

# Public Document Pack



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 23 January 2019
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

### Minutes

3. Minutes of the previous meeting held on 9th January, 2019 (Cab.23.1.2019/3) *(Pages 3 - 8)*
4. Minutes of the South Yorkshire Waste Partnership Board held on 1st October, 2018 (Cab.23.1.2019/4) *(Pages 9 - 10)*
5. Minutes of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 1st October, 2018 (Cab.23.1.2019/5) *(Pages 11 - 14)*

### Items for Noting

6. Decisions of Cabinet Spokespersons (Cab.23.1.2019/6) *(Pages 15 - 16)*

### Petitions

7. Petitions received under Standing Order 44 (Cab.23.1.2019/7)

### Items for Decision/Recommendation to Council

#### Communities Spokesperson

8. Disabled Facilities Grant Policy Updates (Cab.23.1.2019/8) *(Pages 17 - 54)*
9. Town Centre CCTV Upgrade (Cab.23.1.2019/9) *(Pages 55 - 78)*

#### Place Spokesperson

10. Barnsley Physical Activity Plan (Cab.23.1.2019/10) *(Pages 79 - 96)*
11. Community Asset Transfer Refresh (Cab.23.1.2019/11) *(Pages 97 - 112)*

#### People (Achieving Potential) Spokesperson

12. Primary School Admission Arrangements for Summer Born Children (Cab.23.1.2019/12) *(Pages 113 - 136)*

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Cabinet Support Members:

Councillors Franklin, Frost, Daniel Griffin, Pourali, Saunders and Tattersall

Chair of Overview and Scrutiny Committee  
Chair of Audit Committee

Diana Terris, Chief Executive  
Rachel Dickinson, Executive Director People  
Matt Gladstone, Executive Director Place  
Wendy Lowder, Executive Director Communities  
Julia Burrows, Director Public Health  
Andrew Frosdick, Executive Director Core Services  
Alison Brown, Service Director Human Resources and Business Support  
Michael Potter, Service Director Business Improvement and Communications  
Neil Copley, Service Director Finance (Section 151 Officer)  
Katie Rogers, Head of Communications and Marketing  
Anna Marshall, Scrutiny Officer  
Ian Turner, Service Director, Council Governance

Corporate Communications and Marketing

Please contact Ian Turner on email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)

Tuesday, 15 January 2019



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 9 January 2019
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

**Members in Attendance:** Councillors Franklin, Daniel Griffin, Pourali, Saunders and Tattersall

### 154. Declaration of pecuniary and non-pecuniary interests

Councillor Pourali declared a non-pecuniary interest in Minute Numbers 159, 164 and 165 in her capacity as a Berneslai Homes Board Member.

### 155. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 12<sup>th</sup> December, 2018 had been called in.

### 156. Minutes of the previous meeting held on 12th December, 2018 (Cab.9.1.2019/3)

The minutes of the meeting held on 12<sup>th</sup> December, 2018 were taken as read and signed by the Chair as a correct record.

### 157. Decisions of Cabinet Spokespersons (Cab.9.1.2019/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 21<sup>st</sup> December, 2018 were noted.

### 158. Petitions received under Standing Order 44 (Cab.9.1.2019/5)

**RESOLVED** that the report notifying receipt of the following electronic petition be noted and the recommended actions for response be endorsed:-

- (a) Containing the electronic signatures of 2,643 signatories, in respect of an objection to the proposal for the new gyratory system at Dodworth Road/Pogmoor Road, affecting Penny Pie Park.

The petition relates to planning application 2018/0965 but was received too late for consideration under the consultation process. However, the receipt of the petition was referred to when Planning Regulatory Board considered the application on 18<sup>th</sup> December, 2018. It should be noted that the issues raised in the petition were largely covered in the representations section of the report considered by the Board.

## Cabinet Spokesperson without Portfolio

### 159. Representation on Berneslai Homes Board (Cab.9.1.2019/6)

**RECOMMENDED TO FULL COUNCIL ON 7<sup>TH</sup> FEBRUARY, 2019** that approval be given to the nomination of Councillor Makinson to the Berneslai Homes Board.

## Core Services Spokesperson

### 160. Council Tax Base (Cab.9.1.2019/7)

#### RESOLVED:-

- (i) that the calculation of the Council's Tax Base for the year 2019/20, as detailed in the report now submitted, be approved;
- (ii) that the Council Tax Base for the year 2019/20 shall be 64,081.54. This figure has been calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012;
- (iii) that calculated in accordance with the above regulations, the Council Tax Base for the year 2019/20 in respect of each Parish being listed in the table below; and

Parish Area (by Area Code)	Band D equivalent chargeable properties	95% of Band D equivalent chargeable properties
Penistone	4,414.20	4,193.49
Billingley	97.20	92.34
Great Houghton	665.00	631.75
Little Houghton	195.60	185.82
Shafton	962.60	914.47
High Hoyland	69.50	66.02
Hunshelf	163.30	155.14
Langsett	109.00	103.55
Cawthorne	615.60	584.82
Dunford	251.40	238.83
Gunthwaite and Ingbirchworth	291.40	276.83
Thurgoland	754.70	716.96
Tankersley	634.90	603.15
Wortley	315.90	300.11
Oxspring	469.50	446.03
Silkstone	1,213.60	1,152.92
Stainborough	161.40	153.33
Barnsley and other Non-Parish areas	56,069.45	53,265.98
<b>Total</b>	<b>67,454.25</b>	<b>64,081.54</b>

- (iv) that the empty property premium be increased to 100% as outlined in paragraph 5.4 of the report.

**161. Business Rates - Calculation of the Authority's Local Share (Cab.9.1.2019/8)**

**RESOLVED:-**

- (i) that the process for estimating the retained Business Rate Local Share for 2019/20, as set out in the report submitted, be noted;
- (ii) that the 'local share' for Barnsley be £22.814m (excluding S31 Grants) in line with the Council's Medium Term Financial Strategy (MTFS); and
- (ii) that the final submission be approved by the Service Director Finance – S151 Officer in consultation with the Cabinet Spokesperson for Core Services.

**162. Business Rates - Local Discretionary Relief Scheme - Retail Relief Scheme 2019/2020 and 2020/2021 (Cab.9.1.2019/9)**

**RESOLVED** that approval be given to update the existing Local Discretionary Business Rate Relief Scheme to reflect the changes recently announced in the 2018 Autumn Budget, as detailed at Section 4.3 to 4.7 of the report.

**163. Strategic Risk Register Review (Cab.9.1.2019/10)**

**RESOLVED:-**

- (i) that it be noted that the high level strategic risks articulated within the Strategic Risk Register, as set out in Appendix 2 of the report, fully reflects the current position of the Council; and
- (ii) that consideration be given to the content of the report and the Authority continues to commit to support the Corporate Risk Management process and the embedding of a Risk Management culture within the organisation.

**Core Services and Place Spokespersons**

**164. Housing Revenue Account Draft Budget 2019/20 and Housing Capital Investment 2019 - 2024 (Cab.9.1.2019/11)**

**RECOMMENDED TO FULL COUNCIL ON 7<sup>TH</sup> FEBRUARY, 2019:-**

- (i) that the Housing Revenue Account (HRA) Draft Budget for 2019/20, as detailed in the report now submitted, be approved, with any final amendments/additions being delegated to the Cabinet Spokesperson for Place and the Executive Director Place in consultation with the Cabinet Spokesperson for Core Services and the Service Director Finance - S151 Officer;
- (ii) that a rent reduction in line with Government's rent policy be approved;

- (iii) that no change be made to non-dwelling rents, service charges and heating charges;
- (iv) that the 2019/20 Berneslai Homes Management Fee at paragraph 4.17 be approved with any final amendments/additions delegated to the Cabinet Spokesperson for Place and the Service Director Culture and Housing in consultation with the Cabinet Spokesperson for Core Services and the Service Director Finance – S151 Officer;
- (v) that the 2019/20 Berneslai Homes Management Fee for Gypsy and Traveller Sites, charged to the Authority's General Fund, detailed at paragraph 4.20 be approved;
- (vi) that the HRA Medium Term Financial Strategy, as set out in Section 5 and Appendix B, be noted;
- (vii) that the 30 Year HRA Business Plan, as set out in Section 6, be noted;
- (viii) that the HRA Reserves Strategy, outlined in Section 7 of the report, be noted;
- (ix) that the proposed increase in the HRA minimum working balance to £5.2m (referred to in paragraph 7.9) be approved;
- (x) that the Council Housing Capital Investment programme for 2019/20 be approved and the indicative programme for 2020/21 through 2023-24, as outlined in Section 8, be noted;
- (xi) that approval be given, in principle, to the Housing Growth Investment schemes, funded from a combination of HRA Reserves and Berneslai Homes Surplus, as detailed in Appendix E. (Subject to individual reports in line with the Council's governance arrangements); and
- (xii) that individual Housing Growth schemes be subject to the appropriate planning regulations.

### **Place Spokesperson**

#### **165. Barnsley Homes Standard Programme 2019/20 (Cab.9.1.2019/12)**

##### **RESOLVED:-**

- (i) that the eight main Barnsley Homes Standard schemes and two elemental schemes, releasing resources as detailed in the report now submitted, be approved;
- (ii) that Berneslai Homes be authorised to progress schemes within the Property Repairs and Improvement Partnership contract or to appoint a suitable contractor for proposed elemental schemes following a procurement exercise and containment of costs within the approved sums; and

- (iii) that the added social value delivered by the Property Repairs and Improvement Partnership, as set out at paragraph 5.1, including use of directly employed local staff and 30 directly employed apprentices be noted.

**166. Great Cliffe Road, Dodworth - Proposed Waiting Restrictions - Consideration of Objection (Cab.9.1.2019/13)**

**RESOLVED:-**

- (i) that the objection received to the Traffic Regulation Order (TRO) to introduce 'no waiting at any time' restrictions on parts of Great Cliffe Road, Dodworth be overruled for the reasons set out in the report and the objector be informed accordingly; and
- (ii) that the Head of Highways and Engineering and the Executive Director Core Services and Solicitor to the Council be authorised to make and implement the Traffic Regulation Order as originally published.

**People (Achieving Potential) Spokesperson**

**167. Provisional Education Outcomes in Barnsley (2018) (Cab.9.1.2019/14)**

**RESOLVED** that the provisional education outcomes in the Borough for 2018 and the actions to be taken to improve the progress of all categories of pupils at each Stage of the National Curriculum be noted.

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Chair

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## South Yorkshire Waste Partnership Steering Group

### Minutes of Meeting

<b>Client:</b>	<b>South Yorkshire Waste Partnership</b>
<b>Project:</b>	South Yorkshire Waste Partnership Board
<b>Title:</b>	South Yorkshire Waste Partnership Board Meeting
<b>Held At:</b>	Rotherham Metropolitan Borough Council, Town Hall, Chamber
<b>Date/Time:</b>	Monday 01 October 2018 at 9:00am

<b>Present:</b>	Cllr Emma Hoddinott	Cllr Hoddinott	Rotherham MBC	Chair
	Beth Baxter	BB	BDR Partnership	
	Cllr Roy Miller	Cllr Miller	Barnsley MBC	
	Paul Castle	PC	Barnsley MBC	
	Cllr Chris McGuinness	Cllr McGuinness	Doncaster MBC	
	Lee Garrett	LG	Doncaster MBC	
	Tom Smith	TS	Rotherham MBC	
	Cllr Lewis Dagnall	Cllr Dagnall	Sheffield CC	
	Alastair Black	AB	Sheffield CC	
	Jim Busby	JB	WIDP Transactor	

<b>Apologies:</b>	Cllr Stuart Sansome	Cllr Sansome	Rotherham MBC	
	Gill Gillies	GG	Doncaster MBC	
	Gill Charters	GC	Sheffield CC	

Item		Action
<b>1.0</b>	<b>Introductions and Apologies</b>	
1.1	Introductions were made of all persons present and apologies were noted as above.	
<b>2.0</b>	<b>Declarations of Interest</b>	
2.1	There were no Declarations of Interest made at this meeting.	
<b>3.0</b>	<b>South Yorkshire Waste Partnership Board Meeting Minutes 06.7.18 and Matters Arising</b>	
3.1	Consideration was given to the minutes of the previous meeting of the South Yorkshire Waste Partnership Board held on Friday 06 July, 2018. There were no matters arising.	
3.2	Agreed:- That the minutes of the previous meeting of the South Yorkshire Waste Partnership Board be approved as a correct record for signature by the Chairman.	
<b>4.0</b>	<b>South Yorkshire Municipal Waste Strategy Highlight Report</b>	
4.1	Copy attached and contents noted. Members acknowledged the good progress being made with this strategy. Further detail was requested in respect of the recycling work-stream target within strategic priority 1 (the increase in recycling per household by March 2021).	
4.2	Discussion took place on the desirability of this Partnership Board undertaking, at future meetings, detailed assessments of each theme and work-stream	

## South Yorkshire Waste Partnership Steering Group

	within the strategy.	
4.3	It was agreed that, at the next meeting (November-December 2018), there shall be an assessment of the joint working arrangements between the four local authorities in respect of waste disposal, including the services for the disposal of commercial waste.	
4.4	At the next following meeting (February-March 2019), there shall be an assessment of the future of the household waste recycling centres.	
4.5	The appropriate officers were asked to provide background reports to facilitate discussion in respect of these items. The Partnership Board would meet in private session should there be any commercially sensitive information to consider.	BB
<b>5.0</b>	<b>Any Other Business</b>	
5.1	JB explained the proposal (on behalf of DEFRA) to consider the collaborative working between local authorities on waste collection and disposal in order to identify financial savings which could be achieved and which would involve a review of services. This scheme was being offered to local authorities in regions across England and Wales (eg: Greater Manchester and Merseyside) on a voluntary basis.	
5.2	<p>The Partnership Board was informed of the detail of the proposal:-</p> <ul style="list-style-type: none"> <li>: initial (phase 1) collection of baseline data from all four local authorities (JB to provide template);</li> <li>: development of four alternative waste collection scenarios;</li> <li>: development of a waste flow model for whole area/region;</li> <li>: assessment of likely progress against the national recycling targets established for the year 2035 (nb: comparison of targets within the SY municipal waste strategy);</li> <li>: local authorities were not being asked to contribute finance to this scheme;</li> <li>: there was no impact upon PFI credits;</li> <li>: acknowledgement of future growth in population and in the number of households;</li> <li>: after the initial collection of data, phase 2 will involve the development and assessment of alternative models of service delivery, in order to identify possible financial savings.</li> </ul>	JB
5.3	The Partnership Board agreed that the four local authorities will participate in this scheme and that the collection of baseline data shall begin as soon as possible, enabling progress to be reviewed at the next meeting (November or December 2018).	
<b>6.0</b>	<b>Date and Time of Next Meeting</b>	
6.1	Either 26th November or 3rd December, 2018, actual meeting date and time to be agreed, as part of the BDR JWB meeting. Venue to be in Sheffield and the meeting shall include a tour of waste disposal facilities (incinerator) in Sheffield.	

**BARNSELY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD**  
**Monday, 1st October, 2018**

Present:- Councillor E. Hoddinott (Rotherham MBC - in the Chair); Councillor P. R. Miller (Barnsley MBC) and Councillor C. McGuinness (Doncaster MBC), together with Mrs. L. Baxter and Mr. T. Smith (Rotherham MBC), Mr. P. Castle (Barnsley MBC), Mr. L. Garrett (Doncaster MBC) and Mr. J. Busby (DEFRA).

Apologies for absence were received from Councillor S. Sansome (Rotherham MBC) and Mrs. G. Gillies (Doncaster MBC).

**10. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

**11. MINUTES OF THE PREVIOUS MEETING HELD ON 6TH JULY, 2018**

Consideration was given to the minutes of the previous meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board, held on 6th July, 2018.

Agreed:- That the minutes of the previous meeting of the BDR Joint Waste Board be approved as a correct record for signature by the Chairman.

**12. BDR JOINT WASTE PROJECT - MANAGER'S REPORT**

The Barnsley, Doncaster and Rotherham Joint Waste Manager submitted a report which highlighted and updated the following issues relating to the Joint Waste Private Finance Initiative (PFI), for the period April 2017 to March 2018:-

- Contract delivery (including performance and targets);
- Complaints;
- Health and Safety;
- Finance – the Operational Management Budget Out-turn 2017/18;
- Communications;
- Minutes of the meeting of the BDR PFI waste treatment facility community liaison group held on 30th April, 2018;
- Resources;
- Waste Compositional Analysis;
- Renewi Contract.

The Joint Waste Board welcomed Mr. A. Brookes (SPV Director) and Mr. S. Lund (Renewi) who reported on the contract performance in respect of

the Bolton Road waste treatment facility. Reference was made to the commercial performance of Renewi and the company's commitment to the current contract.

Agreed:- (1) That the BDR Manager's report be received and its contents noted.

(2) That the details now reported in respect of the Renewi contract be noted and Members be provided with copies of the briefing note now discussed.

### **13. CURRENT ISSUES**

Discussion took place on the following items:-

(1) During the spell of hot weather in July and August 2018, there had been an increase in the number of complaints about flies from the Bolton Road site. The number of complaints had reduced as the spell of hot weather had ended.

(2) Possible introduction by Central Government of an Incineration Tax, as part of the proposed new Waste and Resource Strategy.

Agreed:- That the information be noted.

### **14. RISK REGISTER**

The Barnsley, Doncaster and Rotherham Joint Waste Board considered the updated Waste PFI risk status report (risk register) which had been maintained during the various stages of the joint waste project. The report stated that fifteen risks are registered, with one risk added and none deleted since the last Joint Waste Board meeting held on 6th July, 2018. The new risk had been added due to the financial performance of the sub-contractor in the UK municipal market.

Agreed:- That the updated information on the risk status report, as now submitted, be received.

### **15. DATE, TIME AND VENUE FOR THE NEXT MEETING**

Agreed:- (1) That the next meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board be held on either Monday, 26th November, 2018, or Monday, 3rd December, 2018, at a venue in Sheffield and at a starting time to be determined.

(2) That the next following meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board be held on a Monday during February or

March, 2019 at the Town Hall, Rotherham.

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**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**CABINET SPOKESPERSONS' DECISIONS**

**Schedule of Decisions taken for week ending 4<sup>th</sup> January, 2019**

<b><u>Cabinet Spokesperson</u></b>	<b><u>Item</u></b>	<b><u>Decisions</u></b>
1. Place	Section 106 Allocations – Hanover Street, Thurnscoe	that £12,000 of Section 106 monies be allocated as a contribution to the regeneration of Hanover Street walkway project; to install metal perimeter fencing around the Hanover Street/Lancaster Street greenspace and secure a public footpath in Thurnscoe.
2. Place	Section 106 Strategic Panel Report – November 2018	that Section 106 monies be allocated to the following schemes:- <ul style="list-style-type: none"><li>• £30,000 towards car park improvements at Ardsley Crematorium</li><li>• £30,000 towards cemetery improvements at Thurnscoe, Wombwell and Barnsley</li><li>• £30,000 towards improvements to security at Barnsley Golf Course</li><li>• £3,802 towards improvements at the The Dell, Red City Park, Grimethorpe</li><li>• £150,000 towards the replacement of Dearne and District Welfare Pavillion, Goldthorpe</li><li>• £15,000 towards renovations to Elsecar Park bandstand</li><li>• £8,000 towards work on Stairfoot Station Heritage Trail</li><li>• £133,000 towards the “Visit Darton” programme, in association with Principal Towns.</li></ul>

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## BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

### REPORT OF THE EXECUTIVE DIRECTOR OF COMMUNITIES

#### DFG Policy Updates

#### 1. PURPOSE OF REPORT

This report is to seek agreement to implement a number of changes to the Disabled Facilities Grant Policy and approach.

#### 2. RECOMMENDATIONS

2.1 Cabinet members are asked to approve the following amendments to the DFG policy and approach to DFG allocations :

- a) That a 'Help to Move' property provision is established (see page 19 of Policy).
- b) That provision is established for Shared Lives Carers providing Interim Care for Vulnerable Adults leaving Hospital (see page 23 of Policy).
- c) That provision is made for waiving of the means testing for some Fast Track Adaptations where applicants qualify: Stair Lifts, Through Floor Lifts, Ceiling Track Hoists, Access Ramps in line with paragraph 4.1c. (see page 20 of Policy).
- d) That the approach to Dual adaptations is improved (see page 22 of Policy).
- e) The procurement framework for accessing level access showers is formalised (see page 21 & 22 of Policy).
- f) That all the above amendments are subject to being implemented for 12 months, with regular review to ensure there are no unintended consequences and can be reversed if required. A report on the impact of recommendation C and E above is presented to Cabinet in 12 months time.
- g) That future minor changes to the approach to DFG are dealt with through Delegated Decision Making (see page 24 of Policy).

#### 3. INTRODUCTION

3.1 Disabled Facilities Grants (DFGs) are a mechanism to provide financial assistance to disabled people who meet the eligibility criteria for housing adaptations which enable the person to live independently in their own home.

In Barnsley the Communities Directorate administers the DFG. The scheme is for children and adults living in private sector residential properties who require home adaptations costing more than £1,000 where it is deemed that the adaptation work

is necessary and appropriate to meet the disabled person's needs, and it is practical and reasonable to undertake depending on the age and condition of the property.

The delivery of DFGs is heavily governed by legislation through the Housing, Construction and Regeneration Act, 1996. Under this Act all adults who apply for a grant are subject to a financial assessment of means except those who receive certain types of income who will be deemed to be automatically eligible for a grant. The maximum grant award available is £30,000 although the Council can apply discretion to 'top up' this amount if it is in the interest of the Council and the applicant concerned to do so and an approved policy is in place.

Work funded through a DFG comes under the category of major adaptation work and includes; stair lifts, ramps, provision / building of level access facilities.

Minor adaptation work and equipment (costing less than £1000) to support community care and promote independence for the person is managed by the Equipment and Adaptations team ( SWYT ) and supplied by the Community Equipment Service.

There is legislation but not a national single written policy in respect of DFG's. It was recognised in 2015 following an independent review of the DFG process in Barnsley that a broader local policy is needed to assist with the interpretation and implementation of the legislation relating to the adaptation of the homes of disabled people.

In June 2013 the Government announced the intention to create the Better Care Fund to support the integration of Health and Social Care service delivery. Consequently in 2015 Barnsley's DFG allocation increased significantly to just over £2.3million compared to just over £1.3m the previous year which created further opportunity to broaden the approach to adaptations. The Barnsley policy was updated in 2016 and agreed by cabinet (CR404).

This proposal should also be considered in the light of the 'Barnsley Plan' and the overall priority to support people to remain at home for as long as possible and to return home as quickly as possible following hospital admission.

#### **4. PROPOSAL AND JUSTIFICATION**

4.1 Further amendments to the policy are proposed below :

##### **a) Help to move property provision is established.**

Rationale : To assist with the acquisition of other more suitable accommodation and where the Council is satisfied that this will benefit the disabled person at least as much as improving or adapting their existing accommodation. Barnsley will approve up to £7500.00 for this purpose

This is in line with Article 3 of the Housing Grants, Construction and Regeneration Act 1996 example

**b) That provision is established for Shared Lives Carers providing Interim Care for Vulnerable Adults leaving Hospital**

Rationale : Shared Lives Service in partnership with the Barnsley Clinical Commissioning Group (CCG) is providing cost effective preventative care solutions to meet the needs of vulnerable adults leaving hospital

Discretionary monies will be used to provide adaptations within the homes of Shared Lives Carer(s) who is registered to provide support as part of this scheme. Funding will be provided for the types of adaptations that are normally provisioned for disabled people via a Disabled Facilities Grant.

The Council will accept the recommendation within an OT assessment as evidence that the adaptation is necessary and appropriate to support an accessible and safe living environment for individuals on the scheme and carer(s).

