

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday, 28 September 2017
<b>TIME:</b>	10.30 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## AGENDA

**1. Declarations of Interests**

To receive any declarations of interest of a pecuniary or non-pecuniary nature from Members in respect of the items on this agenda.

**2. Suspension of Standing Orders**

To consider suspending Standing Order 13(5) in respect of the following presentation only (item 3 refers) insofar as it relates to restrictions on Members speaking more than once.

**3. External Annual Governance Report - Presentation**

The Council will receive a presentation from the External Auditor on the External Annual Governance Report.

**4. Audit Committee Minutes - 22nd September, 2017 (*To Follow*)**

**5. External Audit Annual Governance Report 2016/17 (*Pages 5 - 32*)**

To consider the External Auditor's Annual Governance Report for 2016/17.

**6. Final Annual Governance Statement 2016/17 (*Pages 33 - 62*)**

To consider a report of the Chief Executive, Service Director Finance and Executive Director Core Services on the Final Annual Governance Statement 2016/17.

**7. Minutes (*Pages 63 - 70*)**

To approve as a correct record the minutes of the meeting of the Council held on the 27<sup>th</sup> September, 2017.

**8. Communications**

To consider any communications to be submitted by the Mayor or the Chief Executive.

**9. Questions by Elected Members**

To consider any questions which may have been received from Elected Members and which are asked pursuant to Standing Order No. 11.

**10. Questions relating to Joint Authority, Police and Crime Panel and Combined Authority Business**

## **Minutes of the South Yorkshire Fire and Rescue Authority, Sheffield City Region Combined Authority, and Police and Crime Panel**

*Any Member of the Council shall have the opportunity to comment on any matters referred to in the following minutes.*

*The relevant representatives shall then be given the opportunity to respond to any comments made by Members on those minutes.*

11. Police and Crime Panel - 7th July, 2017 (*Pages 71 - 80*)
12. Sheffield City Region Combined Authority - 17th July, 2017 (*Pages 81 - 86*)
13. South Yorkshire Fire and Rescue Authority - 24th July, 2017 (*Pages 87 - 104*)

### **Minutes of the Regulatory Boards**

14. Planning Regulatory Board - 25th July, 2017 (*Pages 105 - 108*)
15. Planning Regulatory Board - 5th September, 2017 (*Pages 109 - 114*)
16. General Licensing Regulatory Board - 6th September, 2017 (*Pages 115 - 118*)
17. Statutory Licensing Regulatory Board - 6th September, 2017 (*Pages 119 - 120*)
18. General Licensing Panel - Various (*Pages 121 - 126*)
19. Statutory Licensing Regulatory Board Sub Committee - 14th August, 2017 (*Pages 127 - 128*)
20. Appeals, Awards and Standards - Various (*Pages 129 - 130*)

### **Minutes of the Health and Wellbeing Board**

21. Health and Wellbeing Board - 8th August, 2017 (*Pages 131 - 134*)

### **Minutes of the Scrutiny Committees**

22. Overview and Scrutiny Committee - 12th July, 2017 (*Pages 135 - 140*)
23. Overview and Scrutiny Committee - 12th September, 2017 (*To Follow*)

### **Minutes of the Area Councils**

24. Central Area Council - 3rd July, 2017 (*Pages 141 - 146*)
25. North Area Council - 17th July, 2017 (*Pages 147 - 150*)
26. Dearne Area Council - 24th July, 2017 (*Pages 151 - 154*)
27. North East Area Council - 27th July, 2017 (*Pages 155 - 158*)

28. Penistone Area Council - 3rd August, 2017 (*Pages 159 - 162*)
29. South Area Council - 1st September, 2017 (*Pages 163 - 166*)

### **Recommendations to Council**

*All reports detailed below are subject to Cabinet recommendation and are available to download from the Council's website. The Cabinet Spokesperson for the Service in question will respond to any comments or amendments concerning these minutes.*

30. Proposed Changes to the Financial Contributions Policy for Adult Social Care Services: Stakeholder Consultation (Cab.26.7.2017/9) (*Pages 167 - 200*)

### **RECOMMENDATION TO COUNCIL:-**

- (i) that the changes outlined in the proposed Financial Contributions Policy for Adult Social Care Services, as set out in Appendix 1 of the report now submitted, be approved for adoption; and
- (ii) that the proposed changes be implemented with effect from 2<sup>nd</sup> October, 2017.

31. Review of the Lettings Policy in response to changes in Universal Credit affecting the 18 to under 22 age group (Cab.6.9.2017/18) (*Pages 201 - 230*)

### **RECOMMENDED TO COUNCIL:-**

- (i) that the proposed amendments to the Council's Lettings Policy and Code of Guidance, as detailed in Appendix 1 of the report now submitted, be agreed;
- (ii) that the Council works with Berneslai Homes and other agencies to provide advice and to support those applicants adversely affected by the legislative changes; and
- (iii) that a review of how the housing needs of those individuals affected by the amendments to the Lettings Policy be undertaken as part of the Housing Allocations and Community Safety Service Review; the proposals/actions to be presented to Cabinet over the coming months.

### **Minutes of the Cabinet Meetings**

32. Cabinet Meeting - 26th July, 2017 (*Pages 231 - 234*)
33. Cabinet Meeting - 6th September, 2017 (*Pages 235 - 240*)

**(NB. No Cabinet decisions have been called in from these meetings)**

**Schedule of Declarations - copy attached**

*Diana Terris*

Diana Terris  
Chief Executive

Wednesday, 20 September 2017



# External audit report 2016/17

**Barnsley Metropolitan  
Borough Council**

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September 2017



# Summary for Audit Committee

- Financial statements** This document summarises the key findings in relation to our 2016-17 external audit at Barnsley Metropolitan Borough Council ('the Authority').
- This report focusses on our on-site work which was completed in August 2017 on the Authority's significant risk areas, as well as other areas of your financial statements. Our findings are summarised on pages 4 – 5.
- Our report also includes additional findings in respect of our controls work
- Subject to all outstanding queries being resolved to our satisfaction we anticipate issuing an unqualified audit opinion on the Authority's financial statements before the deadline of 30 September.**
- We have identified a number of audit adjustments, notably the need to prepare consolidated accounts, with the remainder of the adjustments being largely presentational with no impact upon the primary statements and reserve balances. See page 9 for details.
- Based on our work, we have raised 4 recommendations. Details on our recommendations can be found in Appendix 1.
- We are now in the completion stage of the audit.
- Use of resources** We have completed our risk-based work to consider whether in all significant respects the Authority has proper arrangements to ensure it has taken properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people. We have concluded that the Authority has made proper arrangements to secure economy, efficiency and effectiveness in its use of resources.
- We therefore anticipate issuing an unqualified value for money opinion.**
- See further details on page 13.
- Acknowledgements** We would like to take this opportunity to thank officers and Members for their continuing help and co-operation throughout our audit work.
- We ask the Audit Committee to note this report.**

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## The key contacts in relation to our audit are:

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This report is addressed to Barnsley Metropolitan Borough Council (the Authority) and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. Public Sector Audit Appointments issued a document entitled Statement of Responsibilities of Auditors and Audited Bodies summarising where the responsibilities of auditors begin and end and what is expected from audited bodies. We draw your attention to this document which is available on Public Sector Audit Appointment's website ([www.psa.co.uk](http://www.psa.co.uk)).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact Clare Partridge the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG's work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers (on 0207 694 8981, or by email to [andrew.sayers@kpmg.co.uk](mailto:andrew.sayers@kpmg.co.uk)). After this, if you are still dissatisfied with how your complaint has been handled, you can access PSAA's complaints procedure by emailing [generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk), by calling 020 7272 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3H.

**Section one**

# Financial Statements





We anticipate issuing an unqualified audit opinion on the Authority's 2016/17 financial statements by 30 September 2017. We will also report that your Annual Governance Statement complies with the guidance issued by CIPFA/SOLACE (*'Delivering Good Governance in Local Government'*) published in April 2016.

For the year ending 31 March 2017, the Authority has reported a total surplus on provision of services of £55.2m. Note that this includes £86.3m reversal of previous impairment loss on Council Dwellings. Net outturn therefore was a circa £31.1m deficit. The impact on the General Fund has been an increase of £5.9m.



# Significant audit risks

Our *External Audit Plan 2016/17* sets out our assessment of the Authority's significant audit risks. We have completed our testing in these areas and set out our evaluation following our work:

Significant audit risks	Work performed
<p><b>1. Significant changes in the pension liability due to LGPS Triennial Valuation</b></p>	<p><b>Why was this a risk?</b></p> <p>During the year, the Local Government Pension Scheme for South Yorkshire (the Pension Fund) has undergone a triennial valuation with an effective date of 31 March 2016 in line with the Local Government Pension Scheme (Administration) Regulations 2013. The Authority's share of pensions assets and liabilities is determined in detail, and a large volume of data is provided to the actuary in order to carry out this triennial valuation.</p> <p>The pension liability numbers included in the financial statements for 2016/17 are based on the output of the triennial valuation rolled forward to 31 March 2017. For 2017/18 and 2018/19 the actuary will then roll forward the valuation for accounting purposes based on more limited data.</p> <p>There was a risk that the data provided to the actuary for the valuation exercise was inaccurate and that these inaccuracies affect the actuarial figures in the accounts. Most of the data was provided to the actuary by South Yorkshire Pensions Authority who administer the Pension Fund.</p> <p><b>Our work to address this risk</b></p> <p>We have reviewed the process used to submit payroll data to the Pension Fund and have found no issues to note. We have also tested the year-end submission process and other year-end controls. We noted that management had reviewed the actuarial assumptions and lead the queries related to this on behalf of the wider South Yorkshire area. Management has confirmed that the assumptions used by the actuary are appropriate.</p> <p>We have also substantively agreed the total figures submitted to the actuary to the ledger with no issues to note. We have engaged with the Pension Fund audit team to gain further assurance over the pension figures.</p>
<p><b>2. Valuation of Waste Management PFI</b></p>	<p><b>Why was this a risk?</b></p> <p>The Council recognised the Waste Management PFI asset on the balance sheet for the first time as it came into use during 2015/16. The value of this was based on the original PFI model with no up-to-date valuation completed. This does not meet the requirements of the CIPFA Code. Management completed a valuation of the asset during our 2015/16 final audit visit and confirmed that the value of the asset at £19.2m was not materially misstated.</p> <p>Management agreed that they would reflect the revised valuation in the 2016/17 financial statements.</p> <p>There was a risk that the asset was not included in the Council's accounts at the appropriate value.</p> <p><b>Our work to address this risk</b></p> <ul style="list-style-type: none"> <li>- We have assessed the qualifications and approach adopted by the valuer of the Waste PFI assets.</li> </ul>

Significant audit opinion risks	Work performed
<b>2. Valuation Waste Management PFI (continued)</b>	<b>Our work to address this risk (continued)</b> <ul style="list-style-type: none"><li>- We have considered the appropriateness of the valuation basis adopted e.g. fair value or modern equivalent asset basis; and</li><li>- Agreed the revaluation movements to the accounting entries.</li></ul>

## Considerations required by professional standards

### Fraud risk of revenue recognition

Professional standards require us to make a rebuttable presumption that the fraud risk from revenue recognition is a significant risk.

In our *External Audit Plan 2016/17* we reported that we do not consider this to be a significant risk for Local Authorities as there is unlikely to be an incentive to fraudulently recognise revenue.

This is still the case. Since we have rebutted this presumed risk, there has been no impact on our audit work.

### Management override of controls

Professional standards require us to communicate the fraud risk from management override of controls as significant because management is typically in a unique position to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively.

Our audit methodology incorporates the risk of management override as a default significant risk. We have not identified any specific additional risks of management override relating to this audit.

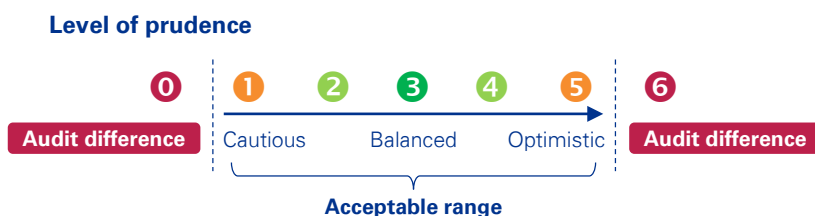
In line with our methodology, we carried out appropriate controls testing and substantive procedures, including over journal entries, accounting estimates and significant transactions that are outside the normal course of business, or are otherwise unusual.

There are no matters arising from this work that we need to bring to your attention.



# Judgements

We have considered the level of prudence within key judgements in your 2016/17 financial statements and accounting estimates. We have set out our view below across the following range of judgements.



Subjective areas	2016/17	2015/16	Commentary
<b>Provisions (excluding Business rate appeals)</b>	3	3	Total value of non NNDR provisions is £4.9m. The majority of the provisions relate to the estimated value of outstanding insurance claims (£4.2m). We have agreed this figure to workings provided by the Council and have deemed this a reasonable recognition.
<b>Business rate appeals provisions</b>	3	3	The Business rate appeals provisions held at year end is £2.9m. We have reviewed the workings for the provisions and note that these have increased from the prior period based upon more evidence of appeals. The methodology behind this calculation is considered balanced and based accordingly upon recent historical trends and knowledge of current cases.
<b>PPE: HRA assets</b>	3	2	The Authority continues its use of the beacon methodology in line with the DCLG's <i>Stock Valuation for Resource Accounting</i> published in November 2016. The Authority has utilised the District Valuer to provide valuation estimates. We have reviewed the instructions provided and deem that the valuation exercise is in line with the instructions. The resulting increase is in line with guidance provided by DCLG and the 41 % Regional Adjustment Factor deemed appropriate for the Yorkshire and Humber region. We have also seen work performed locally that justifies the utilisation of the 41 % Regional Adjustment Factor.
<b>PPE: Asset lives</b>	3	3	Our work around PPE did not identify any inappropriate asset lives being applied to PPE held. We are therefore satisfied that the asset lives being applied by the Council are reasonable and reflect as closely as possible the expected useful remaining life of assets. We note that the accounting policy with regards to the asset lives of buildings has been updated to reflect actual practice.
<b>Pensions: Actuarial Assumptions</b>	3	3	As part of our work we have engaged our own pensions specialist to review the actuarial assumptions used in relation to the Council's share of the South Yorkshire Pension Fund and this work did not identify any outliers. We also note that the Council lead a local assessment/discussion of assumptions with the actuary demonstrating a review and challenge process giving us further assurance with regards to the veracity of the key assumptions made.

# Proposed opinion and audit differences

**Subject to all outstanding queries being resolved to our satisfaction, we anticipate issuing an unqualified audit opinion on the Authority's 2016/17 financial statements following approval of the Statement of Accounts by the Audit Committee in September 2017.**

## **Audit differences**

In accordance with ISA 260 we are required to report uncorrected audit differences to you. We also report any material misstatements which have been corrected and which we believe should be communicated to you to help you meet your governance responsibilities.

The final materiality (see Appendix 4 for more information on materiality) level for this year's audit was set at £12.0 million. Audit differences below £600k are not considered significant.

We did not identify any material misstatements. We identified that a set of group accounts needed to be prepared due to the material nature of the pension liability held by the subsidiary company Berneslei Homes Limited.

In addition, we identified a small number of presentational adjustments required to ensure that the accounts are compliant with the Code of Practice on Local Authority Accounting in the United Kingdom 2016/17 ('the Code'). These have been addressed by management.

## **Annual governance statement**

We have reviewed the Authority's 2016/17 Annual Governance Statement and confirmed that:

- It complies with *Delivering Good Governance in Local Government: A Framework published by CIPFA/SOLACE*;

and

- It is not misleading or inconsistent with other information we are aware of from our audit of the financial statements.

## **Narrative report**

We have reviewed the Authority's 2016/17 narrative report and have confirmed that it is consistent with the financial statements and our understanding of the Authority.

## Section one: financial statements

# Accounts production and audit process

Our audit standards (*ISA 260*) require us to communicate our views on the significant qualitative aspects of the Authority's accounting practices and financial reporting.

We also assessed the Authority's process for preparing the accounts and its support for an efficient audit. The efficient production of the financial statements and good-quality working papers are critical to meeting the tighter deadlines.

### Accounting practices and financial reporting

The Authority has recognised the additional pressures which the earlier closedown in 2017/18 will bring. We have been engaging with the Authority in the period leading up to the year end in order to proactively address issues as they emerge.

We will be holding a debrief with the finance staff after the year end to consider how we work together towards the faster close deadlines required in 2017/18.

We consider the Authority's accounting practices appropriate.

### Completeness of draft accounts

We received a complete set of draft accounts ahead of the 30<sup>th</sup> June statutory deadline.

### Quality of supporting working papers

We issued our *Accounts Audit Protocol 2016/17* ("Prepared by Client" request) which outlines our documentation request. This helps the Authority to provide audit evidence in line with our expectations.

We are pleased to report that overall good quality working papers with a clear audit trail were provided.

### Response to audit queries

Generally, the responses to our audit queries were timely and enabled the audit to progress to the agreed timetable. As a result of this, all of our audit work was completed within the timescales expected with few outstanding queries. This achievement puts the Authority in a good position to take on the 2017/18 earlier closedown with no significant concerns.



## Section one: financial statements

### Group audit

The Council consolidated its main subsidiary company Berneslai Homes Limited.

To gain assurance that this has not been materially misstated we considered the draft financial statements of the entity and compared these both to prior period and our understanding of the entity. We noted, as per our understanding, that the large majority of transactions and balances were intercompany and therefore eliminated on consolidation. The net impact of I&E transactions being significantly below our materiality level.

For the material pension liability balance we agreed these figures to the actuarial report produced by Mercer and the data submitted to the actuary by the subsidiary.

We are pleased to report that there were no issues to note in relation to the consolidation process.

### Prior year recommendations

As part of our audit we have specifically followed up the Authority's progress in addressing the recommendations in last years ISA 260 report.

The Authority has implemented both of the recommendations in our ISA 260 Report 2015/16. Appendix 2 provides further details.

### Controls over key financial systems

We have tested controls as part of our focus on significant audit risks and other parts of your key financial systems on which we rely as part of our audit. The strength of the control framework informs the substantive testing we complete during our final accounts visit.

Below we have highlighted exceptions in relation to controls:

#### *Overpayment of leavers*

From our testing 8/25 leaver forms were received late by payroll resulting in overpayments to leavers and additional management follow up to recover these payments.

#### *User access to council tax system - "Academy system"*

Our testing identified 7 of our sample of 25 staff who had access, but should not have had access to this system. In addition of the 34 super users, 5 should not have had this level of access.

#### *Timely removal of leavers accounts from IT systems*

Council tax system - "Academy" – 7 of our sample of 40 leavers did not have their user accounts removed from the Academy system.

General ledger – "SAP" – 3 out of our sample of 25

leavers did not have their user accounts removed from the SAP system.

In both instances IT had not been made aware of the leavers and therefore no action was taken to remove the leaver user accounts.

#### *SAP change log not recording an audit trail*

Within SAP (general ledger IT system), there is an area known as the production client, which enables changes to be made to the application without following the approved change process. This should be locked apart from approved instances with supporting controls and strictly limited time period. Table logging usually keeps track of when this has been locked and unlocked, and forms an audit trail, however our testing identified that table logging was turned off, and the SAP production environment had been opened at least once during the financial year, but there was no record of how long for.

Further detail and associated recommendations can be found in Appendix 1.

# Completion

**We confirm that we have complied with requirements on objectivity and independence in relation to this year's audit of the Authority's 2016/17 financial statements.**

**Before we can issue our opinion we require a signed management representation letter.**

**Once we have finalised our opinions and conclusions we will prepare our Annual Audit Letter and close our audit.**

## **Declaration of independence and objectivity**

As part of the finalisation process we are required to provide you with representations concerning our independence.

In relation to the audit of the financial statements of Barnsley Metropolitan Borough Council for the year ending 31 March 2017, we confirm that there were no relationships between KPMG LLP and Barnsley Metropolitan Borough Council, its directors and senior management and its affiliates that we consider may reasonably be thought to bear on the objectivity and independence of the audit engagement lead and audit staff. We also confirm that we have complied with Ethical Standards and the Public Sector Audit Appointments Ltd requirements in relation to independence and objectivity.

We have provided a detailed declaration in Appendix 5 in accordance with ISA 260.

## **Management representations**

You are required to provide us with representations on specific matters such as your financial standing and whether the transactions within the accounts are legal and unaffected by fraud. We have provided a template to the Chief Financial Officer for presentation to the Audit Committee. We require a signed copy of your management representations before we issue our audit opinion.

There are no issues over which we are seeking specific management representations.

## **Other matters**

ISA 260 requires us to communicate to you by exception 'audit matters of governance interest that arise from the audit of the financial statements' which include:

- Significant difficulties encountered during the audit;
- Significant matters arising from the audit that were discussed, or subject to correspondence with management;

- Other matters, if arising from the audit that, in the auditor's professional judgment, are significant to the oversight of the financial reporting process; and
- Matters specifically required by other auditing standards to be communicated to those charged with governance (e.g. significant deficiencies in internal control; issues relating to fraud, compliance with laws and regulations, subsequent events, non disclosure, related party, public interest reporting, questions/objections, opening balances etc.).





**Section two**

# Value for money

Our 2016/17 VFM conclusion considers whether the Authority had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.

We have concluded that the Authority has made proper arrangements to ensure it took properly-informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.

