1 The Joint Service Review Panel has recommended an extension to the TS agreement for 18 months to align it with the EH&L agreement. Wokingham Council will be presenting a recommendation to their Executive in March 2014 to agree this extension
- 4.2 Should an extension of any length of time not be agreed an exit strategy would need to be developed to allow for the provision of independent Trading Standards Services at each Council.

# Executive Report

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## 1. Introduction

- 1.1 The shared Trading Standards Agreement with Wokingham Borough Council has an initial period of 5 years. The agreement contains a clause that allows the arrangement to be extended for a period of up to ten years. This agreement began on 8th June 2010 and ends on 7th June 2015.
- 1.2 The shared Environmental Health/Licensing Agreement, also with Wokingham Borough Council, began on 10 January 2012 and ends on 9 January 2017. Both services are hosted by West Berkshire Council
- 1.3 Both services are operating effectively and as a result of the arrangements annual savings of 15% have been realised for both Councils. The management and governance arrangements are common to both services and the Lead Member and client roles are common as well. The shared services are governed by a single Joint Service Review Panel (JSRP) that consists of Portfolio Member from each Council and the respective Heads of Service.
- 1.4 The Joint Service Review Panel has considered the existing dates and reached the view that it would be sensible to extend the current Trading Standards agreement to coincide with the Environmental Health/Licensing dates, i.e. extend the Trading Standards agreement by 18 months until 9 January 2017.
- 1.5 Wokingham Borough Council Member representative supports this proposal; a report will be submitted to their Executive on 27<sup>th</sup> March 2014

## 2. Benefits of the shared service

- 2.1 Achieving greater resilience and reduction in management costs has allowed resources to be focused on frontline delivery.
- 2.2 In the initial five year period the arrangement will have created a joint saving of £575K and enhanced cost effectiveness significantly
- 2.3 The resource level has also allowed access to funding to support operational work such as that for food, feed, public health, crime reduction and investigations. To acquire and use this funding a critical mass is needed which the joint service has been able to provide
- 2.4 Once aligned, extending both agreements to ten years offers greater options for efficiencies, stability and effectiveness.

## 3. Alternative Options

- 3.1 The current agreement could be allowed to terminate on 1<sup>st</sup> June 2015. An exit strategy would be prepared to return a Trading Standards service to Wokingham BC. There are likely to be cost implications e.g. a suitable staffing/management structure would need to be reinstated to operate two independent units.
- 3.2 Rather than extending the current agreement by 18 months, the alignment with the EH&L agreement could be ignored and an extension of the TS agreement alone could be considered for a longer period up to ten years. This however would lose

the advantages of reviewing the services for extension later in tandem and reduce the opportunity for co-ordinated decisions on both services

#### **4. Conclusion**

- 4.1 The Joint Service Review Panel has recommended an extension to the TS agreement for 18 months to align it with the EH&L agreement. Wokingham Council will be presenting a recommendation to their Executive in March 2014 to agree this extension.
- 4.2 The current agreement contains provision to extend up to ten years. However an extension of 18 months would align the Trading Standards and Environmental Licensing agreements allowing for harmonized consideration of future extensions and better coordinated decisions for both services.
- 4.3 By extending this agreement the debate about future extensions to both arrangements can consider both areas in tandem rather than having two debates 18 months apart. This will enable more coordinated decisions to be made over both shared services.

#### **Appendices**

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There are no Appendices to this report.

#### **Consultees**

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**Local Stakeholders:** None

**Officers Consulted:** Corporate Board

**Trade Union:** Not consulted

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<b>Title of Report:</b>	<b>Strutt &amp; Parker's Developers Submissions &amp; Recommendation on Development Partner for the London Road Industrial Estate Regeneration</b>
<b>Report to be considered by:</b>	Executive
<b>Date of Meeting:</b>	27 March 2014
<b>Forward Plan Ref:</b>	EX2713a

**Purpose of Report:** **To note that Strutt & Parker are able to make a clear recommendation to the Council as to whom the Council should choose as its development partner in order to secure both enhanced revenue and regeneration of the London Road Industrial Estate (LRIE) and subject to satisfactorily agreeing the terms of any development agreement, that the Council will be in a position by mid Summer to enter into contract with its preferred development partner.**

**Recommended Action:**

- 1. to approve Strutt & Parker's recommendation to enter into contract negotiations with the Council's recommended development partner.**
- 2. to delegate to the Chief Executive authority to enter into and complete negotiations with the recommended development partner in consultation with the the Portfolio Member, the Head of Legal Services and Head of Finance - and where the terms of any agreement have been successfully agreed between the development partner, Officers, Portfolio Member and the Council's appointed Consultants, the terms of the agreement be brought back to the Executive for approval prior to signing of contracts.**
- 3. to carryout and complete the process to procure external legal consultants in order to support the Council during contract negotiations with the recommended development partner.**

**Reason for decision to be taken:**

- Strutt & Parker confirms that a preferred partner has been unanimously identified by Consultants, Members and Officers through an extended and thorough selection process. The preferred partner will provide long term contractual commitment to the Council in order to deliver increased income from the LRIE and also deliver high quality regeneration on**

the LRIE.