**c) Provision is made for waivering of means testing for Fast Track Adaptations (Stair Lifts, Through Floor Lifts, Ceiling Track Hoists, Access Ramps)**

Rationale : DFG Barnsley will waiver contributions and means test for fast track items unless the applicant is fully contributing to the cost of their care package as a result of a prior means test or has more than or equal the threshold in savings.. Under the current policy, the contributions are negligible vs time spent performing the means tests. The cost of undertaking the means test (cost in staff time is approx. £5k to nett £8k of income) barely outweighs the income it brings in. This should also be balanced with the cost of keeping someone in a hospital bed and the overall benefits to wellbeing. In addition the staff time saved, can be more valuably deployed in reducing the response times to referrals and save on the extra costs of addressing those delays. Any change in the volume and nature of applications for DFG will continue to be closely monitored whilst this provision is in place for 12 months and kept under review during that period to respond to any unintended consequences arising. A report will be presented to Cabinet again in 12 months time on the impact of this provision.

**d) Improving the approach to Dual adaptations**

Rationale : To promote a person centered approach, in cases where more than one adaptation is approved by the panel the second adaptation can be brought forward on the waiting list to be completed whilst the first is being undertaken: if this is deemed in the best interest of the applicant as a more viable and is less intrusive option than having more than one program of works at one property at separate times. It is also more efficient for the DFG team and approved contractors involved.

**e) The formal Introduction of the framework for level access shower**

Rationale : These are assessed and fitted for people with mobility problems who cannot safely manage a bath, as such a shower adaptation will usually become the preferred option. For some a shower over a bath will be suitable, and for others the easiest way to provide a shower is to simply install a standard tray. But this will still leave a 150-200mm step to negotiate. In many cases the only solution is to remove

the bath and provide a level access shower area as well as adapting where necessary the W.C. and basin etc.

Given these types of adaptations are high frequency BMBC implemented a pilot scheme February 2018 where six approved contractors are rotated to perform these adaptations on a call off/rotation basis. This initially reduces waiting times by around three weeks instead of waiting for tender process. It will continue to reduce waiting lists and reduce budget underspend as there will be four more approved contractors to complete the work, ensuring BMBC can surpass statutory adaptation and approval timescales. An official Framework has been approved by Cabinet, approved contractors have been selected via a Procurement Tender exercise and formal implementation is impending. A report on the impact of this framework will be presented to Cabinet in 12 months time.

**f) All the above amendments in section 4 of this report are subject to being implemented for 12 months**

Rationale: Performance will be closely reviewed to ensure there are no detrimental consequences and initiatives can be reversed if required. They will only be implemented having regard to the amount of resources available at the time. If the DFG team does not have sufficient resources to deal with the grant referrals that have been passed to them by the Occupational Therapists we reserve the right to suspend or remove “fast track” process for identified adaptations.

**g) Future minor changes to the approach to DFG are dealt with through Delegated Decision Making**

Rationale : To allow a more proactive and faster reacting decision process it is requested that subsequent operational working practice policy amendments are made via delegated mechanisms, with a caveat that any potentially larger scale amendments are communicated as appropriate to check as to whether they require full cabinet approval.

## **5. CONSIDERATION OF ALTERNATIVE APPROACHES**

5.1\_ Stay the same/do nothing: cumbersome process will continue to add unnecessary waiting times to all the majority of adaptations.

Alternative approaches: Alternative models were considered but could lead to compromises and resilience concerns; once the backlog has been cleared options to increase the number of referrals will be considered.

Barneslai Homes agreement: Barneslai Homes do not have capacity to perform all works required. However DFG is currently working with BH under a pilot scheme with view to developing a partnership going forward.

Take this policy update approach: All indications are that waiting times will reduce.

## **6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS**

6.1 Eligible disabled people living locally, their families and carers will benefit from further flexibilities in the DFG policy and improved response times.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 The DFG process is very much demand led. The policy update will mean a reduction in waiting times allowing applicants to receive adaptations sooner.

There is already budget for additional adaptations which has been underutilised. This efficiency will allow the budget / grant allocation to be used more quickly where it is intended to promote independence and improve prevention measures for service users sooner rather than later, allowing them to remain in their own home and limit the requirement for residential or acute care provision

## **8. EMPLOYEE IMPLICATIONS**

- 8.1 The adoption of this policy has no employee implications for the Council.

## **9. LEGAL IMPLICATIONS**

- 9.1 Legal advice has been provided regarding the procurement process and the suggested framework has been created in collaboration with Corporate Procurement and Legal Services officers.

## **10. CUSTOMER AND DIGITAL IMPLICATIONS**

- 10.1 Customers will receive adaptations sooner. There are no positive or negative digital implications.

## **11. COMMUNICATIONS IMPLICATIONS**

- 11.1 Public information will need updating to reflect changes to the Council's DFG policy for providing assistance for major home adaptations.

## **12. CONSULTATIONS**

- 12.1 Occupational Therapists in relation to referral processes, adaptation pressures and priorities.

All members of the Communities DMT have had the opportunity to comment on the proposed policy and their comments acknowledged. No comments challenging the request have been received. Comments from DMT include that this request is a *"series of very sensible steps to take"*.

Procurement and Legal in relation to legislation and the DFG's flexibility to assist with providing adaptations utilisation approved contractor via fair agreement.

Berneslai Homes

The Northern Adaptations Group (NAG) in respect of DFG policy development and interpretation of legislation specifically post implementation of the Better Care Fund.

### **13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK**

- 13.1 The Council aims to ensure that housing needs and aspirations are met by enabling access to a home that is well maintained, warm, and affordable in a peaceful and secure environment.

The Housing Delivery Plan 2014-2033 has a number of key ambitions one of which is to support young, older and vulnerable people to live independently. The delivery of DFG's contributes to achieving this ambition.

### **14. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION**

- 14.1 Assistance for the improvement or adaptation of properties is an essential element of providing an effective response to meet the needs of an aging population and vulnerable people.

Grants such as DFG's support disadvantaged and low income households and more specifically older and disabled people to live independently in their own homes and has a positive impact on their physical, emotional and social wellbeing and equality and diversity issues.

### **15. TACKLING THE IMPACT OF POVERTY**

- 15.1 Grants such as DFG's and the flexible application of discretionary amounts such as those proposed within the policy support disadvantaged and low income households

### **16. TACKLING HEALTH INEQUALITIES**

- 16.1 Grants such as DFG's and the flexible application of discretionary amounts such as those proposed within the policy support disadvantaged and low income households and provide invaluable support to people with multiple long term conditions and other health conditions.

### **17. REDUCTION OF CRIME AND DISORDER**

- 17.1 There are no crime and disorder implications

### **18. RISK MANAGEMENT ISSUES**

- 18.1 Risks of quality standards decreasing have been mitigated by the tender pass / fail and quality questions. DFG also has a quality checking performance monitoring mechanisms in place to address any contractor quality issues.

There may be a risk of an increased number of referrals the team may find difficult to cope with but the capacity created by efficiencies made should negate this and allow increased productivity. All initiatives will be under close monitoring and review to address and issues promptly.

**19. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES**

19.1 There is no health, safety and emergency resilience issues identified resulting from the implementation of the policy.

All approved adaptations are subject to schedule of work, pre-construction and construction phase plan and risk assessment. A programme of announced and unannounced site inspections by the Council and Health & Safety Executive exists.

The Council has comprehensive Health and Safety management and monitoring procedures in place.

**20. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

20.1 The provision of DFGs and the delivery of these in a flexible way to meet the needs of the local disabled population support the individual to live as independently as possible within their own home and community. In addition provision of home adaptation not only supports the wellbeing of the disabled person, their safety and security but can also contribute to the reduction of carer stress and supports the right to a family life

**21. CONSERVATION OF BIODIVERSITY**

21.1 In respect to the conservation of biodiversity all approved adaptations are subject to a specification of works, pre-construction and construction phase plan that considers conservation of biodiversity issues as appropriate

**22. GLOSSARY**

N/A

**23. LIST OF APPENDICES**

Appendix 1 – Policy Document  
Appendix 2 - EIA


**24. BACKGROUND PAPERS**

N/A

If you would like to inspect background papers for this report, please email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk) so that appropriate arrangements can be made

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Financial Implications/Consultation



.....  
(To be signed by senior Financial Services officer  
where no financial implications)

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## Provider Services BMBC

**DISABLED FACILITIES GRANT  
POLICY 2018**

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# Provider Services BMBC

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## Provider Services BMBC

### DISABLED FACILITIES GRANT POLICY

#### INTRODUCTION

This document sets out BMBC standard for the delivery of disabled adaptations. It explains the responsibilities of different Council services in assessing needs and determining what is provided to applicants for Disabled facilities Grants (DFG's) Demand for DFG's continues to be high, and in order to ensure that disabled people do not wait longer for the adaptations they need, this standard aims to set out what support applicants can expect to receive and how referrals are made and prioritised.

#### PURPOSE

The purpose of this policy is to assist all officers involved with the assessment, management and provision of major adaptations in the interpretation and implementation of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (The Order) so far as it relates to the adaptation of the homes of disabled people.

This policy sets out how Barnsley Metropolitan Borough Council will provide both mandatory and discretionary Disabled Facilities Grants (DFG's) for adaptations in private sector residential properties.

The majority of this policy clarifies legislative requirements however it does include local elements developed to meet the needs of disabled people living in Barnsley and provide a more responsive service

This policy contains information on eligibility for grant assistance relating to applications, approval, payment of grant, other relevant conditions and exceptions.

This policy has been developed to ensure fair, equitable and consistent treatment for all disabled people who require the Councils assistance in adapting their home.

This policy will remain in force until such time it is reviewed and amended to take account of any funding changes. To ensure the local elements of this policy remain relevant to meet local need (Section 5.29-31 & Appendix A) this policy will be subject to regular review, particularly with reference to the 2018 Department of Health & Social Care DFG Review 2018 and any required procurement policy reviews.

#### SCOPE

This Policy shall be applied in respect of any request for assistance to fund an adaptation by means of a DFG mandatory or discretionary grant.

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### RELATED DOCUMENTS

Housing Grants, Construction and Regeneration Act 1996 (The Act)  
 Regulatory Reform (Housing Assistance) (England & Wales) Order 2002  
 (The Order)  
 The Housing Grants, Construction and Regeneration Act 1996: Disabled  
 Facilities Grant (Conditions relating to the approval or Payment OF Grant)  
 General Consent 2008  
 Care Act 2014 (Adults)  
 Chronically Sick and Disabled Person's Act, 1970 (Children)  
 Children and Families Act 2014  
 Equipment, Adaptation & Sensory Impairment – Adaptation Guidelines  
 Equalities Act, 2010  
 Barnsley Housing Strategy Service, 2014-2033  
 BMBC Procurement Policy

Other legislation that influences and supports adapting Homes is:  
 Health Service and Public Health Act 1968  
 Housing Act 1985  
 Carers and Disabled Children's Act 2000  
 Children Acts 1989 and 2004

### POLICY

#### ***Criteria for Adaptations:***

Any adaptation scheme for which a Disabled Facilities Grant is sought must meet the relevant requirements set down for such grants in The Act and The Order.

Within this policy adaptations are categorised as either minor or major adaptations

#### Minor Adaptations:

Barnsley Metropolitan Borough Council has a responsibility to provide minor adaptations, which a person has been assessed to need and for which he or she is eligible, free of charge provided the costs (including fittings) is less than £1000

Examples of minor adaptations are:

Grab Rails  
 Drop down rails  
 Handrails – wooden rails usually needed on stairways.  
 Metal rail to external steps.

#### Major Adaptations:

Major adaptations are significant alterations to a property and within private sector properties this covers adaptations over £1000.

Examples of frequently requested major adaptations are:

Stair Lift  
 Level access shower

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### Ramps

The Handy Person's Service is delivered by Barnsley Home Improvement Agency. This service carries out small repairs and odd jobs around the home to support people's wellbeing and keep them secure and safe at home.

Examples of work undertaken:

Supply and fit door locks.

Supply and fit key safes

Supply and fit plastic and metal grab rails

Supply and fit handrails.

This policy is mainly concerned with the provision of major adaptations.

### **Eligibility:**

A person if disabled is eligible for a Disabled Facilities Grant assistance for adaptation that is assessed as being 'necessary and appropriate' and that is 'practicable and reasonable'.

For the purpose of the legislation relating to Disabled Facilities Grants a person is defined as being disabled if:

- Their sight, hearing or speech is substantially impaired
- They have a mental disorder or impairment of any kind; or
- They are physically and substantially disabled by illness or impairment present at birth or otherwise.

A person aged 18 or over is taken to be disabled if:

- they are registered as a result of any arrangements made under section 29(1) of the National Assistance Act 1948, or
- they are a person for whose welfare arrangements have been made under that section or might be made under it.

A person aged under 18 is considered to be disabled if:

- they are registered in a register of disabled children maintained under the Children Act 1989, or
- in the opinion of BMBC Social Services they are a disabled child as defined for the purpose of Part III of the Children Act 1989.

The Council will only support adaptations that are essential by reason of the applicant's disability.

Adaptations will not be considered to overcome social problems or overcrowding

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### Registered Provider Properties / Housing Association Properties

- The Council cannot in law refuse to process a properly completed application if the eligibility criteria and processes are satisfied whether it is received from an owner-occupier or tenant. However there is a clear expectation that all Registered Social Landlords should fund or contribute to the cost of adaptation work undertaken within their properties.

It should be noted that responsibilities for housing adaptations in council owned properties lie with Berneslai Homes. Tenants in these properties do not have recourse to apply to DFG funds.

Information about adaptations for Berneslai Homes tenants can be found at:

<http://berneslaihomes.co.uk/repair-your-home/equipment-and-adaptations/>

#### ***Necessary & Appropriate:***

In reaching a determination as to whether works proposed are necessary and appropriate the Council will consult with the Occupational Therapy team. An Occupational Therapist will visit and assess the disabled person's needs and where necessary will consult with DFG officer when advice relating to a technical matter is required. The Council will accept the work recommended in the Occupational Therapy referral as that which is necessary and appropriate to meet the disabled person's needs.

Works funded by means of DFG will be the simplest and most cost-effective adaptations that will meet the applicant's assessed needs, this includes any equipment provided

#### ***Reasonable and Practicable:***

The Council must be sure that it is reasonable and practicable to approve a grant for adaptation having regard to the age, condition or suitability of properties, for example:

- Where there are multiple or excessive changes in levels.
- Where the property is in a poor or dilapidated condition.
- Where the moving of any existing services would be prohibitively expensive
- Where the property is a listed building or in conservation area and the proposed adaptation would be prohibitively expensive or inappropriate.

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- Where the adaptation work would have a detrimental effect on other residents.
- In cases where it is not possible to adapt a property to an appropriate standard or where the cost of the work is considered excessive the Council will take the view that the work is not 'reasonable' and 'practicable'.

The Council will accept the advice of a DFG Project Manager/Officer in the determination that the proposed work is 'reasonable' and 'practicable'.

### ***Referral Priority***

The Occupational Therapist assigns a priority to every referral they make for a DFG.

Priority A is assessed as individuals whose adaptation(s) should be a priority due to their identified level of risk i.e. there is a serious and imminent risk to health and safety, or the person has a progressive illness which is likely to deteriorate rapidly and become unmanageable within their current environment without the provision of the identified adaptation(s)

Standard Priority is those that do not meet the criteria described above but who are considered to be at risk and have an acknowledged need for the recommended adaptation.

Referrals are processed by priority and in date order of request.

Referrals may be reprioritised from Standard to Priority A if there is an Occupational Therapists assessed change in circumstances after the initial referral.

### ***Mandatory Disabled Facilities Grant – Legislative Framework***

- DFG's are mandatory grants and are available to disabled people when work to adapt their home to meet assessed needs are judged necessary and appropriate, and when it is reasonable and practicable to carry them out having regard for the age and condition of the dwelling.
- DFG's are subject to means-test except in the case of a child and Fast Track Adaptations This means that an applicant's income and savings have to be assessed to determine the amount of contribution that they must make towards the cost of the required work and the amount of grant available to them. The way that the means-test is carried out is set within the Regulations and the Council does not have any discretion as to how it is applied. Applicants who are in receipt of certain benefits which are referred to as a pass porting benefits are however exempt from the means test (5.9)



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- The maximum grant amount is set by statute and is currently £30,000. This amount is reduced by the contribution assessed as payable by the applicant under the means-test.
- It should be noted that Grant money can be recovered following the sale of an adapted property within 10 years of payment providing the Council 'is satisfied that it is reasonable in all circumstances to require the payment'. Grants below £5,000 are excluded and the maximum amount of grant recoverable in any case is limited to £10,000.
- A DFG can only be approved for the disabled person's main residence.
- An application for a DFG by a property owner or landlord must be accompanied by an owner's/landlords certificate.
- In the case of an owner application the intention must be to live in the property as their main residence throughout a period of five years. In the case of a landlord the property must be let or available for letting for the whole five year period. If the property is not available or let or ownership is sold or transferred within a five year period, the grant up to £10,000 plus interest will be repayable to the Council.
- *Dual Residency of a Disabled Child* – Where parents have joint custody of a disabled child only one property will be classed as the main residence for the purpose of a mandatory DFG. The main residence will be determined by whichever parent receives child benefit. This property may or may not be within the Barnsley Borough although the Council would only be liable for mandatory grant to any property within the boundaries of Barnsley.
- *Disabled Child in Foster Care* – A DFG can be granted for a disabled child in foster care providing the likely length of care at the property is expected to be years rather than months. In such circumstances the grant will be discretionary not mandatory and will be subject to available funding at the time. However due to the diverse circumstances surrounding children in foster care each case will be considered on an individual basis taking into account any local agreements and protocols in place with Children's Services as appropriate.

### **Work Eligible for Mandatory Grant:**

The purpose for which a DFG is given can be summarised as follows:

- Enabling Access and Egress to and from the property – grant may be approved for work to remove or overcome any obstacle(s) which prevent the disabled person from moving freely into, out of or around the home, access to the garden and enjoying the use of the dwelling, facilities and amenities within it.

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- Making a Home Safe – grant may be given for certain adaptations to the dwelling to make it safe for a disabled person and other person's living with them. This may include the provision of lighting and lighting control where safety is an issue or for adaptations designed to minimise the risk of danger where a disabled person has behavioural difficulties.
- Access to a room for sleeping – grant may be given for the provision of a room suitable for sleeping where an adaptation to an existing room in a dwelling (upstairs or downstairs) or the access to that room is suitable. Where the disabled person shares that room with a spouse or partner a grant may be given to provide a room of sufficient size so that normal sleeping arrangements can be maintained.
- Access to a bathroom – Grant may be given for the provision of, or access to, a WC, washing, bathing and/or showering facilities.
- Facilitating preparation and cooking of food - grant may be given to rearrange or enlarge a kitchen to improve the manoeuvrability for a wheelchair and to provide specially modified or designed storage units, worktops areas etc. Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out a full adaptation of the kitchen. However, it may be appropriate to carry out certain adaptations that enable the disabled person to perform minor tasks in the kitchen such as preparing light meals and drinks.
- Heating, lighting and power – grant may be given to provide or improve the existing heating system in the dwelling to meet the disabled person's needs. A grant would not be given to adapt or install heating in rooms which are not normally used by the disabled person. The installation of central heating will be considered where the well-being and/or mobility of the disabled person is adversely affected. Provision will also be made for the adaptation of heating, lighting and power to make them suitable for the use of the disabled person.
- Dependent Residents – grant may be given for work to enable a disabled occupant better access around the dwelling in order to care for another disabled person who normally resides there whether or not they are related to the disabled person. Such work could include adaptation to part of the dwelling to which the disabled person wouldn't normally need access but which is used by the person for whom they are providing care therefore it would be reasonable for such work to be carried out.
- Common parts – grant may be given for work to enable access to a dwelling through common parts of a building.

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- Access to the garden – Adaptation to facilitate access to a garden will only be provided if recommended by a Occupational Therapist.

### ***Repair or Renovation Works***

Repairs or remedial work will not normally be part of a DFG. Where such work is required the owner of the property will be responsible for carrying these out and the Council will not normally approve any DFG until such work is completed to the satisfaction of the Council.

Similarly where remedial or repair work is discovered when adaptation work is underway this will be the responsibility of the owner to fund before the adaptation work can proceed/continue. In exceptional circumstances, assistance (mandatory or discretionary) may be available for remedial, repair or unforeseen work subject to the availability of resources.

The Council reserves the right to request the owner of a property provide an electrical safety certificate and a gas safety certificate as applicable prior to any work starting.

### ***Application for a Disabled Facilities Grant***

- Owner–occupier’s and tenants, licensees or occupiers who are able to satisfy the criteria in the Housing, Grants, Construction and Regeneration Act 1996 are eligible to apply for a DFG.
- Private landlords may also apply for a DFG on behalf of a disabled tenant but must also satisfy the requirements of the Act.
- A landlord’s written permission must be obtained before a DFG can be approved. Where a landlord withholds permission for the work to be undertaken a grant cannot be given. Furthermore, where the owner of a privately rented property cannot be located, or as died and the property is in probate a grant cannot be given.
- The availability of a grant is dependent on all the following criteria being met:

The work being necessary and appropriate  
 The work being reasonable and practicable  
 The applicants’ mean-test contribution being less than the approved value of the grant.

### ***Test of Resources***

In accordance with the Act all applicants for a DFG are means tested except in the case of a child or for a Fast Track adaptation (where the service user qualifies). The test of resources only takes into account the resources (income and savings) of the disabled occupant and /or their spouse or partner where applicable and where practicable. It does not take into account

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outgoings.

Disabled occupant and/or their spouse or partner in receipt of one of the following types of income will be '*pass ported*' through the means-test process;

- Income based Employment Support Allowance
- Income based job seekers allowance
- Pension Credit
- Housing Benefit
- Council Tax Support
- Universal Credit / Tax Credit

The Council would need to see proof of benefit in all cases

### ***Decision Making Criteria***

Once the Council in consultation with the Occupational Therapist has determined the proposed work is necessary, appropriate, reasonable and practicable the following specific expectations and premise are accounted for to ensure the best use of available funds:

- Grant work should fully meet the assessed needs of the applicant. Grants that only partially meet needs will only be considered in exceptional cases. The final decision as to whether to approve a grant that only partially meets the need will be determined by the DFG team's Service Manager and only after all the available information has been considered.
- Work funded by a DFG will be the simplest and most cost-effective adaptation to meet the assessed need(s), this includes any equipment provided via a DFG or other funding source.
- Wherever practicable and realistic the change of use of existing rooms or the reordering of rooms will be the preferred solution and will take precedence over both the construction of extensions and the installation of equipment.
- The DFG will generally only fund one adaptation to a property for example only one external door will be ramped. In certain circumstances a case for providing more than one facility can be referred to the DFG panel meeting by the Occupational Therapist recommending the adaptation.
- In certain circumstances a grant up to the estimated cost of providing an adaptation can be used to contribute towards an alternative scheme. For example, where the provision of a through floor lift would meet the assessed needs of the disabled person but the preference of the applicant is for an extension, a grant equal to the cost of the through floor lift could be approved. The agreed alternative works

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must meet the assessed need of the disabled person as determined by the Occupational Therapist. The responsibility for the project management of an alternative scheme rests with the disabled person / their representative to arrange.

- Where two disabled people occupy the same property as their main residence and both have individually assessed needs by the Occupational Therapist, depending on the adaption(s) required there may be a case for considering two separate DFG applications. In such circumstances this will be referred to the DFG Panel meeting by the referring Occupational Therapist(s) for consideration.

### ***The DFG Process***

Application for a DFG – An applicant for a DFG can only be approved when all required supporting documentation is approved by the Council, The DFG team will provide any applicant with the necessary help and assistance to navigate and complete the application process. It is important that the grant applicant understands the conditions attached to any grant and therefore the Council will ensure these are included in the information in the application pack. If an applicant is unclear about the conditions clarification will be provided on request.

Financial Test of Resources – Once it has been confirmed that the proposed work is necessary, appropriate, reasonable and practicable a test of financial resources will be completed where appropriate, i.e. for disabled adults only. The process for the test is laid out in statute and the Council has no discretion in this area. The means-test is complex and the DFG team offers the applicant assistance to complete the form either within the Councils own premise or the applicants home.