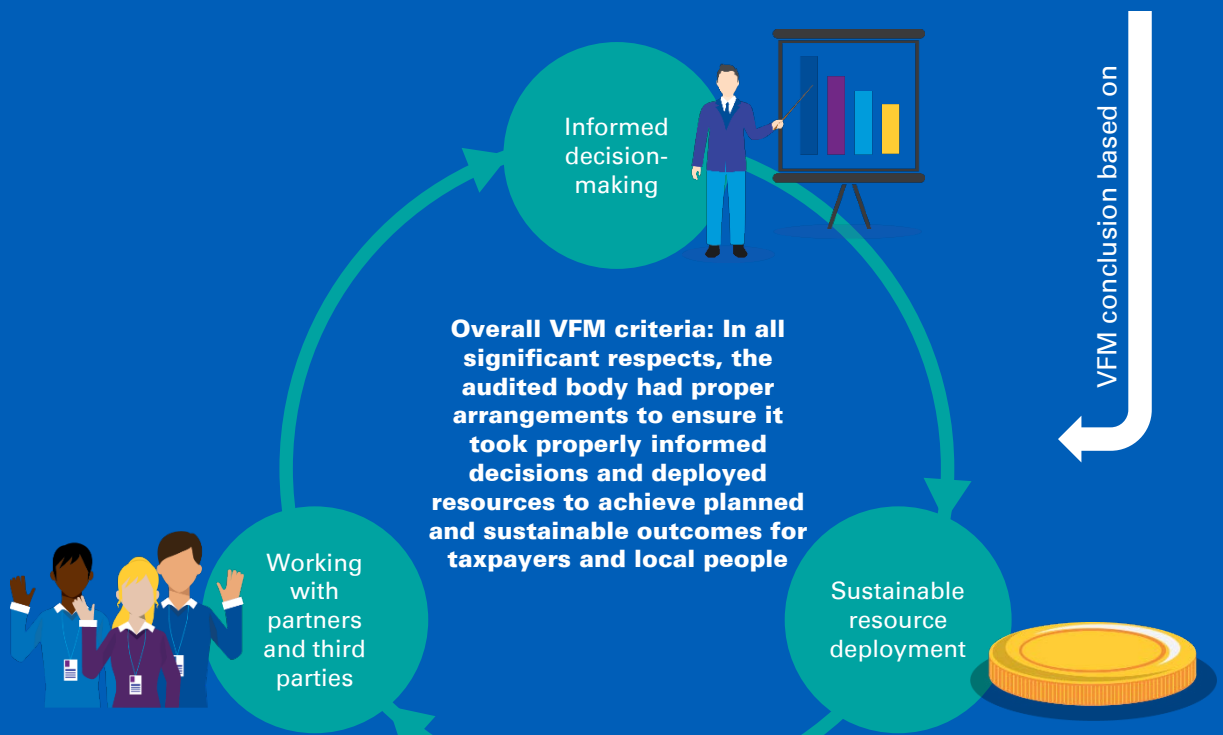
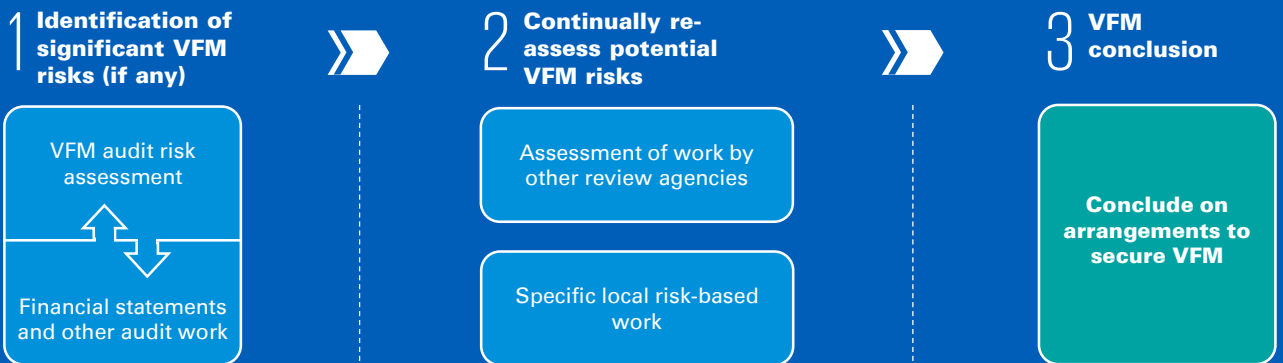
# VFM conclusion

The Local Audit and Accountability Act 2014 requires auditors of local government bodies to be satisfied that the authority 'has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources'.

This is supported by the Code of Audit Practice, published by the NAO in April 2015, which requires auditors to 'take into account their knowledge of the relevant local sector as a whole, and the audited body specifically, to identify any risks that, in the auditor's judgement, have the potential to cause the auditor to reach an inappropriate conclusion on the audited body's arrangements.'

Our VFM conclusion considers whether the Authority had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.

We follow a risk based approach to target audit effort on the areas of greatest audit risk.



The table below summarises our assessment of the VFM risks identified against the three sub-criteria. Note that we did not identify any specific VFM risks this year. This directly feeds into the overall VFM criteria and our value for money opinion.

VFM assessment summary			
	Informed decision-making	Sustainable resource deployment	Working with partners and third parties
<b>Overall summary</b>	✓	✓	✓

In consideration of the above, we have concluded that in 2016/17, the Authority has made proper arrangements to ensure it took properly-informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.

In our audit plan presented in January 2017 we did not identify any specific VFM risks. We reflected on this as part of our ongoing risk assessment, and concluded that, given the continued financial pressures which affect all local authorities, there is a VFM risk around financial resilience.

In the 2016/17 budget report, the Council indicated it had to achieve £9.9m of planned savings to deliver a balanced budget in the financial year 2016/17. Similar savings were also indicated as being required for financial years 2017/18 to 2020/21. Of the savings planned for 2016/17, the

Council achieved 84.6% delivery against targets by year end, with the main pressures being around the planned waste PFI savings and highway materials. There are also ongoing demand pressures in both adult and social care. As part of our work, we identified that the plans in place appear appropriate and during 2016/17, no issues have materialised in relation to VFM and financial resilience.

The medium term financial plan continues to remain balanced, but is reliant on finding the savings highlighted as part of the plan. If these do not occur, then there is a risk to the provision of services within the Authority.

As part of our ongoing risk assessment throughout the audit no further VFM risks were identified.

Our work has not identified any issues that would adversely impact upon our Value For Money conclusion.

A close-up, shallow depth-of-field photograph of a stack of books on a wooden surface. The books are stacked vertically, with a red book visible at the bottom. A silver pen lies horizontally in the foreground, its tip pointing towards the left. The background is softly blurred, showing more books and a warm, golden light. The word 'Appendices' is overlaid in a red, serif font, flanked by two vertical red lines.

# Appendices

# Key issues and recommendations

Our audit work on the Authority's 2016/17 financial statements has identified a number of issues. These are largely in relation to IT controls, the retention of documentation and evidencing of reconciliation preparation and review. We have listed these issues in this appendix together with our recommendations which we have agreed with Management. We have also included Management's responses to these recommendations.

The Authority should closely monitor progress in addressing the risks, including the implementation of our recommendations. We will formally follow up these recommendations next year.

Each issue and recommendation have been given a priority rating, which is explained below.



Issues that are fundamental and material to your system of internal control. We believe that these issues might mean that you do not meet a system objective or reduce (mitigate) a risk.



Issues that have an important effect on internal controls but do not need immediate action. You may still meet a system objective in full or in part or reduce (mitigate) a risk adequately but the weakness remains in the system.



Issues that would, if corrected, improve internal control in general but are not vital to the overall system. These are generally issues of good practice that we feel would benefit if introduced.

The following is a summary of the issues and recommendations raised in the year 2016/17.

2016/17 recommendations summary	
Priority	Total raised for 2016/17
High	0
Medium	2
Low	2
<b>Total</b>	<b>4</b>



**1. Staff overpaid due to delays in completing leavers' forms**

As part of our payroll control testing, we identified eight instances out of a sample of 25 where staff had been overpaid due to managers not completing leavers forms and sending them to the payroll team in a timely manner.

This causes additional expense to the Council, both in terms of having overpaid the staff, and in the staff time then taken up asking for repayments.

All managers should be reminded of the importance of informing the payroll team as soon as they are aware of a leaver.

**Recommendation**

All managers should be reminded of the importance of informing the payroll team as soon as they are aware of a leaver.

**Management Response**

Accepted

Communication to go to managers across the Council to highlight the importance of completing leaver forms in a timely fashion. The overpayments identified in the sample have all been pursued through our overpayment recovery process with the majority of them been repaid since the financial year end. Only one remains outstanding which has been escalated through the debt recovery process.

**Owner**

Service Director - Finance

**Deadline**

September 2017



**2. Council tax system – “Academy” user access and super user access**

When undertaking our IT controls around the council tax system (Academy), we identified that in our sample of 25 people who had user access to the system, 7 should not have had access to the system. We also identified that, of the 34 staff with super user access, five should not have had this level of access

There is a risk that staff may make changes to the system that they are not authorised to do. Super users have the ability to go in and make changes to IT systems without certain checks and authorisations being required that are in place for normal users. This increases the risk that changes could be made either accidentally or deliberately.

**Recommendation**

A full review of user access should be undertaken to confirm that there no other staff who have been given inappropriate access, and all staff identified as part of our sample testing should have their access revoked.

**Management Response**

Accepted

To implement a periodic review of user access of Academy to identify where members of staff have moved jobs within the Council and no longer require access or a different type of access.

**Owner**

Finance and Service Director - IT

**Deadline**

To commence September 2017

Low  
priority**3. Notifying IT of leavers**

As part of our review of the council tax system (Academy), we identified that of 40 leavers selected for testing, seven had not had their access to the system revoked at the time of our testing. From our IT testing of the general ledger (SAP), we identified three staff out of a sample of 25 had not had their system access revoked. This was due to IT staff not being informed that they required removal from the system. Without timely removal of leavers, there is a risk that staff could maliciously amend data after they have left.

It should however be noted that there is an automated process to remove staff network access upon leaving, which stops staff being able to access any of the IT systems. We have confirmed that all of the identified leavers had their network access revoked in a timely manner.

**Recommendation**

These users should have their access revoked with immediate effect. The process for notifying IT of leavers should be amended so they are informed as soon as a member of staff is no longer an employee, or preferably before when staff are working their notice period. This allows access to be revoked on the day the leave.

**Management Response**

Accepted

The current process of removing overall network access automatically when the employee leaves mitigates the risk of individual system access. That said, work currently progressing on automation of removal of access from the individual systems.

**Owner**

Service Director - Finance

Service Director – IT

**Deadline**

December 2017

Medium  
priority**4. SAP change log not saving an audit trail**

Within SAP (general ledger IT system), there is an area known as the production client, which enables changes to be made to the application without following the approved change process. This should be locked apart from approved instances with supporting controls and strictly limited time period. Table logging usually keeps track of when this has been locked and unlocked, and forms an audit trail, however our testing identified that table logging was turned off, and the SAP production environment had been opened at least once during the financial year, but there was no record of how long for. There is a risk that changes could be made to the application without following the approved change process and that the records of these changes could be removed to avoid detection. These could impact on the integrity of the system and the data held therein. This then impacts on the integrity of the data within the financial accounts.

It should be noted that only IT staff have access to this aspect of SAP, which mitigates some of the risk that anyone could make undetected changes.

**Recommendation**

As we have substantively tested the figures in the financial statements back to source documentation, we are comfortable that this is unlikely to have led to a material misstatement, however to reduce the impact of this on the 2017/18 audit, table logging should be enabled, and appropriate checks be put in place to confirm when the production client is unlocked.

**Management Response**

Accepted

Firstly, there are a small number of IT professionals that have access to action the access to the Production system. In terms of changing the Production system, there are currently robust procedural processes in place with regards change control that mitigates the risk of any amendments being actioned directly to the production client. All change controls are logged through the helpdesk job system, starting the audit trail. The change then goes through 2 test environments before finally being transported into the production client, where the production system is open for a very short period of time. Any deviation away from this process would be easily detected.

The recommendation around enabling the system log for this particular activity will be explored.

**Owner**

Service Director – Finance

Service Director - IT

**Deadline**

Reviewed by December 2017



# Follow-up of prior year recommendations

In the previous year, we raised two recommendations which we reported in our *External Audit Report 2015/16 (ISA 260)*. The Authority has implemented both recommendations.

We have used the same rating system as explained in Appendix 1.

Each recommendation is assessed during our 2016/17 work, and we have obtained the recommendation’s status to date. We have also obtained Management’s assessment of each outstanding recommendation.

Below is a summary of the prior year’s recommendations.

### 2015/16 recommendations status summary

Priority	Number raised	Number implemented / superseded	Number outstanding
High	0	0	0
Medium	2	2	0
Low	0	0	0
<b>Total</b>	<b>2</b>	<b>2</b>	<b>0</b>

#### 1. Journal Authorisation

Medium priority

Our audit of journal entries identified that the written procedure notes were not fully in line with the processes and controls actually in practice. The current practice does not give rise to a risk and we did not identify any incorrect or unsupported journals entries but should be a reflection of written procedures.

#### Recommendation

The Authority should review the written procedure notes for the posting and authorisation of journal entries and ensure that these reflect the procedures that are both required and are currently in practice.

#### Management original response

The written procedures in relation to journal control & authorisation will be refreshed to reflect the current Business Unit operating model and staffing structure.

#### KPMG’s July 2017 assessment

Fully implemented

The written procedures in relation to journal control and authorisation have now been refreshed.



**2. Valuation of waste management asset**

The Waste Management PFI came into use during the year. Once assets have been recognised, under section 4.3 of the Code, an assessment needs to be made as to whether the asset value needs to be re-measured. No such revaluation took place at the time the asset came into use and therefore there is a risk that the value of the asset may be misstated.

Subsequent to our onsite audit work we have now obtained a formal valuation of the asset from the Authority’s valuer. We have discussed this with our technical expert and have not identified any issues with the process used to value this asset. We have therefore gained assurance, for the current year audit, that the value of the asset has not been materially misstated.

**Recommendation**

The latest valuation of the asset should be reflected in the 2016/17 statement of accounts and that all new assets are valued when they come into use in line with the requirements of the code.

**Management original response**

An adjustment will be made to the carrying value of the Council’s share of the waste PFI facility in the 2016/17 accounts.

Procedures will be refreshed to ensure that all new material assets are revalued on acquisition.

Fully implemented

**KPMG’s July 2017 assessment**

The Finance team have instructed their valuation colleagues to carry out an in use valuation for the Waste Management Asset in line with the CIPFA COP.

This was confirmed during our year end audit testing.

# Audit differences

We are required by ISA 260 to report all uncorrected misstatements, other than those that we believe are clearly trivial, to those charged with governance (which in your case is the Audit Committee). We are also required to report all material misstatements that have been corrected but that we believe should be communicated to you to assist you in fulfilling your governance responsibilities.

## Adjusted audit differences

### Consolidated Accounts

In previous years the Council had made the decision to not consolidate the subsidiary company Berneslei Homes Limited on the grounds of materiality. As a result of the triennial valuation of the Local Government Pension Scheme carried out in year, the pension liability increased significantly to a material level. This information came to light a little late with regards to being able to initially consolidate the results into a set of group accounts. Following ongoing consultation with ourselves it was confirmed that a consolidated set of accounts would need to be prepared to include the results of Berneslei Homes Limited.

### Other Adjustments

In addition to the above, a number of minor amendments focused on presentational improvements/omissions have also been made to the 2016/17 draft financial statements. We note that these items are relatively minor in nature and relate largely to human error rather than pointing to any specific weaknesses in control. None of the adjustments made impacted upon the primary statements. We are pleased to note that the Finance Team remains committed to continuous improvement in the quality of the financial statements submitted for audit in future years.

The corrections made are detailed in the table below:

Table 1: Adjusted audit differences	
No.	Description
1	<i>Exit packages</i> <i>The figures in the exit package note (Note 15 – Officer remuneration &amp; exit packages) were overstated in the original draft of the financial statements, due to double counting of some staff. This did not have an impact on the primary statements, as the information had been drawn from a different source for disclosure purposes. This has been amended in the final version of the accounts.</i>
2	<i>Capital Financing Requirement</i> <i>From our testing of Note 25 – Capital Expenditure and Financing, we identified that the split of “other land and buildings”, and “vehicles, plant, furniture &amp; equipment” within the capital financing requirement did not match the fixed asset note. All of the balance had been incorrectly put against “vehicles, plant, furniture &amp; equipment” in note 25. It did not impact on the primary statements as it is a disclosure note only. This has been amended in the final version of the accounts.</i>

## Unadjusted audit differences

We note that there are no unadjusted audit differences to bring to your attention.

# Materiality and reporting of audit differences

## The assessment of what is material is a matter of professional judgment and includes consideration of three aspects: materiality by value, nature and context.

Material errors by value are those which are simply of significant numerical size to distort the reader's perception of the financial statements. Our assessment of the threshold for this depends upon the size of key figures in the financial statements, as well as other factors such as the level of public interest in the financial statements.

Errors which are material by nature may not be large in value, but may concern accounting disclosures of key importance and sensitivity, for example the salaries of senior staff.

Errors that are material by context are those that would alter key figures in the financial statements from one result to another – for example, errors that change successful performance against a target to failure.

We used the same planning materiality reported in our External Audit Plan 2016/17, presented to you in January 2017.

Materiality for the Authority's accounts was set at £12.0 million which equates to around 1.6 percent of gross expenditure (circa £728m once allowing for £154m gain on Council Dwellings). We design our procedures to detect errors in specific accounts at a lower level of precision.

### Reporting to the Audit Committee

Whilst our audit procedures are designed to identify misstatements which are material to our opinion on the financial statements as a whole, we nevertheless report to the Audit Committee any misstatements of lesser amounts to the extent that these are identified by our audit work.

Under *ISA 260*, we are obliged to report omissions or misstatements other than those which are 'clearly trivial' to those charged with governance. *ISA 260* defines 'clearly trivial' as matters that are clearly inconsequential, whether taken individually or in aggregate and whether judged by any quantitative or qualitative criteria.

*ISA 450* requires us to request that uncorrected misstatements are corrected.

In the context of the Authority, we propose that an individual difference could normally be considered to be clearly trivial if it is less than £600,000 for the Authority.

Where management have corrected material misstatements identified during the course of the audit, we will consider whether those corrections should be communicated to the Audit Committee to assist it in fulfilling its governance responsibilities.

# Declaration of independence and objectivity

Auditors appointed by Public Sector Audit Appointments Ltd must comply with the Code of Audit Practice (the 'Code') which states that:

*"The auditor should carry out their work with integrity, objectivity and independence, and in accordance with the ethical framework applicable to auditors, including the ethical standards for auditors set by the Financial Reporting Council, and any additional requirements set out by the auditor's recognised supervisory body, or any other body charged with oversight of the auditor's independence. The auditor should be, and should be seen to be, impartial and independent. Accordingly, the auditor should not carry out any other work for an audited body if that work would impair their independence in carrying out any of their statutory duties, or might reasonably be perceived as doing so."*

In considering issues of independence and objectivity we consider relevant professional, regulatory and legal requirements and guidance, including the provisions of the Code, the detailed provisions of the Statement of Independence included within the Public Sector Audit Appointments Ltd Terms of Appointment ('Public Sector Audit Appointments Ltd Guidance') and the requirements of APB Ethical Standard 1 Integrity, Objectivity and Independence ('Ethical Standards').

The Code states that, in carrying out their audit of the financial statements, auditors should comply with auditing standards currently in force, and as may be amended from time to time. Public Sector Audit Appointments Ltd guidance requires appointed auditors to follow the provisions of *ISA (UK&I) 260 'Communication of Audit Matters with Those Charged with Governance'* that are applicable to the audit of listed companies. This means that the appointed auditor must disclose in writing:

- Details of all relationships between the auditor and the client, its directors and senior management and its affiliates, including all services provided by the audit firm and its network to the client, its directors and senior management and its affiliates, that the auditor considers may reasonably be thought to bear on the auditor's objectivity and independence.
- The related safeguards that are in place.
- The total amount of fees that the auditor and the auditor's network firms have charged to the client and its affiliates for the provision of services during the reporting period, analysed into appropriate categories, for example, statutory audit services, further audit services, tax advisory services and other non-audit services. For each category, the amounts of any future services which have been contracted or where a written proposal has been submitted are separately

disclosed. We do this in our Annual Audit Letter.

Appointed auditors are also required to confirm in writing that they have complied with Ethical Standards and that, in the auditor's professional judgement, the auditor is independent and the auditor's objectivity is not compromised, or otherwise declare that the auditor has concerns that the auditor's objectivity and independence may be compromised and explaining the actions which necessarily follow from his. These matters should be discussed with the Audit Committee.

Ethical Standards require us to communicate to those charged with governance in writing at least annually all significant facts and matters, including those related to the provision of non-audit services and the safeguards put in place that, in our professional judgement, may reasonably be thought to bear on our independence and the objectivity of the Engagement Lead and the audit team.

## General procedures to safeguard independence and objectivity

KPMG LLP is committed to being and being seen to be independent. As part of our ethics and independence policies, all KPMG LLP Audit Partners and staff annually confirm their compliance with our Ethics and Independence Manual including in particular that they have no prohibited shareholdings.

Our Ethics and Independence Manual is fully consistent with the requirements of the Ethical Standards issued by the UK Auditing Practices Board. As a result we have underlying safeguards in place to maintain independence through: Instilling professional values, Communications, Internal accountability, Risk management and Independent reviews.

We would be happy to discuss any of these aspects of our procedures in more detail.

## Auditor declaration

In relation to the audit of the financial statements of Barnsley Metropolitan Borough Council for the financial year ending 31 March 2017, we confirm that there were no relationships between KPMG LLP and Barnsley Metropolitan Borough Council, its directors and senior management and its affiliates that we consider may reasonably be thought to bear on the objectivity and independence of the audit engagement lead and audit staff. We also confirm that we have complied with Ethical Standards and the Public Sector Audit Appointments Ltd requirements in relation to independence and objectivity.

## Appendix 6

# Audit fees

### Audit fees

As communicated to you in our External Audit Plan 2016/17, our scale fee for the audit is £135,988 plus VAT (£135,988 in 2016/17), which has remained the same as the prior period.

Our work on the certification of Housing Benefits (BEN01) is planned for September 2017. The planned scale fee for this is £22,118 plus VAT. Planned fees for other grants and claims which do not fall under the PSAA arrangements is £7,750 plus VAT (£7,750 in 2016/17), see further details below.

PSAA Fee Table	
Component of audit	2016/17 (actual fee) £
<b>Accounts opinion and use of resources work</b>	
PSAA scale fee set in 2014/15	135,988
<b>Subtotal</b>	<b>135,988</b>
<b>Housing benefits (BEN01) certification work</b>	
PSAA scale fee set in [2014/15] – planned for September 2017	22,118
<b>Total fee for the Authority set by the PSAA</b>	<b>158,016</b>

All fees are quoted exclusive of VAT.