2. Any development partnership contract will pass development risk to the appointed partner and thus there is now no development risk to the Council in completing the development partner appointment process. Where the development partner funds infrastructure improvements in order to deliver future development, the partner will have no right under any development agreement to seek funds from the Council in the event infrastructure costs cannot be recouped by the developer. Similarly, where the development partner redevelops existing properties on the basis of new leases from the Council, the Council will be paid the existing ground rent for that property during the redevelopment period for that plot.

**Other options considered:**

1. Not to take any further action in appointing a development partner for the LRIE. However, this course of action would be to ignore Strutt & Parker's clear recommendation and to avoid addressing a significant Council policy objective.
2. For the Council itself to undertake the redevelopment of the LRIE without a development partner. This course of action not only presents a considerable financial risk to the Council, the Council itself has neither the expertise nor resources to undertake itself the redevelopment of the LRIE.
3. Through the planning process and piecemeal lease extension negotiations, allow the LRIE to redevelop on an ad hoc basis. However, this non-strategic approach will cause the Council to lose any opportunity to substantially increase Estate income and will prevent any opportunity to see the LRIE redeveloped as a unified whole with new appropriate infrastructure and harmonized architecture and open space which itself will continue to have a negative impact on the town centre.

**Key background documentation:**

Strutt & Parker's evaluation of developers financial and development proposals and Strutt & Parker's partner recommendation.

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

- CSP2 – Promoting a vibrant district**
- CSP4 – Protecting the environment**

The proposals contained in this report will help to achieve the above Council Strategy priorities by:

Taking the lead role in planning how best the LRIE might be redeveloped in order to improve the Council's finances, improve the value of its assets and at the same time regenerate a significant area of Newbury.

#### **Portfolio Member Details**

<b>Name &amp; Telephone No.:</b>	Councillor Pamela Bale - Tel (0118) 9842980
<b>E-mail Address:</b>	pbale@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	17 March 2014

#### **Contact Officer Details**

<b>Name:</b>	Bill Bagnell / Nick Carter
<b>Job Title:</b>	Special Projects Manager / Chief Executive
<b>Tel. No.:</b>	01635 519980 / 01635 519619
<b>E-mail Address:</b>	bbagnell@westberks.gov.uk

#### **Implications**

**Policy:** This proposal is in line with existing policy. Newbury Vision 2025 and West Berkshire Council's Core Strategy Area Delivery Plan Policy 2 foresees the regeneration of this part of Newbury. This identified need for regeneration in turn prompted the need for the London Road Industrial Estate (LRIE) Strategic Feasibility Study.

**Financial:**

1. If and when a development partner is selected to deliver the LRIE redevelopment, the risks associated with this will be passed to the development partner.
2. The proposed redevelopment will have as a primary objective the securing and enhancement of existing Council revenue from the LRIE which, without redevelopment, will cease to have long term security.
3. If the Council secures a development partner, the Council will seek to be indemnified from further costs at the point at which the Council is able to agree suitable and beneficial arrangements with a development partner.

**Personnel:** None

**Legal/Procurement:** Provided that no attempt is made to impose public benefit provisions or planning restrictions upon the LRIE other than those governed by Policy or property restrictions, the process to secure a development partner falls outside of public procurement requirements.

**Property:** There are no specific property implications associated with the report at this time but a Joint Venture Development Partnership in the future will involve the disposal of considerable Council land assets.

**Risk Management:**

1. The commercial risks associated with the proposed redevelopment will be passed to the development partner on signing contracts. Where the development partner funds infrastructure improvements in order to deliver future development, the partner will have no right under any development agreement to seek funds from the Council in the event infrastructure costs cannot be recouped by the developer. Similarly, where the development partner redevelops existing properties on the basis of new leases from the Council, the Council will be paid the existing ground rent for that property during the redevelopment period for that plot.
2. The process to secure a development partner will make demands on Council resources and appropriate officer time will need to be provided in respect of administration, legal and property support.
3. In order to maximise the commercial benefit of any redevelopment proposal the Council will need to be prepared, if necessary, to use its powers of compulsory purchase and therefore, in advance of any compulsory purchase action, will need to have an appropriately drawn up master plan of any redevelopment proposal.
4. To date the aim to redevelop the LRIE has been based on the Council entering into a development partnership whereby land transactions will be made on a purely commercial basis and as such the redevelopment process falls outside of public procurement regulations. The Executive should note that if subsequently public benefits are required of the redevelopment which are additional to those triggered by Planning Policy, the process to secure a development partner might be declared void and have to be carried out again and be upon the basis of OJEU procedures.