Provisional Test of Resources – As the grant payable is the cost of the work less the amount of contribution calculated by the means-test, the disabled person or their representative may have concerns as to eligibility for a grant prior to making an application. In such circumstances the DFG team may carry out a provisional means-test either face to face or over the phone. This will provide the relevant person(s) with an approximate contribution figure, if there is one, should a grant application be made.

Survey – A survey of the property where the adaptation is proposed will be undertaken and a specification of works written. In some cases if the adaptation is for an installation of specialist equipment the Occupational Therapist may organise this survey and provide the quotation e.g. for a ceiling track hoist or for safe space equipment.

Project Management – The DFG team offer the services of a project manager or officer who will manage the adaptation project on behalf of the applicant. This service includes the tendering for and appointing of a suitable contractor(s), application for Planning or Building Control permissions, completion of pre-construction phase plans, agreeing start dates with the

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applicant and contractor(s) and supervision of the adaptation by carrying out site visits.

The applicant will be offered a choice of contractors to carry out the work however other than in exceptional cases i.e. to prevent an excessive delay to the start of the work; the grant will only fund the lowest tender price where applicable.

The Council is allowed to include a project management fee for this service within the grant. The fee charged for this service is 11% of the eligible cost of work. The Council reserves the right to review the Project Management fee as part of its costs / budget review processes.

### ***Council Managed and Non Council Managed Applications***

- The Council has six months to approve a grant once a formal application is made.
- Applicants must not start work before achieving formal grant approval or their application will not be valid. Where planning permission or building regulation approval is required work must not start until these are in place.
- Interim payments can be made direct to the contractor(s) and other professional bodies as appropriate for works satisfactorily completed.
- On completion of work a DFG officer will complete a site visit to ensure all works have been satisfactorily completed and will ask the disabled person or their representative to sign a form to confirm they are happy with the work following which the grant money will be released to the contractor(s). If a building regulations application has been submitted and approved the grant will not normally be released until the completion certificate has been issued.
- All grant applicants are advised to familiarise themselves with the grant conditions to ensure they are fully aware of them. Grant conditions are sent out to applicants as part of the application process.

### ***Applicant Funded Work***

In some cases applicants' may wish to carry out work in addition to that which is eligible for grant funding. This is permissible provided the following guidelines are adhered to:

- If an alternative scheme is pursued it must meet all the applicants needs as assessed by the Occupational Therapist. To ensure this the plans must be agreed in advance by the Occupational Therapist.
- The grant will only be based on works agreed by the Occupational

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Therapist as necessary and appropriate and approved by the Council.

- In order to calculate the amount of grant the applicant is entitled where applicable to 3 competitive quotes should be provided for the works as agreed by the Occupational Therapist as necessary and appropriate. In exceptional circumstances the Council may accept two quotes providing the applicant can evidence due process has been followed.
- The applicant will be responsible for funding any unforeseen items.
- No interim payments will be made for alternative schemes if it is not possible to assess from work in progress correct levels of interim payments.
- Full and final monies will only be released once the alternative scheme of works has been completed and an assessment can be made that the completed work fully meets the identified need(s).
- Where the applicant chooses to incorporate an adaptation into a larger or new build scheme, the grant will only fund internal works specifically required for the disabled person.
- A grant cannot be used to fund any part of a new build or alteration that was already planned prior to an application for a grant being made. A grant can however be considered for adapting part of a new build to meet the disabled person's needs. This will generally be restricted to internal works. There is an expectation that the needs of the disabled person will be factored in to all structural works.
- Grant funding cannot be used for any improvement works
- In the case of a self-build scheme there is an expectation that the needs of the disabled person will be incorporated into the design. Grant funding may be available for specialist facilities in accordance with the Occupational Therapist assessment.

### ***Applicant taking responsibility for managing own scheme***

- After the means-test has been carried out and it has been established that the applicant is eligible for a grant the applicant will need to obtain three itemised competitive quotes for the work. In exceptional circumstances the Council may accept 2 itemised competitive quotes providing the applicant can evidence due process has been followed.
- If a relative of the applicant provides the quotations the grant will be approved for the cost of materials only. The applicant will be responsible for the cost of labour.

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- Quotations will be evaluated by a DFG officer to ensure they cover only identified work and represent value for money. If considered excessive the applicant will be asked to obtain further quotes. Once quotes are accepted the amount of grant offered will be on the lower prices submitted. The applicant may choose to appoint one of the alternative contractors; however a grant will not be available for the difference in cost.

Applicants will retain the right to choose their own contractor providing:

- The contractor is qualified and suitably experienced to undertake the necessary work needed.
- The contractor provides a quotation in accordance with the schedule of work.
- The applicant funds any difference in cost.

Once the application is formally approved, in writing, the applicant can contact the contractor to arrange a start date. Work should not start until planning and/or building regulations approval is in place, or the applicant has confirmation that the work is exempt otherwise the grant may not be paid.

As part of the grant conditions the work must be completed within 12 months from the formal approval date and must be carried out by one of the contractors whose estimate was submitted with the application. The contract for work remains between the applicant and contractor.

If an architect or structural engineer is required the applicant will be responsible for engaging their services. However a DFG officer must approve the estimate for fees for such services before the grant is approved. Applicants are encouraged to ensure these professional services are provided by a suitably qualified person.

### ***Timescales / KPI's***

<b>Statutory Timescales</b>	<b>Period</b>
From Formal DFG Application to Approval	6 months
From Approval to Completion of Work(s)	12 months
From Approval to Payment of Grant	12 months

### ***Specialist Equipment***

Equipment eligible for a mandatory grant should be fixed to the premises not freestanding. Freestanding equipment may be supplied by the Equipment and Adaptation Service.



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### ***Specifications***

All adaptations and DFG work where applicable will be in accordance with Building Regulations.

### ***Disputes***

Where a dispute arises regarding the standard of work the Council will withhold any payment until the work has been completed satisfactorily in the professional opinion of the Council.

Note: Where the completed work meets the Council's approval but the applicant is not satisfied the Council will not unreasonably withhold payment to the contractor.

### ***Maintenance and Warranties***

When equipment is installed using a DFG the applicant who was awarded the grant becomes the owner of the equipment and is therefore responsible for its maintenance, repairs and for removing the equipment once it is no longer needed. Therefore once grant works have been completed the Council will not finance or organise servicing, repairs or maintenance after the expiry of any applicable warranty period which is usually 12 months. Applicants are advised to consider purchasing longer warranty at the time of installation as repairs can be costly.

A five year warranty will be funded as part of the grant for certain specialist equipment e.g. stair lifts. Information relating to warranties will be provided to the applicant as part of the grant approval process.

### ***Removal of Adaptations and Reinstatement of Work***

The Council do not usually remove adaptations from properties if they are no longer required, neither will reinstatement work be carried out. Applicants will be made aware of this before DFG work is undertaken. Should an applicant change their mind about an adaptation once the Occupational Therapist Assessment and work has been completed unless the Occupational Therapists confirms there has been a significant change in the applicants needs the Council will not remove or carry out any additional work.

### ***Replacement of Facilities / Specialist Equipment***

Consideration to replace damaged or broken facilities or equipment will be given under a further DFG providing it:

- Cannot be repaired
- Has not been wilfully damaged
- Still meets the needs of the disabled person

## Provider Services BMBC

- Has been annually serviced/maintained in accordance with the manufacturer's instructions, where applicable (including the warranty period); and the warranty period has expired.
- Any decision to replace damaged or broken facilities or equipment will be made by the DFG panel.

A DFG will not be considered where a facility or equipment that was present in a property has been removed by or under the instruction of the disabled person / occupant unless there was a proven good reason for doing so.

### ***Change in Circumstances***

Certain changes in an applicant's circumstances may affect payment of the grant. Changes prescribed by legislation are:

- Where work is no longer necessary or appropriate to meet the needs of the disabled person.
- The disabled person ceases to live in the property
- The disabled person dies.

In such circumstances the Council can decide:

- Not to pay the grant or any further instalments
- That some of the work should be completed and the grant or some of it will be paid; or
- That the grant application should be re-determined.

In the circumstances described the Council has the right to demand repayment of any grant paid including interest. Each case will be considered on its own merit.

The right to demand repayment also extends to circumstances where the applicant ceases to be entitled to the grant before the work has been completed.

The Council is also entitled to refuse to a grant, any further grant instalments or recalculate the grant when:

- The grant was approved on the basis of inaccurate, incomplete or false information.
- The cost of the work is less than the original estimate.

### ***Repayment in case of Compensation***

It is the condition of the grant that the applicant takes reasonable steps to pursue any relevant claim and to repay the grant so far as appropriate out of the proceeds of a claim. A claim is:

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- An insurance or legal claim against another person in respect of damages to the premises to which the grant relates, or
- A legal claim for damages in which the cost of the works to the premises to which the grant relates is part of the claim.

### ***Applicants on the Housing waiting list***

DFG applicants who are on a waiting list for other accommodation will be made aware that they will lose their housing application priority once a DFG is approved. This is because that it is a condition of a DFG that the applicant will live in the property throughout the grant condition period of 5 years (5.6)

### ***Complaints***

It is acknowledged that the grant process is very prescriptive this is to ensure that it is delivered in accordance with the relevant legislation. DFG officers will support and guide applicants through the processes and ensure their assessed needs are.

Where an applicant is dissatisfied with the service they have received including where a grant may have been refused they should in the first instance contact the DFG Service Manager who will aim to resolve the issue. If the matter is not resolved to the applicants' satisfaction they can make a formal complaint by contacting the Councils Customer Services Feedback team. Details of how to do this are included in the applicants information pack or can be found on the BMBC online webpage.

### ***Safeguarding***

All safeguarding issues will be reported to the Safeguarding Team in accordance with the Authorities Safeguarding Policy/procedures.

### ***Data Protection***

The Council will comply with the Data Protection Act 2018 (DPA 2018), General Data Protection Regulation (GDPR) and Article 8 of the Human Rights Act and will show proper regard for the confidentiality of applicants and employees personal information. The DFG team in carrying out their responsibilities will work in accordance with the BMBC GDPR Policy.

### ***Discretionary Disabled Facilities Assistance***

Article 3 of the Housing Grants, Construction and Regeneration Act 1996 clarifies that assistance may be given for a wide range of purposes for example.

- to provide small scale adaptations to either meet needs not covered by a mandatory DFG or, by avoiding the procedural complexities of mandatory DFG's to deliver a quicker remedy for urgent adaptations.

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- to provide top-up assistance to a mandatory DFG where the Council takes the view that the amount of assistance available under DFG is insufficient to meet the needs of the disabled applicant and their family.
- to assist with the acquisition of other more suitable accommodation and where the Council is satisfied that this will benefit the disabled person at least as much as improving or adapting their existing accommodation. Barnsley will approve up to £7,500.00 for this purpose.

Powers under Article 3 of The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables Councils to give discretionary assistance in any form for adaptations e.g. grant, loan or equity release. Financial assistance can also be provided indirectly to the disabled person through a third party. There is no restriction on the amount of assistance that may be given. Discretionary assistance may be given in addition, or as an alternative to a mandatory DFG.

### ***DFG Top-Up Funding***

The Council may, if it sees fit, provide additional assistance for disabled applicants whose eligible adaptation works exceed the Mandatory Grant Limit of £30k.

The maximum discretionary funding (top up) available will be £10,000. Top up funding will only be considered:

- Where efforts and applications to obtain the necessary and additional funding from elsewhere have been unsuccessful.
- Where failure to have the work carried out would mean that the disabled applicant is unable to remain living in the community.
- Where completion of the work would potentially bring savings in other areas of social care provision, e.g. a reduction in care package costs.
- Where the disabled applicant or their carer would be at significant risk if the work was not completed

The provision of this top up funding ensures that where a need has been identified, and work has been recommended as being 'necessary and appropriate' but the DFG amount awarded does not cover the full cost of the adaptation the Council fulfils its duty to assist with meeting need.

Any top up funding will only be considered having regard to the amount of resources the Council has at the time. If it does not have sufficient resources left to fund other referrals passed to the DFG team by the Occupational Therapy Service at the time the Council reserves the right not to approve any

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top up funding.

### Fast Track

With the introduction of the Better Care Fund greater opportunities exist for the DFG Service to more effectively contribute to improving the wellbeing of disabled people living in Barnsley, their families and carers and create potential savings for social and healthcare spending.

DFG Barnsley will waiver contributions and means test for fast track items unless the applicant is fully contributing to the cost of their care package as a result of a prior means test or has more than or equal the threshold in savings. This will only be implemented having regard to the amount of resources available at the time. If the Council does not have sufficient resources to deal with the grant referrals that have been passed to them by the Occupational Therapists the Council reserves the right to suspend or remove the fast track process for identified adaptations.

The Council will adopt a fast track grants process to better manage demand, speed up delivery of certain adaptations, contribute to meeting individual health / social care needs and potentially reduce care costs.

Stair Lifts – These are fitted in circumstances where a person's mobility is restricted, and it is not likely to improve making it difficult for them to negotiate stairs in safety and without undue distress or risk to the carer. The Council will fast track the provision of a stair-lift for DFG eligible individuals who have a 'Passporting Benefit' where this equipment has been assessed as necessary and appropriate by an Occupational Therapist and where it is practical for this equipment to be installed.

Through – Floor Lifts – These are fitted in circumstances where the disabled person is unable to safely use a stair lift, where the structure of the staircase is not appropriate for the safe installation of a stair lift. Where ground floor living with access to essential facilities cannot be viably achieved by change of use, reallocation of rooms.

Installation of a vertical lift must enable access to essential facilities on either floor. It should be noted that the construction, design and layout of the property may determine that the property is not suitable for this type of adaptation.

The Council will fast track the provision of thru floor lifts for DFG eligible individuals who have a 'Passporting Benefit' where an Occupational Therapist has recommended the adaptation to be necessary and appropriate and it is feasible for the lift to be installed.

Ceiling Track Hoists – These are fitted in circumstances where the mobile hoist has been considered and found to be inadequate for the disabled person and/ or carer(s) to perform transfers, or it is not feasible for them to do so due to limited space. Or where a ceiling track hoist will enhance the

## Provider Services BMBC

disabled person's independence when transferring e.g. self-hoisting or reduce care costs.

The Council will fast track the provision of ceiling track hoists for DFG eligible individuals who have a 'Passporting Benefit' where an Occupational Therapist has recommended the adaptation to be necessary and appropriate and where there is evidence that providing this adaptation will reduce carer costs.

Access Ramps-The DFG will generally only fund one adaptation to a property for example only one external door will be ramped. In certain circumstances a case for providing more than one facility can be referred to the DFG panel meeting by the Occupational Therapist recommending the adaptation.

### Level Access Shower/Bathroom Adaptations; Pilot & Framework

These are assessed and fitted for people with mobility problems who cannot safely manage a bath, as such a shower adaptation will usually become the preferred option. For some a shower over a bath will be suitable, and for others the easiest way to provide a shower is to simply install a standard tray. But this will still leave a 150-200mm step to negotiate. In many cases the only solution is to remove the bath and provide a level access shower area as well as adapting where necessary the W.C. and basin etc.

Given these types of adaptations are high frequency BMBC implemented a pilot scheme February 2018 whereas approved contractors are rotated to perform these adaptations on a call off/rotation basis. This reduces waiting times by around 3 weeks instead of a tender process and will reduce a waiting list and increase budget underspend ensuring BMBC can meet statutory adaptation and approval timescales. An official Framework agreement is currently being progressed via formal BMBC Procurement, Legal and Cabinet Approval process for implementation Autumn 2018..

Dual Adaptations- In cases where more than one adaptation is approved by the panel the second adaptation can be brought forward on the waiting list to be completed whilst the first is being undertaken: if this is deemed in the best interest of the applicant as a more viable and is less intrusive option than having more than one programme of works at one property at separate times.

## **GLOSSARY**

### **List of abbreviations**

DFG – Disabled Facilities Grant

## **REFERENCES**

The Housing Grants, Construction and Regeneration Act 1996

## Provider Services BMBC

Health & Social Services and Social Security Adjudications Act 1983 –  
Section 17

The Disabled Facilities Grant – Before and after the Introduction of the Better  
Care Fund. Foundations

Barnsley Council Disabled Facilities Review, March 2016. Astral Ltd.

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### Appendix A – Additional Information

#### Links to other Schemes

##### ***Better Homes Barnsley***

Better Homes Barnsley is the latest Council endorsed energy efficiency scheme operating in the Borough. It is part of a Leeds City Region wide programme called Better Homes Yorkshire. The Better Homes Barnsley Scheme is the primary route through which the Council seeks to tackle cold and damp housing conditions that are unfavourable to good health and wellbeing.

- The Council under this scheme will use mandatory grant and as necessary discretionary monies to fund Gas Boiler Replacement, install full gas central heating systems, provide cavity wall and loft insulation for DFG eligible individuals where the work is assessed as being necessary and appropriate by the Better Homes Contractor who will complete the assessment.
- On satisfactory completion of the agreed work the grant and/or discretionary payment for the energy efficiency work will be paid directly to the Contractor.

##### ***Interim Care for Vulnerable Adults leaving Hospital – Shared Lives Service***

Shared Lives Service in partnership with the Barnsley Clinical Commissioning Group (CCG) is providing cost effective preventative care solutions to meet the needs of vulnerable adults leaving hospital.

- Discretionary monies will be used to provide adaptations within the homes of Shared Lives Carer(s) who is registered to provide support as part of this scheme.
- Funding will be provided for the types of adaptations that are normally provisioned for disabled people via a Disabled Facilities Grant.
- The Council will accept the recommendation within an OT assessment as evidence that the adaptation is necessary and appropriate to support an accessible and safe living environment for individuals on the scheme and carer(s).

##### ***Project Management Services***

Extensions – The procurement and management of extensions can be time consuming for DFG Officers. Currently the DFG Service outsources the planning and building regulations element of work for all extensions. The DFG service reserves the right to outsource to a suitable contractor/company



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as necessary the project management of extensions so that the through put of other adaptation works and grant spend are maintained at an appropriate level.

### ***Procurement Efficiencies – 2018 /19***

The DFG Service will prioritise and establish the following procurement efficiencies to reduce costs and save administration time.

- Following a pilot scheme which commenced mid February 2018: Implement and closely monitor the impending formal framework process for Level Access Shower/Bathroom Adaptations in collaboration with BMBC Procurement, Legal and Cabinet Approval Process.

### **Delegated Decision Making**

To allow a more proactive and faster reacting decision process: Request that subsequent operational working practice policy amendments are made via delegated mechanisms, with a caveat that any potentially larger scale amendments are communicated as appropriate to check as to whether they require full cabinet approval.

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# Equality Impact Assessment SUMMARY - DFG

This report tells you about changes to:

The DFG working practices Policy to enable the team to complete adaptations quicker, continue to reduce waiting times and utilise previous underspend. This is in line with numerous Future Council Strategies including Early Help for all ages contributing to early intervention and prevention: promoting independence and reducing pressures on Health and Social care partners.

The changes we are making are:

### **Help to move property provision is established.**

In instances where the Council is satisfied that this will benefit the disabled person at least as much as improving or adapting their existing accommodation. Barnsley will approve up to £7500.00 for this purpose.

### **That provision is established for Shared Lives Carers providing Interim Care for Vulnerable Adults leaving Hospital**

Funding will be provided for the types of adaptations that are normally provisioned for disabled people via a Disabled Facilities Grant. The Council will accept the recommendation within an OT assessment as evidence that the adaptation is necessary and appropriate.

### **Provision is made for waiving some of the means testing for Fast Track Adaptations (Stair Lifts, Through Floor Lifts, Ceiling Track Hoists, Access Ramps)**

The DFG will waive Means Test for Fast Track adaptations only where applicants qualify. In line with social care contribution thresholds a new triage will be introduced, instead of a full means test for Fast Track adaptations, applicants with less than £23,250 or who have social care without having to contribute will have the means test waived. Those who have savings of £23,250 or over will continue to be fast tracked but will undergo the means test. This is because the time spent performing means tests outweighs the contributions made.

The aspirational impact of this change is to further reduce waiting times for adaptations and create capacity for the team to focus on processing applications rather than means tests which do not bring any significant income.

### **Improving the approach to Dual adaptations**

To promote a person centered approach, in cases where more than one adaptation is approved by the panel the second adaptation can be brought forward on the waiting list to be completed whilst the first is being undertaken: if this is deemed in the best interest of the applicant as a more viable and is less intrusive option than having more than one program of works at one property at separate times. It is also more efficient for the DFG team and approved contractors involved.

### **The formal Introduction of the framework for level access shower**

These are assessed and fitted for people with mobility problems who cannot safely manage a bath, as such a shower adaptation will usually become the preferred option. This may also require adaptations to the toilet and sink.

A recent pilot scheme recruited a pool of contractors who were able to mobilise quickly in order to make the adaptations. This has seen a reduction in waiting times for adaptations (as the previous process required a lengthy tender exercise for each adaptation) and has increased the number of adaptations able to be processed. As a result of this success four more contractors are now being recruited to support this further. An official Framework has been approved by Cabinet, approved contractors have been selected via a Procurement Tender exercise and formal implementation is impending. Throughout this process EIA considerations were discussed the consensus being (comms with SMT, DMT, Procurement, DFG staff and senior managers)– that there are no detrimental effects, the framework has a 1+ 1+ 1+ years agreements and numerous quality control mechanisms (including service user feedback) in case any negative issues were experienced with view to rectification immediately.

**e) Future minor changes to the approach to DFG are dealt with through Delegated Decision Making**

Appropriate delegation will enable a faster decision making process for subsequent practice and policy amendments without the need for Cabinet approval. The Executive Director of Communities would consult the Cabinet member for Communities on any significant changes to practice or policy for a decision on the appropriate level of approval required. All EIA issues will be considered and guidance sought by collaborating with necessary partners and stakeholders.

### We are making these changes because:

To continue and build upon efforts made over the last 12 months to stream line processes and as per box one.

We recognise that previous processes didn't work very well, this resulted in unnecessary pressure on other finite resources, a displacement of staff efforts and some additional expenditure which could have been avoided. The previous processes also had a negative impact on our customers health and wellbeing, with longer waiting times for adaptations, longer stays in hospital and potentially multiple adaptations (at different times) etc.

Streamlining these process however, should enable us to undertake more adaptations, support people in a more timely manner, reduce the amount of time people have to stay in hospital and ensure that people get the right support at the right time.

### To help us better understand the impact of the changes we asked these questions:

1. How can we reduce the delay in waiting times in order to increase the number of adaptations taking place in a timely manner, for the benefit of disabled people and their carers?
2. How can we minimise the level of intrusion and maximise the outputs, for the benefit of the health and wellbeing of disabled people and their carers?
3. How can we ensure that the contractors we recruit have an awareness of the importance of equality and inclusion and adhere to the council's expectations in relation this this – understanding that they are acting as advocates/representatives of the council?
4. How can we ensure that the scheme is administered equitably and we take steps to understand the impact of the scheme changes in real time?

## To answer these questions we did the following things:

1. Used information, data, costings, performance figures to identify appropriate ways to reengineer processes in line with legal and BMBC protocols
2. Through collaboration determined best way forward, with a caveat that close monitoring will be in place to amend or even reverse process if required.
3. Worked with partners in legal, procurement, health, audit, finance, commissioning and housing to determine dependencies and potential benefits and issues to overcome. By collaborating with interdependent stakeholders and anticipating processes which require amendment on implementation.
4. Monitored pilot initiatives to inform decisions
5. Consulted with appropriate stakeholders, specific expertise in BMBC, contractors and service users. There was also collaboration with Health Colleagues including Occupational Therapists and services within BMBC who provide care and support for numerous vulnerable residents in Barnsley including disabled and with learning disabilities.