Non-PSAA Fees	
	2016/17 (planned fee) £
<b>Grants Certification Work</b>	
Pooling Capital Receipt Return	4,250
Teachers Pension's Agency Return	3,500
<b>Total fee for the Authority set by the PSAA</b>	<b>7,750</b>

All fees are quoted exclusive of VAT.



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**AUDIT COMMITTEE – 22<sup>nd</sup> September 2017**

**ANNUAL GOVERNANCE STATEMENT 2016 / 17**

**1. Purpose of the Report**

1.1 To consider the draft Annual Governance Statement for 2016 / 17, attached as Appendix One to this report.

**2. Recommendations**

**2.1 The Committee is asked to consider the Annual Governance Statement for 2016 / 17.**

**3. Background**

3.1 The process and guidance that underpins the Annual Governance Review (AGR) for 2016 / 17 was considered by the Committee on 22<sup>nd</sup> March 2017, and members were given the opportunity to comment on these arrangements prior to the AGR commencing with officers.

**4. The Annual Governance Statement 2016 / 17**

4.1 The AGS is attached as Appendix One to this report. The statement outlines the following:

- i. The purpose of the Governance Framework;
- ii. The Governance and Internal Control Framework;
- iii. The process of annually reviewing the effectiveness of the Governance and Internal Control Framework; and,
- iv. Identifying development and improvement opportunities arising from the Annual Governance Review, to be addressed in 2017 / 18.

**5. Review Process**

5.1 The AGS is an important document as it is one form of providing assurances to residents and other stakeholders, including the Council's partners, that its decision making processes and procedures have integrity.

5.2 An action plan has been prepared to capture the issues raised throughout the review process. This document will form the basis for Audit Committee monitoring throughout the year. The action plan is provided to the Audit Committee as Appendix One to the AGS itself. An update of the action plan will be reported to the Audit Committee throughout the year ahead.

**6. Financial Implications**

6.1 There are no direct financial implications arising through the preparation and publication of the Council's Annual Governance Statement.

6.2 However, the draft statement includes an assessment as to the extent to which the Council's financial and other internal control related procedures are being complied with.

## **7. Risk Management Considerations**

- 7.1 The Council's Risk Management Strategy forms one of the key elements of the Council's Internal Control Framework.

## **8. Consultations**

- 8.1 The statement was developed through a comprehensive evaluation process which has included input from the Council's Corporate Assurance Group and the Council's Senior Management Team (SMT).

## **9. List of Appendices**

- 9.1 Appendix One: Annual Governance Statement 2016 / 17 plus 2017 / 18 Action Plan

## **10. Background Papers**

- 10.1 Previous Audit Committee reports covering the monitoring of the 2015 / 16 AGS Action Plan, the Council's Local Code of Corporate Governance and the Council's Annual Governance Review Process 2016 / 17.

Contact Officer: Risk and Governance Manager  
Telephone: 01226 77 3119  
Date: 11<sup>th</sup> September 2017

# BARNSELY METROPOLITAN BOROUGH COUNCIL

## ANNUAL GOVERNANCE STATEMENT 2016 / 2017

### 1. **Scope of Responsibility**

- 1.1 Barnsley Metropolitan Borough Council is responsible for ensuring that its business is conducted in accordance with the law and all relevant standards, and that public money is safeguarded and properly accounted for.
- 1.2 The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, effectiveness and efficiency.
- 1.3 In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.
- 1.4 The Council has approved and adopted a Local Code of Corporate Governance, which is consistent with the principles of the CIPFA / SOLACE framework detailed in their report 'Delivering Good Governance in Local Government (2016 Edition)', in so far as the Council will:

**Principle A.** Behave with integrity, demonstrating strong commitment to ethical values and respect the rule of law;

**Principle B.** Ensure openness and comprehensive stakeholder engagement;

**Principle C.** Define outcomes in terms of sustainable economic, social and environmental benefits;

**Principle D.** Determine the interventions necessary to optimise the achievement of intended outcomes;

**Principle E.** Develop the entity's capacity, including the capability of its leadership and the individual's within it;

**Principle F.** Manage risk and performance through robust internal controls and strong public financial management; and,

**Principle G.** Implementing good practices in transparency, reporting and audit to deliver effective accountability.

- 1.5 A copy of the Council's recently revised Local Code of Corporate Governance can be found on the [Council's Document Store](#). This document was considered, and approved by the Council's Audit Committee on 22<sup>nd</sup> March 2017.

### 2. **Purpose of the Governance Framework**

- 2.1 The governance framework comprises the systems, processes, culture and values, by which the Council is directed and controlled. It also includes the activities through which it is accountable to,

engages with and leads the community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

- 2.2 The system of governance and internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurances regarding overall effectiveness. The system of governance and internal control is based on an ongoing process of risk review, designed to identify and prioritise risks to the achievement of the Council's policies, aims and objectives and to evaluate the likelihood and potential impact of those risks being realised. It is then a case of managing and mitigating them to reasonable levels in an efficient, effective and economic manner.

### **3. The Governance Framework**

- 3.1 The scope of the governance and internal control framework spans the whole range of the Council's activities. The following sections consider the various main components of the Council's governance framework and the activities within each of them. Within the Annual Governance Statement, job roles, titles and organisational structures reflect the Council's arrangements during 2016 / 17.

#### 4. Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

##### 4.1 Behaving with Integrity

4.1.1 Barnsley Metropolitan Borough Council (BMBC) has developed an organisational culture that is based on the principle of the 'Future Council'. The journey towards the Future Council began in 2013, and is intended to shape the organisation into a customer focused, modern, efficient and business minded Council.

4.1.2 The Council's four main values, detailed in the [Council's Performance Management Arrangements](#) are as follows:

- We are Proud;
- We are Honest;
- We will be Excellent; and,
- We are a Team.

4.1.3 The Council's Senior Management Team (SMT) and the Barnsley Leadership Team (BLT) are committed to the delivery of the above values, and acknowledge the challenges that will face the effective delivery our priorities and outcomes. This is particularly challenging, given the pressures the Council is facing. However, there is a robust commitment to continuously improve and ultimately make a difference to stakeholders lives. We will do this by:

- Making sure our plans, programmes and projects have the resources they need;
- Monitoring, managing and challenging our progress and performance;
- Publishing our performance report; and,
- Asking stakeholders to tell us how we are performing.

4.1.4 There are also a number of activities that the Council has focused on to assist in changing the way we work:

- **Clear vision and values** – we have developed these together and they define what we are trying to achieve in our communities and for our customers, as well as how we do what we do.
- **Customer focus** – we will understand all our customers and put them at the centre of everything we do.
- **Commercial and business acumen** – we will focus on outcomes and making every penny count, removing bureaucracy and running our organisation really well for our customers and residents.
- **Efficient delivery of projects and programmes** – we will strengthen and standardise our approach. Working together to ensure accountability and value for money.
- **Innovative and managed risk taking** – we will remove barriers to change, encourage, support and empower our employees to develop great new ideas and implement improvements.
- **Learning organisation** – we will invest in our employees, recognise success and achievement, and become stronger from our mistakes.

- **Leaders at every level** – we will have leaders at every level of the organisation who are highly skilled, and able to inspire and empower their teams to respond effectively to local needs.
- **Flexible workforce** – we will ensure our employees are healthy, agile, skilled, and flexible so that we can continue to meet our customers' changing needs.
- **Working with our partners, communities and residents** – we will work better together to identify and meet local needs by joining up our work, and playing to our different strengths.
- **Enabling organisation** – we will enable our partners, communities and residents to do more for themselves, rather than stepping in when we are not needed or where others can do something better than we can.

4.1.5 BMBC has a Whistleblowing Policy which is supported by two senior managers as designated contact officers. The Council's [Audit Committee](#) oversees the effectiveness of the Whistleblowing arrangements on an annual basis. The Council's Internal Audit Section, as well as having a role in investigating matters brought to its attention also takes the lead in promoting preventative measures.

## 4.2 Demonstrating strong commitment to Ethical Values

4.2.1 BMBC has established a Member Panel to consider any allegations of misconduct, where the Monitoring Officer determines the need to undertake formal investigation. The Monitoring Officer exercises their judgement in consultation with three designated Independent Persons who have been appointed as a requirement of the Localism Act. This panel comprises three Elected Members chosen from those members comprising the [Appeals Awards and Standards Panel](#) by the Monitoring Officer in consultation with the Chairperson of the Panel. A majority of the members are selected from a political group different to that of the member who is the subject of the complaint.

4.2.2 The Council has developed and adopted formal [Codes of Conduct](#) which define standards for both personal and professional behaviour for Elected Members and officers. Formal induction training packages have been developed for Members and officers that include mandatory training regarding information governance, financial and procurement responsibilities and anti-fraud and corruption arrangements. Both Elected Members and officers are required to register relevant interests as required by law, and by the relevant Code of Conduct. The Council maintains a [register of Councillors Interests](#), as Councillors are obliged by law to keep their registration up to date and inform the Monitoring Officer of any changes within 28 days of the relevant event. The need for disclosure of any conflicts of interest is a standard agenda item at all Council meetings. [Standing Orders](#) have been amended to require a member to withdraw where they have a Disclosable Pecuniary Interest, as defined by law.

## 4.3 Respecting the Rule of Law

4.3.1 The Council has designated the Executive Director of Core Services as Monitoring Officer. It is the function of the Monitoring Officer to ensure compliance with established policies, procedures, laws and regulations and to oversee its arrangements in relation to ethical standards complaints.

4.3.2 The Executive Director of Core Services attends, or is represented by a senior lawyer at all meetings of the Cabinet and Council. A senior lawyer is always in attendance at meetings of the [Planning Regulatory Board](#) and the [Licensing Regulatory Board](#) and as clerk to any Appeals panels.

4.3.3 All decision making reports take account of a range of control factors, including risks, legal and financial implications and policy or performance implications. The Council's SMT reviews all significant reports prior to them being included on the Cabinet agenda and discusses forthcoming Cabinet agendas a week prior to the meeting to address any particular issues arising or outstanding

in respect of the specific report on the agenda. Any decisions taken by Cabinet members under their delegated powers are subject to prior scrutiny by SMT.

- 4.3.4 All Cabinet decisions are subject to oversight by the [Overview and Scrutiny Committee](#).
- 4.3.5 All documents that require execution by the Executive Director of Core Services require evidence of Member or delegated officer approval prior to being executed.
- 4.3.6 Legal implications in particular with regard to consultation and statutory quality obligations are addressed specifically as part of the Council's budget setting process. The Monitoring Officer and Section 151 Officer are aware of their statutory duties to report in respect of concerns of unauthorised activity or expenditure and consult with each other periodically in relation to their ongoing and complementary statutory roles.
- 4.3.7 There is a periodic review of decision making and 'authority to act' through the role of Internal Audit and where appropriate by external regulators such as the [Information Commissioner](#), the [Surveillance Commissioner](#) and the [Local Government Ombudsman](#).

## **5. Principle B: Ensuring openness and comprehensive stakeholder engagement**

### **5.1 Openess**

- 5.1.1 The [Council's Constitution](#) sets out how the Council operates regarding how decisions are made and the procedures that are followed to ensure that these rules are efficient, transparent and accountable to local people. The constitution sets out rules governing the manner in which the Council conducts its business.
- 5.1.2 The Constitution includes the [Scheme of Delegation](#) whereby functions and decision making responsibilities are allocated between the full Council, the Cabinet, individual Cabinet Members, regulatory boards, committees and officers.
- 5.1.3 The [Council's Officer Code of Conduct and Member Code of Conduct](#) encourages the effective transaction of business by setting out the respective roles of Members and officers and provides guidelines for good working relationships between them. The Elected Members Code of Conduct was updated and approved by Cabinet in May 2015 to ensure they reflected the Future Council's vision, values and behaviours.
- 5.1.4 A limited number of items of business, such as approving the level of Council Tax must be considered by the [Full Council](#). For other decisions, the Leader and [Cabinet](#) Members hold decision making powers through the Cabinet – each member of the Cabinet holds a portfolio which supports the priorities and [structures of the Future Council](#).
- 5.1.5 In order to comply with the Governments [Local Government Transparency Code](#) we make sure that local people can now see and access data about:
- How we spend our money
  - How we use council assets
  - How we make decisions
  - Issues important to local people

### **5.2 Engaging comprehensively with institutional stakeholders**

- 5.2.1 When working in partnership with others, the existence of sound governance arrangements helps to ensure that shared goals are achieved and resources are controlled in an effective manner.
- 5.2.2 A review of the partnership arrangements for the [Local Strategic Partnership](#) has provided greater clarity by reducing the number of partnership bodies and sub-groups. The LSP now benefits from two key partnership bodies, the Health and Wellbeing Board (focusing on delivering health and wellbeing strategies) and the Barnsley Economic Partnership (which focuses on the delivery of economic strategies), with the One Barnsley Board providing strategic oversight. The emphasis is on each partner agency contributing towards, and being responsible for the delivery of shared outcomes for Barnsley, rather than servicing and attending partnership meetings.
- 5.2.3. Council officers and Councillors are nominated as Council representatives within or when dealing with significant partnering organisations. Partners are encouraged where appropriate to align their objectives with the Council's policies and deliver high quality, efficient and effective services which are in accordance with their agreements with the Council.
- 5.2.4 A practical Partnership Governance Framework is in development, which has been designed to assist Partnership Lead Officers provide suitable assurances that the partnership is making a



valuable contribution to the Council's objectives and priorities, and is a well governed and controlled relationship.

5.2.5 The [Sheffield City Region](#) benefits from its own emerging governance arrangements, the Council is in a strong position to influence these through the support provided to the City Region by BMBC relating to internal control support functions such as human resourcing, risk management, health and safety, information governance and internal audit that are delivered via a service level agreement.

### **5.3 Engaging with individual citizens and services users more effectively**

5.3.1 All Councillors must account to their communities for the decisions that they have taken and the rationale behind them. Barnsley Council is subject to external review through external auditing of financial statements and performance managing outcomes against national standards and targets.

5.3.2 Councillors and officers are both subject to code of conducts. Additionally, where maladministration may have occurred, the aggrieved person may wish to appeal either through their local Councillor or directly to the Local Government Ombudsman.

5.3.3 The Council has numerous arrangements in place to communicate with its customers and wider stakeholders, including the use of social media such as 'Facebook' and 'Twitter'. The [Area Council and Ward Alliance](#) arrangements also encourage community involvement, engagement and participation.

5.3.4 Whilst the journey to becoming a customer focused, modern, efficient and business minded 'Future Council' started in 2013 there have been a number of new, improved ways of working. Some of these are detailed within the Council's [Corporate Plan 2017 - 2020](#):

- A genuine focus on you; our customers, putting you at the heart of what we do;
- A reshaped organisation, designed to deliver what we've promised;
- New, innovative ways of delivering sustainable services; and,
- More people getting involved locally, making their communities stronger.

## 6. **Principle C: Defining outcomes in terms of sustainable economic, social and environmental benefits**

### 6.1 **Defining outcomes**

6.1.1 The Council has identified the following priorities or outcomes, which are detailed in the [Corporate Plan 2017 – 2020](#):

- **Thriving and Vibrant Economy:**

We're investing to build Barnsley's economy to achieve the following outcomes:

- ✓ Create more and better jobs and good business growth;
- ✓ Increase skills to get more people working;
- ✓ Develop a vibrant town centre;
- ✓ Strengthen our visitor economy; and,
- ✓ Create more and better housing.

- **People Achieving their Potential:**

We're creating a healthier, safer and better educated population to achieve the following outcomes:

- ✓ Every child attends a good school and is successful in learning and work;
- ✓ Reducing demand through access to early help;
- ✓ Children and adults are safe from harm; and,
- ✓ People are healthier, happier, independent and active.

- **Strong and Resilient Communities:**

We're helping people to get the most out of where they live now and in the future to achieve the following outcomes:

- ✓ People volunteering and contributing towards stronger communities;
- ✓ Protecting the borough for future generations by recycling and using renewable energy; and,
- ✓ Customers can contact us easily and use more services online.

6.1.2 The progress made towards these outcomes are detailed in the [Council's Performance Management arrangements](#), which includes a rag rating against each outcomes, and detailed narratives for each individual area of activity.

6.1.3 The [Medium Term Financial Strategy](#) supports the delivery of the Councils key outcomes and underpins the development of individual business and service delivery plans, and is currently designed to ensure the delivery of sustainable services to 2020. The MTFs identifies a number of key assumptions and constraints which are regularly tested to ensure they are robust and accurate. Each business plan also considers issues such as finances, workforce and equality to ensure appropriate risks are identified and mitigated to acceptable levels.

6.1.4 The MTFs includes a section which considers the implications relating to relationships with key partners and the Devolution Deal for the Sheffield City region.

### 6.2 **Sustainable Economic, Social and Environmental Benefits**

6.2.1 The Council ensures that it considers the impact of its decision in terms of economic, social and environmental consequences and requires all [decision making reports](#) to include an appropriate analysis of issues such as Financial Implications, Health and Safety, Consultations undertaken, Implications for local people / service users, Risk Management, Equality, Diversity and Social

Inclusion and the impact on the Corporate Plan and the Council's Performance Management Framework.

- 6.2.2 The Council has an [Equality and Diversity Policy](#) which sets out the Council's commitment, together with the specific responsibilities of employees, managers and elected members in implementing the policy and in meeting our public sector equality duty.
- 6.2.3 Furthermore, the Council's [Equality Scheme](#) explains how the policy and public sector equality duty is put into practice.

## **7. Principle D: Determining the interventions necessary to optimise the achievement of intended outcomes**

### **7.1 Determining Interventions**

7.1.1 The Council ensures its decision makers are able to make informed and defensible evidence-based decisions through the development of objective decision making reports that includes an analysis of available options (including a 'preferred option') and considers the potential financial, resources and risk implications of any decisions that are to be made.

7.1.2 In order to honour its commitment to seek feedback and opinion from its stakeholders, the Council has a dedicated '[Tell us what you think](#)' campaign, which is designed to elicit feedback relating to a number of Council services. The Council values feedback from our stakeholders and considers all comments or suggestions that have been made.

### **7.2 Planning Interventions**

7.2.1 The Council plans in consultation with the [Local Strategic Partnership](#), One Barnsley. This partnership benefits from two thematic Boards, comprised of partners from across the Borough who have an interest in delivering the outcomes associated with the thematic board:

- [Health and Wellbeing Board](#) – Terms of reference include agreeing the Health and Wellbeing Strategy and working with all organisations to join up health and social care for the Borough. It is made up of Elected Members and officers of the Council, representatives of Barnsley's Clinical Commissioning Group of GPs and other health providers, and the local HealthWatch, which represents the interests of patients and service users. People from other organisations that have an impact on health and wellbeing, such as the District Police Commander, also attend the meetings; and,
- [Barnsley Economic Partnership](#) – The Barnsley Economic Partnership (BEP) brings together a group of high level influential individuals from the public and private sectors with the skills and experience to assist with the delivery of the Jobs and Business Plan for Barnsley. The BEP seeks to rebalance the economy by stimulating private sector job growth through enterprise, business growth and inward investment.

7.2.2 The effectiveness of interventions is considered and assessed as part of the Councils Performance management arrangements. Performance Reports include a brief narrative relating to the activities and outputs of the Health and Wellbeing Board and the Barnsley Economic Partnership.

### **7.3 Optimising the achievement of intended outcomes**

7.3.1 The Councils activities are considered at a strategic level through the development of the Councils MTFs and complementary [Service and Financial planning arrangements](#). This document sets out the context, in which the Council operates in terms of significant financial pressures arising from ongoing austerity measures and changes to local government funding arrangements. This also ensures that the activities of the Council and its key partners are aligned, and appropriate resources are in place to enable the delivery of intended outcomes.

7.3.2 The Council has developed an Efficiency Plan which seeks to outline the framework that the Council has in place to ensure that it is a self-sustainable, evolving organisation that will deliver against the four year MTFs, in spite of the reducing resources it faces. This is complemented by the Councils '[Future Council 2020](#)' plan which set out the journey towards a more modern, efficient and business minded organisation through planned change. improvement and growth.

- 7.3.3 The Council procures a variety of goods, services in accordance with EU, UK and local regulations which are set out within the [Councils Procurement Policies](#).
- 7.3.4 In terms of Social value, the Council has begun to consider the evaluation of social value (or social return on investment) in a number of Area Council led activities including those within the [South Area Council](#) and the [North Area Council](#).

## **8. Principle E: Developing the entity's capacity, including the capability of its leadership and individuals within it**

### **8.1 Developing organisational capacity**

8.1.1 There is ongoing monitoring of the Councils staffing structures to ensure there is adequate resource and support in place to deliver the intended outcomes for stakeholders. The Councils [Workforce Strategy 2014 – 2017](#) is designed to ensure that the transition to the new 'Future Council' business model is successful by identifying, supporting and addressing the organisations current and future learning and development requirements. This will enable the Council to have a high performing, motivated, flexible and diverse workforce in place, with leaders at every level. It will also ensure that employees and Elected Members have the right skills, knowledge and behaviours to perform effectively in their role and to deliver Council priorities and Future Council outcomes.

8.1.2 A number of service areas make use of benchmarking opportunities to measure performance and consider and compare outputs and outcomes against resource inputs such as financial resources and human resources to ensure the Council is delivering efficient and effective value for money services.

### **8.2 Developing the capability of the organisations leadership and other individuals**

8.2.1 The Councils [Committee Structures and details of the role of Leader of the Council](#) are published on the Councils internet site, as are the [roles and functions of the Councils statutory officers](#). Within the Councils Committee Structure, the [Scheme of Delegation](#) sets out the delegated decision making powers and functions of each Committee or officer. The Councils [Constitution](#) sets out Elected Member and Officer roles and enables a shared understanding of their respective roles.

8.2.2 Performance is measured against the key priorities and outcomes included in our [Corporate Plan](#). To assess progress and performance against these priorities and outcomes, along with performance against individual service objectives, there is a performance management framework that consists of three elements:

- Corporate plan priorities
- Corporate health of the organisation; and,
- Directorate performance

8.2.3 It is expected that though the employee Performance and Development Reviews (P&DR) links are made between broad corporate or organisational wide objectives, Business Unit Plans, Team Plans and individual personal performance objectives. As part of the P&DR process, consideration is given to any development requirements arising from the allocation of individual objectives.

8.2.4 The Council operates an annual personal canvass of the Register of Electors, which last took place in October 2016. Electoral Services recruit a team of people to carry out the final stages of this process by obtaining Household Enquiry Forms from properties that have not registered online or returned a completed registration form.