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"/>		
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at <a href="http://www.westberks.gov.uk/eia">www.westberks.gov.uk/eia</a>	<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"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

# **Executive Summary**

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## **1. Introduction**

1.1 On the 20th June 2013, the Executive approved commencement of the process to secure a development partner for the London Road Industrial Estate. In July 2013 six developer candidates were interviewed resulting in a shortlist of three developer candidates. Through a further process of evaluating submitted proposals, interviews and presentations to Consultants, Members and Officers, Strutt & Parker were able in early February 2014 to make a clear recommendation to the Council as to whom the Council should appoint as its development partner.

## **2. Proposals**

2.1 That it be noted that Strutt & Parker's recommendation, taking into account the selection process undertaken by Consultants, Members and Officers, is that the Council appoint St.Modwen as its preferred development partner. With different outline financial proposals, all three final candidates were capable of delivering regeneration, but St.Modwen is judged most likely to work collaboratively and flexibly in order to meet the Council's key requirements.

2.2 As stated in the Executive report dated 20th June 2013, developer candidates were advised that, in order to maximize the commercial value of the LRIE, the Council will be prepared to exercise its powers of compulsory purchase. This intention needs to be restated to the preferred development partner and be included within the terms of any development agreement.

## **3. Equalities Impact Assessment Outcomes**

3.1 No impact.

## **4. Conclusion**

4.1 The Council has reached a point where it has identified an organization which can not only deliver its key requirements of improved estate income and major urban regeneration, but also an organization who can do it collaboratively and flexibly and where development risk is passed to the development partner. It is recommended that contract negotiations with St.Modwen commence immediately.

# Executive Report

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## 1. Introduction

1.1 The purpose of this report is to confirm that the Council has identified a preferred development partner for the London Road Industrial Estate redevelopment and this report seeks the Executive's approval to enter into contract negotiations with the preferred development partner.

## 2. Background

2.2 Since 2011 the Council has gone through an extensive process first, to see if the LRIE could be commercially redeveloped and secondly, to demonstrate there was strong enough commercial interest in the LRIE to make redevelopment viable. This process has been overseen by a close working cross party Member and Officer group consisting of Cllrs Pamela Bale, Jeff Beck, Roger Hunneman and Alan Law, the Chief Executive Nick Carter and Bill Bagnell. Under the guidance of Strutt & Parker, these individuals have attended all developer candidate interviews, evaluated all submitted developer proposals and visited selected development sites as put forward by the development partner candidates. At key stages of the process there has been specialist input from WBC Planning Policy, WBC Estates and WBC Highways.

2.3 By the first quarter of 2013 enough market information had been gathered to show that market interest, based on a partnership with a major commercial developer, was strong and that a formal selection process could commence. The Executive of 20th June 2013 gave approval for this selection process to commence.

## 3. Critical information evaluated in order to select a development partner

3.1 By February 2014 the Council was in a position to select a preferred development partner from a final shortlist of three development companies, all of whom could deliver redevelopment on the LRIE – Frontier Estates, St. Modwen and Wilson Bowden. In coming to a conclusion as to which of these three companies might work best with the Council to deliver its key requirements of improved estate income and major urban regeneration, the selection process considered as a priority:

- (1) Suitability, experience and relevant expertise
- (2) Nature and mix of development uses suggested
- (3) Proposed structure for the transaction, financial offers and underlying assumptions
- (4) Flexibility shown by each company on all aspects of their proposals
- (5) Approach to partnerships and long term management

#### **4. Next Steps**

4.2 If the Executive approves the Report and its recommendations, the next steps are:

- (1) Prepare a press release in respect to the preferred development partner
- (2) Contact the LRIE tenants and other affected parties
- (3) To contact Bayer to inform them of the decision and the next steps to be taken
- (4) Instruct external solicitors to help West Berks Legal and Strutt & Parker to prepare and negotiate over the development agreement with the preferred development partner.

#### **5. Conclusion**

5.1 Over the last three years the Council has gone through an extensive process to prove that the LRIE is capable of redevelopment, that credible major developers are interested in the site and that from these interested parties the Council might be able to select a development partner who will deliver to the Council enhanced secure estate income and major urban regeneration. The Council has reached the point where all of the above has been achieved. The Executive are recommended to appoint, subject to contract, St.Modwen as its development partner since St.Modwen are not only the partner best able to deliver the Council's key requirements, but also will operate on the most flexible basis and where they will underwrite all development risk.

### **Appendices**

There are no Appendices to this report.

### **Consultees**

**Local Stakeholders:** N/A

**Officers Consulted:** Nick Carter, WBC Chief Executive  
Liz Alexander, WBC Planning Policy  
Colin Broughton, WBC Estates  
Jon Winstanley, WBC Highways  
Corporate Board

**Trade Union:** N/A

# Agenda Item 15.

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