## From this we learnt the following things:

We learnt the most appropriate and fair action to take within parameters to allow efficiencies to be introduced and additional staff capacity created to facilitate more adaptations for disabled children and adults to be completed sooner. Building up the success of the last 12 months where waiting times have now been halved. We will however continue to monitor this to understand the impact.

## The people most affected will be:

Overall: Disabled children and adults in Barnsley

Means Testing: Disabled people with income/savings over the threshold

## How they will be affected:

This change should be positive as disabled children and adults will receive adaptations sooner and will experience the benefits as stated earlier in this document.

*We understand that disabled people are diverse and we intend to monitor the administration of this scheme as well as the feedback we received (using disaggregated equality data) in order to ensure that the scheme is administered equitably. For example; do Disabled BME people report a different experience than Disabled White British people or do we process applications for Disabled Men quicker than Disabled Women etc.*

There are approximately 80 Disabled people per year who will continue benefit from reduced waiting times to receive fast track items, where they have been assessed by an OT.

Currently around 80% of applicants receive a full grant award (which is on average around £3800) and less than 20% contribute a small amount which on average of all fast tracks is around £100 after the means test has been

completed. The income the last 6 months was just over £2000.

The aspirational impact of this change is to further reduce waiting times for adaptations and create capacity for the team to focus on processing applications rather than means tests which do not bring any significant income.

Where means testing has been undertaken, consideration will also be given to the cumulative impact of the collective contributions an individual is making to services etc. This change can be reviewed or revised if any unforeseen negative effects are identified.

To help the changes to be as fair and equal as possible we will:

We will ensure no one is detrimentally affected in any way by the implementation of these changes.

We will make sure that processes and procedures are followed equitably to ensure that no-one is disadvantaged or treated unfairly in the administration of the scheme.

We will ensure that access to the service is equal by monitoring take up and outcomes (using demographic information to inform this), making sure that those people who need to service the most can access us. We will also ensure that we meet the access and communication needs of our customers during all interactions – the same will also be expected of our contractors.

We will ensure that we work closely with all necessary stakeholders including BMBC partners, Social Care, health, Legal, Procurement, EIA team etc and customers in order to better understand how this scheme works in practice. We will monitor customer satisfaction and feedback and ensure that we understand the real life experiences of our customers. Issues will be addressed and changes can be reversed if required. This will form part of a continual review process for this scheme.

Where means testing has been undertaken, consideration will also be given to the cumulative impact of the collective contributions an individual is making to services etc; particularly if the ask from the DFG is likely to leave the individual in a state of financial hardship. In this instance consideration will be given to whether it is appropriate to waive the contribution. However, this would be considered on an exception basis.

## BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

### REPORT OF THE EXECUTIVE DIRECTOR OF COMMUNITIES TO CABINET ON 23 JANUARY 2019

#### Town Centre CCTV Upgrade

#### 1. PURPOSE OF REPORT

- 1.1 This report seeks to obtain approval for the Town Centre CCTV system upgrade, including all recording, networking and monitoring of the Town Centre system.

#### 2. RECOMMENDATIONS

- 2.1 **It is recommended that the CCTV upgrade is approved as the current system is now old, failing and provides limited functionality in order to support the development of the Town Centre.**
- 2.2 **It is recommended that the capital expenditure is approved for the upgrade of this system.**

#### 3. INTRODUCTION

- 3.1 The Town Centre CCTV system consists of 43 cameras and is currently in excess of 15 years old<sup>1</sup>. It is made up of old, analogue cameras that provide limited functionality, obsolete recording equipment and provides poor quality images that often do not provide clear identification when required.
- 3.2 Barnsley Council pay an annual fee of £23,082 to South Yorkshire Police for the maintenance of the current equipment. South Yorkshire Police sub-contract this work to a CCTV maintenance provider on behalf of the Council. Any works outside of standard maintenance is paid for in addition to this by Barnsley Council, including network repairs.
- 3.3 South Yorkshire Police monitor the CCTV system, free of charge within their control room which is based in Doncaster Council's Civic Building. It is monitored alongside Rotherham Council's and Doncaster Council's CCTV, therefore only 1/3<sup>rd</sup> of the time is spent monitoring Barnsley's cameras.
- 3.4 The control room in Doncaster utilises a closed platform video monitoring system which is no longer supported and does not allow for modern CCTV cameras to be connected into it with ease. Parts for this system are no longer available.

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<sup>1</sup> For the purpose of this report, the Town Centre CCTV system includes the additional public space cameras installed at Grimethorpe. This is due to them being connected to the main recording system.

- 3.5 The current cameras within the system offer a limited field of view and rely on operator input to identify and monitor on-going incidents. Each camera only covers the direction in which it is facing offering approximately 45 degrees of coverage from each column location at any given time.
- 3.6 Modern technology allows for High Definition quality equipment to be installed offering wider coverage and the ability for analytics in order to support the development of Barnsley into a 'Smart City'
- 3.7 Better coverage can be provided by the installation of new, modern technology and this will require less user input yet provide a better offer.
- 3.8 An open platform video management system can be installed in Barnsley, separate to the Police which will allow the connection of other systems outside of the Public Space in the future, this could include Council owned buildings and re-deployable cameras where possible.

#### **4. PROPOSAL AND JUSTIFICATION**

- 4.1 It is proposed that Barnsley Council upgrade the current CCTV system with modern technology therefore allowing for better coverage with less human intervention.
- 4.2 As part of the upgrade, Barnsley Council will change all 43 camera's and the 6 Grimethorpe Cameras to a High Definition solution that records 360 degrees around each column 24hours per day, 7 days per week. This allows for full coverage around each location without any user intervention in comparison with the current 45 degree coverage.
- 4.3 At each column location there will also be a second, high definition camera installed that allows full pan, tilt and zoom functionality. This can be operator controlled or can be intelligently and automatically controlled utilising video feeds from the 360 degree camera.
- 4.4 In order to upgrade the cameras, the recording system will need to be upgraded. This means that South Yorkshire Police will be unable to monitor the cameras until their Doncaster control room is upgraded or a suitable reviewing client is installed within their control room as part of this project. This is subject to wider discussions currently being held with South Yorkshire Police at a force wide level.
- 4.5 The proposed system will be built and developed to a standard that doesn't require an operator. The quality of recorded images will be high definition therefore allowing for excellent quality retrospective viewing. The quality will be good enough for the identification of offenders when required.
- 4.6 Monitoring stations will be installed within key locations of Barnsley Police Station, including the Duty Inspector and Duty Sergeants Office for pro-active viewing during key periods of time for the purposes of detection and prevention of crime. This method will allow for a general overview of the Town Centre when required.



- 4.7 The opportunity to install review workstations will be considered within the Police Station to allow for authorised staff to review footage when required, therefore allowing for prompt downloading of incidents when required by authorised officers for the purpose of prevention and detection of crime.
- 4.8 Monitoring stations will be installed within secure areas of Council buildings such as a specific room in Westgate or the Emergency Planning room. This will provide resilience for authorised officers to view live and recorded footage.
- 4.9 Optional monitoring stations could be considered in the future at locations such as the CCTV room within the Glass Works, however this is dependent on connectivity into the building which is currently being established as part of the public realm works.
- 4.10 Analytics software installed on the cameras will only be viewable by authorised Council Officers and this will be restricted in order to maintain system security.
- 4.11 The proposed system will provide better coverage despite being potentially un-staffed by operators for a period of time in-line with point 4.4 above. Owing to the proposed technology each current camera location will automatically increase its coverage by 75% without any form of user intervention.
- 4.12 The new system will allow for the interconnectivity of other systems, including Urban Traffic Control, Lightbox and Glasswork CCTV system.

## **5. CONSIDERATION OF ALTERNATIVE APPROACHES**

- 5.1 The alternative approaches suitable for this project have been considered and are documented as follows:
- 5.2 Alternative approach 1: Barnsley Council to upgrade the current CCTV equipment to operate as a stand-alone system with no active monitoring by any method. This upgrade would simply capture images recorded from the CCTV equipment and would be reviewed retrospectively following incidents by authorised persons.
- 5.3 Alternative approach 2: Barnsley Council to upgrade the current CCTV equipment and build a local control room within Barnsley. This would allow for 24/7 monitoring of the CCTV system however this would incur significant staff costs. Having 24/7 monitoring would not increase productivity from the upgraded system due to its constant 360 degree coverage.
- 5.4 Alternative approach 3: Barnsley Council to turn off the CCTV system in its entirety and have no CCTV system.
- 5.5 Alternative approach 4: Do nothing. The current model would continue to operate as it is, although this is not viable in the long-term as the system will become increasingly obsolete and difficult/impossible to maintain. This would ultimately result in the loss of a CCTV system for the town.

## **6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS**

- 6.2 Whilst the upgrade takes place, there will be implications for local people due to a reduction in the CCTV coverage in the Town Centre. It is proposed the installation of a new system would take a period of 3 months. The reduction in coverage would be ad-hoc as the upgrade process takes place throughout the installation period.
- 6.3 Following the upgrade of the system there are no negative implications, however there are a number of positive outcomes in so far as the Town Centre will be better protected with a wide range of video recorded locations.
- 6.4 South Yorkshire Police are currently carrying out a force wide review of CCTV, as such this may have implications to the monitoring or reviewing of CCTV systems however this is unknown at this stage. Any negative implications as a result of this review have been mitigated by the fact the proposed system can operate without any user intervention and still provide better cover than the current system in more detail.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 The financial implications of this project have been considered and approved for submission to Cabinet by the Capital Oversight Board.
- 7.2 Consequently £0.700m has been set aside from the Council's Capital Programme pending formal approval of project spend by Cabinet.
- 7.3 The approximate upgrade costs of the project are currently estimated to be below that level at £0.661m. It is however proposed that the balance (£0.039m) is retained for this project as a contingency to ensure reasonable cost variances can be accommodated within Cabinet approval.
- 7.4 Due to the nature of the project the contingency is considered appropriate in order to cover off unforeseen issues such as connection restrictions, collapsed network ducts or failed fibre networking.
- 7.5 Any increase above this level (considered unlikely) would be reported back into Cabinet for further consideration.
- 7.6 Per paragraph 3.2 the Authority currently pay for standard CCTV system maintenance including network repair work – no additional revenue costs are anticipated as a result of the transition to the new system.
- 7.7 The procurement process of this project will be conducted utilising the Council Procurement Service and the specification will form part of a Tender process. The timeline in relation to this is as follows:
- February 2019 – Tender Process Start
  - April 2019 – Contract Award Date
  - June 2019 – Work Commences on site
  - March 2020 – Work completion and system in full operation. .

## **8. EMPLOYEE IMPLICATIONS**

- 8.1 Due to the current maintenance being managed by South Yorkshire Police, Barnsley Council do not currently provide any resources to manage the maintenance or CCTV however this may change in-line with the proposed upgrade.
- 8.2 The upgraded system and its subsequent maintenance contractors will be managed directly by Barnsley Council. This means there will be a requirement for a Council Service and Council Officer to be responsible for the system and its on-going maintenance.
- 8.3 Currently 8.2 is satisfied by South Yorkshire Police having a designated contract monitoring officer, consideration is to be applied whether this officer continues to manage the contract on behalf of Barnsley Council.
- 8.3 It is not envisaged this requires a full-time post and it is believed it can form part of the duties of another role, however there will be administrative requirements aligned to this, including the contacting and meeting of contractors as required coupled with an understanding of the Barnsley CCTV network.

## **9. LEGAL IMPLICATIONS**

- 9.1 The agreed Service Level Agreement with South Yorkshire Police has been terminated with the required 12 month's notice. As such all maintenance provided by South Yorkshire Police will cease in December 2019. This was necessary to ensure we didn't continue to face maintenance costs for an obsolete system from December 2019.
- 9.2 The system will be developed and built to ensure it operates within the Information Commissioners Code of Practice for Public Space CCTV.
- 9.3 There will be a comprehensive Data Protection Impact Assessment completed for the new system and this will be maintained by Barnsley Council. Additionally the relevant privacy notices would be developed and utilized.
- 9.4 All signage will be updated at the same point as any upgrade, this will ensure that it is all compliant with the relevant legislation.

## **10. CUSTOMER AND DIGITAL IMPLICATIONS**

- 10.1 The majority of people support the use of CCTV within Public Spaces in order to create safer environments.
- 10.2 In order to consider any customer implications a full Data Protection Impact Assessment will be completed in-line with the Surveillance Commissioners requirements. It is recognised that a potential unforeseen consequence could be raised public expectation in respect of improved behavior as a result of the new system.

- 10.3 All installed equipment will serve a specific purpose and will be there to deal effectively with the prevention and detection of crime. Customers within the public space environment have a low level of privacy expectation however this will be reviewed as part of the assessment identified in 10.2 above. It should also be noted that this is a replacement programme of existing provision.
- 10.2 The implementation of a smart CCTV solution provides an excellent platform for providing positive customer and digital feedback. The development of the CCTV system assists with creating a smart city environment which will create a positive customer environment.

## **11. COMMUNICATIONS IMPLICATIONS**

- 11.1 There may be negative feedback about the period of time where the system is not actively monitored by the Police control room. Work is being carried out with South Yorkshire Police to ensure any periods where the system is not covered are minimised and opportunities to further develop the joint working is maximised.
- 11.2 Any negative feedback can be covered by the fact the upgraded system actually provides a wider coverage than the current system and provides high quality images of a 75% wider area around each camera location.
- 11.3 The upgraded CCTV system is a positive step forward in the development of a Safer Barnsley and Safer Town Centre. The utilisation of modern technology to create safer environments is maximised by the use of smart technology and provides the ability to form part of a wider solution.
- 11.4 The development of the proposed system allows for positive communication messages to be relayed to visitors, businesses and potential investors. The investment in a smart, high quality system demonstrates the Council's ambition to create a safe environment for people to live, work and visit.

## **12. CONSULTATIONS**

- 12.1 The following have been consulted with throughout the development of this project:
- a. Barnsley Council - Senior Management Team
  - b. Barnsley Council - Town Centre Management Team
  - c. Barnsley Council - Town Centre regeneration Team
  - d. Barnsley Council - Urban Traffic Control Team
  - e. South Yorkshire Police – CCTV Control Room Management
  - f. South Yorkshire Police – Building Manager (Doncaster)
  - g. South Yorkshire Police – District Management
  - h. Barnsley Council – Health and Safety Department
  - i. Barnsley Council – Risk & Compliance Department

## **13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK**

- 13.1 ***Thriving & Vibrant Economy:***  
By developing the Town Centre CCTV solution it will enable the communities that live, work and visit the Town to feel safer. The increased safety measures offered

by utilising modern equipment will help develop a vibrant town centre. Additionally the optionality relating to increased use of analytics within the CCTV cameras allows for the development of the Town based on real-time data captured by the cameras.

### 13.2 ***Strong & Resilient Communities:***

The development of the Town Centre CCTV solution supports the development of the Town Centre community and strengthens the support offered in the Town in terms of providing a safe environment for people to live, work and visit.

### 13.3 ***Innovation***

The Council will be utilising the upgraded CCTV equipment to innovate and create new methods of working based on analytics. The system will be future proofed and will allow for a wide range of analytical systems to be adopted such as demographic advertising, people counting and more. The opportunities relating to this are endless and our in-house expertise will be used to develop analytical software products from time to time.

## 14. **REDUCTION OF CRIME AND DISORDER**

14.1 CCTV forms a large part of the reduction in Crime and Disorder, however in order to have maximum impact within this specific topic the recorded footage needs to be of useable quality.

14.2 Whilst CCTV does not offer a physical barrier or limit people from certain areas it does form a situational crime prevention solution however this can only be achieved by the successful use of recorded data. For successful use the recorded data must meet the evidential criteria required and as such, this upgrade will support this.

14.3 The use of 'Horn Speakers' on some locations can also provide opportunity for integrated analytics therefore further developing the situational prevention offered by CCTV, additionally it also improves the ability to respond in emergencies or relay any important safety messages during events such as Tour de Yorkshire.

14.4 CCTV does not resolve all issues relating to Crime and Disorder however provides an additional ability for evidence gathering to support other enforcement related work.

14.5 Many offenders view CCTV systems as an occupational hazard, as such the development of high quality recording systems and cameras further enhances this hazard and allows for successful outcomes from witnessed events.

## 15. **RISK MANAGEMENT ISSUES**

15.1 The upgraded CCTV system will provide additional support for risk management within the Town Centre. The analytics within the system can be developed to identify vehicles within pedestrian areas and protect specific areas by alerting people in a range of ways to significant risks.

15.2 The upgrade of the solution will be project managed by the contractor and mitigation methods will be applied in order to ensure there is no total, system outage during the upgrade by undertaking installation works of new cameras on a rolling basis.

## **16. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES**

- 6.1 The upgraded CCTV system will provide 75% more coverage per current camera location, as such this will have an impact on Health, Safety and Emergency Resilience.
- 16.2 The Health and Safety of those visiting the areas covered by this system would be further protected, the Council would also be protected against claims processed due to the high quality imagery available to prove or disprove any potential claims.
- 16.3 The Town Centre hosts a number of key events where thousands of people attend, currently there is no local method of monitoring the event via CCTV, however the development of this system would allow for the remote monitoring from an event control in order to further safeguard.

## **17. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

- 17.1 Public Space CCTV systems, which this report refers to are installed to ensure there are no breaches or infringements against Human Rights. All Public Space CCTV systems are installed overtly and those frequenting a Town Centre environment have a low level of expectancy in relation to privacy due to the number of people around them and the addition of CCTV from a range of premises.

## **18. GLOSSARY**

CCTV – Closed-Circuit Television

## **19. LIST OF APPENDICES**

Appendix A – Financial Implications  
Appendix B – Business Case

## **20. BACKGROUND PAPERS**

Business Case

Background papers available upon request from the report author.

If you would like to inspect background papers for this report, please email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk) so that appropriate arrangements can be made

**Report author:** Mark Giles

Prepared on Behalf of the Director of Finance

FINANCIAL IMPLICATIONS


TOWN CENTRE CCTV UPGRADE

i) <b><u>Capital Expenditure</u></b>	<b><u>2018/19</u></b>	<b><u>2019/20</u></b>	<b><u>2020/21</u></b>	<b><u>Total</u></b>
	£	£	£	£
Town Centre CCTV Upgrade	661,000	0	0	661,000
Plus Retention of Balance as Contingency	39,000	0	0	39,000
<b>Total Funding Requirement</b>	<b>700,000</b>	<b>0</b>	<b>0</b>	<b>700,000</b>
 <b>To be financed from:</b>				
Resources set aside as part of the 2020 Capital Investment Fund	700,000	0	0	700,000
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

ii) <b><u>Revenue Effects</u></b>	<b><u>2018/19</u></b>	<b><u>2019/20</u></b>	<b><u>2020/21</u></b>	<b><u>Later Years</u></b>
	£	£	£	£
None.	0	0	0	0
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Funded via:</b>				
	0	0	0	0
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
variance.	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Impact on Medium Term Financial Strategy:**

None.



Agreed by: .....On behalf of the Service Director - Finance, Section 151 Officer

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# Full Project Business Case

## Document Information

Version: 2.0  
 Last Updated:  
 Owner: Mark GILES

## Document History

Version	Details	Date	Reviewed By
1.0	Initial Draft	01/10/18	
2.0	Draft and Prices Update	02/11/18	
3.0	Updated Costing Information	04/01/2019	

## Document Approval

Version	Date	Name	Role

<b>Project Name:</b>	Town Centre CCTV System Upgrade
<b>Lead Contact/Project Manager:</b>	Mark Giles
<b>Directorate:</b>	Communities
<b>Contact Details:</b>	01226 787182
<b>Senior Responsible Officer:</b>	Phil Hollingsworth

## 1. PROJECT OVERVIEW

### Description

The town centre CCTV system has been in place for a period exceeding 15 years with minimal levels of investment. The currently installed system consists of a private fibre network, street furniture including columns and a selection of CCTV cameras. There has been no upgrades to any of the street based technology which now means the system is not fit for the purpose.

The current system was 'gifted' to South Yorkshire Police (SYP) on 1<sup>st</sup> April 2015 through the development of a Service Level Agreement (SLA) however this 'gift' is only for the duration of the SLA which has recently been extended to December 2019. By signing this SLA BMBC must pay a contribution towards the on-going maintenance of the system to the value of £23,662.00 for 2018-2019. An annual charge has been accrued since the SLA was signed in April 2015. Since the signed SLA it has been the responsibility of SYP to maintain and insure the equipment utilising the designated contractor whom is currently Quadrant Security Services.

The CCTV cameras were originally recorded at Barnsley Police Station and monitored in the same location within a purpose built control room. Due to changes in service delivery SYP changed the monitoring station to Doncaster leaving the recording solution in Barnsley Police Station. SYP provide monitoring staff for the CCTV at no cost to BMBC.

This project seeks to upgrade the current CCTV system and video management recording system, allowing for 360 degree coverage at each CCTV location. This will provide resilience for the lack of local knowledge and provide additional safety coverage for the Town. Additionally the Town Centre radio link will be enhanced and connectivity to the control room at Doncaster will be established.

## Scope

The scope of this project sets out to deliver the following:

1. Create a safer environment within the Town Centre by utilising modern, high definition surveillance solutions.
2. Upgrade all equipment from analogue to digital including all network equipment such as media cards, switches, recording units and video management solutions.
3. Document all CCTV equipment and capture full maps, plans and information for future use.
4. Re-establish key partnership links between public sector and private sector including the re-connection of radio networks between stores and night time economy to the CCTV control room.
5. Development of a future proofed solution that can operate solely without operators if required during any future finance implications relating to staffing resource within the monitoring centres.
6. The ownership of the current CCTV system coming back to Barnsley Council and the termination of the current on-going maintenance contract via South Yorkshire Police.

This project does not intend to change the following:

1. The current monitoring arrangements offered by South Yorkshire Police.

The full scope of this project is set to be time consuming and is unlikely to be completed until December 2019 given the involvement of other key stakeholders. There are a number of key functions that need to be closely considered for development of this project these include the following:

1. The development of a future proofed Town Centre CCTV solution that can operate un-monitored in the future if required due to the removal of monitoring services by South Yorkshire Police.
2. The development of a modern CCTV image storage facility with the ability to provide more in depth data and analytics if required during further development of the Town Centre.
3. A localised reviewing suite for the CCTV system within Barnsley for Police, Council and others to access by means of credentials when required to review/download footage.
4. A secure, fast connection between Barnsley and Doncaster in order to provide suitable functionality for the monitoring of High Definition Images.
5. The development of a suitable solution to allow the monitoring suite at Doncaster to review the new, modern High Definition footage. This is currently hampered by the use of a closed video management platform system that cannot accept modern, networked camera equipment.
6. A system suitable for the sharing of information in-line with partnership aspirations of CCTV image sharing across South Yorkshire Police as required for prompt, evidential requirements.

## Context & Rationale

Barnsley Town Centre is currently going through extensive re-development and Barnsley Council strive to make the centre a safe place for people to live, work and visit. As part of the aspiration for the future Barnsley seeks to become a Smart Town taking advantage of modern solutions to develop and build the economy.

The proposed improvements to the CCTV system will demonstrate how Barnsley Council are committed to creating safer environments whilst making full use of modern technology to support the ongoing commercial development of the Town Centre.

Currently, the Town Centre CCTV solution is in parts over 15 years old and the technology currently utilised is significantly out of date with very few spares being available for broken equipment. The current recording solution and installed cameras are no longer supported by the developer and this leaves the existing system vulnerable to total system failure.

The advances in modern technology are significant within the CCTV arena and there are now many options available for the upgrading of equipment, this doesn't negate the need for removal and replacement of items but it provides a wider choice of equipment to ensure the most appropriate solution is provided in each camera location.

The current system is monitored by South Yorkshire Police, free of charge however Barnsley Council pay for the maintenance of the existing system with the most recent charge being £23,662.00 for 2018/19. This is paid direct to South Yorkshire Police who then manage the maintenance contractor on the Council's behalf. This payment process has been in place for 5 years and the Council have seen no documentation to indicate what works have been done on the system.