8.2.5 A Leadership and Development Programme aimed at managers and leaders within the Council is providing over 450 managers with the opportunity to formalise their leadership and management skills into a professional, accredited Leadership and management qualification.

8.2.6 The Council successfully secured 'gold' Investors in People (IiP) which recognises the hard work, effort and commitment that has been put into transforming BMBC. Staff Surveys are used to understand employee views and feelings and the outcomes of this exercise are fed into employees briefing ('Talkabout') events, facilitated by the Councils Senior Leadership Team.

8.2.7 A Corporate Health and Safety Committee, chaired by the Head of Corporate Health, Safety and Emergency Resilience Service is in place and includes membership from a number of employee representatives. This Committee meets on a regular basis, and includes within its terms of reference the following activities:

- Consideration of accident and incident statistics;
- Consideration of occupational health statistics;
- Health and safety audit reports;
- The development, introduction and monitoring of health and safety management systems;
- The effectiveness of health and safety training; and,
- The adequacy of safety and health communication and publicity in the workplace.

## **9. Principle F: Managing risks and performance through robust internal control and strong public financial management**

### **9.1 Managing Risk**

9.1.1 The Councils Risk Management Framework aims to underpin one of the Councils key activities in terms of being 'innovative and taking managed risks'. The Risk Management Framework positions Risk Management as not being about eliminating risk or being risk averse, but about being aware of and managing acceptable risk in the pursuit of agreed objectives. The Risk Management Framework includes the Risk Management Policy Objective Statement and Risk Management Strategy, which sets out how the Council will seek to embed this approach to risk into its normal activities through the ongoing development of a risk management culture. The Risk Management Framework, including the Risk Management Policy Objective Statement and Risk Management Strategy are also key elements in the implementation of good governance arrangements and form key elements of the Council's Annual Governance Review process.

9.1.2 The Councils Strategic Risk Register (SRR) is intended to be a robust and dynamic document that sets the culture and tone for Risk Management across and throughout the Council. The engagement of the Senior Management Team (SMT) in the Risk Management process through their ownership and review of the SRR demonstrates a strong commitment to lead and champion Risk Management 'from the top' and to further reinforce the continuing development of a Risk Management culture. The risks in the SRR are owned by SMT, with the management of individual risks being allocated to a Risk Manager (a member of SMT) and measures to mitigate risks allocated to Risk Mitigation Action Managers (being those senior managers best placed to take responsibility to drive the implementation of those actions). The register is subject to regular six-monthly reviews, the outcomes of which are reported to the Councils Audit Committee, and subsequently, Cabinet.

9.1.3 Individual Business Units benefit from maintaining an Operational Risk Register (ORR) which relates to the key risks to the provision of Council services. These risk registers were formally reviewed on a half yearly basis, to ensure risk remained relevant and that identified risk mitigation actions were being implemented. The risks contained within the ORRs are aligned to individual Business Unit Business Plans. Following the completion of each review, there is an expectation that 'red' risks (in terms of the 'current' and 'target' risk assessments) are escalated to Business Unit Management Teams for further consideration.

9.1.4 Risk Management is an essential element of the Councils decision making report structure and every report of this nature is expected to contain a section detailing the risk management implications of any decision that is to be made.

### **9.2 Managing Performance**

9.2.1 The Council measures its performance against the key priorities and outcomes included in the [Corporate Plan](#). To assess progress and performance against these priorities and outcomes, along with performance against individual service objectives, a performance management framework has been developed that consists of three elements:

- Corporate plan priorities
- Corporate health of the organisation
- Directorate performance



- 9.2.2 Each quarter, the Council produces a [performance report](#) summarising our performance against the priorities and outcomes and how well it is performing.
- 9.2.3 Through effective contract management, the Council is able to identify and assess the performance of its partners and contractual relationships.

### **9.3 Effective overview and scrutiny**

- 9.3.1 The Overview and Scrutiny Committee (OSC) is responsible for reviewing and challenging the decisions made by the Council's Cabinet and Executive Officers. The Committee meets once per month and consists of 26 Councillors, 4 members of the public called Co-opted Members, and a Parent Governor Representative. It monitors the work and performance of the Council as well as other organisations such as local healthcare providers to ensure the effective delivery of local services and safeguarding of adults and children in the Borough. The Committee also sets up smaller 'Task and Finish Groups' (TFGs) to support the work of the Committee by undertaking more detailed investigations on specific topics.

### **9.4 Robust Internal Control**

- 9.4.1 The Councils system of internal controls are designed to support the achievement of corporate objectives and outcomes whilst ensuring there is an appropriate level of compliance against laws and regulations and internal arrangements. The internal control framework acts as a robust control measure against risks such as loss of assets, fraud, misuse of equipment, data protection and information governance.
- 9.4.2 The Council benefits from a suite of policies in respect of counter fraud and corruption activities, including a Whistleblowing policy, anti-Money Laundering policy and an anti-Bribery policy.
- 9.4.3 The Councils Audit Committee is made up of four elected councillors and five independent people, who are not councillors. It ensures that the council is complying with its rules and regulations for governance and finance, including the value for money of Council services.

### **9.5 Managing Data**

- 9.5.1 The Council has information governance accountabilities that are required to be in place in accordance with legislation and accreditation standards such as the Information Governance toolkit and Public Services Network accreditation. The Information Governance Toolkit is in use by the Council and is an online self-assessment tool used for publishing the standards of practice organisations must comply with regarding information governance.
- 9.5.2 Information Governance arrangements within the Council are based on the [8 Data Protection Principles](#) and these are overseen by the Councils Senior Information Risk Owner (SIRO), which is a role undertaken by the Executive Director of Core Services. The SIRO also chairs the Councils Information Governance Board, who takes the lead in the development of policies, procedures, training arrangements and lessons learnt from previous information governance incidents.
- 9.5.3 The Council is increasingly managing, storing and maintaining personal data and information as part of the delivery of services. With data held in a vast array of places and transferring between supply chain partners, it becomes susceptible to loss, protection and privacy risks. As a result, the Council has in place information sharing protocols that partners are required to endorse prior to any information being shared with them.

9.5.4 The Council responds to a significant number of information access requests as a result of the Freedom of Information Act 2000 and the Environmental Information regulation 2004. Furthermore, a number of requests for information are received as a result of subject access requests as part of the Data Protection Act 1998.

## **9.6 Strong public financial management**

9.6.1 The Council has a pragmatic approach to the management of finances that endeavours to ensure that value for money outcomes are obtained through the spending of public money. This approach is intended to support the achievement of short term operational performance, alongside longer term, strategic outcomes. Strategies including the Council's Value for Money and Commercial Strategy underpins both short and long term objectives.

9.6.2 The Councils Service Director (Finance) acts as the section 151 officer, and ensures that the Council benefits from robust financial advice and is compliant in terms of its accounting and fiduciary responsibilities. This includes ensuring that financial management is embedded within the Business and Service Planning processes, including the control and mitigation of financial risks.

## **10. Principle G: Implementing good practices in transparency, reporting and audit to deliver effective accountability**

### **10.1 Implementing Good Practice in Transparency**

10.1.1 The Councils commitment to be a customer focused organisation that puts customers at the centre of everything we do is underpinned by the publishing of information to stakeholders in a manner that is accessible and transparent. Information published on the Councils website conforms with branding and [accessibility guidelines](#).

10.1.2 The Council benefits from a [Social Media Policy](#) which aims to maximise positive engagement with stakeholders by the Council and individual officers, whilst protecting its own reputation and ensuring compliance with relevant standards and regulations.

### **10.2 Implementing Good Practice in Reporting**

10.2.1 It is important for the Council to be able to demonstrate that it has been able to deliver on its priorities and outcomes and that it has been delivery value for money outcomes. This is achieved through the publication of [Performance Reports](#), including a 'year-end' report at the end of each financial year.

10.2.2 Performance Reporting is complemented by the Councils [Annual Statement of Accounts](#) report, which is published and prepared in accordance with legislative requirements and the [Code of Practice on Local Authority Accounting in the United Kingdom](#). The Annual Statement of Accounts is available for local electors. Stakeholders and other interested parties to inspect.

10.2.3 There is legal responsibility to undertake, at least annually, a full review of the Councils own internal control and corporate governance arrangements, and detail the outcomes and findings of that review in its [Annual Governance Statement](#). This is complemented by an [improvement action plan](#) that is monitored by the Councils Audit Committee.

### **10.3 Assurance and Effective Accountability**

10.3.1 It is important that the Council is challenged, audited and reviewed both internally and externally to ensure that Council services, priorities and outcomes are making a direct impact on the Borough. Following such reviews, the Council ensures recommendations and improvements that have been identified are translated into operational actions that are achievable, measurable and have appropriate accountability built into them. Where appropriate, Elected Member engagement provides clear oversight on the recommended actions, and their consequential outcomes or outputs.

10.3.2 In order to deliver the Councils own vision and values, it is important that partnership working is carried out in a way that ensures robust governance arrangements are in place in terms of the management of finances, resources and risks. A practical Partnership Governance Framework is in development, which has been designed to assist Partnership Lead Officers provide suitable assurances that the partnership is making a valuable contribution to the Council's objectives and priorities, and is a well governed and controlled relationship.

## **11. Review of Effectiveness**

Barnsley Metropolitan Borough Council has responsibility for conducting (at least annually), a review of the effectiveness of its governance framework, including systems of internal control and risk management arrangements. The review of effectiveness is informed by the work of senior managers within the Council who have responsibility for the development and maintenance of the governance environment, the HoIA's annual report and also by comments made by external auditors and other regulators or inspectorates.

### **11.1 Senior Management Team (SMT) – Annual Assurance Statements**

11.1.1 The Council's SMT is responsible for ensuring compliance with, as well as improvement against the governance, risk and internal control framework. As part of this function, each member of SMT is provided with details of their services assurance information for the year. This assurance information contains:

- Significant and Fundamental Internal Audit recommendations that have been made to individual business units;
- Significant and Fundamental themed Internal Audit recommendations that are relevant to specific business units; and,
- Other Sources of Assurance information sourced from Internal Control and Governance lead officers.

11.1.2 Following receipt of the above information by each individual Service Director, each SMT member is then asked to provide assurances regarding the overall governance arrangements for their Directorate.

11.1.3 This information has then been evaluated, and where appropriate, included in the Annual Governance Statement Action Plan.

### **11.2 Annual Review Statements and the developing Corporate Assurance Framework**

11.2.1 The Council has adopted a comprehensive set of internal policies and procedures that govern key aspects of its operations as part of the drive to develop high quality local public services. Collectively, these are referred to as the Internal Control Framework.

11.2.2 Each of these key policies, plans and procedures has a senior lead officer with overall responsibility for their maintenance and review. The previous Annual Governance Review process provided an opportunity for each designated lead officer to prepare an annual review statement on their respective areas of responsibility.

11.2.3 The developing Corporate Assurance Framework (CAF) aims to collate these discrete elements of the Council's Internal Control Framework into an overarching assurance document, which will allow for the mapping of risks, systems, processes and assurances against the controls in place. This will also include an evaluation of the adequacy, in terms of the breadth and depth of assurance coverage provided to ensure there is sufficient evidence available to ascertain whether the controls are effective, efficient and comprehensive. This is combined with an assessment of current assurances on the effectiveness of current controls in the mitigation of risk to ensure they are also adequate, efficient and comprehensive. This work is due for completion in 2017, and it is envisaged the outcomes of the CAF will be used to inform and influence the development of future Internal Audit Plans.

11.2.4 Policies included within the Council's Internal Control Framework are also subject to cyclical, risk based review by the Council's Internal Audit division.

### **11.3 Internal Audit**

11.3.1 The HoIA is responsible for providing assurances on the robustness of the Council's internal control arrangements to the Audit Committee. An annual report on audit activity and the performance of the Internal Audit division is also presented to the Audit Committee. In terms of the 2016 / 17 report, which the Committee considered at its meeting on 14<sup>th</sup> June 2017, the HoIA gave a controls assurance opinion which reflected that systems concerning internal controls were **adequate** and that no fundamental breakdown of any such systems had occurred. Whilst the overall opinion is positive, there are some key issues arising from the work of Internal Audit that senior management should consider. In general terms these relate to the continued impact of Future Council and the implications of changed structures, new and changed systems and an increase in workloads for many managers, which has impacted upon their ability to maintain reasonable and effective controls in some areas of activity.

11.3.2 The results of Internal Audit's work during 2016 / 17 has recognised that the Future Council approach requires a change in risk appetite and that there is a natural period during which new operational arrangements will embed. However, with regard to the progress of audit report recommendations, at the point of follow up and throughout the year only 45% of recommendations had been implemented by the agreed date by management (which represents an increase of 10% from the previous year's analysis). The monitoring of report recommendations will no doubt continue to be a priority for the Audit Committee, and the Internal Audit Service itself.

11.3.3 The role of Internal Audit within the governance, risk and internal control framework is to operate both independently and objectively in reviewing and reporting on the effectiveness of the Annual Governance Review process and the corporate Risk Management framework. This work has been undertaken by a Principal Auditor reporting directly to Executive Director of Core Services in order to preserve that independence.

### **11.4 Strategic Risk Management**

11.4.1 Work undertaken by the Risk Management Section during 2016 / 17 included support and challenge in the management and development of the Council's SRR and the preparation of reports to SMT, Cabinet and the Audit Committee. Work has also included promoting and embedding good risk management practices throughout the Council, and its partners, as well as preparing both annual and periodic update reports to the Audit Committee.

### **11.5 External Audit, Assessment and Inspection**

11.5.1 Barnsley Metropolitan Borough Council is subject to external assessment and regulation by auditors and service inspectorates such as OFSTED and the Care Quality Commission (CQC). Services, in conjunction with the Corporate Assurance Group are responsible for ensuring that the relevant findings from external audit or other assessment activity informs the annual evaluation process, which underpins the production of the Annual Governance Statement.

11.5.2 In summary, the following principal sources of evidence were considered when carrying out this evaluation:

- Assurances provided by Service Directors and Executive Directors regarding the overall governance arrangements for Business Units, and Directorates;
- Internal Audit Annual Report;

- Risk Management Annual Report;
- The Annual Audit letter;
- Key issues arising from the Annual Corporate Health and Safety Annual Report;
- The Local Government Ombudsman's Annual Monitoring Report on BMBC's complaints;
- The independent Internal Audit Annual Review of the Annual Governance Review and Statement process and Corporate Risk Management arrangements; and,
- A review of the action taken and progress made in relation to the issues raised in the 2016 / 17 Annual Governance Statement and associated Action Plan;

## **11.6 Corporate Assurance Group (CAG)**

11.6.1 Although no formal meetings of the CAG have taken place in 2017, the Risk and Governance Manager has met individual internal control lead officers on a regular basis to further develop the CAG, and the AGR itself. Further meetings will be programmed in 2017 / 18 to further develop these arrangements.

11.6.2 The development of the revised Annual Governance Review process was presented to the Barnsley Leadership Team (BLT) and SMT in 2015. This process has been somewhat refined, following a greater level of involvement with the internal control and governance lead officers, via the CAG. Furthermore, the Audit Committee were updated regarding the revised Annual Governance Review process at their meeting on 22<sup>nd</sup> March 2017.

## **12. Significant Governance Issues**

12.1 The annual review of the Council's governance, risk and internal control arrangements in 2016 / 17 has not identified any fundamental issues and has confirmed that the general level of compliance with the Council's governance and internal control framework remains robust and effective.

12.2 The review process has taken into account the action taken against the control issues raised on previous Annual Governance Statements.

12.3 The Action Plan to be monitored during 2017 / 18 is comprised of the issues that have been carried forward from previous years, along with issues that arose from the 2016 / 17 review.

## **13. Statement by the Leader of the Council and the Chief Executive**

13.1 We are satisfied that the comprehensive review process undertaken has identified the relevant areas for attention over the forthcoming year. The Action Plan put in place will be monitored by the Council's Audit Committee will (when implemented) further enhance the Council's governance, risk and internal control framework.

.....  
Councillor Sir Stephen Houghton CBE  
Leader of Barnsley MBC

Date:

.....  
Diana Terris  
Chief Executive of Barnsley MBC

Date:

Ref	Annual Governance Statement Action	Responsible Executive Director	Timescales	Current Position – Action Taken / Planned
1	<p>To further develop and embed a practical framework to assist on the effective governance and control of the Council's partnerships, contracts and general relationships with external organisations. This has increased significance in the context of the Future Council programme.  <i>(Carried forward from 2016 / 17)</i></p>	<p>Executive Director, Core Services</p>	<p>31/12/2017</p>	<p><u>July 2016:</u>                      A presentation to BLT was delivered by the Executive Director of Core Services on 31/05/2016, seeking endorsement of the developing Partnership Governance Framework, which entails:</p> <ul style="list-style-type: none"> <li>▪ Developing a Register of significant partnerships;</li> <li>▪ Logging Partnership risks in the appropriate Risk Register; and,</li> <li>▪ Ensuring suitable assurances (including the consideration of exit strategies) are included when logging Partnership risks in the appropriate Risk Register.</li> </ul> <p>The Executive Director of Core Services and the Risk and Governance Manager met in July 2016 to develop arrangements to roll this framework out to all Directorates in 2016 / 17 via the Operational Risk Register review process.</p> <p><u>July 2017:</u>                      Having allowed Business Units the opportunity to reflect Partnership arrangements in Operational Risk Registers during 2016 and early 2017, an update is to be provided to BLT later in 2017 which will include providing a position statement in terms of the use of the Framework by Directorates and Business Units.</p> <p>Further anecdotal evidence of robust partnership governance activities includes the Council's interface with BBIC, and a recent request for financial support that has driven a strategic review of business accommodation within the Borough and the consideration of potential changes to the Councils relationship with Oakwell Community Assets as part of increased investment and development of Barnsley Football Club.</p> <p>A refresh of the Partnership Governance Framework has been undertaken, and targeted correspondence has been prepared for individual Executive Directors to remind them of their responsibilities in this regard.</p>



Ref	Annual Governance Statement Action	Responsible Executive Director	Timescales	Current Position – Action Taken / Planned
2	<p>Improving the quality of performance reviews undertaken across the Council in 2016/17.</p> <p>Particular areas of non-compliance or concern will be considered as part of Internal Audit's Themed Assurance Audit on the Performance and Development Framework, the recommendations of which will be used to identify areas of development and support for managers and to inform changes required to the process for the future. <i>(Carried forward from 2016 / 17)</i></p>	Executive Director, Core Services	CLOSED	<p><u>July 2016:</u> Terms of reference for Internal Audit's Themed Assurance Audit on the Performance and Development Framework have now been agreed between the Organisation Development Manager and Internal Audit Manager</p> <p><u>December 2016:</u> The P&amp;DR audit has taken place and Internal Audit will be providing a written report of findings in November 2016.</p> <p><u>July 2017:</u> Through a process of selected interviews, feedback received was analysed and conclusions drawn in respect of the current corporate personal development and review process. The work contributes to assurance in respect of human resource management.</p> <p>CLOSED.</p>
3	<p>The development of a Commercial Toolkit that covers all aspects of business and financial acumen is currently in the process of being developed and prepared.</p> <p>This Toolkit will be rolled out via a series of modules across the entire organisation and it is envisaged this will assist in fundamentally changing the culture of the Council to a more commercial and business like organisation, with the right commercial and financial capabilities to deliver the Council's 2020 Outcomes</p> <p>The first module is expected to have been prepared by December 2016.</p>	Executive Director, Core Services	31/12/2017	<p><u>July 2016:</u> Action agreed by Service Director Finance.</p> <p><u>December 2016:</u> The initial framework for the commercial toolkit has been established and the approach has been agreed with SMT. The toolkit will be developed and implemented across the organisation as a modular approach and will be released on a phased basis as the modules are developed. The first 3 modules will be rolled out in the new year comprising of Commercial Awareness, Charging v Trading and the CIPFA Financial Management model. Associated training will also be developed and rolled out alongside the modules in conjunction with Workforce Development.</p> <p><u>July 2017:</u> Since work begun on the Commercial Toolkit a wider Commercial Strategy has developed and launched in July, an element of which includes developing a toolkit that will provide people with the tools / training to support their commercial</p>

Ref	Annual Governance Statement Action	Responsible Executive Director	Timescales	Current Position – Action Taken / Planned
				responsibilities. Elements of the toolkit have already been rolled out e.g. finance budget training. Further modules of the toolkit will be rolled out over the late summer / autumn on the back of the wider Commercial Strategy launch.
4	<p>Improve the implementation by Business Units of the Council's Business Continuity Planning (BCP) arrangements.</p> <p>There remain gaps in the necessary BCPs in services which now form one of the appendices of Business Unit Business Plans. The Corporate BCP will be revised in 2016 and any outstanding plans highlighted to the relevant Executive Director and Service Director. This remains an implementation issue rather than a lack of suitable and sufficient process. <i>(Carried forward from 2016 / 17)</i></p>	Executive Director, Core Services	CLOSED	<p><u>July 2016:</u> Action agreed by Head of Corporate Health, Safety and Emergency Resilience.</p> <p><u>July 2017:</u> The corporate business continuity priorities were reissued in April 2017. All Business Units submitted returns for inclusion – this represents the first 'complete picture' for a number of years.</p> <p>Feedback was provided to Heads of Service as necessary. In the event of an emergency event, the Council is now able to consider all services when considering how to prioritise the recovery of the Council should the need arise.</p> <p>CLOSED.</p>
5	<p>Review the recording of officer delegated decisions to ensure this is in line with legislation. <i>(Carried forward from 2016 / 17)</i></p>	Executive Director, Core Services	CLOSED	<p><u>July 2016:</u> Draft guidance prepared by the Service Director (Council Governance) and passed to the Executive Director of Core Services</p> <p>Following receipt of feedback, it is envisaged this guidance will be considered by SMT, and finally, circulated to BLT in late July 2016.</p> <p><u>December 2016:</u> Updated guidance on recording of officer decisions was finalised in June 2016. A presentation given to BLT on 26<sup>th</sup> July 2016 on the rationale for the new guidance, with the offer of further sessions to discuss this in detail with DMTs / Service meetings. The guidance has now been published in the Modern.gov document library, accessible via the Intranet Homepage.</p>