Whilst Barnsley Council pay this maintenance charge this does not cover the cost of the relevant infrastructure, predominantly made up of private fibre networks between each CCTV column and Churchfield Police Station in Barnsley. Any damages or breakages to this are paid for in addition to the maintenance charge by Barnsley Council.

It is the intention of this project to develop a solution that can provide 360 degree coverage around each camera site 24/7 without the requirement for any form of human intervention or a staffed control room. Doing this will ensure that no incidents are missed and post incident reviewing can take place of the full area around each camera site. In addition to this ability each camera site will have a controllable pan, tilt and zoom (PTZ) camera that can be operated by an operator as currently happens or set to automatically carry out pre-programmed 'patrols' during specific times.

The added benefit of a system being developed that does not require human intervention provides additional protection should the system become un-monitored at any point in the future should South Yorkshire Police stop providing a monitoring solution.

By developing each camera site with this ability it then provides further options for a range of additional functions if required in the future such as:

- Addition of Speaker Horns to relay pre-recorded or live messages.
- Addition of analytics software such as object detection or left item detection.
- Addition of people counting software.
- Support for crowd management software solutions.
- Support for the development of Smart Cities by the addition of software, this could include turning street lights on/off when movement is identified.
- Automatic tracking of subjects.
- Automatic Number Plate Recognition.

Additionally, the development of a modern CCTV solution will work towards improving the Town Centre and its critical infrastructure from modern day threats.

The current Urban Traffic Control system will be able to connect into this camera system if required in order to maximise the full benefit of CCTV coverage across Barnsley.

Currently, South Yorkshire Police have an out-dated control room that is unable to monitor the images from a new High Definition system. Discussions within South Yorkshire Police are taking place as to whether they upgrade their system however this needs to be done in-line with Doncaster Council, Barnsley Council and Rotherham Council's upgrade process.

Initially, as part of this project the plan is to upgrade all of Barnsley's current cameras to High Definition, this however will mean South Yorkshire Police are no longer able to monitor them. The system will be built to allow monitoring of them in future should the Police upgrade their control room at Doncaster. Whilst the system will be un-staffed by a control room environment it is the intention that a review station is installed within South Yorkshire Police, Barnsley Headquarters in the Inspectors office so they can have overview of the Town Centre, they will also be able to download images as required in the event of incident.

Whilst it may appear negative to have an un-monitored system, the actual ability of the new camera equipment will mean the solution will actually provide much better coverage than the currently monitored solution, therefore this demonstrates an improvement in service offer.

## Alternative Approaches

### **Do Nothing:**

By doing nothing the CCTV system within Barnsley will continue to be maintained in a limited format by the current contractor assigned by South Yorkshire Police.

Failing parts however will not be repairable and will begin to attract additional costs on top of the maintenance pricing. The current cameras and recording system is analogue which provides a low resolution of imagery, this can pose difficulties in identifying incidents, individuals and provides obstructions in terms of successful prosecutions at times.

Given the investment going into Barnsley Town Centre, the continuation of doing nothing does not support the on-going investment and would leave the new investment with limited protection that is not fit for the future.

### **Minor Upgrade**

Due to the current system being analogue cameras, a minor upgrade could take place which would replace all existing analogue cameras with a newer analogue camera. The image quality would remain the same but the camera would be different. The system would not be capable of anything different other than what it currently does.

### **Part Upgrade**

A part upgrade could be done which would include the video management software and the change of some cameras to High Definition and leaving some as analogue. This however can be costly and can generate many issues due to the mixture of two different systems. The additional element of different levels of safety in different areas of the town would also pose a risk.

## Links to Corporate Priorities

The project satisfies a number of priorities in relation to both Barnsley Council and the wider partnership with other stakeholders, the below relate to these links:

### **Council Vision: Working Together for a brighter future, a better Barnsley.**

The development of a modern, high definition cctv solution for Barnsley clearly demonstrates the direction of travel against the vision and that services work together in order to develop a better Barnsley. CCTV is one of the main topics communities request and the introduction of new, modern systems will make communities and visitors alike feel safe in Barnsley.

### **Council Priority 1: Thriving and vibrant economy**

Development this project will support the on-going quest to build a thriving and vibrant economy in Barnsley. The improvement of safety and security by utilising modern technology in the form of CCTV will demonstrate to businesses the Council are

committed to building safe environments for people to live, work and visit. Businesses will feel their assets are protected and are more likely to invest in areas that would previously have been neglected by private business.

**Council Priority 3: Strong and resilient communities**

CCTV is a key priority for many communities and is often the first request in any area that has suffered from problems relating to crime, disorder or anti-social behaviour. By hosting a modern cctv solution it would allow for the wider communities of Barnsley to be monitored where additional equipment is installed. The commitment in this field by Barnsley Council will demonstrate to communities we are keen to listen and support their development.

**Council Priority 4: One Council**

By utilising the proposed Town Centre CCTV system for a much wider and broader remit it would bring a range of different services within the Council together. This could include licencing services, event management, emergency planning and many more.

This project also fits in-line with most of the council values, specifically, 'Were a Team', 'We'll be Excellent' and 'Were Proud'.

**Safer Barnsley Partnership Plan**

This project links closely with the above plan and demonstrates commitment to the local community in reducing a number of the current and emerging issues. Specifically relating to town centre related incidents and increases in crime.

**2. OBJECTIVES**

*What is the objective of this project? Remember to ensure these are SMART (specific, measurable, agreed upon, realistic and time-based.)*

Benefit	Measurement
Increase the ability of the current CCTV system in terms of image quality and functionality.	
Develop a future proofed solution that can be un-monitored if required whilst still capturing 360 degree images around each camera location.	
Increase the ability and access to the recorded CCTV Images locally at Barnsley to save officer travelling time to Doncaster.	
Create a safer environment and support the development of the Town Centre.	

### 3. BENEFITS

List the anticipated benefits as a result of achieving the objective (financial and non-financial) and how these will be measured

Benefit	Measurement	Timescale
Increased ability from the CCTV system	Useage and increased ability set up in the system.	December 19
Reduced maintenance costs	Removal of monies paid to South Yorkshire Police	December 19
Increased monitoring ability and wider coverage from system		December 19

### 4. DEPENDENCIES

Provide details of any identified dependencies

Internal	Dependency Detail	Key Dates
Safer Neighbourhood Service	Scheme design, scheme tendering, management of upgrade, management of new system once implemented, management of wider solutions including re-deployable links, full delivery of scheme.	December 18 - onwards
Asset Management	To record all new assets owned by the Council as part of this project. Removal of responsibility of project from assets and transfer of available funds for CCTV to SNS.	December 19
Legal	Ending of current SLA with South Yorkshire Police for maintenance.	December 19
Highways	Consideration of access to Urban Traffic Control Cameras to be recorded in system	January 2019



External	Dependency Detail	Key Dates
South Yorkshire Police	Monitoring, System Upgrade at Doncaster, Police Network (ISD) upgrade, access to Churchfield, access to server rooms, access to Inspectors Office, Review centre setup.	December 18 onwards
Contractor (TBC)	Installation, Setup, Maintenance for set period, Planning and drawings, information manuals, handover documents, warranty administrations, faulty equipment returns and advanced replacements,	TBC

**\*43**

## 5. COSTS & FUNDING

*Details of any funding available (e.g. voluntary sector, private sector, SCR) and provide details of any constraints or timescales on funding stream*

Funding Source	2018/19	2019/20	2020/21	2021/22
Capital Oversight Board	£700,000	£0	£0	£0

*Details of the potential cost of the solution are documented below: It must be noted that this price is a close approximation and a variable percentage has been applied.*

Project Cost	2018/19	2019/20	2020/21	2021/22
CCTV Camera Upgrade Including video management system and connectivity of additional cameras into system.		£661,000.00	£0	£0
Contingency for any repairs of infrastructure		39,000.00		

## 6. IMPACT ASSESSMENT

What is the impact of implementing the project? Equality & Inclusion Business Partners can provide advice and guidance in this area with regards to completing initial Community Impact Assessment (CIA) and full Equality Impact Assessment (EIA) if required.

	Significant Impact? (✓)	Next Steps (✓)
<b>Impact Assessment Undertaken</b>	<input checked="" type="checkbox"/> Initial CIA	<input type="checkbox"/> Full EIA
<b>Details of Impact</b>	No issues identified with scheme, mitigation measures identified for development stage	
<b>Next Steps</b>		

## 7. RESOURCES

Details of resources required, such as office space, IT equipment, specific skills etc.

Resource	Details	Cost	Date Required
Safer Neighbourhood Service	Project Management, day to day contact with contractor, Police liaison	0	January 2019
Procurement	Procure the contractor to do the works required and outlined by SNS project lead on upgrade	0	January 2019
IT	Support from BMBC Network colleagues and Business Relationship Manager to ensure future proofing in-line with Council IT agendas.	0	January 2019
South Yorkshire Police (ISD)	Network management, Network Transmissions	0	January 2019
South Yorkshire Police (Business Manager)	Doncaster Upgrade, liaison and connection of equipment to control room	0	January 2019

## 8. PROJECT SCHEDULE

What are the key project milestones for the on-going development and implementation of the project?

Milestone	Start Date	Completion Date
Current CCTV setup understood	October 2018	October 2018
- Stage 1: Map existing camera locations		
- Stage 2: Understand connectivity methods		
- Stage 3: Identify current equipment		
- Stage 4: Understand impact outside Town		
- Stage 5: Understand Atlas Court link		
Develop coverage map of proposed new cameras.	November 2018	November 2018
Understanding from SYP about network, ability and how new system will be viewed at Doncaster.	November 2018	November 2018
Prepare Contract/Tender documentation	November 2018	December 2018
SLA Contract with SYP given 12 months cancellation notice	December 2018	December 2018
Advertise Tender Documentation	January 2018	January 2018
Start works	April 2018	July 2018
Complete all project		December 2019

## 9. ROLES & RESPONSIBILITIES

Provide details of the project team and their roles and responsibilities linked to this project. Indicate the status of each role i.e. is this role part time, full time, temporary current post

Role	Responsibilities	Name	Status
<i>Project Manager</i>	<i>Updating project plan Overall management of project</i>	<i>M Giles</i>	<i>Service Manager</i>
<i>Business support</i>	<i>Supporting project manager</i>	<i>TBC</i>	

## 10. PROJECT GOVERNANCE

Provide details around governance, sign off and reporting arrangements

<b>Standalone project or part of a wider programme?</b>	<i>Standalone</i>
<b>Governance Arrangements</b>	<p><i>Is there already an appropriate board in existence to oversee this project or will a new one need to be created?</i></p> <p><i>No requirement for a new board, this will be overseen by the BEP (Business Economic Partnership) and Town Centre Board.</i></p>
<b>Meeting Arrangements</b>	<p><i>What will be the frequency of board meetings?</i></p> <p><i>Monthly</i></p>
<b>Reporting</b>	<p><i>What reports will be received by the board and at what times (monthly, exception.)</i></p> <p><i>Updates in terms of works and completion date/.</i></p>
<b>Signoff Processes</b>	<p><i>At which points in the project is sign off required and by whom?</i></p> <p><i>Start and End.</i></p>

## 11. RISKS

What are the anticipated risks of undertaking this project and how could these be mitigated?

<b>Risk Detail</b>	<b>Probability and Impact</b>	<b>Mitigation</b>
South Yorkshire Police not being able to receive images due to the software in Doncaster Control Room video management system not being suitable.	<p>P = H</p> <p>I = H</p>	SYP are seeking solutions to this already due to similar circumstances occurring in Doncaster. Alternative options are to utilise the same manufacturer of video management system as SYP have however this comes at a much greater cost.
No CCTV Cameras working in the Town Centre for a short period of time	<p>P = H</p> <p>I = L</p>	As the systems are changed there will be a period of down-time. Resources will be made aware and additional patrols required in the town by key partners.

*What are the anticipated risk of NOT undertaking this project and how could these be mitigated?*

Risk Detail	Probability and Impact	Mitigation
Old, Failing System	P = H I = H	
Excessive repair costs	P = H I = H	
Un-useable evidence or missed incidents	P=H I=H	
No working system due to total failure	P=H I=H	

## 12.ISSUES

*What are the anticipated issues linked with undertaking this project and how could these be controlled?*

Issue Detail	Probability and Impact	Control
SYP not being able to receive images in control room	P = M I = M	Discussions taking place with SYP at early stage and throughout the full project implementation and development. Alternative methods considered for non staffed monitoring are accounted for in the design of the system.
SYP ISD network not being capable of managing high definition images and the associated transfer bit rates	P=H I = M	Discussions with SYP ISD to factor this in at the earliest opportunity to mitigate the issue.

### 13. STAKEHOLDERS

Who are the key stakeholders and how will they be consulted with?

Stakeholder	Internal or External	Type of Consultation / engagement
Town Centre Board	Both	Consultation and Meetings
Town Centre Policing Team	Both	Consultation and Meetings
South Yorkshire Police (CCTV)	External	Consultation and Meetings
South Yorkshire Police (ISD)	External	Consultation and Meetings
Barnsley Council	Internal	Consultation and Meetings
Traffic Control Team BMBC	Internal	Consultation and Meetings

### 14. COMMUNICATION & ENGAGEMENT

When will communication take place, how, why and with whom?

Communication Method	Date	Purpose	Who
E-Mail Updates	Monthly	To keep all involved and updated.	
Newsletter	Monthly	To keep all involved and updated	
Meetings	Monthly	With all key stakeholders	

### 15. APPROVAL

<b>Approval</b>	Approved / Not Approved		
<b>Assigned Project Board</b>			
<b>Comments</b>			
<b>Communication</b>	Outcome Reported to Project Manager	Yes / No	Date:

## BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

**REPORT OF THE  
Director of Public Health  
& Executive Director of Place  
TO CABINET ON 9<sup>th</sup> January 2018**

### BARNSELY PHYSICAL ACTIVITY PLAN

#### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to outline the Physical Activity Plan prepared by Barnsley Physical Activity Partnership for Cabinet Members approval.

#### **2. RECOMMENDATIONS**

##### **2.1** Cabinet are asked:

- To approve the Barnsley Physical Activity Plan

#### **3. INTRODUCTION**

- 3.1 Physical Activity has been one of our public health strategic priorities for the past 3 years delivered by the Sport & Active Lifestyle Strategy (2015-2018). Our new Public Health Strategy (2018-2021) supports this continued priority. To deliver this, a Physical Activity Plan has been developed by Barnsley Physical Activity Partnership to achieve the vision, priorities and actions as outlined in the report (Appendix one).

#### **4. PROPOSAL AND JUSTIFICATION**

- 4.1 The Physical Activity Plan demonstrates a collaborative approach with the Council and partners, to tackle levels of inactivity and obesity amongst adults, young people and children across the borough. The plan proposes how we all contribute locally to improving physical activity levels and the associated health outcomes for our residents. The Plan seeks to achieve our vision of a "healthy and proud Barnsley where active living is part of everyday life for everyone" and identifies five priorities;
- Active Schools and Colleges - work with our schools and colleges to create hubs of physical activity.
  - Active Workplaces - increase physical activity opportunities in our places of work.
  - Active Spaces - make it easier for people to build activity into daily lives.
  - Active Communities - use physical activity to help communities achieve their potential.

- Professional and Volunteer Networks - develop physical activity skills and knowledge across a variety of networks.

## **5. CONSIDERATION OF ALTERNATIVE APPROACHES**

- 5.1 A range of physical activity approaches have been considered by Barnsley Physical Activity Partnership, given the importance of a strategic and systematic approach to improving physical activity and healthy weight in the population.

## **6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS**

- 6.1 The Plan outlines new approaches to improve opportunities to access physical activity and to build physical activity into daily life for better health outcomes amongst residents.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 Finance implications for subsequent projects will be submitted for approval.

## **8. EMPLOYEE IMPLICATIONS**

- 8.1 The Plan will seek to improve physical activity levels amongst our staff as part of supporting health & wellbeing at work. Council staff and staff in our partner organisations will need to be involved to support the delivery of the Physical Activity Plan in order to achieve our vision and priorities

## **9. LEGAL IMPLICATIONS**

- 9.1 Not applicable

## **10. CUSTOMER AND DIGITAL IMPLICATIONS**

- 10.1 The Executive Summary of the Physical Activity Plan will be made available to residents on the Barnsley Council website. A number of physical activity projects will be delivering digital opportunities to improve physical activity.

## **11. COMMUNICATIONS IMPLICATIONS**

- 11.1 The Barnsley Physical Activity Partnership will create branding and a collaborative communication plan with all partners. The partnership will publicly celebrate successes in Barnsley, contributing to the “Town Spirit” ethos

## **12. CONSULTATIONS**

- 12.1 The Physical Activity Plan has been prepared by Barnsley Physical Activity Partnership involving Barnsley Council, Barnsley Premier Leisure, Yorkshire Sport Foundation, Barnsley College, Schools Alliance, Barnsley NHS Foundation Trust and community & voluntary sector organisations.



### **13. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK**

13.1 The following performance indicators are included in the Council's performance management framework:

- PE 91 Physical inactivity amongst adults
- PE41 Child excess weight - 4-5 year olds
- PE42 Child excess weight - 10-11 year olds
- PE43 Percentage of adults (aged 18+) classified as overweight or obese

### **14. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION**

14.1 The Physical Activity Plan aims to provide equal access to physical activity opportunities. Our Barnsley Physical Activity Partnership is made up of partners who promote equality and diversity for delivery of all activities. An Equality Impact Assessment has been completed to highlight improvement areas.

### **15. TACKLING THE IMPACT OF POVERTY**

15.1 Physical inactivity is more apparent in deprived areas. The Plan prioritises work in communities amongst groups living on low incomes e.g. Active Dearne project and Families project. The plan links with the Public Health Strategy and Food Plan which has a key priority to tackle food poverty and address health inequalities around healthy weight, ensuring access to food that is nutritious, affordable, delivers and that benefits resident's health and wellbeing.

### **16. TACKLING HEALTH INEQUALITIES**

16.1 The Physical Activity Plan aims to raise awareness and educate residents on the importance of building physical activity into daily life.

16.3 The Physical Activity Plan is connected to a number of other health strategies such as the Public Health Strategy, Food Plan, Cancer and Cardiovascular Disease Prevention, Active Travel, Falls Prevention and the revised Wellbeing Service delivery which all target more deprived communities to improve health inequalities across the borough.

### **17. REDUCTION OF CRIME AND DISORDER**

17.1 Not applicable

### **18. RISK MANAGEMENT ISSUES**

18.1 Risks and issues have been considered by the Barnsley Physical Activity Partnership. There are no significant strategic risks. Lower level risks will be identified and managed through project management performance.

### **19. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES**

19.1 Not applicable

**20. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

20.1 Not applicable

**21. CONSERVATION OF BIODIVERSITY**

21.1 Not applicable

**22. LIST OF APPENDICES**

Appendix 1: Barnsley Physical Activity Plan.

**23. BACKGROUND PAPERS**

If you would like to inspect background papers for this report, please email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk) so that appropriate arrangements can be made

**Report author:** Julie Tolhurst, Public Health, Place Directorate

Financial Implications/Consultation

A handwritten signature in black ink, appearing to read 'Julie Tolhurst', is written over a dotted line within a rectangular box.



Active in  
**Barnsley**

Strategic Plan  
2018 – 2021

## EXECUTIVE SUMMARY

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This plan sets out our priorities for getting Barnsley more physically active (2018-2021) and ensuring all Barnsley residents have the opportunity to benefit from being more physically active.

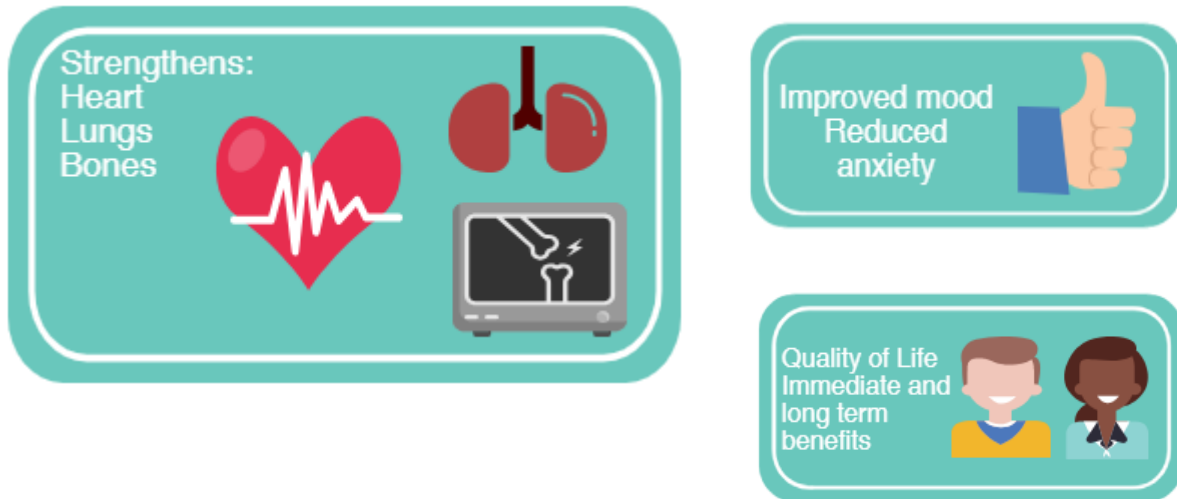
Partnership working has been, and will continue to be, at the heart of our approach. Through wide spread consultation and ongoing collaboration via Active in Barnsley partnership, this plan details how we will work together to maximise our impact on physical activity levels across the Barnsley population. To achieve our vision of a “healthy and proud Barnsley where active living is part of everyday life for everyone” we have identified five priorities;

- Active Schools and Colleges
- Active Workplaces
- Active Spaces (including Parks)
- Active Communities
- Professional and Volunteer Networks

Our Plan on a Page (page 7) illustrates how we will work towards these priorities and the results we hope to achieve. A high level action plan has been developed for each priority, more detailed action plans will complement the high level plan and ensure we are working towards each priority area and our progress is measured.

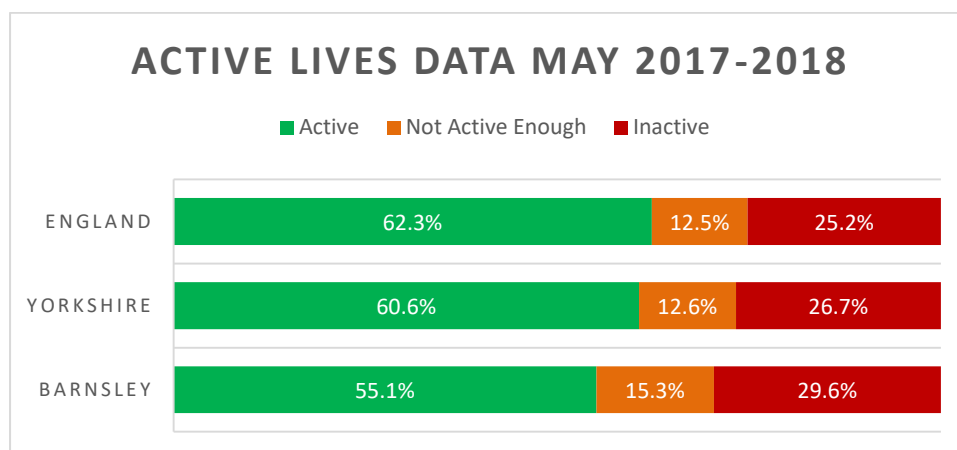
## WHY IS PHYSICAL ACTIVITY IMPORTANT?

Physical activity includes any form of movement which raises the heart rate and has a positive impact on mental and physical wellbeing. It can include daily living tasks such as house work and gardening, transport such as cycling, walking and scooting, as well as more organised activities such as using the gym, park run or playing team sport.



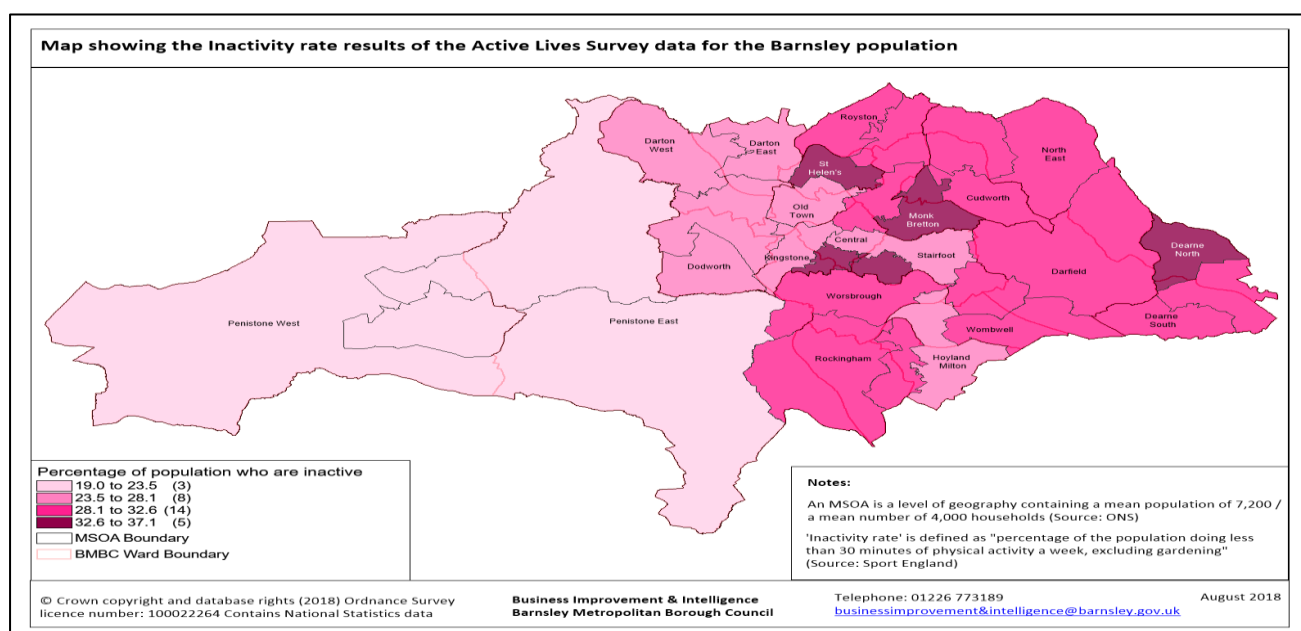
Physical activity and exercise can improve health and reduce the risk of developing several diseases such as type 2 diabetes, cancer and cardiovascular disease. Physical activity and exercise can have immediate and long-term health benefits. Most importantly, regular activity can improve overall quality of life.

The link between physical inactivity and obesity is well established. The amount of physical activity for good health is outlined in Chief Medical Officer UK Physical Activity guidelines (2011). The definition of being active is taking at least 150 minutes (2½ hours) of moderate intensity activity over a week. Fairly active is defined as 30-149 minutes a week and inactive is described as taking less than 30 minutes activity a week. The chart below illustrates how much lower Barnsley’s level of physical activity is compared to both the Yorkshire and national averages.



Research demonstrates how being active can have a hugely positive impact on individual's health. Deprived communities generally have a lower life expectancy and lower healthy life expectancy. By increasing physical activity levels, we can reduce these health inequalities, enabling more people to enjoy good health for longer. To enable us to impact obesity at a population level our work complements the Public Health Food Plan 2018-2021.

The map below shows the areas of Barnsley with the highest levels of inactivity (those doing less than 30 minutes of physical activity a week). We can see from this map there is disparity between the west and east of Barnsley with the more affluent west side of the borough being more physically active than the more deprived areas in the east.



Whilst there is strong evidence to demonstrate the health and wellbeing benefits of being physically active, data also reveals just how important physical activity can be in achieving social and economic outcomes. As a sector, sport and physical activity can help contribute to the local economy through employment opportunities and volunteering which is estimated to have contributed £47 million to the local economy (Sport England, 2013). Physical activity can contribute towards a more productive workforce and help improve employability.

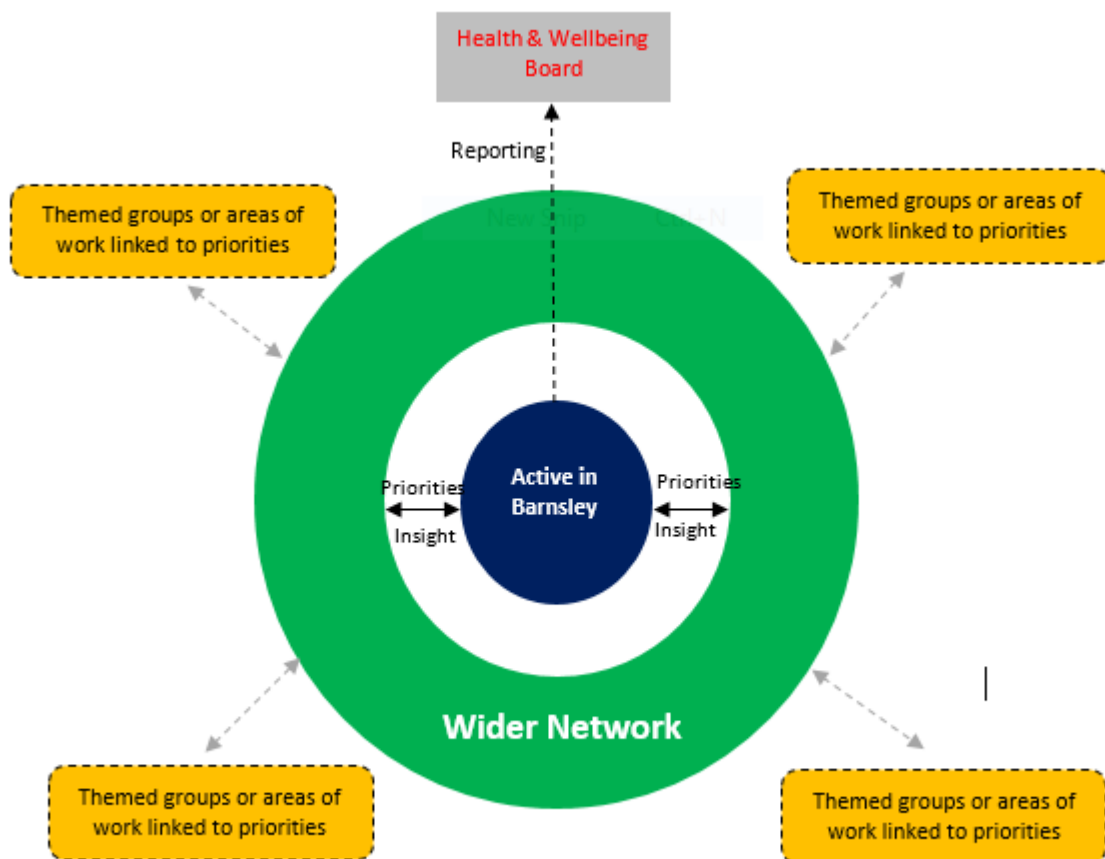
## THE PARTNERSHIP

To experience the many benefits of a physically active population, we need to work together to create a Barnsley borough that is designed around healthy, happy and active living for all, and attract funding to help this happen. Partnership work has been central to developing this plan with representatives from a variety of partners from different sectors and organisations. This collaboration will allow us to make the big changes that are needed, attract more funding and use our resources more effectively resulting in maximum impact for Barnsley. To achieve this, the new Active in Barnsley partnership (hereafter referred to

as the partnership) has been formed with representatives from public, private and voluntary sectors. The partnership will provide “focused leadership, a vehicle for influence and advocacy, effective communication and promote collaboration” to oversee the implementation of this plan. As part of this process, a wider network of partner organisations is being established which will involve other organisations interested, or able to influence improved physical activity opportunities.

A full list of partners involved in the consultation process can be found in Appendix 1.

How we will work together can be summarised in this diagram. The partnership is at the centre, supporting the wider network. We are accountable to the Health and Wellbeing Board and partners report to their organisational boards. As and when necessary, themed groups will be established to deliver targeted work programmes.



## DEVELOPING THE PLAN

Physical activity was one of three priorities in Barnsley’s previous Public Health Strategy (2016-2018) and continues to be a priority in the newly developed Public Health strategy 2018-2021. The priorities in this plan will further develop the work detailed in the Sport and Active Lifestyle Strategy 2015-2018. This plan is built upon good practice and

evidence from “Everybody Active, Everyday” framework (Public Health England), “Towards an Active Nation” (Sport England) and “Investments that Work for Physical Activity” (International Society for Physical Activity and Health). Interpreting these worldwide and national strategies and tailoring them for Barnsley involved widespread engagement with local partners with an interest and influence to make change in physical activity and sport. Workshops were run to capture ideas and provide feedback on what the Barnsley priorities should be.

In Barnsley, we are endeavouring to work across the borough’s boundaries and collaborate with partners across South Yorkshire. By pooling resources and sharing data and knowledge, we hope to make a bigger impact. We’ve already seen the benefits of this approach with projects such Active Dearne where we’re working with Rotherham and Doncaster partners to improve physical activity across The Dearne Valley. Where possible we will look for further opportunities to collaborate and share good practice with our South Yorkshire partners.

To deliver our vision, we need to give people opportunities to be active at every stage of their lives and support them to sustain lifelong healthy behaviour. Evidence suggests those who participate during childhood are more likely to continue their participation as an adult and into older age. Those who are inactive as children are especially likely to mirror this behaviour as an adult. By adopting a life-course approach to achieving the outcomes laid out on the following page, we hope to motivate and support everyone to be active throughout their lives.

This plan is directly informed by, and contributes to a number of key local strategies including:

- BMBC Corporate Plan
- Barnsley’s Public Health Strategy 2018/19-2020/21.
- The Active Travel Strategy 2018-2021 for Barnsley (being developed 2018).
- All Age Early Help Strategy – right help, right place at the right time.
- Public Health Food Plan 2018-2021
- Towards an Active Nation 2016-2021(Sport England)
- Barnsley Playing Pitch and Facilities Strategy
- The Local Football Plan



# VISION: A HEALTHY AND PROUD BARNSLEY WHERE ACTIVE LIVING IS PART OF EVERYDAY LIFE FOR EVERYONE

## PRIORITIES

### Active Communities

Use physical activity to help communities achieve their potential.

### Active Spaces

Work with policy makers to make it easier for people to build activity into their daily lives.

### Active Schools & Colleges

Work with our schools and colleges to create hubs of physical activity.

### Active Workplaces

Increase physical activity opportunities in our places of work.

### Professional and Volunteer Networks

Develop physical activity skills and knowledge across a variety of networks.

## HOW

- We will work collaboratively with partners and widen our network
- We will plan our work across the life course from birth to older age
- We will develop a joint communications plan
- We will create action plans and measure what we do

## INDICATORS

- Physical inactivity amongst adults (less than 30 minutes/week)
- Physical activity (more than 150 minutes/week)
- Child excess weight
- Adult excess weight

## OUTCOMES

Improved health and wellbeing across the Barnsley population

Healthier lives for individuals

A greater sense of community

Economic growth within the sector

A strong, well connected partnership

## ACHIEVING THE PLAN

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The sections below explain our vision and what it means for Barnsley; a brief rationale and more detail for each of our five priorities and how we will work as a partnership towards achieving our outcomes. The High Level Action Plan outlines what we will focus on within each priority. Detailed actions plans will be produced and sub-groups established to ensure the High Level Action Plan is achieved.

### **What Our Vision Means**

We want Barnsley to be a place where it is easier for people to be active. To do this, we will strive to make being physically active part of peoples' everyday lives. This includes active travel to school or work and people getting active in their communities and in open/green spaces. By promoting physical activity, we want to inspire people and improve attitudes towards physical activity. We will celebrate our achievements and make people feel good about being active.

### **Our Five Priorities**

To achieve our vision, we will develop action plans for each of our priorities and focus our resources accordingly. Equality and inclusion will be embedded in our approach to ensure under-represented groups have the support they need to increase their physical activity levels. Where appropriate we will take advantage of digital technology to engage our target groups in sustaining physical activity.

#### **Active Communities**

By focussing on our communities, we aim to improve people's individual health within communities and also impact communities as whole. We want to bring people together through physical activity and make our communities vibrant places to live. Many of the community based projects in this priority area will include opportunities for volunteering and developing the volunteer workforce within a community. We know that people living in more deprived areas are more likely to be inactive and we want to reduce health inequalities amongst those on low incomes by focussing our work in communities that need support the most, including older people, carers and people living with disabilities. We will explore how we can add value to existing community led initiatives and connect with the Area Councils. We will also look to work with partners in the new Barnsley Wellbeing Service which aims to improve both healthy weight and physical and mental health.

#### **Active Spaces**

We want to make it easier for people to access green and open spaces, including local parks. We want to influence policy and decision making at senior level, to ensure physical activity is high on everyone's agenda and built into design at an early stage. This integrated approach will maximise physical activity opportunities so it's easier for everyone to build physical activity into their daily routine. We want to make local spaces more appealing, for example, equipment and events in parks, develop our cycle network to make it easier for people to get around by bike, and improve our pavements and lighting to make walking a

more attractive option. We want to use opportunities to build active travel and physical activity options into our town centre, Principal town developments and our cultural visitor destinations including, Wentworth Castle Gardens and Barnsley Museum sites.

### **Professional and Volunteer Networks**

We already have a team of professionals and volunteers in Barnsley who have regular contact with residents. By creating a network of professionals, not just health professionals, we can engage with people beyond the normal reach of physical activity. We can work with teachers in schools to reach our children, we can educate health and social care professionals to embed physical activity messages in their work and we can support the sport sector to help people maintain active lifestyles.

### **Active Schools & Colleges**

We want to support schools and colleges to develop and maintain a positive relationship with being physically active which young people can continue throughout their lives. With a whole-school approach to physical activity from active travel to embedding physical activity within the classroom, schools have the potential to make a significant and long-lasting change to the physical activity levels of young people. Colleges can continue to embed positive messages about physical activity and also deliver training and employment opportunities within the sector.

### **Active Workplaces**

Technological advances have resulted in our workplaces becoming more sedentary with many populations who were previously active during their working hours, now struggling to fit physical activity around and within their working day. It is important employers benefit from a healthy, active workforce and both employers and employees have a greater understanding of how they can build physical activity into their working day. We will engage larger employers including the NHS, Council and private companies and support our small & medium enterprises by working with a range of champions to inspire and motivate.

### **How We Will Work To Achieve Our Outcomes**

Our approach is focused on collaboration across our wide partnership in the borough. By widening our network, we will draw in expertise from a variety of sectors and place physical activity on more organisation's agenda, working with and influencing other sectors that can impact physical activity. By using a whole systems approach, we will be better placed to influence long term change and create environments making it easier for people to be active.

### **How will we know we're making a difference?**

By 2020, Sport England aims to increase the number of people who are physically active by 500,000 nationally with half of these being women and 20% from lower socio-economic groups. Our local work will contribute to this overarching goal.

By 2021 in Barnsley we will:

- Reduce levels of inactivity (less than 30 mins/week via Active Lives survey) to 27.6%
- Improve levels of activity (more than 150 mins /week via Active Lives survey) to 57.1%
- Have 80% of schools achieving CMO guidelines for physical activity
- Offer all NHS health care providers access to physical activity training

By 2033 we want to contribute to the Active Travel agenda by:

- Increasing the number of people travelling to work/study via active travel to over 50%
- Increase the proportion of primary school pupils traveling to school by active travel to 85% and secondary school pupils to 65%
- Offering all primary school pupils Bikeability Level 2 training

We will explore the use of broader measures to demonstrate progress s e.g. school cycling rates, sport uptake, exercise on prescription, sport volunteering, and other changes in lifestyle behaviour.

Each priority theme will have detailed action plans to track progress. Individual projects and work areas under each priority will have their own performance management processes and Key Performance Indicators specific to the project. The partnership will collate data and information to monitor progress and provide an overview of how we are working towards and achieving objectives in each of the priority themes. Update reports will be made available to Barnsley Metropolitan Borough Council, the Health and Wellbeing Board and other partners as required.

The high level action plan states where in the life course each action relates to ensure all ages and life stages are engaged.

We will work in a more targeted way and co-design communication messages with our network to actively promote opportunities. We will publicly celebrate successes in Barnsley and contribute to the “Town Spirit” ethos.

## HIGH LEVEL ACTION PLAN

The following actions will be the focal point for the partnership work from Autumn 2018 to March 2021. At this point progress will be reviewed and a new strategic plan developed, building on the achievements of this one.

Priority	Actions	Life Stage	Timescale
Active Schools & Colleges	<p>Establish an Active Schools and Colleges Group to work towards this priority area, considering the following themes:</p> <ul style="list-style-type: none"> <li>• All primaries involved in CMO recommended guidelines of 30 active minutes a day (including Daily Mile or equivalent scheme)</li> <li>• Comprehensive PE offer across all settings</li> <li>• Extra-curricular opportunities outside of school and college times</li> <li>• Promote and support schools and colleges to benefit from existing initiatives including Active Travel</li> <li>• Review the impact and sustainability of the PE and Sport Premium spending</li> </ul>	Children and Young People	January 2019
Active Communities	<p>Work with Area Councils and key partners to build physical activity &amp; inclusivity into strategies, policies and core provision.</p> <ul style="list-style-type: none"> <li>• Pilot a range of physical activity projects to scale up effective approaches. Test a community development approach which looks at the strengths and potential of a community</li> <li>• Include physical activity, with a focus on falls prevention in Barnsley's Age Friendly initiative</li> <li>• Family Centre based physical activity project focussing on inactive families from deprived communities</li> <li>• Project working with those on low income, using physical activity to improve employability and wellbeing</li> </ul>	<p>All Ages</p> <p>All Ages</p> <p>Children &amp; Families</p> <p>Adults &amp; children</p> <p>All Ages</p>	<p>Ongoing</p> <p>Ongoing</p> <p>November 2018 onwards</p> <p>February 2019</p> <p>Ongoing</p>

	<p>Use sport &amp; physical activity data and insight to best direct resources to communities ensuring inclusion is embedded in our work</p> <p>Ensure effective physical activity provision within the re-designed Wellbeing Service</p> <p>Explore and agree a flagship partnership project (involves a number of partners, cross cutting themes and tests an approach which could be up-scaled)</p>	<p>Ongoing</p> <p>Adults &amp; Older People</p> <p>TBC</p>	<p>January 2019</p> <p>April 2019</p> <p>2019</p>
Professional and Volunteer Networks	<p>Influence and educate providers who have a primary role with people living on low incomes to motivate and provide opportunities for physical activity, including GP's, health &amp; social care staff and Community &amp; Voluntary Faith sector</p> <p>Promote a diverse physical activity workforce and volunteer networks, ensuring there are appropriate training and employment opportunities locally</p>	<p>Adults and Families, Older People</p> <p>Adults</p>	<p>Ongoing</p> <p>Ongoing</p>
Active Workplaces	<p>Engage employers to ensure opportunities for Active Travel to work e.g. electric bikes and moving around more in the workplace:</p> <ul style="list-style-type: none"> <li>• Support workplaces to develop appropriate physical activity &amp; Active Travel policies</li> <li>• Investigate the physical work space and how greater activity levels could be achieved</li> </ul> <p>Promote the Healthy Workplace Award, particularly supporting the physical activity and mental wellbeing criteria</p>	<p>Adults</p> <p>Adults</p> <p>Adults</p>	<p>February 2019</p> <p>Quarterly</p> <p>Ongoing</p>
Active Spaces	<p>Develop the Active Travel infrastructure across the borough to increase cycling, scooting and walking opportunities</p> <p>Implement Active Travel programmes across the borough, including town centre, Principal town developments and cultural visitor destinations.</p> <p>Implement the Barnsley Playing Pitch and Facilities Strategy and the Local Football Plan</p>	<p>All Ages</p> <p>All Ages</p>	<p>Ongoing</p> <p>Ongoing</p>

	<p>recommendations</p> <p>Improve access to physical activity opportunities in open/green space, including parks.</p>	All Ages	Ongoing
		All Ages	Ongoing
Communications and Marketing	Promote and use partnership branding across partner communications, linked to Town Spirit.	All Ages	Ongoing
	Develop a communications plan which utilises a variety of communication tools, including digital, resulting in joint messaging and maximum reach via all partners	All Ages	February 2019
	Make use of national and local campaigns to collectively raise awareness and spread the same message, for example, This Girl Can	Targeted at different groups	Ongoing
	The partnership to use the network's reach to promote and advocate national initiatives (such as training and funding opportunities) to the benefit of Barnsley	All Ages	Ongoing

## APPENDIX I – LIST OF PARTNERS/CONSULTEES

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Age UK Barnsley	Wortley Rugby Union Football Club
Barnsley Clinical Commissioning Group	Barnsley Premier Leisure
Barnsley College	Barnsley Schools Alliance
Barnsley FC Community Trust	Yorkshire Sport Foundation
Barnsley NHS Foundation Trust	Berneslai Homes
Barnsley MBC (Public Health, Communities, Place, People).	Health Watch
Voluntary Action Barnsley	Reds in the Community (Barnsley FC)
Barnsley Hospital NHS Foundation Trust	Barnsley & Schools District FA
Child and Adolescent Mental Health Services	4 All
Team Activ	Totally Runnable
Shaw Lane Sports Club	South West Yorkshire Partnership Trust
Redferns Junior Football Club	Barnsley YMCA
Sustrans	Be Well Barnsley
Barnsley Advocacy Services	The Rockingham Centre/Forge
Fencing 4 All/Games 4 All	Athersley Community Organisation and Football Club
Quest Taekwondo Centre	Barnsley Gymnastics Club
Worsborough Bridge Athletics Football Club	



## BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

Report of the Executive Director  
Place

### COMMUNITY ASSET TRANSFER POLICY

#### **1. Purpose of Report**

- 1.1 The purpose of the report is to seek Cabinet approval for the revised Community Asset Transfer Policy (CAT) taking into account the recommendations made by the Scrutiny Task and Finish Group and the Council's Asset Management Strategy 2017-2020.

#### **2. Recommendations**

- 2.1 **That Cabinet approve the revised Community Asset Transfer Policy for use in future Community Asset Transfers.**

#### **3. Introduction**

- 3.1 The principles of the existing Community Asset Transfer arose as a consequence of the Quirk Review, which was the foundation for current Government policy regarding Community Asset Transfer and a strong advocate of community management and ownership of assets. The transfer of powers to Communities and Area Councils allowed the way in which services were delivered to be diversified. Where budgets are constrained the transfer of community assets continues to play an important part in involving the community in assisting in the delivery of services in a practical and supported manner in line with the Council's Asset Management Strategy at the time.
- 3.2 The Council's original Community Asset Transfer Policy was endorsed by Cabinet in January 2013 (Minute Cab.30.1.2013/6.3). The policy explained what was considered to be an asset transfer and set out how asset transfers would be achieved providing a clear framework in support of the transfer of land and buildings from the Council to local community organisations.
- 3.3 Since the implementation of the CAT Policy Barnsley Council has completed a number of community assets allowing the community to deliver services required at a level appropriate to and within the communities where need is greatest.
- 3.4 The Revised CAT policy sets out the process that the Council will follow in the continued delivery of services by the Community in support of the Council's Asset Management Strategy and Corporate Plan.

3.5 Recent examples include Penistone Leisure Centre and Athersley Community Shop. The benefits of these transfers are far reaching in terms of engaging the community. They have enabled the community to take pride in their communities within which they live, to provide assistance and guidance within the local community in getting people back into work, facilitated in persons recovering their fitness and health, tackling loneliness and provide services assisting those less able to become independent.