Ref	Annual Governance Statement Action	Responsible Executive Director	Timescales	Current Position – Action Taken / Planned
				<p>Microsoft Word versions of the record pro forma will be made available through SharePoint in due course, subject to further developments of that system.</p> <p>CLOSED.</p>
6	<p>Internal Audit Annual Report: A corporate issue relating to non-compliance with Contract Procedure Rules and the overall adequacy of Contract Management Arrangements</p>	<p>Executive Director, Core Services</p>	<p>31/12/2017</p>	<p><u>July 2016:</u> Identified via Internal Audit's Annual Report – Significant Governance Issues.</p> <p>Agreed by SMT this action is to be included on the 2015/16 AGS Actions Plan.</p> <p>Action agreed by Head of Strategic Procurement.</p> <p><u>December 2016:</u></p> <ul style="list-style-type: none"> <li>• Non-compliance with CPR – Strategic Procurement Team now centrally recording and tracking waivers for the current financial year. There has been 69 waivers this year with an annual contract value of £2.84m which equates to circa £45k per waiver. The Strategic Procurement Team continues to challenge any waiver that does not appear to be robust in its rationale. In terms of our procurement plan the Strategic Procurement Team are looking at future contract expiry dates in the 16/17 programme with a view to proactively putting in place any tactical waivers which would be actioned as part of a longer term sourcing strategy. In addition the 'Document review' is about 60% done and once completed will generate a new set of processes, documents and guidance for people to utilise when procuring at the various levels of expenditure.</li> <li>• Contract Management – it is recognised that within BMBC's approach to both contract and supplier management arrangement there is scope for improvement. To tackle this the Strategic Procurement Team are specifically progressing three things as follows: <ul style="list-style-type: none"> <li>○ Toolkit Review –conducting a review of the systems, processes, data and reporting that we</li> </ul> </li> </ul>

Ref	Annual Governance Statement Action	Responsible Executive Director	Timescales	Current Position – Action Taken / Planned
				<p>use/need in order to do effective Strategic Procurement (which includes Contract Management), this will serve to help inform how the Council develops contract management over the next 3 to 6 months and beyond</p> <ul style="list-style-type: none"> <li>○ Leadership programme – as part of the leadership programme there is an option for participants to get involved in a procurement project and having met with some of those individuals we have decided that contract and supplier management is an area where they could help develop our future approach. This kills two birds with one stone in that it supports the individuals in the programme whilst getting something done that is really relevant to the council and its performance and not just a tick box exercise</li> <li>○ Category Plans – each Category manager is tasked with developing a category strategy for their areas of expenditure for 17/18. This should include sections on how specific contract and supplier management issues will be tackled going forward.</li> </ul> <p><u>July 2017:</u></p> <ul style="list-style-type: none"> <li>● Non Compliance with CPR – the Strategic Procurement Team continue to record and track waivers on an ongoing basis. The 16/17 year-end position was 141 waivers with an annual contract value of £5.4m which equates to £38.5k per waiver. The end Q1 figures for 17/18 are 59 waivers with an annual contract value of £1.8m which equates to £30.5k per waiver. The Strategic Procurement Team continues to challenge any waiver that does not appear to be robust in its rationale. Whilst the longer term plan is to decrease the numbers of waivers via improved strategy and planning it is recognised that in the short term the number of waivers will probably increase as we drive compliance and due process. In addition the ‘Document review’ is about 90%</li> </ul>

Ref	Annual Governance Statement Action	Responsible Executive Director	Timescales	Current Position – Action Taken / Planned
				<p>done and once completed will generate a new set of processes, documents and guidance for people to utilise when procuring at the various levels of expenditure. These documents are available to users now via the Procurement intranet/SharePoint pages. It is also our intention to initiate a review of the current CPR as part of our wider 17/18 annual delivery plan</p> <ul style="list-style-type: none"> <li>• Contract Management – it is recognised that within BMBC’s approach to both contract and supplier management arrangement there is scope for improvement. To tackle this the Strategic Procurement Team are specifically progressing three things as follows: <ul style="list-style-type: none"> <li>○ Toolkit Review –conducting a review of the systems, processes, data and reporting that we use/need in order to do effective Strategic Procurement (which includes Contract Management), this is ongoing and has already delivered some efficiencies. Going forward this will be linked to a wider review of the Commercial Toolkit which is an action linked to the development of a council wide commercial strategy (see point below).</li> <li>○ Commercial Strategy – a cross functional group have been working on developing a central commercial strategy for roll out across the council during Q2. In respect of supplier and contract management the main aims within the strategy are as follows: <ul style="list-style-type: none"> <li>▪ Work more closely with suppliers</li> <li>▪ Shape future markets and drive innovation</li> <li>▪ Adopt Category Management and develop an ‘intelligent buyer’ view of the market</li> <li>▪ Ensure contracts deliver the expected value and service via regular check and challenge</li> <li>▪ Develop an approved vendor list and</li> </ul> </li> </ul> </li> </ul>

Ref	Annual Governance Statement Action	Responsible Executive Director	Timescales	Current Position – Action Taken / Planned
				<p>continued support of local businesses</p> <ul style="list-style-type: none"> <li>○ Category Strategy Plans – Category Strategy Plans for 17/18 were distributed to most business units in mid-June for review and comment. It is anticipated that these initial plans will be finalised and signed off in July and thereafter will be a live document subject to constant update and review. The document effectively summarises the commercial support each business unit can expect from the Strategic Procurement team during 17/18 working on a collaborative basis.</li> </ul>

<b>MEETING:</b>	Full Council
<b>DATE:</b>	Thursday, 27 July 2017
<b>TIME:</b>	10.30 am
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

### Present

The Mayor (Councillor Ennis)

- Central Ward - Councillors Bruff
- Cudworth Ward - Councillors Hayward, Houghton CBE and C. Wraith MBE
- Darfield Ward - Councillors Coates, Markham and Saunders
- Darton East Ward - Councillors Charlesworth, Miller and Spence
- Darton West Ward - Councillors Burgess, Cave and Howard
- Dearne North Ward - Councillors Gardiner, Gollick and Phillips
- Dearne South Ward - Councillors C. Johnson and Noble
- Dodworth Ward - Councillors P. Birkinshaw, J. Carr and Riggs
- Hoyland Milton Ward - Councillors Franklin, Shepherd and Stowe
- Kingstone Ward - Councillors D. Green and Williams
- Monk Bretton Ward - Councillors S. Green, Richardson and Sheard
- North East Ward - Councillors Hampson and Higginbottom
- Old Town Ward - Councillors Cherryholme and Lofts
- Penistone East Ward - Councillors Barnard, Hand-Davis and Wilson
- Penistone West Ward - Councillors Millner
- Rockingham Ward - Councillors Andrews BEM and Lamb
- Royston Ward - Councillors Cheetham, Clements and Makinson
- St. Helen's Ward - Councillors Leech and Platts
- Stairfoot Ward - Councillors K. Dyson, W. Johnson and Mathers
- Wombwell Ward - Councillors Daniel Griffin and R. Wraith
- Worsbrough Ward - Councillors G. Carr, Clarke and Pourali

### 60. Declarations of Interests

There were no declarations of pecuniary or non-pecuniary interest from Members in respect of items on the agenda.

## **61. Minutes**

The minutes of the Annual Council meeting held on the 19<sup>th</sup> May, 2017 and the Ordinary Council meeting held on the 25<sup>th</sup> May, 2017 were taken as read and signed by the Chair as a correct record.

## **62. Communications**

### **(a) Barnsley Youth Choir**

The Mayor knew that all Members of the Council would want to join him in sending the Council's congratulations to the Barnsley Youth Choir following their magnificent performance in the European Choir Games held in Riga, Latvia last weekend

The Choir won the Gospel, Spiritual and Music of the Spirit and Faith Champions section and then went on to win the Champions of the European Choir Games Jazz, Pop and Show award and then, to round off a wonderful weekend, the Choir won the prestigious Grand Prix of Nations Award for both categories.

The Mayor asked to place on record his thanks to the choir Musical Director Matt Wright and to all the volunteers who worked so hard to get the choir to Riga. He stated that he would be holding a Civic Reception for the choir in September 2017 and would let all Members know when a date had been agreed.

The Mayor and Members of the Council expressed their congratulations to all concerned in the usual manner.

### **(b) Barnsley Museums**

The Chief Executive was delighted to report that Barnsley Museums had secured the Arts Council England's National Portfolio status which was in recognition of their continued excellence in leadership that they had provided within the sector, not just within Barnsley but within the sector as a whole.

This came with an award for £1.8m and demonstrated yet again they had brought in some significant funding which would enable the Service to deliver a programme of activity to implement the Arts Council's Strategy 'Great Art for Everyone'. In particular Barnsley Museums would use the funds to reach out to communities that did not usually use or access the museums service so that they could use art and culture and enjoy it and, at the same time, improve health and wellbeing and learning.

Barnsley had a great track record of delivering some great projects already such as Experience Barnsley and the Cooper Gallery and used collections to get out and about to engage with people and offer a really high quality experience. These were all noted as part of the strengths of the service.

The Chief Executive was particularly pleased that Leadership was also noted by the Arts Council as a key strength. Embracing change, which was a key element of the



Future Council Programme, had been a specific focus of the Council and Leadership at all levels and this could now be seen to be really paying off with this award.

The Chief Executive expressed her thanks to the Barnsley Museums Team for their hard work in securing this achievement and in raising Barnsley's profile yet again as a place of excellence. Sue Thiedeman (Head of Culture and Visitor Economy) and Devina Skirrow (Marketing Officer) were present in the Council Chamber this morning.

Councillor Miller (Cabinet Spokesperson for Place) commented that some of the team involved in this success were unable to be in attendance due to holidays but he wanted to express his own congratulations, as well as those of the rest of the Members of the Council, and ensure that these were passed to all the staff involved.

The Mayor and Members of the Council expressed their congratulations to all concerned in the usual manner.

(c) Community Safety Offer/Safer Neighbourhood Services

The Chief Executive commented that the South Yorkshire Police and the Council had come together to shape the future and develop the Community Safety Offer. The offer would seek to have more and better collaboration, more co-location, more shared leadership and, more importantly, better outcomes for individuals, families and communities.

Delivering this type of change from across different organisations took real strength, energy and determination and, of course, leadership. The Chief Executive asked to commend the team for all of their hard work both across the Council and the South Yorkshire Police in establishing the Safer Neighbourhood Services. It was an integrated model of delivery which was focused not only on neighbourhoods but also on vulnerability as well. The work in Barnsley had laid the real foundations for that model to be replicated across the whole of the South Yorkshire Police Force area and the Council should rightly be proud of the efforts the staff and officers had put in place.

The Chief Executive welcomed to the meeting and congratulated Sgt Brad Wynne, Sgt Martin Gammit, Paul Brannan and Jane Brannan and all those involved with the initiative for all their hard work.

The Mayor commented that, as the Chief Executive had said, Community Policing had started here in Barnsley. He could remember David Blunkett when he was Home Secretary putting the first Community Police Safety Officers in Grimethorpe and this was an example of how Barnsley had led the way across the country once again.

The Mayor and Members of the Council expressed their congratulations to all concerned in the usual manner.

### **63. Questions by Elected Members**

The Chief Executive reported that she had received no questions from Elected Members in accordance with Standing Order No. 11.

**64. Questions relating to Joint Authority, Police and Crime Panel and Combined Authority Business**

The Chief Executive reported that she had received no questions from Elected Members in accordance with Standing Order No. 12.

**65. South Yorkshire Fire and Rescue Authority - 15th May, 2017**

**RESOLVED** that the minutes be noted.

**66. South Yorkshire Fire and Rescue Authority (Annual) (Draft) - 26th June, 2017**

**RESOLVED** that the minutes be noted.

**67. South Yorkshire Fire and Rescue Authority (Ordinary) (Draft) - 26th June, 2017**

**RESOLVED** that the minutes be noted.

**68. Police and Crime Panel - 2nd June, 2017**

**RESOLVED** that the minutes be noted.

**69. Sheffield City Region Combined Authority (Draft) - 12th June, 2017**

**RESOLVED** that the minutes be noted.

**70. South Yorkshire Pensions Authority (Annual) (Draft) - 15th June, 2017**

**RESOLVED** that the minutes be noted.

**71. South Yorkshire Pensions Authority (Ordinary) (Draft) - 15th June, 2017**

**RESOLVED** that the minutes be noted.

**72. Planning Regulatory Board - 23rd May, 2017**

Moved by Councillor R Wraith - Seconded by Councillor Makinson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on the 23<sup>rd</sup> May, 2017 be received.

**73. Audit Committee - 14th June, 2017**

Moved by Councillor Clements - Seconded by Councillor Barnard; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Audit Committee held on the 14<sup>th</sup> June, 2017 be received.

**74. Planning Regulatory Board - 27th June, 2017**

Moved by Councillor R Wraith - Seconded by Councillor Makinson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on the 27<sup>th</sup> June, 2017 be received.

**75. Audit Committee - 19th July, 2017**

Moved by Councillor Clements - Seconded by Councillor Barnard; and

**RESOLVED** that the minutes now submitted of the proceedings of the Audit Committee held on the 19<sup>th</sup> July, 2017 be received.

**76. General Licensing Panel - Various**

Moved by Councillor C. Wraith, MBE – Seconded by Councillor Shepherd; and

**RESOLVED** that the details of the various General Licensing Regulatory Board Panels held in the last cycle of meetings together with their decisions be received.

**77. Appeals, Awards and Standards - Various**

Moved by Councillor Shepherd – Seconded by Councillor Makinson; and

**RESOLVED** that the details of the various Appeals, Awards and Standards Regulatory Board Panels held in the last cycle of meetings together with their decisions be received.

**78. Health and Wellbeing Board - 6th June, 2017**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Platts; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Health and Well Being Board held on the 6<sup>th</sup> June, 2017 be received.

**79. Overview and Scrutiny Committee - 31st May, 2017**

Moved by Councillor W Johnson – Seconded by the Mayor (Councillor Ennis); and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on the 31<sup>st</sup> May, 2017 be received.

**80. Overview and Scrutiny Committee - 21st June, 2017**

Moved by Councillor W Johnson – Seconded by the Mayor (Councillor Ennis); and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on the 21<sup>st</sup> June, 2017 be received.

**81. Central Area Council - 8th May, 2017**

Moved by Councillor Riggs - Seconded by Councillor Williams; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Central Area Council held on the 8<sup>th</sup> May, 2017 be received.

**82. Dearne Area Council - 15th May, 2017**

Moved by Councillor Noble – Seconded by Councillor Gardiner; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on the 15<sup>th</sup> May, 2017 be received.

**83. North Area Council - 15th May, 2017**

Moved by Councillor Leech – Seconded by Councillor Platts; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North Area Council held on 15<sup>th</sup> May, 2017 be received.

**84. North East Area Council - 1st June, 2017**

Moved by Councillor Hayward – Seconded by Councillor C Wraith MBE; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the North East Area Council held on the 1<sup>st</sup> June, 2017 be received.

**85. Penistone Area Council - 15th June, 2017**

Moved by Councillor Barnard – Seconded by Councillor Wilson; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on the 15<sup>th</sup> June, 2017 be received.

**86. South Area Council - 16th June, 2017**

Moved by Councillor Stowe - Seconded by Councillor Shepherd; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the South Area Council held on the 16<sup>th</sup> June, 2017 be received.

**87. Representation on Outside Bodies**

Moved by Councillor Howard – Seconded by Councillor Makinson; and

**RESOLVED** that the Mayor (Councillor Ennis) be appointed as a substitute representative on the Joint Health Overview and Scrutiny Committee to Support Health Service Change in South and Mid-Yorkshire, Bassetlaw and North Derbyshire.

**88. Review of the Council's Pledge to Children in Care and Care Leavers  
(Cab.12.7.2017/7)**

Moved by Councillor Bruff - Seconded by Councillor Saunders; and

**RESOLVED:-**

- (i) that the progress made against the desired Outcomes within the Council's 'Pledge' to children in care and care leavers, as described in the report now submitted, be noted; and
- (ii) that the authority renew its commitment, as the Corporate Parent, to the values and principles within the 'Pledge'.

**89. Annual Report of the Corporate Parenting Panel - 2016/17 (Cab.12.7.2017/8)**

Moved by Councillor Bruff – Seconded by Councillor Saunders; and

**RESOLVED:-**

- (i) that the progress and achievements made by the Barnsley Corporate Parenting Panel in supporting children and young people in care and care leavers during 2016/17, as set out in the Appendix to the report submitted, be noted; and
- (ii) that the authority renews its 'Pledge' towards children and young people in care and care leavers.

**90. Cabinet - 31st May, 2017**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 31<sup>st</sup> May, 2017 be received.

**91. Cabinet - 14th June, 2017**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 14<sup>th</sup> June, 2017 be received.

**92. Cabinet - 28th June, 2017**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 28<sup>th</sup> June, 2017 be received.

**93. Cabinet - 12th July, 2017**

Moved by Councillor Sir Stephen Houghton, CBE – Seconded by Councillor Andrews BEM; and

**RESOLVED** that the minutes as printed and now submitted of the proceedings of the Cabinet Meeting held on the 12<sup>th</sup> July, 2017 be received.

**94. Councillor D Higginbottom**

The Mayor and Members of the Council asked to place on record their congratulations to Councillor D Higginbottom at her tremendous achievement in being a member of the Labour Party for 51 years and a Parish Councillor for 50 years.

.....  
Chair



## SOUTH YORKSHIRE POLICE AND CRIME PANEL

OFFICES OF THE SOUTH YORKSHIRE JOINT AUTHORITIES, 18 REGENT STREET,  
BARNSELY, S70 2HG

7 JULY 2017

PRESENT: Councillor A Khayum (Sheffield City Council) (Chair)

Councillor S Sansome (Rotherham MBC) (Vice-Chair)

Councillors: D Hughes (Doncaster MBC), B Johnson (Sheffield City Council), H Mirfin-Boukouris (Sheffield City Council), J Otten (Sheffield City Council), R Sixsmith MBE (Barnsley MBC) and S Wilkinson (Doncaster MBC)

Independent Co-opted Members: Mr A Carter and Mr S Chu

Dr A Billings (South Yorkshire Police and Crime Commissioner), M Buttery (Office of the South Yorkshire Police and Crime Commissioner), S Parkin (Office of the South Yorkshire Police and Crime Commissioner), A Rainford (Office of the South Yorkshire Police and Crime Commissioner) and F Topliss (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, A Frosdick, L Noble and G Richards (Barnsley MBC)

Apologies for absence were received from Councillor B Cutts, Councillor D Griffin and A Shirt

1 APOLOGIES FOR ABSENCE

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

None.

3 URGENT ITEMS

None.

4 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

5 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

6A PUBLIC QUESTIONS TO THE POLICE AND CRIME COMMISSIONER

There were no written public questions to the Police and Crime Commissioner.

6B PUBLIC QUESTIONS TO THE POLICE AND CRIME PANEL

There were no written public questions to the Police and Crime Panel.

6C VERBAL QUESTIONS FROM THE PUBLIC

L Noble apologised that this item 'Verbal Questions from the Public to the Police and Crime Commissioner and to the Police and Crime Panel' had been missed from the agenda and would ensure it was included in future.

There were no verbal questions to the Police and Crime Commissioner.

With regard to questions to the Police and Crime Panel, Mr N Slack queried why his written question to the Panel submitted on 1 July 2017 had been responded to by an officer rather than being brought to the Panel meeting.

Whilst appreciating the prompt reply from the Policy Officer, the question was meant for the Panel and Mr Slack felt the question should be put to the meeting so that both the question and answer were noted for the public record.

Mr Slack requested that, in future, agendas gave full details of the means of asking questions for the public, including the opportunity to ask them on the day.

L Noble apologised that it had not been noted that the questions were meant for the Panel.

Mr Slack had asked why questions were limited to 50 words.

L Noble explained that the restriction to 50 words was taken from the original Rules of Procedure provided by Rotherham MBC.

L Noble confirmed that the Rules of Procedure and the procedure for asking questions of the Commissioner and the Panel were on the Panels' website; a link to these would be provided on future agendas.

7 QUESTIONS FROM POLICE AND CRIME PANEL MEMBERS TO THE POLICE AND CRIME COMMISSIONER

There were no questions from Police and Crime Panel Members to the Police and Crime Commissioner.



8 MINUTES OF THE PREVIOUS MEETING HELD ON 2ND JUNE 2017 AND MATTERS ARISING

With regard to resolution (ii) on the CSE-PCC update, the resolution had been revised to reflect that not all 220 recommendations were contained in the Drew report. The resolution now read:

- ii) That the Commissioner provides Panel Members with a progress update regarding how many of the 220 recommendations have been dealt with and information regarding how many recommendations are still work in-progress.”

In response to questions raised at the last meeting M Buttery updated the Panel.

With regard to Mr Carter’s question regarding Artificial Intelligence, this had been raised with South Yorkshire Police’s Chief Officers who had been asked that if there were any issues arising in the Force that were relevant to Mr Carter’s question that the OPCC be informed to enable him to report back to the Panel.

Regarding Cllr Sansome’s question in relation to the number of prosecutions in relation to driving while using a mobile phone, South Yorkshire Police had been asked to provide the figures from last year from when the law came in to the end of the financial year. These had not yet been received. They would be forwarded to the Panel when available.

In terms of Stop and Search, the Independent Ethics Panel set up by the Commissioner monitors this and had received a report in February; the next report would be received in August or September.

The Panel had been provided with documents that supported the holding to account arrangements of the Commissioner, including the Terms of Reference of the various assurance panels and the role profile for the Chair of the Joint Independent Audit Committee.

With regard to the recommendations in relation to Child Sexual Exploitation, of the 220 general recommendations, 47 remained outstanding. The Commissioner was monitoring these through twice-yearly reports to his Public Accountability Board.

With regard to Stop and Search the Commissioner informed the Panel that the last time it had been reported on, South Yorkshire had showed a 44% fall. The Chief Constable was focused on outcomes and 36% of Stop and Searches had resulted in further action.

RESOLVED – That subject to the amendments detailed above, the minutes of the Police and Crime Panel held on 2 June 2017 be agreed and signed by the Chair as a correct record.

9 JUDICIAL REVIEW: OUTCOME

A report was presented to draw the Police and Crime Panel’s (PCP) attention to the outcome of the Judicial Review brought by ex-Chief Constable David Crompton against the South Yorkshire Police and Crime Commissioner (PCC).