#### **4.0 Proposal and Justification**

4.1 In order to maintain alignment with the Council's Asset Management Strategy 2017-2020 the existing policy has been reviewed It now sets out a clear process in applying for a Community Asset Transfer and the criteria for those wanting to make an application. It also sets out the how the Council can provide high level guidance around support of organisations that can assist in that process and information relating to specific land and buildings where an application is made to assist the Community organisations seeking to acquire a Community Asset.

4.2 The revised policy does not affect any existing arrangements in place.

4.3 It is intended that the updated CAT policy (Appendix A) be used to manage all future requests to ensure a consistent approach in dealing with applications.

4.4 The new policy sets out a five stage process ;  
Stage 1 – Formal expression of interest  
Stage 2 – Invitation to submit a formal application  
Stage 3 - Evaluation of submission and formal decision at Director level  
Stage 4 - Planning and implementation  
Stage 5 – Monitoring and outcomes  
Without the applicant completing each stage progress will not be made to the next stage and the process or outcomes at each stage will be clearly communicated to the applicant.

4.5 A CAT continues to be defined as a transfer of land or buildings from the Council's ownership into the stewardship and/or ownership of a Town/Community Council or third sector organisation. The "transfer" of the property asset could be by way of ;

- Licence to occupy
- Lease not exceeding 50 years
- Freehold transfer, subject to an Asset Lock arrangement.

4.5 The tenure offered will be determined on a case-by-case basis, but the Council will endeavour to meet the applicant's funder's requirements wherever possible and appropriate in terms of length and terms of the lease required to satisfy grant bodies.

- 4.6 The Council's new CAT policy is underpinned by the following key principles:
- Community Need
  - Supporting the Council's aims and objectives as identified in the Asset Management Strategy 2017-20.
  - Transparency in decision making and
  - Sustainability in the future operation of the asset.
- 4.7 The revised policy is not intended to be controlling or restrictive but ensures that community organisations are focused on the commitment required to maintain a building and to realise the social and economic benefits that the CAT will provide.
- 4.8 Asset Management presented to the Scrutiny Task and Finish Group (STFG) the process around CAT together with examples. The STFG have visited both of the facilities listed in 3.5 above and have subsequently provided a number of recommendations as part of their investigations which have been considered as part of this report.
- 4.9 The recommendations of STFG will be incorporated in the revised CAT Policy as points of guidance based on the following terms;
- Maintenance liabilities of assets to be transferred - This will be clearly set out in the heads of terms provided to the community organisations prior to transfer. Access to condition surveys or information relating to running costs associated with specific assets will be made available where appropriate and caveated dependant on the proposals moving forward.
  - That the Council should continue to undertake cyclical maintenance inspections of the assets transferred. - This is more difficult due to staff resources and constrained budgets. Dependant on the findings of such inspections there may be a financial consequence to either the community group or the Council. Assistance and guidance will be provided to the Community Organisations throughout the process of an Asset being transferred beyond which it will be the responsibility of the community Organisation to take a lead in.
  - That a summary guidance is developed around support and organisations that can assist in the Community Asset Transfer process - Direction will be given throughout the application process where support can be obtained by the community organisation. A tenant manual has been prepared that sets out useful information for all tenants who rent property from the Council and this will be issued to those who complete a community asset transfer.
- 4.10 In assessing all applications the business plan submitted in support of the CAT application needs to demonstrate the group have the ability to manage the type of land or property they are committing to.
- 4.11 Whilst the Council is committed to the successful transfer of assets to community based organisations it recognises that running a building is an onerous commitment and does not want them to be deterred from engaging in the CAT process because they are apprehensive about the risks of transfer.

Therefore the Council will normally be willing to accept a transfer back, without penalty or payment, if the community organisation no longer wishes to manage it and it has been safely managed. Where it has not been well maintained a dilapidations liability may well apply. In either circumstance where a building is returned it would normally be sold on the open market, unless required for council purposes.

- 4.12 In determining the terms and rent of a lease or licence or terms and purchase price relating to the freehold disposal of an asset, it is proposed that this should be determined by the anticipated socio- economic benefits, the condition of the building, requirements of funders and affordability. It does not rule out a market rent, or low start up rent with ratcheting uplift or a discounted rent or purchase price. Any freehold disposal will be subject to an Asset Lock arrangement.
- 4.13 Local Authorities are required to obtain best value when disposing (including selling and leasing) of assets. However under circular 06/03 of the Local Government Act 1972 – General Disposal Consent (England) 2003 leasing at less than best consideration can be authorised where the value is less than £2 million and it is granted to secure the promotion and improvement of the economic and social well-being of the citizens of the Borough. Any lease or disposal granted at less than best will be subject to obtaining further cabinet approval.
- 4.14 Community Asset Transfer will only be made to a formally organised group. Transfer to a community organisation will maximise the likelihood that the transfer will be successful and sustainable in the long term. This will also ensure the promotion of equality and social inclusion in terms of the use of the land or buildings transferred.

## **5.0 Consideration of Alternative Approaches**

- 5.1 That the Council do nothing and continue using the existing CAT policy.
- 5.2 The Council could implement the revised CAT policy prepared to provide a clear process in applying for a Community Asset Transfer and provide high level guidance around support of organisations that can assist in that process.

## **6.0 Impact on Local People**

- 6.1 The proposal would ensure the continued involvement, inclusion and empowerment of community organisations in the local community in providing delivery of local services within the community. The Council also recognises that working in partnership with community based organisations can promote volunteering, help achieve economic growth and promote the social and environmental well-being of the Borough.

## **7.0 Financial Implications**

- 7.1 The granting or lease/licences and disposing of assets in accordance with the revised CAT policy whilst not realising a capital receipt will reduce the Council costs associated with maintaining specific properties thus reducing the Council's maintenance costs.
- 7.2 Dependant of the terms of the transfer the Council may be in the position of retaining elements of maintenance liabilities until the community organisation reaches a point where they can take full responsibility for the asset. Effectively creating a staged transfer process allowing a community organisation to establish itself or test its viability in relation to a specific building.
- 7.3 The financial benefits of CAT where the Community organisation is successful in delivering the social and economic benefits are far reaching but the value attributable to these benefits are difficult to place a figure on. The relevant services may want to consider these benefits in considering a CAT to a specific community organisation.
- 7.4 Service's strategies and community organisation's business cases will need to consider an approach to building running costs and maintenance responsibilities will be made clear through the lease/licence arrangements. Lease or disposal arrangements will need to include suitable break clauses, claw back provisions or covenant if the use changes or the asset is subsequently sold.
- 7.5 As a result of the recommendations made in this report there are no direct financial implications associated with this proposal. Applications will be considered on a case by case basis out of which any financial applications will be considered.

## **8.0 Employee implications**

- 8.1 There are no implications for BMBC employees as a result of this recommendation.

## **9.0 Communications implications**

- 9.1 There are no communications implications for BMBC as a result of this recommendation.

## **10.0 Consultations**

- 10.1 Local ward members have been consulted on the proposed revised CAT Policy and support the proposals as detailed in this report.
- 10.2 Financial Services Manager and the Insurance and Taxation Manager on behalf of the Director of Core Services have been consulted and details are shown in paragraph 7 of the report.

10.3 The findings of the Scrutiny Task and Finish Group have been incorporated into this report and used in support the revised Community Asset Transfer Policy. The recommendations around support and guidance have been incorporated into the application process.

#### **11.0 The Corporate Plan and The Council's Performance Management Framework**

11.1 The revised CAT process brings into line the continuing development, consolidation and expansion of community resources as detailed in the Council's Corporate Plan.

#### **12.0 Promoting Equality and Diversity and Social Inclusion**

12.1 The revised CAT policy sets out a clear, transparent and fair framework for decisions. Community Organisations who make an application for an asset transfer will need to demonstrate that their plans are sustainable and have the support of the local community or a service need within the community they are serving.

12.2 Equality Impact Assessment will be undertaken for specific schemes where it is appropriate to do so.

#### **13.0 Tackling the Impact of Poverty**

13.1 As part of a community organisations application for a CAT of either land or buildings the impact of the services to be provided would be contained within the business plans submitted as part of the CAT application. The anticipated outcomes in terms of supporting those in poverty would be consulted with the appropriate services as part of the CAT process. The Athersley Asset Transfer referred to in 3.5 above is a prime example of how CAT can impact on poverty in providing for those in need and directing them to relevant services enabling them to secure employment.

#### **14.0 Tackling Health Inequalities**

14.1 As in 13.1 above the community organisations making an application for land and property where outcomes tackle health issues as part of their application for CAT will be considered as part of their business plan. This is demonstrated in the example of Penistone Leisure Centre where the community have taken on the local sports centre and provide a hub from which people can keep fit, meet others and keep healthy on a number of levels, encouraging persons to keep fit or conquering loneliness.

#### **15.0 Reduction of Crime and Disorder**

15.1 In renewing the proposal the Council's obligations under the Crime and Disorder Acts have been fully considered.

15.2 It is considered that the use of the land and property through the CAT process will develop a sense of community ownership and engagement which could assist in addressing issues of crime and disorder that may exist in communities.

## **16.0 Risk Management Considerations**

16.1 A detailed assessment of risk will be an integral part of each application evaluation. Following recommendations made in the Quirk Report the Government produced guidance on the management of risk and a toolkit for local authorities to use in assessing transfer proposals – Department of Communities and Local Government, “Managing Risks in Asset Transfers” is highlighted as recommended reading in the CAT policy.

16.2 The Quirk Report states that “the benefits to the community management and ownership of public assets can outweigh the risks and often the opportunity costs in appropriate circumstances. And if there is a rational and thorough consideration of these risks and opportunity costs, there are no substantial impediments to the transfer of public assets to communities”.

16.3 It is important to recognise that there are inherent risks in all courses of action in relation to asset management. Not transferring an asset to a community organisation may mean that the opportunity to develop social and economic and environmental benefits may be missed out on. Through the process of CAT it has been demonstrated through examples contained herein that community based organisations can meet the needs and generate value for communities that justifies any risks involved.

16.4 To mitigate risk leases/licences will include both landlord and tenant break clauses, allowing both parties to terminate the agreement subject to 6 month’s written notice. This will ensure that the Organisations are not entering into an agreement that is potentially too onerous to fulfil and will give the council the opportunity to terminate the agreement in the event that the tenants breach the terms of the lease.

16.5 Any freehold disposal will be subject to an Asset Lock arrangement to protect the asset where it has been transferred at less than best for a specific community purpose.

## **17. Health, Safety and Emergency Resilience Issues**

17.1 Any CAT application will have to be assessed alongside and give full consideration to current Health and Safety legislation.

## **18. Compatibility with European Convention on Human Rights**

18.1 This report recognises the promotion and importance of equality, diversity and human rights for all members of the local community and the wider borough.

**19. Conservation of Biodiversity**

19.1 There are no issues arising from this report.

**20. Glossary**

21.1 CAT – Community Asset Transfer

21.2 STFG - Scrutiny Task and Finish Group

**21. List of appendices**

21.1 Appendix A – Community Asset Transfer Policy

**22. Background Papers**

22.1 Correspondence regarding this matter is held on the files in Asset Management – not available for inspection, contains exempt information.

If you would like to inspect background papers for this report, please email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk) so that appropriate arrangements can be made



## **BMBC- Community Asset Transfer Policy revised 20181116**

### **1. BACKGROUND**

The Council has been letting/transferring land and buildings such as community halls, sports facilities and open spaces to voluntary and community groups for a number of years and have been dealt with in accordance with the existing Community Asset Transfer Policy.

Within the Localism Act 2011 Community Asset Transfer (CAT) involves the transfer of ownership and/or management of land or buildings from the Council to a community based organisation or group (such as a charity or community interest organisation). CAT is not a legal requirement, but a voluntary process at the discretion of the Council.

This CAT Policy provides a revised framework against which sustainable community empowerment becomes the focus of future transfers and consistency of approach is applied to all requests. This focus has become increasingly critical as the Council faces, and continues to face, financial pressures.

We want to encourage communities to make the best use of assets and have the best chance of securing long term sustainability through sharing the occupation and use of buildings as well as ensuring that the assets continue to be used by, and benefit, the widest section of the local community as possible.

### **2. SCOPE**

This policy covers all CAT enquiries for any Council owned assets (land and/or buildings).

### **3. POLICY STATEMENT**

Barnsley Metropolitan Borough Council (BMBC) will provide organisations interested in a CAT with a clear understanding of the Council's approach and a fair, transparent and consistent process for such transactions.

### **4. DEFINITIONS**

**CAT: Community Asset Transfer** - The transfer of assets (land or buildings) into the stewardship of third sector organisations by lease.

### **5. RELATED DOCUMENTS**

This CAT Policy links to BMBC existing policy framework and planning processes within the:-

- Barnsley Corporate Policy
- Asset Management Strategy 2017-2020

### **6. LEGAL CONTEXT**

Section 123 of the Local Government Act 1972 requires the Council to obtain best consideration when disposing of land and property. There are two exceptions to this:

6.1 The Council may dispose of an interest in land and property at an undervalue up to £2 million below market value where the Council considers that the disposal will promote improvement of the economic, social or environmental well-being of an area.

6.2 Section 123 does not apply to a disposal consisting of a grant of a lease term not exceeding 7 years.

Whilst each CAT proposal will be assessed on its own merits following a set process, due to the requirement to comply with Section 123 and to ensure that transferred properties continue to be used for community benefit, disposals for CAT will usually take the form of leasehold transfers. The lease term will be appropriate to support the project with market rent assessed and recorded in the lease.

## **7. THE POLICY**

### **7.1 Suitability**

The Council holds land and property assets for a variety of purposes and not all of these can be considered for community asset transfer.

There are some assets that must remain under Council ownership in order to support the delivery of essential services, continue to provide an income to the Council or to support economic activity in an area.

The Council must also balance the needs of the community and its commitment to CAT against its need to generate capital receipts in order to invest in essential capital projects. Assets which have the potential to generate significant capital receipts for the Council may not be considered suitable for transfer.

Land and property which forms part of the investment estate is held by the council for the generation of rental income or capital appreciation and is not available for CAT.

There are also some assets that may be considered unsuitable for transfer because of restrictive covenants e. assets gifted to the Council for educational purposes, etc some restrictive agreements can be lifted but it can take time.

Ownership in a trustee capacity may also be considered as a disposal may require the consent of the Charity Commission and/or the Court of Session.

### **7.2 Assets Considered Suitable For a CAT**

Assets no longer required by the Council for direct service delivery together with those assets already let to community groups may be considered for CAT. These may include public halls, town halls, community centres, bowling greens, public conveniences, play areas and small museums (this list is not exhaustive).

Other assets identified by the Council as being surplus to requirement or under performing may also be considered.

Each application will be considered for eligible transfer on a case-by-case basis against the criteria outlined in the policy.

### **7.3 Who can apply for a CAT**

The Council will consider applications for CAT of qualifying assets from third sector organisations or groups based and operating within the District. Such organisations may take the form of Parish Councils, local community groups; charitable or not-for-profit organisations; co-operatives; or community benefit Industrial & Provident Societies with an asset lock.

When considering applications for CAT the Council has an expectation that applications and proposals put forward will demonstrate how the CAT and the applicant will;

- Generate social, economic or environmental benefits which directly benefit the people of Barnsley and its district.
- Demonstrate a clear community or social demand for the CAT which will benefit as wide and diverse a range of local people as possible.
- Have a well prepared business case.
- Have robust systems, governance and policies, as evidenced by a recognised quality mark or by meeting all the basic requirements set out in the assessment criteria table.
- Have the capacity to manage the asset and have directors or committee members who have the necessary experience and skill.
- Have viable proposals in place to access capital and revenue streams to support the project and future management and maintenance of the asset.

Contribute towards the Council's corporate objectives, community priorities and the priorities of the Council's strategic partners.

- Must not duplicate or negatively impact on services or facilities already provided in the local community.

### **7.4 Criteria for a CAT**

#### **7.4.1 Length of leases**

Transfer will take place in line with this policy, under the legal context within the document and in compliance with other relevant statutory or regulatory legislation.

Length of the lease terms will be based on the needs that are clearly outlined within the business case and the capacity of the organisation to manage the asset. As an indication, the following is a guide to the length of term that may apply to new CAT's:

- A lease term as appropriate to the project but generally not in excess of 50 years.
- As an interim holding position to support the Applicant, a management licence or agreement could be granted for up to 12 months.

#### **7.4.2 Rent Payable**

The rental payable under leases granted through the CAT process is assessed upon the business case. It will under no circumstance be less than the current rental payable. Other criteria include:

- Assessments will focus on whether or not the Council wishes to support the use or services delivered from the asset.
- Regard given to how the use of the asset benefits the wider community.
- How it is made available for other groups to use.
- How well the asset is managed and maintained.
- The extent to which the asset is being used to deliver or support district and area priorities.

The rent payable may be up to the market rental of the asset for a commercial use.

If the use of asset varies from the original business case to include commercial uses (other than commercial uses which are strictly ancillary to the use) and where any profit is reinvested in community uses, the Council may review the rent up to the market rental depending upon the degree of commerciality. Once the rent is reviewed it shall be subject to 5 yearly reviews.

#### **7.5 Rental Subsidy**

The Council has traditionally granted leases to third sector organisations at market rent and granted rental subsidies based on a completed application form and financial information submitted by the third sector organisation.

#### **7.6 Exceptional Circumstances**

The Council reserves the right to go forward with a CAT where there is a lease with the benefit of rental subsidy if it feels that there are exceptional circumstances

#### **7.7 State Aid**

Before entering into any CAT the Council will need to satisfy itself that the transfer does not contravene State Aid legislation.

### **8. DECISION MAKING**

In the case of proposals affecting a specific area Portfolio Holders and Ward Members will be notified by appropriate officers in line with the agreed process as part of this policy.

The decision 'in principle' and final decision will be made by the Executive Director Core Services who will consider the recommendation/s put forward by the assessing officers.

It will be at the Executive Director's discretion whether a proposal requires escalation to Member level for a final decision.

Parish Councils will be notified of proposed community asset transfers in line with the procedure set out in the Land and Property Disposal Policy.

Where a proposal is service driven, the driving service will be consulted as part of the assessment process.

If the Council is reasonably satisfied that the Applicant is delaying the process without just cause then the Council has the right to stop the process and close the application.

The Council retains the right to manage the process to its effective conclusion to ensure the best needs of the Council and community are assured.

## 9. APPLICATION PROCESS

Due to the need for the Council to strategically manage all of its land and buildings, all proposals for a CAT will be managed by the Council's Asset Management Team, regardless of whether the initial CAT proposal is formulated by a service department within the Council or an external body or group.

There are four stages to the approval process (five if you include the monitoring). It is important that the Applicant follows the process and provides the necessary evidence to support the application at the different stages.

Whilst an indication has been given for the length of time that it is anticipated to take for the various stages of the process, it is important to note that external/unexpected factors may impact on those timeframes e.g. availability of people (Applicant/Ward Members/Officers) for consultation/additional information or the next available opportunity to submit information to the Executive (if escalated) for a decision.

## 10. CONTENT OF SUBMISSIONS FOR STAGES OF THE PROCESS

Steps	Elements/ Documentation	Assessors/Decision Makers	Timescales
<b>Stage 1</b> Formal expression of interest by the Applicant	Submission of outline business case and feasibility assessment to evidence: <ul style="list-style-type: none"> <li>Why the asset is needed</li> <li>Aims and objectives</li> <li>Support from others</li> <li>Effective management of the asset (for cases where the organisation already occupies the property)</li> </ul>	<ol style="list-style-type: none"> <li>Desktop assessment by Council Officers (EM Programmes will lead the process and notify Neighbourhood Service and/or other relevant Council Service.</li> <li>Portfolio Holder, Ward/ Parish/Town Councillors and Ward Officer(s) notified by email.</li> </ol>	2 weeks from receipt of application or as soon as possible thereafter

Steps	Elements/ Documentation	Assessors/Decision Makers	Timescales
	<ul style="list-style-type: none"> <li>Is a concession being applied for?</li> </ul> <p>Applicants may use the formal EOI form (CAT1) or if at an advanced level by direct contact with Council Officers.</p>	<p>3. Strategic Director notified by email.</p> <p>Information Sharing:-</p> <p>If the Applicant is invited to pursue the CAT to the next stage, then Council Officers should provide the following information:-</p> <p>Utility Costs Condition surveys and maintenance liabilities Business rate information Request planning history where required</p>	
<p><b>Stage 2</b> If successful at Stage 1, the Applicant is invited to submit a formal application</p>	<ul style="list-style-type: none"> <li>Evidence required of Product/service delivery</li> <li>Partnership working</li> <li>Experience</li> <li>Track record</li> <li>Capacity</li> <li>Needs analysis</li> <li>Projected utilisation</li> <li>Cash flow forecasts</li> <li>Projected income and expenditure</li> <li>Risk assessment</li> <li>Professional advice obtained</li> </ul>	<ol style="list-style-type: none"> <li>Co-ordinated by EM Programmes, a desktop assessment by Council officers in consultation with Neighbourhoods and Finance and other Directorate Services as required</li> <li>Meetings with Applicant and/or supporters.</li> <li>Site visit(s) as required</li> <li>Gap analysis of necessary Information</li> <li>Align with Barnsley Council's Asset Management Strategy Plan 2017-2020</li> </ol>	<p>The Full Business Plan and supporting documentation should be submitted within 12 weeks or as soon as possible thereafter.</p>
<p><b>Stage 3</b> Evaluation and consultation of submission by officers</p> <p>Formal Decision by Director</p>	<p>Detailed evaluation of:</p> <ul style="list-style-type: none"> <li>Value/worth of the CATs benefits</li> <li>Any concession awarded</li> <li>Benefit to the Council</li> <li>Check against existing facilities (duplication)</li> <li>Check against local policies</li> <li>Check against any local plans</li> <li>Check against national policies and relevant legislation including State Aid and VAT regulations and the Local Government Act etc.</li> </ul>	<ol style="list-style-type: none"> <li>Detailed assessment by Council officers and recommendations and/or conditions prepared</li> <li>Portfolio Holder notified by email of Stage 2 formal application</li> <li>Strategic Director notified by email of Stage 2 formal application and approval received to proceed to Stage</li> <li>Ward/ Parish /Town Councillors, Ward Officers, Legal Services and Departmental Service notified by email of Stage 2 formal</li> </ol>	<p>Timescales are dependent on the complexity of the proposal and reporting timeframes. However, it is aimed to obtain a final decision within 12 weeks or as soon as possible thereafter.</p>

Steps	Elements/ Documentation	Assessors/Decision Makers	Timescales
		<p>application.</p> <p>The final decision may be subject to ratification by Executive.</p> <p>The decision is subject to subsequent call in by Scrutiny Committee in accordance with the Council's Constitution and call-in procedure under the decision making process.</p> <p>There is no appeals process.</p> <p>Written notification of the Council's decision to Applicant</p>	
<p><b>Stage 4</b> Planning and implementation of CAT</p>	<p>Instructions given to process legal documentation:-</p> <ul style="list-style-type: none"> <li>• Draft heads of terms issued</li> <li>• Agree support plan and investment plan</li> <li>• Draft lease and service agreement issued and Secretary of State's consent applied for (where required)</li> <li>• All funding secured</li> <li>• Completion of all agreements and documentation</li> </ul>	<p>Applicant organisation required to work with Council officers from Estate Management and Legal Services to avoid unnecessary delays.</p> <p>Applicant advised of timescales of CAT.</p> <p>Council Officers to document any monitoring agreements if the Applicant is to replace or expand the provision of existing services by documenting:-</p> <ul style="list-style-type: none"> <li>• Minimum operating hours</li> <li>• Scope of activities</li> <li>• Quality standards</li> <li>• Safeguarding issues addressed</li> <li>• Basis for monitoring and measuring outputs</li> </ul>	<p>Approximately 6 months (or as soon as possible thereafter) but dependant on external factors to ensure statutory, regulatory or funding compliance and/or within 3 months of acceptance/ratification of heads of terms (or as soon as possible thereafter)</p>
<p>Monitoring and Outcomes</p>		<p>Council Officers will decide if</p> <ul style="list-style-type: none"> <li>• a periodic monitoring arrangement should be put in place post transfer</li> </ul> <p>Key issues to monitor could include quality of service provision, maintenance of</p>	

Steps	Elements/ Documentation	Assessors/Decision Makers	Timescales
		premises, compliance with lease terms	

## 11. FURTHER INFORMATION

My community rights: <http://mycommunity.org.uk/community-right-to-bid/>

National CLT Network: <http://www.communitylandtrusts.org.uk/>

Locality: [Locality.org.uk](http://Locality.org.uk)

## 12. OUTCOMES

- Compliance with Legislation (eg Section 123 of the Local Government Act
- Fair and transparent process
- Community empowerment and pride
- Stronger, cohesive and sustainable communities
- Reduced running costs and maintenance liabilities
- Sustainable CAT's not competing with other community projects within the local area

## 13. POLICY UPDATES

This Policy replaces all previous versions of CAT policy. Regular review will continue to take place as and when required.