The Panel noted that on the 9<sup>th</sup> June 2017 the High Court of Justice Queen's Bench Division quashed the four decisions of the PCC leading to David Crompton being required to resign thereby upholding the ex-Chief Constable's application to have the PCC's actions judicially reviewed.

The PCP were a statutory consultee in the PCC's actions under Section 38 of the Police Reform and Social Responsibility Act 2011 and were therefore cited as an Interested Party to the Judicial Review.

The report was directing the Panel's attention to what the learning points were for the Panel in terms of its procedures. The judgement was a helpful reminder to all public bodies of some of the key principles of public law decision-making and the criteria which the courts would expect to see applied when decisions were being made by public bodies.

There was a need to give good reasons to support any particular decision where one had departed from the views of a third party, in this case the Chief Inspector of Her Majesty's Inspectorate of Constabulary. The court felt that there were some deficiencies in how the Panel had reached their decision.

Cllr Otten commented that the judgement and the papers received when it had considered the case had not dwelled on the conduct of Police counsel at the inquests, which had been a principal grievance of many of the families and asked for the Commissioner's thoughts as to why the subject was not raised at the time.

The Chair replied that he did not see any merit in going over the details of the judgement or reviewing the decision of the court. The Panel were welcome to pass comments on the report or ask for any clarifications but going back over the Judicial Review and requesting the Commissioner to explain his actions was inappropriate in this forum and would not help the Panel going forward.

RESOLVED – That the Panel:

- i) Note the report.
- ii) Consider the implications of the judgement for the Panel.

10 ANNUAL REPORT - POLICE AND CRIME PANEL 2016/17

The Panel considered the draft of their Annual Report for 2016/17.

L Noble thanked James McLaughlin from Rotherham MBC who had provided the text for the 2016/17 Annual Report prior to Barnsley MBC taking over on 1<sup>st</sup> April 2017.

L Noble informed the Panel that the final version would be an improved design although there was no intention to print a glossy version to save on printing costs, the report when finalised would be uploaded to the Panel's website.

Members were welcome to comment on the contents of the report, either during the meeting or by email within the next week to 10 days when the final version would be produced.

Cllr Sansome placed on record his thanks as Vice-Chair to Panel Members, past and present, for their help and input during a very difficult year.

RESOLVED – That the Panel’s Annual Report for 2016/17 be approved.

11 ANNUAL REPORT 2016-17 OPCC

The Panel considered the Police and Crime Commissioner’s Annual Report for 2016/17.

The Commissioner informed the Panel that this was the third Annual Report that had been produced; the language had been simplified to make the report more accessible and readable. The report would be finalised taking into account any comments made by Panel Members.

The Commissioner thanked his officers, in particular S Parkin, for their hard work in producing the report.

M Buttery reminded the Panel that it was their statutory duty to comment on the Annual Report and asked for any comments from the Panel within a week.

There were two purposes for the Annual Report, to provide an assessment of the progress against the Commissioner’s Police and Crime Plan and the other in relation to discharging his other statutory responsibilities.

The Commissioner directed the Panel to the map contained within the report that detailed the 104 community events, meetings and forums that he had attended during the year.

S Chu questioned what the Commissioner would be doing on the three areas he would be focusing on in the year ahead – Modern Slavery and Human Trafficking, Cyber Crime and Collaboration with the Fire Service.

The Commissioner informed the Panel that this work was in its early stages. The Modern Slavery and Human Trafficking issue had been flagged up by central government as a critical issue. Cyber crime would involve not only South Yorkshire Police but would result in further collaboration. Collaboration with the Fire Service was well underway and would be extended further in the coming year.

With regard to cyber crime, M Buttery commented that the Public Accountability Board would be receiving a report on the subject at its next meeting.

Cllr Sansome asked the Commissioner for examples of how he was holding the Force to account with partnership working and any barriers to this.

The Commissioner replied that his attitude was to collaborate only if it would yield results. Areas of collaboration included South Yorkshire Police with other Forces

and the PCC with other PCC's. One good example was the new Sexual Assault Referral Centre which Members could visit if they so wished. Visits could also be arranged to the new Custody Centres in Barnsley and Sheffield and the Force's other centre in Doncaster.

Mr A Carter reported that he had heard the Humberside PCC speaking about the low morale of the Force; and questioned whether this could affect the morale of South Yorkshire Police due to the collaboration arrangements.

The Commissioner replied that all Forces had suffered cuts and the loss of frontline staff at a time of rising demand during the period of austerity and this would be bound to affect morale. The appointment of the new Chief Constable has had a beneficial effect on morale; he had made a particular effort to get to know all parts of the Force.

M Buttery commented that as part of the Peer Review that was commissioned last year, the support to South Yorkshire included a staff survey, and morale was one of the issues that was picked up. The Chief Constable had already put actions in place which the Commissioner was closely monitoring.

There would also be a report to the September meeting of the Panel as a follow-up to questions around collaboration, the Force could be asked to include a section on morale.

With regard to the Trust and Confidence Steering Group and the work they were doing, Cllr Sansome asked whether it could be considered to invite the Assistant PCC, alongside the Chief Constable to outline the work in more detail.

Cllr Sixsmith agreed that this would be useful.

The Commissioner agreed to consider this.

RESOLVED- That the report be noted.

**12 HOLDING TO ACCOUNT ARRANGEMENTS - TO INCLUDE:**

A report was submitted to provide the Panel with information on how the PCC holds the Chief Constable to account in the areas of:

- Progress in addressing improvements/recommendations identifies by Her Majesty's Inspectorate of Constabulary
- Stop and Search
- Contact Management Performance – Atlas Court
- Succession planning

With regard to Stop and Search, Cllr Wilkinson asked whether the Force broke the figures down by ethnicity and enquired what was being done to ensure fairness.

The Commissioner replied that this was work that he had asked the Ethics Panel to take forward; that was where his assurance would come from. The Commissioner confirmed that the figures were broken down by ethnicity.

With reference to the Contact Management Performance at Atlas Court, Mr A Carter commented that, at a previous visit to Atlas Court, he had seen the difficulties caused for staff by the ageing technology and queried whether it would be possible for the Panel to re-visit Atlas Court when the new technology had been installed. The Commissioner agreed he could facilitate this at the appropriate time.

Mr S Chu requested information on contact management performance to see how it had improved or otherwise.

The Commissioner confirmed that this information could be provided; although performance fluctuated, overall it had improved.

In answer to a question from Cllr Sansome, the Commissioner reported that the Chief Constable had received some very clear messages from his consultation meetings. One of them had been especially clear – that the public wanted neighbourhood policing restored in some form, but there was public recognition that things could not go back to what they were due to reduced resources.

The Chief Constable had been tasked to remodel neighbourhood policing, this was an absolute priority and work had already commenced. The Chief Constable would be able to update the Panel in September although the complete model would not be available by that date.

Cllr Wilkinson asked what steps were being taken to ensure the Commissioner had confidence with regard to the training of call-handlers and what was being done to ensure the assessments are objective not subjective and that there was consistency across the board.

The Commissioner replied that they were the questions he would ask the Chief Constable as they were operational matters. If the Panel would like further information in the future around these issues it could be arranged.

RESOLVED - That the report be noted.

### 13 BUDGET MONITORING REPORT (OPCC)

A report was submitted to inform the Panel of the outturn position in respect of the revenue budget and capital programme at the end of the 2016/17 financial year.

The Panel noted that the year-end position was that revenue expenditure is £3m less than budget, when legacy issue costs were excluded. The spending on legacy issues had slipped into future financial years and had meant that £6m had been held in financial reserves.

In terms of capital expenditure, the report indicated that spending totalled £11.9m compared to a capital programme of £15.2m.

The PCC had approved a capital programme for 2016/17 of £15m. At the end of the financial year, the level of capital spending totalled approximately £12m. The

variation of £3m would slip into future financial years. The amount spent in 2016/17 was on the following:

- £1.8m spent improving existing buildings.
- £1m was spent on new vehicles in accordance with the vehicle replacement programme.
- £1.5m on information, communications and operational equipment, including joint projects with Humberside Police.
- £7.7m on assets under construction, of which £4m was spent on construction costs for the new Barnsley custody suite.

In reply to a question from a Member, A Rainford informed the Panel that he would bring details of some of the more significant schemes within the Capital Programme to the next meeting of the Panel.

With regard to reserves, at the end of the 2016/17 financial year, the overall level of revenue reserves was approximately £39m. The revenue budget for 2017/18 would use around £8m of reserves to fund expenditure in the current financial year. The forecast level of reserves at 31 March 2018 was therefore approximately £31m. Members were reminded that this had to be seen in the context of potential significant liabilities in future years and considerable uncertainty regarding the level of additional funding from Government for those costs.

RESOLVED – That the report be noted.

14 PERFORMANCE AGAINST THE POLICE AND CRIME PLAN: QUARTERLY UPDATE

A report was submitted to update the Panel on progress against the against the priorities and outcomes set out in the Police and Crime Plan 2013-17, together with further planned activity.

The report looked at last year's performance after the statistics had been audited and looked ahead to how the Force would report to the Commissioner going forward.

M Buttery informed the Panel that performance was reported monthly by the Force to the Public Accountability Board, the end of year report was attached at Appendix A for the Panel's information.

At Appendix B was a report on how the Force intended to report against the Commissioner's three priorities of Protecting Vulnerable people, Enabling Fair Treatment and Tackling Crime and Anti-Social Behaviour.

Cllr Sansome queried whether the Force, following recent events across the UK, would be updating their Counter-Terrorism plan.

The Commissioner replied that South Yorkshire Police had recently conducted a large counter-terrorism exercise and he was satisfied that the Force had plans in place to meet any incident that might occur across South Yorkshire. Nevertheless this was an area which would be kept under constant review.

Cllr Hughes quoted one of the Commissioner's requirements 'I require South Yorkshire Police to tackle offenders that cause the most harm in the community', and commented that from the PACT meetings he had attended that didn't seem to be happening.

The Commissioner replied that this would be part of the restoration of neighbourhood policing.

Also from time to time the Force would focus on a particular problem area e.g. quad bikes, but with the Force's resources being stretched this could be difficult.

The Chief Constable had also launched Operation Duxford where large numbers of officers had travelled to each of the four districts to tackle issues in certain areas. The public had welcomed these operations.

The Force realised that anti-social behaviour was a big issue for many people and recognised that there were many different approaches to tackling the problem including involving local authorities.

RESOLVED – That the report be noted.

15 WORK PROGRAMME

The Panel considered its Work Programme.

L Noble commented that following today's meeting there were a number of items to add along with some issues that came out of the recent training event – these would be discussed with the OPCC in order to further develop the Panels' scrutiny role.

RESOLVED- That the Work Programme be noted.

16 DATE AND TIME OF THE NEXT MEETING

The next meeting of the Panel will be on 29 September 2017 at 10am.

CHAIR

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**SHEFFIELD CITY REGION COMBINED AUTHORITY**

**AMP TECHNOLOGY CENTRE, WAVERLEY, ROTHERHAM, S60 5WG**

**MINUTES OF THE MEETING HELD ON 17 JULY 2017**

PRESENT:

Councillor Sir Steve Houghton CBE, Barnsley MBC (Chair)  
Councillor Tricia Gilby, Chesterfield BC (Vice Chair)

Councillor Graham Baxter MBE, North East Derbyshire DC  
Councillor Julie Dore, Sheffield CC  
Councillor Simon Greaves, Bassetlaw DC  
Councillor Mazher Iqbal, Sheffield CC  
Mayor Ros Jones CBE, Doncaster MBC  
Sir Nigel Knowles, SCR LEP Chair  
Councillor Lewis Rose OBE, Derbyshire Dales DC  
Councillor Ann Syrett, Bolsover DC

Fiona Boden, SCR Exec Team  
Huw Bowen, Chesterfield BC  
Dave Brennan, SCR Exec Team  
Philip Cooper, SCR Exec Team  
Steve Davenport, SYPTE  
Andrea Fitzgerald, Sheffield City Region Executive Team  
Andrew Frosdick, Monitoring Officer  
Andrew Gates, SCR Exec Team  
Sharon Kemp, Rotherham MBC  
Mark Lynam, SCR Exec Team  
John Mothersole, Sheffield CC  
Jo Miller, Doncaster MBC  
Councillor Simon Spencer, Derbyshire CC  
Dave Smith, SCR Exec Team  
Peter Storey, Derbyshire CC  
Daniel Swaine, Bolsover DC / NE Derbyshire DC  
Neil Taylor, Bassetlaw DC  
Diana Terris, Clerk / Barnsley MBC  
Craig Tyler, Joint Authorities Governance Unit  
Eugene Walker, S.151 Officer

An apology for absence was received from Councillor C Read

1 APOLOGIES

Members' apologies were noted as above.

2 ANNOUNCEMENTS

None.

3 URGENT ITEMS

None.

4 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

RESOLVED, that item 16 (Funding for Supertram Rail Replacement) be considered in the absence of the public and press.

5 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was confirmed that voting rights could not be conferred in respect of agenda item 16 – Funding for Supertram Rail Replacement as this matter regards the South Yorkshire Local Authorities only.

It was agreed there were no additional agenda items for which the non-Constituent Members should not have full voting rights.

6 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None received.

7 REPORTS FROM AND QUESTIONS BY MEMBERS

None.

8 RECEIPT OF PETITIONS

None.

9 PUBLIC QUESTIONS

It was noted some questions had been received by a member of the public in relation to devolution and would be addressed in due course.

10 MINUTES OF THE MEETING HELD ON 12TH JUNE 2017

RESOLVED, that the minutes of the meeting held on 12<sup>th</sup> June 2017 are agreed to be an accurate record of the meeting.

11 DEVOLUTION

A report was received to provide an update on the SCR Devolution Deal and note that since the last meeting of the CA, Chesterfield BC and Bassetlaw DC have both taken decisions to no longer pursue an ambition to become constituent members of the SCR Combined Authority.

The paper invited further discourse on how Leaders wish to proceed with the Deal following these decisions.

The Authority was informed the 4 constituent member Leaders had met recently to discuss this matter and a variance of views has been recognised. It has therefore been suggested this matter be reviewed at the next meeting (11th September).

Noting that Barnsley MBC is one of the districts proactively investigating the potential devolution options available; the Chair expressed an intention to avoid any perception of a conflict of interest between his local authority and the CA and offered to temporarily stand down as Chair of the CA, facilitating his ability to solely represent Barnsley MBC at other meetings.

This offer was accepted by the Members present.

Sir Nigel Knowles (LEP Chair) reiterated that the position of the private sector is to be '100%' behind making a devolution deal happen as soon as possible and whilst it is regretted what has happened to Bassetlaw and Chesterfield, Leaders are urged to recognise devolution is still definitely the right thing to do.

Mayor Jones confirmed Doncaster MBC was also looking at the potential benefits of any other deals and would explore what is right for Doncaster.

Cllr Dore noted the next meeting of Leaders isn't scheduled until 11<sup>th</sup> September and requested a series of preparatory meetings be convened to ensure the Authority is in a position to make a collective decision on the 11<sup>th</sup> September.

Cllr Rose noted that whatever the constituent Leaders decide, decisions will affect the non-constituent members and requested all Leaders be kept appropriately engaged in discussions.

RESOLVED: that the Combined Authority:

1. Notes the decisions made by Bassetlaw DC and Chesterfield BC to no longer pursue becoming constituent members of the SCR CA.
2. Notes the positions of the constituent member Authorities.

Cllr Gilby assumed the Chair of the meeting

12 TFN ACCOUNTABLE BODY STATUS

A report was received summarising the detail of, and requesting the CA's consent to, the establishment of Transport for the North (TfN) as a statutory sub-national transport body.

Mayor Jones sought an assurance that the SCR wouldn't be met with any extra funding commitment for TfN. It was confirmed the longer term funding model for TfN is being worked up and there can be no extra funding commitments until a budget has been approved by a 75% voting majority of the 19 TfN members. The matter would therefore have to come back to the SCR CA for ratification.

It was requested that TfN Partnership Board minutes be presented to future CA meetings for information.

RESOLVED, that the Combined Authority:

1. Approves, the making by the Secretary of State, regulations under section 102E of the Local Transport Act 2008 to establish Transport for the North as a Sub-National Transport Body;
2. Approves the transfer of Rail North Limited to TfN so that it can be subsumed within TfN
3. Approves the signing of a new Rail Franchise Management Agreement with TfN replicating as far as possible the current Rail North Limited Members Agreement

### 13 DELEGATED AUTHORITY REPORT

A paper was received to provide an update on decisions made under CA delegated approval during the last period.

Members suggested the BIF report in its current format was quite difficult to read and requested future reports differentiate between grants and loans, indicate what economic benefits have been achieved, and provide a short narrative regarding the companies listed, including location, particularly for the £2m+ investments. A commentary on whether the total programme is spending was also requested.

RESOLVED, that the Combined Authority notes the decisions taken under delegated authority and requests that future reports be amended to take account of the comments expressed.

### 14 RESOLUTION RECORD - HOUSING EXECUTIVE BOARD

Members were presented with the HEB resolution summary.

Cllr Dore requested the HEB consider the tragic Grenfell Tower events and whether there is anything the SCR districts can do collectively to avoid a similar occurrence in our region.

RESOLVED, that the resolution record for the Housing Executive Board meeting held on 28<sup>th</sup> June be noted and the recommendations endorsed.

15 DEVOLUTION - EARLY INTERVENTION PILOT ACCEPTANCE OF GRANT

A report was received to update the Combined Authority on the progress of the bid for the Early Intervention Support Pilot.

Members were advised the CA is nearing notification of the outcome against its Business Case submission to pilot a programme of support through the DWP Innovation Fund, titled the SCR Early Intervention Employment Support Pilot. It was noted the bid is predicated on commencing delivery of the pilot in the autumn and, if successful, it is likely that the grant will be made before September 2017.

The paper therefore sought to inform Leaders that should the CA be successful in securing the Early Intervention Employment Support Pilot, there is provision in the Scheme of Delegation for the Finance Director to accept this grant offer on behalf of the Authority, after considering acceptable all the terms and conditions imposed by the grant awarding body.

Regarding intentions to match this allocation with European Structural and Investment Funds (ESIF), it was confirmed that matter would be brought back before the Authority should any issues with ESIF arise.

Members requested that the Directors of Finance ensure the SCR has considered all financial clawback risks.

RESOLVED, that the Combined Authority notes that should the Combined Authority be successful in securing the Early Intervention Employment Support Pilot, there is provision in the Scheme of Delegation for the Finance Director to accept this grant offer on behalf of the Authority, after considering acceptable all the terms and conditions imposed by the grant awarding body.

16 SUPERTRAM RE-RAILING

A report was received to seek approval for the funding of work to replace worn rails on the Supertram system.

Members were advised of the commitment of the PTE to undertake the works known as Rail Replacement Phase 2 and the estimated outturn cost of circa £15.1m. Members noted the options for funding the works, including the options of utilising £3.4m capital receipts reserve and £3.5 of 2017/18 National Productivity Innovation Funding (NPIF) to reduce the need to borrow.

The Chief Financial Officer explained why it was recommended that the NPIF funding be utilised in order to reduce the transport levy and generate savings for each District.

It was noted that a commitment to provide funding was required to allow long lead in steel rail to be ordered by September 2017, but noted that any borrowing would not be required until financial year 2018/19. Before any borrowing was undertaken Members wanted further analysis of the funding and repayment options including

the option of supporting any borrowing costs by introducing a levy of the fares paid by passengers.

RESOLVED, that the Combined Authority:

- 1 Approves the funding of the phase 2 re-railing of Supertram work at a cost of circa £15.1m (subject to tender return costs);
- 2 Notes the funding options presented and requests further work on the options and in particular requests work be undertaken to consider the feasibility of a passenger fare levy;
- 3 Requests that a further report be brought to the Combined Authority at its [October] meeting setting out the proposals for funding and repayment;
- 4 Approved the SCR Managing Director, in consultation with the Chair and Vice Chair of the Combined Authority, entering to contractual arrangements for securing the development of a strategic outline business case for an integrated City Region multi-modal mass transit network at an estimated cost in excess of £100,000, funded from the HS2 Growth Strategy funding.

CHAIR

# Item 13

## SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

24 JULY 2017

PRESENT: Councillor L Burgess (Chair)  
Councillor A Atkin (Vice-Chair)  
Councillors: M Clements, S Ayris, A Buckley, T Damms,  
P Haith, C Hogarth, M Maroof, C Ransome, J Satur and  
Dr A Billings (Police and Crime Commissioner)

T/DCFO M Blunden, T/ACO M Mason and S Booth  
(South Yorkshire Fire & Rescue Service)

A Brown, N Copley, D Terris, M McCarthy, M McCoole and  
L Noble (Barnsley MBC)

M Buttery (Office of the South Yorkshire Police and Crime  
Commissioner)

A Bosmans (Chair, Fire Local Pension Board)

Apologies for absence were received from  
Councillor C Rosling-Josephs, A Frosdick and CFO J Courtney

### 1 APOLOGIES

Apologies for absence were noted as above.

### 2 ANNOUNCEMENTS

T/DCFO Blunden stated that the Service had recently won an LGBT Employer of the Year Award at the Inaugural South Yorkshire LGBT Plus Award in Sheffield, for the Service's supportive and inclusive work with LGBT members as part of the Service's workforce; the Service had overcome competition from 17 different employers across South Yorkshire. The Cutlers' Society had also presented the Service with two awards. WM Nicola Hobbs had won an individual prize for her involvement and impact with diverse communities in going above and beyond her role. She had also been instrumental in supporting the fire cadet programme through seven cadet branches and she had been heavily involved with the Prince's Trust and the Cutlers' Better Learners Better Workers Programme. The Service's Community Fire Safety Officers and the High Risk Co-ordination Team had won the group award for their service to the people of South Yorkshire. The team installed tens of thousands of smoke alarms each year, helped to reduce accidental fires and worked with high risk individuals across South Yorkshire.

Councillor Burgess congratulated the Service, and she requested that the Authority's thanks and congratulations be conveyed to the officers concerned.

### 3 URGENT ITEMS

None.

4 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

5 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

6 REPORTS BY MEMBERS

Councillor Haith referred to a Yorkshire and Humber Employers' Association Meeting that she had recently attended. The main topic for discussion had been the review of the pay spine and its effects on local authorities in relation to raising the lower grades up to the national living wage by 2020; the costs for some of the local authorities would be between 4% and 6% of the payroll. It was noted that the national living wage was already paid in South Yorkshire where the cost would be approximately £60,000, compared to other local authorities and brigades where there would be more significant impact.