**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan**

**REPORT OF THE  
EXECUTIVE DIRECTOR (PEOPLE)  
TO CABINET ON 23<sup>rd</sup> JANUARY 2019**

**PRIMARY SCHOOL ADMISSION ARRANGEMENTS FOR SUMMER BORN CHILDREN**

**1.0 PURPOSE OF REPORT**

1.1 This report seeks approval for the policy for admission arrangements for deferred entry to primary schools for summer born children

**2.0 RECOMMENDATIONS**

**2.1 It is recommended that the proposed policy be approved in order to ensure compliance with DfE guidance.**

**3.0 INTRODUCTION**

3.1 Non-statutory guidance was issued in December 2014 to assist Local Authorities and admission authorities to understand the framework within which admission authorities must operate when responding to parental requests for summer born children to be admitted out of their normal age group.

3.2 Summer born children are those born between 1st April and 31st August and they are not required to start school until a full year after the point at which they could have been admitted – the point at which other children in their age range are commencing Year 1.

3.3 Whilst a process for considering such requests is already in place, due to the increasing number of requests, a formal policy has been drafted, together with supporting documentation and literature for parents.

**4.0 PROPOSAL AND JUSTIFICATION**

4.1 The draft policy is attached as Appendix 1 to this report and is fully compliant with the requirements of the School Admissions Code and guidance from the DfE. The Code and guidance (*please see Appendix 2*) must be followed by admission authorities should follow unless they can demonstrate, if challenged, that they are justified in not doing so.

**5.0 CONSIDERATION OF ALTERNATIVE APPROACHES**

5.1 Not applicable to the statutory duty to admission arrangements for admission to school.

## **6.0 IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS**

6.1 There are no specific area implications arising from this report. The arrangements provide a consistency of approach across Barnsley and ensures compliance with DfE guidance.

## **7.0 FINANCIAL IMPLICATIONS**

7.1 There are no direct implications arising from this report.

## **8.0 EMPLOYEE IMPLICATIONS**

8.1 There are no direct implications arising from this report.

## **9.0 LEGAL IMPLICATIONS**

9.1 There are no specific implications arising from this report and the policy is fully compliant with DfE guidance, ensuring that the Council is meeting obligations in relation to admission to school requirements.

## **10.0 CUSTOMER AND DIGITAL IMPLICATIONS**

10.1 There are no implications arising from this report.

## **11.0 COMMUNICATIONS IMPLICATIONS**

11.1 There no implications arising from this report.

## **12.0 CONSULTATIONS**

12.1 No consultation is required as this policy is to ensure compliance with DfE guidelines.

## **13.0 THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK**

13.1 Combined with the Council's ongoing work, through its role in the Barnsley Alliance, towards improving learning and teaching standards and promoting inclusion through education, the Code, non-statutory guidance and draft local admission arrangements will not affect summer-born children from being able to attend a good school and achieving the required level of progress at each stage of the National Curriculum.

## **14.0 PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION**

14.1 The proposed policy complies with guidance from the DfE and is fair and transparent across the Borough for all service users.

## **15.0 TACKLING THE IMPACT OF POVERTY**

15.1 Not applicable to this report.

## **16.0 TACKLING HEALTH INEQUALITIES**

16.1 Not applicable to this report.

## **17.0 REDUCTION OF CRIME AND DISORDER**

17.1 Not applicable to this report.

## **18.0 RISK MANAGEMENT ISSUES**

18.1 The proposed policy and administrative arrangements comply with the School Admissions Code and DfE guidance on the admission arrangements for summer born children.

18.2 Failure by the Authority to comply with the mandatory requirements of the School Admissions Code would be a breach of the Authority's statutory duty. Failure to comply may result in an objection being made to the Schools Adjudicator or a complaint to the Secretary of State. Failure to follow the guidelines in the new Code, where it cannot be justified, could result in an objection being upheld by the Schools Adjudicator.

## **19.0 HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES**

19.1 There are no implications arising from this report.

## **20.0 COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

20.1 The admission arrangements are compatible with the European Convention on Human Rights and help fulfil the right to education within the Convention.

## **21.0 CONSERVATION OF BIODIVERSITY**

21.1 There are no implications arising from this report.

## **22.0 GLOSSARY**

22.1 None

## **23.0 LIST OF APPENDICES**

23.1 Appendix 1: Arrangements for delayed entry to primary school of summer born children in Barnsley.

Appendix 2: Department for Education advice and non-statutory guidance on the admission arrangements for summer born children.

## **24.0 BACKGROUND PAPERS**

School Admissions Code 2014

Departmental Advice (DfE) on the admission of summer born children December 2014

If you would like to inspect background papers for this report, please email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk) so that appropriate arrangements can be made

**Report author:** Margaret Libreri (Service Director: Education, Early Start and Prevention)

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*Document type: Policy*

**Arrangements  
for  
Delayed Entry to  
Primary Schools for  
Summer Born  
Children**



**BARNSLEY**  
Metropolitan Borough Council

*Published by: Beverley Sadler  
September 2017*

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## Introduction

A child reaches compulsory school age on the prescribed day following their fifth birthday. The prescribed days are 31 December, 31 March and 31 August.

However, the School Admissions Code requires school admission authorities to provide for the admission of all children in the September following their fourth birthday. There is, however, flexibility for parents who do not feel their child is ready to start school before compulsory school date. (See Section A for available options).

Children born in the Summer Term (1<sup>st</sup> April to 31<sup>st</sup> August) however, are not required to start school until a full year after the point at which they could have been admitted ie. the September following their fifth birthday; the point at which other children in their age range are commencing Year 1.

Parents of summer born children may, therefore, submit a request for delayed admission to Reception Year group, rather than year 1, for any school within the Authority. A decision must be taken by the relevant admission authority based on the circumstances of the case and in the child's best interests.

Decisions for community and voluntary controlled schools will be taken by the Local Authority who are the admissions authority.

If a request is made for a voluntary aided school or academy, the request will be forwarded to the Headteacher of that school for a decision.

This policy complies with the School Admissions Code 2014 and relevant admissions legislation.

## A Date of Admission to Primary and Infant Schools

Although the law does not require children to be admitted to school until the beginning of the term following their fifth birthday, (compulsory school age), the School Admissions Code makes provision for all children to be admitted to school in the September following their 4th birthday.

Parents will be able to access this entitlement through one of the following options.

### Option 1

Full-time in the Reception Year from 1 September following the child's 4th birthday.

### Option 2

Part-time in the Reception Year from 1 September following the child's fourth birthday.

### Option 3

Part-time in an early years setting.

## B Deferred Entry to Primary Schools

- 1 Where the Authority offers a place at a primary or infant school, a parent who accepts that school place can defer entry to that school until the term after the child's fifth birthday.
- 2 There may be Spring and Summer Term admissions as a result of parents who have deferred their child's entry.
- 3 The deferred place at that school will be held for that child and will not be available to be offered to another child.
- 4 The deferred place must be taken up during the same school year for which the offer of the place was made and accepted.
- 5 With the exception of summer born children, (see section B) entry to a school cannot be deferred to:
  - a) the next academic year; or
  - b) beyond the beginning of the term following the child's fifth birthday.



## C Summer Born Children

- 1 Parents of summer born children, (those born from 1 April to 31 August) can request that their child delays entry to Reception year group for a year. .
- 2 A decision will be taken by the Admission Authority for the school based on the circumstances of the case and in the best interests of the child.
- 3 If agreed, the child would then be admitted into Reception Year group in the following year when other children in they age range are beginning Year 1

## D Applying for D Entry to Reception Group

- 1 Parents wishing to to defer their child's entry to Reception group must apply to the Admissions Service also providing any supporting information and evidence for consideration.
- 2 Parents **must**, however, still apply for a school place during the normal admissions round by the published closing date, (normally 15<sup>th</sup> January in the year prior to commencing school) for their child's chronological year group.
- 3 The request for delayed admission must be made at the same time as the application for admission into the normal age group.
- 4 This is in order to ensure that their child is not disadvantaged in any way should the request not be determined prior to the application closing date or the request be refused.

## **F Consideration of Requests**

- 1 The Admissions Service will liaise with a number of Services and Headteachers in order to come to a decision which is in the best interests of the child.
- 2 Consideration will usually be requested from representatives of:
  - a) Special Needs Service
  - b) Any other associated agencies involved with the child
  - c) Education Welfare Service
  - d) Any Early Years providers for which the child is attending.
  - e) The Headteacher of the school for which a preference has been expressed for
- 3 The Admission Authority must take account of the child's individual needs and abilities and consider whether these can best be met in reception or year one.
- 4 It will also involve taking account of the potential impact of the child being admitted to Year 1 without first having completed the reception year.
- 5 Circumstances for consideration may include information about the child's social and emotional development and any special needs requirements
- 6 For community and voluntary controlled schools a decision will be taken by the Local Authority, having considered all of the information and advice provided by parents and having liaised with the Headteacher(s) of the school(s).
- 7 For voluntary aided schools and academies a decision will be taken by the Headteacher, taking account all of the information provided.
- 8 Any decision taken will only apply to the school for which parents have named in their request. Should parents wish to consider an alternative school then further consultation would need to be undertaken with that school.
- 9 A decision taken on behalf of one school/academy is not binding on a different one.
- 10 All decisions taken will be made on the basis of the circumstances of the case and in the best interests of the child.

## **G Notification of Decision to Parents**

- 1 Parents will be notified as soon as possible of the decision and prior to primary offer day, (16<sup>th</sup> April) if the request was made by the closing date for receipt of applications and given an explanation for this.
- 2 If the request for delayed admission is agreed the parent can withdraw their application for the child's chronological year group.
- 3 The parent will then need to apply again in the following year as part of the main admissions round, and their application will be considered with all other applications being considered at that time.
- 4 There is no guarantee that the child will be admitted to the school of preference at that time.
- 5 If the request for delayed admission is refused, the parent must decide whether to accept the offer of a place for the normal age group or refuse it and make an in-year application for admission to Year 1 for the September following the child's fifth birthday.
- 6 Parents will still have the options listed in Section A available for their child if they choose to accept the offer of a place for the normal age group.
- 7 One admission authority cannot be required to honour a decision made by another admission authority for admission out of the normal age group. Parents should therefore consider whether to request admission out of the normal year group at all their preferred schools.

## **Moving Children to their Normal Age Group following Deferred Admission**

- 1 Once a child has been admitted to the school it is for the Headteacher to decide how best to educate them.
- 2 In some cases it may be appropriate for a child who has been admitted out of their normal age group to be moved into their normal age group at some point but not in all cases.
- 3 Any decision to move a child to a different age group must be based on sound educational reasons and made by the Headteacher in consultation with parents.

## Transfer to Junior and Secondary School

- 1 Where a child has been educated out of their normal age group, parents may again request admission out of the normal age group when they transfer to junior or secondary school.
- 2 Again, parents must make a request for this and the decision is made by the admission authority for the school.
- 3 The decision must be made on the circumstances of the case and in the child's best interests.
- 4 The process is the same as that for delayed entry for primary school and requests must be made at the time of application for transfer.

## H Right of Appeal

- 1 Parents who are refused a place at a school for which they have applied have the statutory right of appeal to an independent admission appeal panel.
- 2 As the purpose of an appeal is to determine whether a child should be admitted to a particular school parents do NOT have a right of appeal if they have been offered a place but it is not in the year group they would like.



Department  
for Education

# **Advice on the admission of summer born children**

**For local authorities, school admission  
authorities and parents**

**December 2014**

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# Summary

## About this departmental advice

This is advice from the Department for Education. It is non-statutory, and has been produced to help local authorities, admission authorities and parents understand the framework within which admission authorities must operate when responding to parental requests for summer born children (see below) to be admitted out of their normal age group. It will help local authorities and admission authorities fulfil the duties imposed on them by the statutory School Admissions Code.

It replaces the earlier advice of the same title dated July 2013.

It should be read in conjunction with the revised School Admissions Code which came into force on 19 December 2014.

## Expiry or review date

This advice will be reviewed within 3 years from the date of publication.

## Who is this advice for?

This advice is for:

- local authorities
- school admission authorities
- parents of summer born children who are considering delaying their child's entry to primary school until they reach compulsory school age.

## Compulsory school age

Compulsory school age is set out in section 8 of the Education Act 1996 and The Education (Start of Compulsory School Age) Order 1998. A child reaches compulsory school age on the prescribed day following his fifth birthday (or on his fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August. The term 'summer born' is used to refer to children born from 1 April to 31 August. These children are not required to start school until a full school year after the point at which they could first have been admitted.

## Key points

- School admission authorities are required to provide for the admission of all children in the September following their fourth birthday, but flexibilities exist for

children whose parents do not feel they are ready to begin school before they reach compulsory school age.

- Where a parent requests their child is admitted out of their normal age group, the school admission authority is responsible for making the decision on which year group a child should be admitted to. They are required to make a decision on the basis of the circumstances of the case and in the best interests of the child concerned.
- There is no statutory barrier to children being admitted outside their normal age group, but parents do not have the right to insist that their child is admitted to a particular age group.

## Background

Paragraph 2.16 of the School Admissions Code (the code) requires school admission authorities to provide for the admission of all children in the September following their fourth birthday, but children do not reach compulsory school age until after their fifth birthday. There is flexibility for parents who do not feel their child is ready to start school before compulsory school age. They may defer the date their child is admitted to school until later in the school year following their fourth birthday, providing they do not defer beyond the point at which they reach compulsory school age, or beyond the start of the final term of that school year. Alternatively, their child may attend school part-time until they reach compulsory school age.

Children born in the summer term, however, are not required to start school until a full year after the point at which they could first have been admitted – the point at which other children in their age range are beginning year 1. Should the parent wish their child to be admitted to reception, rather than year one, at this point, they may request that they are admitted out of their normal age group. Paragraph 2.17A of the code requires that, in any circumstance where a parent requests their child is admitted out of their normal age group, the admission authority must make a decision on the basis of the circumstances of the case and in the best interests of the child concerned.

This advice:

- highlights the relevant new provisions in the revised School Admissions Code 2014
- suggests a process that may be used at a local level for handling parental requests for summer born children to be admitted out of their normal age group
- provides answers to some common questions.



## Parental decisions to delay their summer born child's admission to school until compulsory school age

While most parents are happy for their child to start school in the September following their fourth birthday, some parents will have concerns about whether their child will be ready for school at this point, and will consider delaying their entry until compulsory school age. It is important that they know all the options available to them and are able to make an informed decision.

They should note that, whilst evidence shows that, statistically speaking, summer born children tend to perform less well in school tests, this does not mean that all children born in the summer term will struggle at school. Teachers are skilled at differentiating the curriculum to meet a diverse range of needs. Before deciding to delay their child's entry to school, we would recommend that parents visit the schools they are thinking of applying for. The teachers will be able to explain the provision on offer to children in the reception class, how it is tailored to meet the needs of the youngest pupils and how the needs of these pupils will continue to be met as they move up through the school. They may also be able to allay any concerns the parent may have about their child's readiness for school.

It is also important to note that, whether they attend a primary school or an early years setting during the academic year following their fourth birthday, children will receive the Early Years Foundation Stage curriculum which is largely based around learning through play. Further information for parents about the early years foundation stage is available on the [Foundation Years website](#).

## The revised School Admissions Code

A revised School Admissions Code came into force on 19 December 2014. The relevant paragraphs for the purpose of this advice are paragraphs 2.17, 2.17A and 2.17B. These paragraphs relate to any circumstance in which a parent requests their child is admitted out of their normal age group. This advice, however, relates specifically to parental requests for summer born children to be admitted to reception rather than year one at the age of five.

The revised code includes the following new requirements in relation to parental requests for children to be admitted out of their normal age group.

- To improve the quality of decision making in individual cases, as well as making their decision on the basis of the circumstances of the case, admission authorities must now make their decision in the child's best interests, and must take account of the views of the head teacher of the school concerned. The code now also provides further information about the matters an admission authority should take into account when considering the circumstances of the case.

- To improve clarity and transparency for parents, admission authorities are now required to make clear in their admission arrangements the process for requesting admission out of the normal year group. They must also set out clearly for the parents concerned the reasons for their decision in each case.
- To improve fairness, where a parent's request is agreed, the local authority and admission authority are now required to process the application as part of the main admissions round. They may not give the application lower priority on the basis that the child is being admitted out of their normal age group.

## **Making a decision in the child's best interests**

We are aware that, in making their decision, many admission authorities have focussed on whether the child has any particular medical or special educational needs which mean their development is significantly below the expected levels for a child of their age.

The government would agree that, in general, children should be educated in their normal age group, with the curriculum differentiated as appropriate, and that they should only be educated out of their normal age group in very limited circumstances.

However, parental requests for summer born children to be admitted to reception rather than year one at the age of five are different from any other parental request for admission out of the normal age group, as it is only in these circumstances that the child is being admitted to school for the first time.

The parents of summer born children must be able to make a decision about whether their child is ready to go to school before compulsory school age confident that, if they decide not to send them to school until age five, the decision about the year group they should be admitted to at that point will be made in the child's best interests.

This will require the admission authority to take account of the child's individual needs and abilities and to consider whether these can best be met in reception or year one. It will also involve taking account of the potential impact on the child of being admitted to year one without first having completed the reception year. The views of the head teacher will be an important part of this consideration.

## **Children born prematurely**

A number of factors associated with prematurity can delay a child's development. Children born prematurely tend to develop according to their due date, rather than their actual birth date which means their social, emotional, physical and intellectual development may be behind that of their peers. Some children may also have additional health problems associated with their prematurity.

In addition, as a consequence of being born before their due date, a child may fall into a different age group than if they had been born at full term. When considering the circumstances of the case, admission authorities should take account of the age group the child would have fallen in to if born on time.

## **The submission of evidence by parents**

It is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case. This should demonstrate why it would be in the child’s interests to be admitted to reception rather than year one.

In some cases parents may have professional evidence that it would be appropriate for them to submit, for example, when a child receives support from a speech and language therapist. However, there should be no expectation that parents will obtain professional evidence that they do not already have. Admission authorities must still consider requests that are not accompanied by professional evidence. In such cases the supporting information might simply be the parent’s statement as to why they have made their request.

## **A process for handling parental requests**

The revised School Admissions Code requires admission authorities to make clear in their admission arrangements the process for requesting admission out of the normal year group. It does not, however, prescribe a particular process that must be used. This is for local authorities and admission authorities to determine. However, it is important to note that, where a parent wants their child to be admitted out of their normal age group, the admission authority has two separate decisions to make:

- it must first decide on the age group the child should be admitted to
- only once that decision has been made can it apply its oversubscription to decide whether a place can be offered in that age group.

We acknowledge that it will not always be easy for admission authorities to make a decision about a child more than a year before the point at which they may be admitted, particularly as it is difficult to know what progress they may make in the intervening period. However, parents should know the outcome of their request for admission out of the normal age group in time to make an informed decision about whether their child will start school before compulsory school age.

We therefore recommend that the process local authorities and admission authorities put in place:

- requires the parent to make an application for their child’s normal age group at the usual time, but enables them to submit a request for admission out of the normal age group at the same time

- ensures that the parent receives the response to their request before primary national offer day.

If their request is agreed, their application for the normal age group may be withdrawn before a place is offered. If their request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in year application for admission to year one for the September following the child's fifth birthday.

Where a parent's request is agreed, they must make a new application as part of the main admissions round the following year.

One admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the normal year group at all their preference schools, rather than just their first preference schools.

The revised Code came into force on 19 December 2014. At this point admission authorities will have already determined their admission arrangements for the 2015/16 school year. Some may have already begun drawing up and consulting on their admission arrangements for the 2016/17 school year. Wherever possible, admission authorities should include the process for requesting admission out of the normal age group in their admission arrangements for the 2016/17 school year. Where this is not possible, they must include it in their arrangements for the 2017/18 school year.

## **Answers to some common questions**

### **Free early education**

Where a parent chooses to defer or delay their child's entry to school, the child remains entitled to a funded early education place of 15 hours a week for 38 weeks of the year until they are admitted to school. More information about free early education is available on [GOV.UK](http://GOV.UK).

### **Funding for children educated out of their normal age group**

Primary schools are funded for the number of pupils they have on roll, regardless of their age, though local authorities may choose to weight that funding according to age. Similarly, secondary schools are funded on the basis of the number of pupils they have in years 7-11, regardless of their age, which again may be weighted according to age by local authorities.

### **Moving children to their normal age group**

Once a child has been admitted to a school it is for the headteacher to decide how best to educate them. In some cases it may be appropriate for a child who has been admitted out of their normal age group to be moved to their normal age group, but in others it will

not. Any decision to move a child to a different age group should be based on sound educational reasons and made by the headteacher in consultation with the parents.

## **Transfer to junior and secondary school**

Where a child has been educated out of their normal age group, the parent may again request admission out of the normal age group when they transfer to junior or secondary school. It will be for the admission authority of that school to decide whether to admit the child out of their normal age group. They must make a decision on the basis of the circumstances of each case and in the child's best interests, and will need to bear in mind the age group the child has been educated in up to that point.

## **Tests and performance tables**

Children are assessed when they reach the end of each key stage, not when they reach a particular age. There are no age requirements as to when children must take their GCSEs or other assessments.

The department reports on pupils' performance when they reach the end of a key stage – regardless of age.

## **School leaving age**

A child ceases to be of compulsory school age on the last Friday of June in the school year they become 16. If a child is educated outside their normal age group (i.e. is in year 10 when this date is reached) the school will continue to receive funding for that child but the child will no longer be of compulsory school age during the school year in which most children take their GCSE examinations and cannot, therefore, be obliged to attend.

The government is changing the law so that all young people will be required to continue in education or training until the end of the academic year in which they turn 17 in 2013 and until their 18th birthday in 2015. Young people will have a choice about how they do this. It could be through full time education in school or college, an apprenticeship or full time employment combined with part time education. However, the date on which they cease to be of compulsory school age will remain unchanged.

## **Parental appeals and complaints**

Parents who are refused a place at a school for which they have applied have the right of appeal to an independent admission appeal panel. As the purpose of the appeals process is to consider whether a child should be admitted to a particular school, parents do not have a right of appeal if they have been offered a place and it is not in the year group they would like. However, they may make a complaint about an admission authority's decision not to admit their child outside their normal age group.

They may also make such a complaint if they have not made, or do not yet know the outcome of, their formal application for a school place. All schools have a duty to consider complaints about the school and must have a published complaints procedure in place. Local authorities will also have a complaints procedure.

In the case of foundation and voluntary aided schools, academies and free schools, parents may make a complaint using the school's complaints procedure – because the governing body or academy trust is the admission authority. In the case of community and voluntary controlled schools, they may complain to the local authority – because they are the admission authority.

If a parent is unhappy with the way a local authority or maintained school has handled their complaint, the parent may then refer their complaint to the [Local Government Ombudsman](#).

If they are unhappy with the way an academy has handled their complaint they may complain to the Education Funding Agency who will consider the complaint on behalf of the Secretary of State for Education. More information is available on [www.gov.uk](http://www.gov.uk).



Department  
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