Councillor Atkin stated that he had organised a seminar on 18 July 2017 for RMBC elected Members on the work of the Prince's Trust, which had been well received. He invited all Members to the Graduation Day on 27 July 2017 at Rotherham Town Hall, which would commence at 2pm until 4pm.

7 RECEIPT OF PETITIONS

None.

8 TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC, OR COMMUNICATIONS SUBMITTED BY THE CHAIR OR THE CLERK AND TO PASS SUCH RESOLUTIONS THEREON AS THE STANDING ORDERS PERMIT AND AS MAY BE DEEMED EXPEDIENT

None.

9 MINUTES OF THE ANNUAL AUTHORITY MEETING HELD ON 26 JUNE 2017

Councillor Ayris queried whether the Section 41 substitute Members would be permitted to deputise in the absence of the Section 41 Members on outside bodies.

L Noble stated that there were no substitutes for the Section 41 Member role on outside bodies. Each Section 41 Member has a nominated deputy as agreed at the Authority's Annual Meeting for the purposes of informing their 'host' local authorities on Authority business.

RESOLVED – That the minutes of the Annual Authority meeting held on 26 June 2017 be agreed and signed by the Chair as a correct record.



10 MINUTES OF THE ORDINARY AUTHORITY MEETING HELD ON 26 JUNE 2017

Councillor Burgess requested an update following the Grenfell Tower Fire.

AM Helps provided Members with a South Yorkshire briefing paper on high-rise safety. The Service had been requested to attend 11 NHS premises and had carried out inspections following the National Fire Chief Council's indication of potential unsuitable cladding. The Service had also attended one college, one football ground and one hotel in South Yorkshire, and were working through 20 private high-rise accommodations. In addition, the Service continued to attend TARA meetings to support local authorities and engage with residents.

Councillor Ayris referred to the last Authority meeting, where he had made a number of comments regarding the brevity of the minutes and minute taking. He had also requested information on the length of time that webcasts were archived.

Councillor Burgess stated that the Authority was aware that the minutes must accurately reflect the decisions and actions raised at the meetings. She assured Members that every issue raised would be followed through and a response would be provided. It would be inappropriate to provide verbatim minutes.

Councillor Ransome stated that she understood that the minutes were kept on record for a period of 6 months, and she requested a copy of the webcast recordings for the same period.

M McCarthy stated that Councillor Ransome would be provided with the webcast recordings on disc.

AM Helps referred to Councillor Hogarth's query regarding information that the Service may be able to provide on the sale of chip pans in a retail setting. He stated that following national enquiries, all the sales of deep fat fryers or chip pans were accompanied with safety information together with manufacturer's instructions. He considered that given the breadth of suppliers across South Yorkshire that this would be the most pragmatic way to continue in the future.

Councillor Hogarth stated that his query had been in relation to individuals purchasing a new cooker, and the use of chip pans.

Councillor Ayris stated that he was still confused by Chief Fire Officer Courtney's response to his question in relation to how the whole time employee figures had been influenced by the temporary promotions. He queried whether his response had indicated that the positions had been backfilled.

T/DCFO Blunden suggested that Councillor Ayris' question had related to whether the number of temporary promotions had affected the number of firefighters on fire appliances. T/DCFO Blunden had met with Councillor Ayris shortly after the last Authority meeting to briefly discuss the matter. It was noted that 2016 and 2017 had been the first years that the Service had recruited for a significant number of years, due to the ongoing financial situation since 2010. With the agreement of the 3 year funding settlement, the Service was able to run a recruitment programme for 2017, 2018 and 2019. The Service was aware of the vacancies at firefighter level,

and a round of promotions was currently being undertaken to be concluded with crew and watch manager promotions in September 2017, in line with the Service's normal workforce profile. At this point, the temporary promotions would be backfilled and an understanding would be achieved of the number of firefighters required to ensure that five firefighters would be available to ride on the first appliance, with an aspiration from 1 January 2018.

Councillor Ayris commented that this did not align with Chief Fire Officer Courtney's response that the temporary promotions did not impact on the number of uniformed individuals.

T/DCFO Blunden stated that the full promotion process would be concluded by the end of September 2017.

Councillor Ransome queried whether Members had been provided with the details of how much income had been derived from Safety Solutions UK limited.

S Booth commented that he would ascertain the position and provide this information to Members.

T/DCFO Blunden stated that, as at 19 July 2017, Sir Tom Winsor had written to all police and fire and rescue authorities to indicate that HMIC would take over responsibility for the fire and rescue service inspections from 2018; no further details had been released. T/ACFO Mason would meet with HMIC in early August 2017 to discuss the future inspections for the Service.

Councillor Burgess suggested that time be allocated to look at what the Inspection might entail.

RESOLVED – That the minutes of the Ordinary Authority meeting held on 26 June 2017 be agreed and signed by the Chair as a correct record.

10a South Yorkshire Update Following the Grenfell Tower Fire

Councillor Ayris referred to the issue of high rise incidents in South Yorkshire and the use of turn table ladders. He queried whether the current PDA policy was appropriate and whether there was likely to be any change to the policy considered.

T/DCFO Blunden stated that the Service had reviewed its policy; high rise building fires were dealt with from inside of the building, rather than from the outside. The Service was content that the report presented to the Authority in 2012, in relation to turn table ladders for one primary crew and one switch crew was still appropriate.

Councillor Ayris referred to the feedback received at the last Authority meeting in relation to NHS buildings. He queried whether this included trust hospitals, and whether the sample testing had revealed anything additional from what had been reported at the last Authority meeting.

AM Helps stated the Service had visited approximately 11 NHS sites following feedback that the cladding was not of the highest fire resistant standard. An audit and inspection had been undertaken of the sites with the responsible persons,

which had led onto other enforcement issues other than cladding. It was noted that not all of the NHS buildings in South Yorkshire were high rise buildings. The Service would continue to undertake inspections.

Councillor Atkin referred to a question received at RMBC as to whether all hospitals had been inspected. He requested that Members be provided with the details of any hospitals where the cladding was considered not to be up to standard. He referred to the residents of the Beeversleigh high rise building in Rotherham, who were very happy with the attitude of RMBC and the Service, who had visited them following the Grenfell Tower fire to provide reassurance; he requested that feedback be provided to the firefighters concerned. He queried whether the Service considered that the 'Stay Put' Policy was still the best policy.

AM Helps stated that the 'Stay Put' Policy was still relevant, and would continue to be the Service's position until it was reviewed nationally. The Service's priority had been the high rise residential buildings, although feedback had started to be received around some hospital trusts. The hospitals had been requested to review all of their building stock, which was an enormous task; it was not the Service's responsibility to allocate its staff to undertake side by side audits on those premises. The Service's responsibility was to enable its inspectors to provide enforcement where legislation required and to provide support to those premises identified to be vulnerable through cladding fitting. He would provide Members with a current list of the local authority hospitals concerned.

Councillor Hogarth stated that Montagu Hospital, Mexborough had been issued with a Prohibition Notice. He queried how many other issues had been raised at other buildings following the Service's cladding inspections that would not have been identified otherwise.

AM Helps stated that the Service regularly undertook inspections at local authority high rise buildings. The Service had inspected Montagu Hospital in relation to failed cladding, where other fire safety issues had been identified; he considered that this pattern would continue as more inspections were undertaken at hospitals. The Service worked with a hospital co-ordination group which frequently met, and hospitals had their own fire safety trained risk assessors.

Dr Billings referred to the South Yorkshire Briefing paper. He queried the certification of premises being returned to fire authorities, and the difference that it could make.

T/DCFO Blunden stated that professionals across the country had observed that fire and rescue services had very specifically trained individuals, with extensive experience, within their business fire safety teams. The Service had seen a degradation in some of the fire safety standards across the buildings, following the 2006 Regulatory Reform Order, which had implemented changes for it removed from the fire authority's remit. The Service believed that the expertise sat with itself, and would welcome its return from the local authorities to the Authority with sufficient support in terms of funding.

Councillor Haith stated that DMBC's Cabinet had recently approved additional funding for retro-fitting of sprinklers in all Doncaster high rise buildings.

Councillor Ayris referred to the inspections requested by Government specifically in relation to cladding. He sought clarification as to whether the inspections undertaken by the Service would take into consideration glazing and thermal glass windows, following the controversy that this had been part of the issue with the Grenfell Tower.

AM Helps stated that as part of any inspection, the Service would initially look at the risk assessment produced by the responsible person, and that the glazing and correct standards would form part of this assessment.

Councillor Burgess suggested that, given the ongoing interest and concern following the Grenfell Tower fire, Members be provided with an update at the next Authority meeting.

## 11 SSCR SOCIAL RETURN ON INVESTMENT

A report of the Clerk to the Fire and Rescue Authority was submitted on the Stronger Safer Communities Reserve (SSCR) evaluation – social return on investment.

Ivan Annibal and Jessica Selick from Rose Regeneration, and James Turner from Rocket Science UK Ltd presented the report.

Members noted that on 13 February 2017, the Authority had commissioned Rocket Science UK Ltd to conduct an independent evaluation of the initiative to evaluate the impact of the £1.4m spent or committed to date during Rounds 1 and 2 of SSCR.

A draft version of the report had been presented to the Stakeholder Planning Board on 14 June 2017, where Members had provided useful feedback on the clarity of technical information.

Members noted the following key findings from the evaluation:-

- Every project that had been analysed had delivered a positive social return with on average £7.80 per £1 invested.
- The net value from the eight projects totalled £4.9m, of which SSCR had provided £1.4m to 43 projects.
- The SSCR Fund supported all aspects of a sustainable community.
- The projects had delivered a wide range of community outcomes together with improved fire safety.

Members noted the following recommendations from the evaluation:-

- To include questions on project outcomes in the SSCR application form.
- To focus monitoring activities on project progress towards outcomes.
- The SSCR Fund's focus on prevention and protection to continue.
- To continue to support a 'mixed economy' of projects with different outcomes.

- To use the findings from the report to engage with other public sector partners.

Councillor Ayris gave thanks for the comprehensive report. He queried the test sampling methodology used, based upon the 10 projects selected which tended to be the higher value projects. He suggested that the statistical weighting could not be applied across the piece in relation to the smaller funded projects in comparison to the larger funded projects.

J Turner stated that from a sample of the 43 projects, it would not be possible to achieve a truly random sample from which something could statistically be claimed for all 43 projects; the report referred to those projects looked at, which had identified the value achieved. From those 8 projects alone, there was positive evidence of social return against investment.

Councillor Satur thanked Rocket Science UK Ltd for an in-depth and excellent report.

Councillor Ransome also gave her thanks for the report. She queried the cost of an independent evaluation, and she requested a definition of proxies.

I Annibal stated that proxies were the values that could be ascribed to an output, which had increased from 120 to 140 proxies in assigning a gross £ value to each of the outcomes. Through a process of peer review journals, a total of 140 proxies had been identified to provide a value for various aspects within society.

D Terris commented that all agencies were working hard to try to develop a prevention and early help approach. She wondered whether, through the Community Safety Partnership, there was anything further that could be done to enhance the purchasing or spending power to ensure that the benefits were maximised.

AM Helps referred to the original feedback and evaluation. The Service intended to ensure that its future activities formed part of a social return and investment evaluation to be discussed with the four local authorities who had their own methods of measuring outcomes. The findings would be presented to partners for further consideration.

Dr Billings welcomed the report and he stated that one of the values of the report was the connections, together with the need to build capacity and resilience within communities. He congratulated the Authority in commissioning the evaluation.

Councillor Buckley stated that the Authority was occasionally criticised for the decisions made and the utilisation of finance. He referred to the benefits achieved from Rounds 1 and 2, and added that he looked forward to seeing the same success of Round 3.

Councillor Burgess thanked the individuals for attending the meeting and for the work undertaken.

RESOLVED – That Members:-

- i) Noted the contents of the report and in particular its key findings at Appendix A.
- ii) Agreed to implement the five recommendations set out at Appendix A to the report when determining the evaluation of bids to the Round Three process.

12 STRONGER SAFER COMMUNITIES RESERVE - ROUND 3 COMMUNITY GRANTS

A report of the Clerk to the Fire and Rescue Authority was presented to update Members on arrangements for the next round of the SSCR community grants programme.

Members noted that a further £2m had been added to the Fund in February 2016. The total amount available equated to just over £2.6m. The Authority had agreed at its meeting in July 2016 to a revised delivery model for residual funds. The Fund would be divided into the following categories:-

- Strategic level work with Health partners.
- Technical fire safety.
- Small grants scheme. With approximately £750,000 available for use on community projects in each district.

Members' attention was drawn to the launch event to be held on Friday 4 August 2017 at SYFR Training and Development Centre, Handsworth where some of the SSCR funded projects would be showcased and the timeline and application process for Round 3 applicants would be outlined. It was the intention to open up Round 3 for applications on 1 September 2017 and to close on 29 September 2017, following which the Assessment Board would meet to determine the bids for funding within the bidding process.

Councillor Ayris queried the safeguards in place within the process when allocating or making decisions regarding the funding bids, to ensure that there was no duplication with other funders.

M McCarthy commented that safeguards formed part of the application process. Internal Audit had been commissioned following Rounds 1 and 2, to review both exercises and to make recommendations as to whether they considered a process was in place that could withstand robust challenge. Members noted the thorough evaluation process undertaken, together with the degree of information provided to potential bidders. The contract provided to successful bidders clearly set out the expectations required before the funding was released. The outcomes of the two Internal Audit reviews had made minor recommendations, and, to date, no significant problems had been encountered with any of the 43 funded projects. He gave thanks to R Bywater who had been very thorough in ensuring absolute transparency and engagement with all of the project sponsors and ensuring that information was provided in time.

Councillor Hogarth stated that it was important that any funding should be utilised to maximise outcomes. He suggested that assistance should be offered to complete the applications.

M McCarthy referred to the great deal of interest received from the larger third sector groups for the first two rounds of SSCR, but acknowledged that the number of groups funded had fallen in the smaller community 'grass roots' projects, and this had been acknowledged as part of the evaluation process.

RESOLVED – That Members noted the timeline and arrangements for Round 3 of the SSCR community grants programme.

13 SPRINKLER FUND PROJECT APPROVAL

A report of the Chief Fire Officer and Chief Executive was presented to seek approval for the release of funds in support of the following three match funded projects:-

- Great Places Housing.
- Target Housing Bid.
- SYHA Bid.

Councillor Ransome stated that she was most impressed that the three funding applications related to properties for extremely vulnerable individuals with mental health problems; she supported the proposal for the release of funds in support of the projects.

Councillor Haith highlighted the point that the three funding bids had all been received from Rotherham. She queried whether bids had been received from elsewhere in South Yorkshire.

AM Helps stated that the Service was in receipt of 2 or 3 additional bids, which would be staged for Authority approval. It was noted that the difference between Round 3 and previously funded SSCR projects, was that the Service hoped to secure a match funding element whereby for every £1 the Authority provided, the person bidding would also provide the same amount, which would provide a great opportunity to make the very best of this limited fund.

Dr Billings expressed concern that the three buildings concerned did not have sprinkler systems in place. He queried whether the Service had a sense of other buildings that were equally in need of sprinkler systems, and whether they were prohibited from the scheme as they were unable to match fund or unaware of the scheme.

AM Helps stated that the Service was one of the only authorities in the UK that had a sprinkler position statement. Members were referred to legislation which required certain types of buildings to have sprinkler systems, and other legislation which recommended sprinkler systems. The Service wanted to ensure that partners saw the benefits and merits that sprinklers would bring to the safety of their residents, together with longevity of their buildings and the safety to firefighters in the event of a fire. He requested Members convey the message around the sprinkler fund

project to their local organisations and Section 151 officers, to make the best use of the limited amount of funding available.

Councillor Atkin referred to the sprinkler system launch event, to which 50/60 housing organisations had been invited. A presentation had been received from South Yorkshire Housing, who had been good advocates for the project. He requested Members to inform everyone of the launch of the SSCR Round 3 on 4 August 2017.

Councillor Burgess hoped that all Members would convey the message of SSCR Round 3 and she suggested further discussion on how the message could be conveyed corporately. She requested AM Helps provide feedback on how this could be achieved at the next Authority meeting.

RESOLVED – That Members:-

- i) Agreed to fund the three Fire Sprinkler Projects from the Safer Community Reserve Sprinkler Fund.
- ii) Be provided with details of how the sprinkler fund project was conveyed corporately, to the next Authority meeting.

#### 14 2017/18 BUDGET MONITORING REPORT

A report of the Director of Support Services was submitted to inform Members on the likely financial performance for the year ended 31 March 2018. The report did not provide an update on the capital spend, given the nature of spend involved and the anticipated spend profile.

S Booth referred to the anticipated planned contribution to reserves of £1.246m when the budget had been set on 13 February 2017, the current estimate was £1.574m. The increase was principally in relation to additional funding i.e. Section 31 monies which the Service was notified of by Government; the latest notification had been received in June 2017 which would see a rise in Section 31 monies around business rate funding and recycling of the top slice of Government monies that fire authorities were prone to, of which the Service received £102,000. The Service had a small underspend of £52,000 which would be identified.

Councillor Hogarth queried the reasoning for the overspend of the total transport expenses, which had been overspent by 25% at a total of £7,000.

S Booth stated that he would respond to Councillor Hogarth.

Councillor Ransome queried why the £63,000 increase in the business rates had not been foreseen.

S Booth stated that the Government had undertaken a revaluation of the business rates, with a list published at the beginning of the calendar year in 2017. A £0.5m increase in rateable values had been ascertained, which had not been fully taken into account when setting the budget.



Councillor Ayris queried the methods implemented to resolve the under-utilisation of retained duty staff resources and under-establishment. He also queried whether the indirect employee costs were a one off.

T/DCFO Blunden referred to a previous discussion in relation to the utilisation of retained duty staff (RDS). The Service's commitment to the Authority was that, by the end of the year, there would be a significant difference in the use of RDS. The Service had encountered difficulties in recruiting and retaining RDS, who historically were drawn from businesses or local individuals within a 5 minute footprint of a retained station. Across the fire and rescue services over the last 7 years, there had been a significant change to people's employment habits, with people travelling much further to their place of work. This had a significant impact on recruiting enough people to provide RDS day time cover. The Service has undertaken a review of its retained duty system, including the recruitment, to enable a continuous recruitment process and for individuals to be fed onto a course every 3 months. He expected to see a significant difference to the budget by the end of the year. The indications were that the indirect employee costs were a one off.

Councillor Ayris referred to the nil variation for support staff. He referred to a discussion at the last Authority meeting in relation to the use of agency staff, and he queried whether it incorporated agency staff, any recruitment agencies and finder fees. He also queried the Section 31 income, and the reason why it had increased.

S Booth referred to a report previously presented to the Authority on procurement and property matters, which referred to the recruitment of an interim Head of Procurement and Supply Chain, with the anticipation to do so within the current budget via the savings generated through best procurement. He stated that Section 31 monies derived from Central Government were usually in relation to either 'new burdens' to compensate for taking on additional responsibilities or compensation for loss of business rates income resulting from changes in business rates legislation. The Service had received notification on 26 June 2017 in relation to the refund of unused revenue support grant monies that had been top sliced and now returned to public bodies in proportion to the funding received.

Councillor Burgess stated that she hoped to arrange a Corporate Advisory Group meeting in relation to the budget.

Councillor Ransome referred to the additional fees in relation to support staff, and she queried where this was indicated within the report. She also queried whether the finder's fees were included within the individual's salaries, and the duration of the finder's fees.

S Booth stated that the total cost would be within the support staff aspect of the budget and would include agency fees. Members noted that a monthly charge would be made for the finder's fees.

RESOLVED – That Members:-

- i) Noted and considered the projected revenue underspend of £0.052m for the financial year ended 31 March 2018.

- ii) Be provided with the reasoning for the overspend of the total transport expenses, which had been overspent by 25% at a total of £7,000.

15 LIFE TEAM - FUNDING PROJECT EXTENSION

A report of the Chief Fire Officer and Chief Executive was submitted to request Members to consider and approve the Local Interventions and Falls Episodes (LIFE) Stronger Safer Communities Reserve (SSCR) funding Business Case to secure further revenue funding until 31 March 2018 and to enable the LIFE Team to continue their invaluable work, whilst securing further long term funding options.

Members noted that the LIFE Team had been introduced as a joint emergency services pilot in Sheffield in August 2016, and had been funded through the SYFR SSCR fund to improve the quality of life outcomes for individuals through a preventative approach, reducing risk and vulnerability, and to reduce the cost and demand on emergency services.

Councillor Satur acknowledged that the LIFE Team was a good scheme. However, she stated that she was not in favour of the Authority providing additional funding from the SSCR Fund to the LIFE Team, which had previously received £48,000 and almost £23,000 from that fund. She suggested that consideration be given to securing funding from elsewhere, and queried the provision from SYP and YAS.

Councillor Hogarth referred to the results of the pilot, and he queried whether there were plans to extend the project outside of Sheffield.

AM Helps stated that SYP had contributed from the beginning of the project by allocating two community safety support staff, which matched the number of the Service's staff funded through SSCR, and enabled two vehicles to operate with four staff across Sheffield. The Service had considered evaluation from Huddersfield University which had indicated that it was a very positive project. Consideration would be given to ascertain other partners across South Yorkshire who may be interested in contributing to ensure the scheme was sustainable moving forwards. SYP, YAS and the Service would engage with partners in the local authorities, between now and the end of the financial year, to demonstrate what the LIFE Team could offer, with a view to securing a match or three way funding process moving forwards.

Councillor Satur queried which of the Authority's budgets the funding was anticipated to come from in the future.

AM Helps stated that the Service anticipated that the funding would come from the Fire Service's Operating Budget. Members noted that early conversations had indicated that local authorities were interested in the project.

Councillor Satur stated that all South Yorkshire councils had no spare monies. She queried the position if the local authorities were unable to contribute.

AM Helps referred to the early indications from partners who had expressed an interest in the scheme being rolled out across South Yorkshire. Ultimately, if the project was not viable due to funding, then a report would be presented to the

Authority to seek approval for a different approach. He stated that the project added real value to provide early intervention in a cost effective way.

Councillor Haith suggested that the funding be taken from the projected revenue underspend of £0.052m.

S Booth referred to the various funding options available to the Authority which included the SSCR Fund, the Authority's other reserves or from the revenue budget on the expectation it was likely to deliver a slight underspend in this financial year.

Councillor Atkin stated that this was the third time that SSCR funding had been requested for the project. He suggested that if funding came out of the third pot of SSCR, that it would result in less funding being made available to the community.

AM Helps stated that the view would be that funding would be identified from the third pot of SSCR.

T/DCFO Blunden stated that the Service's position was that, should funding not be secured from 1 April 2018, then the Service would not be in a position to fund the project to be delivered on behalf of another agency. Both SYP and the Service were actively involved with the re-invention of the neighbourhood policing teams and discussions with the four local councils as to what could be achieved. He stated that both Deputy Chief Constable Roberts and himself were of the opinion that if funding could not be achieved, then a paper would be presented to the Authority and to the OPCC and, that unless directed otherwise, no further action be undertaken from 1 April 2018. He reassured Members that an extended bid had not been undertaken on the second bid submitted to the Authority, to ensure that the evaluation report demonstrated that there was some value to the project, to enable the principle of the project to be effectively sold onto the local authorities.

Councillor Ayris stated that he had no hesitation in supporting the project, which fitted in very well with the Authority's approach around collaboration and prevention.

Councillor Clements commented that it was not a question of the merits of the project, but the concern as to where the funding was sourced. He echoed Members' concern at the suggestion that funding would be secured from SSCR. He was uneasy about the funding proposal given the projections for the current financial year, which he was sure the Authority could absorb into any projected underspend anticipated.

Councillor Burgess stated that she considered that Members were generally happy with the project itself, but that funding of the project in the longer term was a separate issue. She queried whether Members would be comfortable to agree the proposal at this moment in time, on the proviso that, if the project was to be rolled out further, alternative methods of funding would be agreed before any recommendations were brought back to continue the project.

Councillor Satur stated that she was in agreement with Councillor Burgess' suggestion, with the proviso that funding was not secured from the community element of SSCR.

RESOLVED – That Members approved the LIFE SSCR funding Business Case at a total of £30,706 with the proviso that if the project was to be rolled out further, alternative methods of funding would be agreed before any recommendations were brought back to continue the project, and that funding would not be secured from the community element of SSCR.

16 POLICE AND FIRE COLLABORATION BOARD PAPERS

A report of the Chief Fire Officer and Chief Executive was submitted to provide Members with papers relating to Community Safety, Civil Protection Group, Fleet options paper and a Communications plan that had been presented to The Police and Fire Collaboration Board on 19 June 2017.

Members noted that The Police and Fire Collaboration Board was chaired by Dr Billings and that its membership included Chief Constable Watson, Chief Fire Officer Courtney, M Buttery and Councillor Atkin, who would be replaced by Councillor Burgess from this point forwards.

Councillor Ransome queried whether the FBU was involved in the discussions around collaboration.

T/DCFO Blunden stated that, should a decision be made to move anyone within the work place, then a statutory consultation period would be entered into. Within the Service, T/DCFO Blunden updated the Joint Consultation Forum, which consisted of the four unions, with an informal discussion on the process of collaboration. Until a decision had been reached by Chief Constable Watson and Chief Fire Officer Courtney with ratification by Dr Billings, no formal consultation would be entered into with any of the unions.

Councillor Ayris stated that it was important to engage the respective unions who should be involved in the collaboration and be provided with an opportunity to provide input for the operational aspect.

T/DCFO Blunden referred to the ongoing conversations over the last 18 months between SYP and the Service in relation to collaboration around fleet management. At the first Strategic Board meeting held in March 2017, it had been agreed by Chief Constable Watson, Chief Fire Officer Courtney and Dr Billings that an options appraisal paper be prepared to bring together the two fleet functions. The Board had agreed that a full business case be developed to be presented to the Board meeting in September 2017 for approval.

Councillor Ransome queried when those talks between SYP and the Service would be drawn to a conclusion.

T/DCFO Blunden stated that Chief Constable Watson, Chief Fire Officer Courtney and Dr Billings had made it clear that a decision now needed to be reached. Members noted the decision that a Joint Civil Contingencies Team would not be progressed further at this time; to be reviewed in 6 months' time in light of any impact or outfall from the Grenfell Tower fire.

Members were provided with details of the Joint Community Business Case, which had been approved by the Board and had instructed the leads at SYP and the Service to determine the structure and impact, which would be reported back to the Authority.

Councillor Buckley stated, as Chair of the Performance and Scrutiny Board, that the Board would look at its Work Programme at its meeting in September 2017. He queried whether there was an opportunity for the Performance and Scrutiny Board to provide a supportive role within the collaboration process.

Councillor Burgess stated that further opportunity should be provided to look at some of the information in greater detail. She welcomed the involvement of the Performance and Scrutiny Board, and she suggested that Councillor Buckley and herself discussed the matter further. She also suggested the potential opportunity of involvement from the Corporate Advisory Group.

Dr Billings informed Members of the confusion in naming the various committees and boards, the conclusion of which had not been reflected within the report. He requested that SYP's three priorities that were stated within the Police and Crime Plan be made clear in any further reports.

RESOLVED – That Members:-

- i) Considered and noted the Community Safety and Civil Protection Business Cases.
- ii) Considered and noted the scoping paper for Fleet.
- iii) Considered and noted the communications plan.
- iv) Considered and noted the implications for South Yorkshire Fire and Rescue Authority.
- v) Noted further discussion for the involvement of the Performance and Scrutiny Board within the process.
- vi) Noted that SYP's three priorities be made clear within any future reports.

17 SYFRA LOCAL PENSION BOARD - ANNUAL REPORT

A report of the Clerk to the Fire and Rescue Authority was submitted to present the Local Pension Board's annual report.

Councillor Burgess welcomed A Bosmans, Chair of the SYFRA Local Pension Board to the meeting.

The Local Pension Board had been established on 1 April 2015 by the Authority, as Scheme Manager. The National Scheme Advisory Board had since been established and its Chair - Malcolm Eastwood had met with Members in the summer of 2016 which had been extremely useful. Additionally, A Bosmans had

attended the last Scheme Advisory Board in London (14 June) in an observer capacity.

A Bosmans stated that there was a view that the Board had advanced further than many other Local Pension Boards. The Board had a number of items to be progressed as priorities for the coming year which included gaining assurance that members of the pension schemes were receiving the correct communications and that they were satisfied with the information received from the people who administered pensions, together with the development of a risk register. Guidance on the latter was being provided nationally.

A Bosmans reminded Members of their responsibility as Scheme Manager for the Pension Schemes. He provided assurance that the Board had put in place everything required within the CLG Guidance, and had started to proactively examine issues via a work programme. The Board's membership included a representative from the West Yorkshire Pensions Fund as Scheme Administrator.

Councillor Ayris stated that it was refreshing to see that members of FBU and FOA were members of the Local Pension Board.

A Bosmans said that the CLG Guidance had required Local Pension Boards to have employee representatives to protect pension scheme members' interests.

RESOLVED – That Members noted the second Annual report of the Local Pension Board.

18 MAKE EVERY CONTACT COUNT PRESENTATION

AM Helps stated that the Service had been leading the work across the region with public health in relation to the introduction of health and well-being messages as part of its core business, which included the introduction of CPR at the Lifewise Centre and the inclusion of health and well-being messages in all school educational packages. The Service was moving towards a 'safe and well' offer.

The Authority was shown a video produced by public health, which had been shown at a regional 'Make Every Contact Count' event.

RESOLVED – That Members noted the presentation.

19 EMERGENCY SERVICE MOBILE COMMUNICATIONS PROGRAMME (ESMCP) UPDATE

A report of the Chief Fire Officer and Chief Executive was submitted to provide Members with an update of the current Emergency Services Mobile Communications Program (ESMCP) and the work within South Yorkshire Fire and Rescue (SYFR) and the region to ensure successful transition.

Members noted that the ESMCP project had been commissioned by the Home Office in order to provide a replacement communications network for the 3 Emergency Services (3ES) i.e. Fire, Police and Ambulance, within the UK over 4G connectivity. Following a review of the national programme timeline, the ESN

which had been scheduled to begin transitioning in autumn 2017, had been rescheduled for summer 2018. Regional funding for Yorkshire and Humber had been provided by the Government at a total of £1,496,262.28 to be released annually at the beginning of each fiscal year. Members would be provided with further detail closer to the transition date.

Councillor Ayris sought clarity that no funding would be required to support the transition, which in the longer term would provide cost savings.

AM Helps referred to the radio devices presently used which would form part of the transitional arrangements. There were no costs anticipated for the Service in terms of the current funding model for transition onto ESN.

Dr Billings stated that this was a huge and significant project, with large risks in the transition, which the emergency services would have to keep under review. He queried whether there were any places where the system did not work currently, and whether there was an indication as to how this would be covered under the new system.

AM Helps referred to a South Yorkshire assessment that had taken place to identify any reception difficulties where mobile communication was poor. Feedback from the suppliers had indicated that South and West Yorkshire were the only two areas within the region with no significant 'black spot' areas. Extended airwave cover would be implemented for significant areas where there was no 4G activity. The Service was assured that it would be able to connect to the mobile communication project system with its appliances. The Service was content that if SYP was happy to transfer onto the new system, that it would be timely for the Service to do so. The Service recognised the significant risk involved, a Risk Register was monitored closely as a region, and the Government's work was monitored in terms of the Select Committee's reporting on the project to Ministers, to ensure that it was viable and kept on track. The Service was content that South Yorkshire was covered in relation to the project.

Councillor Ransome queried whether AM Helps was the lead person on the project.

AM Helps stated that each fire and rescue service had a senior responsible operator, which was his role within South Yorkshire.

RESOLVED – That Members noted the report.

CHAIR

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# Item 14



<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 25 July 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

Councillors D. Birkinshaw (Chair), G. Carr, Coates, M. Dyson, Franklin, Gollick, Hampson, Hand-Davis, Hayward, Higginbottom, Leech, Makinson, Markham, Mathers, Mitchell, Noble, Richardson, Spence, Stowe, Tattersall, Wilson and R. Wraith

### 28. Declarations of Interest

Councillor Birkinshaw declared a Non-Pecuniary interest in **Planning Application No 2017/0585** – [erection of safety fencing to golf driving range at Tankersley Park Golf Club, Park Lane, Tankersley, Barnsley] as his brother is a member of Tankersley Park Golf Club.

Councillor Makinson declared a Non-Pecuniary interest in **Planning Application No 2017/0785** – [conversion of existing building used as shops and flats into two dwellinghouses] as she is a Member of Berneslai Homes' Board.

### 29. Minutes of the meeting held on 27th June 2017

The minutes of the meeting held on 27<sup>th</sup> June 2017 were taken as read and signed by the Chair as a correct record.

### 30. Land adjacent to 16 Park View, Brierley - 2017/0084 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0084** (Residential Development of 14 no. dwellinghouses (Site 1 Plots 1-5) and site 2 (Plots 6-14) at land adjacent to 16 Park View, Brierley, Barnsley, S72 9EN).

**RESOLVED** that the application be granted in accordance with the Officer recommendation and subject to S106 agreement.

### 31. Land adjacent to 27 Windmill Avenue, Grimethorpe - 2017/0666 - For Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0666** (Erection of 2 no. pair of semi detached dwellings and 1no. block of 3 town houses with associated parking at land Adjacent 27 Windmill Avenue, Grimethorpe Barnsley, S72 7AN).

**RESOLVED** that the application be granted in accordance with the Officer recommendation and subject to S106 agreement.

**32. 322 - 324 Barnsley Road, Cudworth - 2017/0509 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0509** (Demolition of former butchers shop and erection of 1 no. block of 3 flats at 322 - 324 Barnsley Road, Cudworth, Barnsley, S72 8TD)

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**33. 26-32 Rufford Avenue, Athersley North - 2017/0785 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0785** (Conversion of existing building used as shops and flats into two dwellinghouses at 26 - 32 Rufford Avenue, Athersley North, Barnsley, S71 3ED).

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**34. Millhouse Primary School, Lee Lane, Millhouse Green - 2017/0630 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0630** (Formation of new playground to rear and associated external works at Millhouse Primary School, Lee Lane, Millhouse Green, Sheffield, S36 9LN).

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**35. Worsbrough Common Primary School - 2017/0794 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0794** (Conversion of courtyard into an additional classroom at Worsbrough Common Primary School, Bruce Avenue, Worsbrough Common, Barnsley S70 4EB).

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**36. Tankersley Park Golf Club - 2017/0585 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0585** (Erection of safety fencing to golf driving range at Tankersley Park Golf Club, Park Lane, Tankersley Barnsley, S35 4LG)

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

### **37. Application to divert public footpaths at Tankersley Golf Club**

The Assistant Director, Highways, Engineering and Transportation submitted a report to consider an application to divert Tankersley public footpaths 31,33, 34 and 35 and to extinguish part of Tankersley public footpath no. 34 at Tankersley Park Golf Club.

**RESOLVED** that, provided the applicant can satisfy the Council regarding the erection and maintenance of fencing as part of the required unilateral undertaking (which is subject to a separate application by the golf club), along with the provision of signage to ensure the correct line of the footpaths is clear:

- (i) The Council makes a Public Path Order under the provisions of section 257 of the Town and Country Planning Act 1990 for the diversion of Tankersley footpath 34, and Public Path Orders under the provisions of sections 118 and 119 of the Highways Act 1980 for the diversion of Tankersley footpaths 31, 33 and 35 and the extinguishment of part of Tankersley footpath no. 34 at Tankersley Park Golf Club;
- (ii) The Executive Director and Solicitor to the Council be authorised to publish the Orders and to confirm them himself in the event of there being no objections thereto;
- (iii) In the event objections are received which cannot be resolved, the Executive Director and Solicitor to the Council be authorised to submit the Orders to the Secretary of State for confirmation and to take all necessary steps to support the Orders at any public inquiry, informal hearing or written representation as necessary;
- (iv) The Executive Director and Solicitor to the Council be authorised to make a Definitive Map Modification Order to make the necessary changes to the Definitive Map and Statement for the area.

### **38. Planning Appeals - 1st to 30th June 2017**

The Head of Planning and Building Control submitted an update regarding planning appeals and cumulative appeal totals for 2017/18.

The report indicated that no appeals were received, withdrawn or decided in June 2017. It was reported that 3 appeals have been decided since 1 April 2017, 1 of which (33%) was dismissed and 2 of which (67%) have been allowed.

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Chair

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<b>MEETING:</b>	Planning Regulatory Board
<b>DATE:</b>	Tuesday, 5 September 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Town Hall, Barnsley

## MINUTES

### Present

Councillors D. Birkinshaw (Chair), M. Dyson, Franklin, Gollick, Hampson, Hayward, Higginbottom, Leech, Makinson, Mathers, Richardson, Riggs, Spence, Stowe, Tattersall, Unsworth, Wilson and R. Wraith

### 39. Declarations of Interest

Councillors Unsworth and Makinson declared a Non-Pecuniary interest in **Planning Application No 2017/0811** [Erection of two pairs of semi-detached, two bed dwellings at land off Bellbrooke Avenue, Darfield, Barnsley] as they are Members of Berneslai Homes' Board.

Councillor Stowe declared a Non-Pecuniary interest in **Planning Application No 2017/0155** [Residential development of 49 no. dwellings at Bondfield Close, Bondfield Crescent, Wombwell] as his wife is employed at Kings Oak School which is very close to the site in question.

### 40. Minutes

The minutes of the meeting held on xxx were taken as read and signed by the Chair as a correct record subject to a minor amendment to minute no. 28 to reflect that Cllr Birkinshaw's brother-in-law is a member of Tankersley Park Golf Club, not his brother as originally stated.

### 41. Lidgett Lane, Pilley, Barnsley - 2016/1308 - for Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2016/1308** [Proposed development of 49 dwellings and associated roads and infrastructure (amended plans) at Lidgett Lane, Pilley, Barnsley S75 3AG].

**RESOLVED** that the application be granted in accordance with the Officer recommendation subject to signing of a S106 Agreement in respect of provision of education, public open space and affordable housing.

### 42. Site accessed off Bondfield Close, Bondfield Crescent, Wombwell - 2017/0155 - for Approval

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0155** [Residential development of 49 dwellings at Bondfield Close, Bondfield Crescent, Wombwell]

Mr Jeffrey Wood addressed the Board and spoke against the officer recommendation to grant the application.

Mr Craig Hawley addressed the Board and spoke in favour of the officer recommendation to grant the application.

**RESOLVED** that the application be deferred to enable officers to discuss with the applicant the possibility of the plans being amended to incorporate a parking layby within the development. In addition Members resolved that opportunities for the provision of double yellow lines should be investigated.

**43. Tofts Lane, Snowden Hill, Barnsley - 2017/0624 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0624** [Formation of a battery energy storage facility with associated transformer cabling security fencing and CCTV Poles at Tofts Lane, Snowden Hill, Barnsley S36 8YR].

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**44. The Bungalow, High Croft, Hoyland, Barnsley - 2017/0869 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0869** [Erection of 1 no. detached dwelling-house at The Bungalow, High Croft, Hoyland, Barnsley S74 9AF]

Mr David Hirst addressed the Board and spoke against the officer recommendation to grant the application.

Mrs Michelle Tuxford addressed the Board and spoke in favour of the officer recommendation to grant the application.

**RESOLVED** that the application be granted in accordance with the Officer recommendation subject to the imposition of an additional condition requiring the provision of a construction method statement.

**45. Land off Bellbrooke Avenue, Darfield, Barnsley - 2017/0811 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0811** [erection of two pairs of semi detached dwelling houses at land off Bellbrooke Avenue, Darfield]

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**46. 5 Wheatley Rise, Staincross, Barnsley - 2017/0775 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0775** [Erection of single storey side/rear extensions to both sides of bungalow at 5 Wheatley Rise, Staincross, Barnsley S75 6NW].

**RESOLVED** that the application be granted in accordance with the Officer recommendation.

**47. Churchfields Peace Gardens, Churchfield, Barnsley - 2017/0942 - For Approval**

The Head of Planning and Building Control submitted a report on **Planning Application 2017/0942** [Installation of public art panels at Churchfields Peace Gardens, Churchfield, Barnsley].

**RESOLVED** that authority be delegated to Cllr Birkinshaw as Chair of the Planning Regulatory Board to authorise approval of the application, subject to the applicant accepting responsibility for and committing to carrying out future maintenance of the panels. If suitable reassurances are not obtained the application will be referred back to the Board for determination.

**48. Planning Appeals - 1st July, 2017 to 31st August, 2017**

The Head of Planning and Building Control submitted an update regarding planning appeals for the period 1<sup>st</sup> July 2017 to 31<sup>st</sup> August 2017 together with cumulative appeal totals for 2017/18.

The report indicated that 7 appeals were received in July and August 2017:-

**Planning Application 2016/1367:** Conversion of loft and erection of elevation to side dormer at Chrisholme, 4 Wath Road, Elsecar, Barnsley, S74 8HJ] – Written Representations, Delegated

**Planning Application 2017/0171:** Erection of detached dwelling house at Courtland, Halifax Road, Thurgoland, Sheffield, S35 7AL] – Written Representations – Delegated.

**Planning Application 2017/0027:** Demolition of existing house and erection of 3 new houses (Outline with all matters reserved) at The Laurels, 24 Viewlands, Silkstone Common, S75 4QP – Written Representations – Committee.

**Planning Application 2017/0700:** Erection of a detached double garage with first floor games room at 62 Church Street, Gawber, Barnsley, S75 2RJ – Written Representations – Delegated.

**Planning Application 2016/1401:** Erection of 1 no. detached dwelling at 52 Kensington Road, Old Town, Barnsley, S75 2SS – Written Representations – Delegated.

**Planning Application 2017/0475:** Erection of cattery and associated facilities including reception, office, toilet and staff and customer parking area at Hollow Farm, Woodhead Road, Wortley, Barnsley, S35 7DS - Written Representations – Delegated.

**Planning Application 2017/0607:** Removal of condition 1 of previously approved permission 2016/0322 - to allow the car wash to operate on a permanent basis at

Former Petrol Filling Station, Pontefract Road, Cudworth, Barnsley, S72 8AY -  
Written Representations - Delegated.

***No appeals were withdrawn in July and August 2017. Five appeals were decided in July and August 2017:***

**Planning Application 2016/1338:** Erection of two storey side and single storey extension to rear of 179b King Street, Hoyland, Barnsley, S74 9LL. Members should note that this was a split decision. The appeal is dismissed insofar as it relates to the erection of a two storey side extension and allowed insofar as it relates to the single storey extension to the rear at 179A King Street, Hoyland, Barnsley, in accordance with terms of the application **2016/1338** dated 25 October 2016. Decided 13/07/2017 – Delegated.

**Planning Application 2016/1035:** Erection of 1 no. detached dwelling with detached garage at Knowles Street, Spring Vale, Barnsley – Dismissed - Delegated.

**Planning Application 2016/1340:** Erection of two storey side extension and a single storey front extension to dwelling at 101 Genn Lane, Ward Green, Barnsley – Dismissed – Delegated.

**Planning Application 2016/1080:** Conversion of existing garage to bungalow at 102 Sackville Street, Barnsley - Allowed - Delegated

**Planning Application 2017/0403:** Conversion of existing 2 storey annex from garage to games room to dwelling with associated amenity space parking and new access to existing dwelling at Ivy Cottage, 108 Upper Hoyland Road, Hoyland, Barnsley – Allowed – Delegated.

#### **2017/2018 Cumulative Appeal Totals**

- 8 appeals have been decided in since 01 April 2017
- 3.5 appeals (44%) have been dismissed since 01 April 2017
- 4.5 appeals (56%) have been allowed since 01 April 2017

**Planning Application 2016/0744:** Remove and replace Lime tree (T1) within TPO no. 3/2000 at 2 Ladyroyd, Silkstone Common, Barnsley, S75 4SF – Allowed – Delegated.

**Planning Application 2016/1402:** Felling of Oak Tree (T2 within TPO 3/1980) and replacement at 73 Martin Croft, Silkstone, Barnsley, S75 4JS – Allowed - **02/05/2017** – Delegated.

**Planning Application 2016/1035:** Erection of 1 no. detached dwelling with detached garage at Knowles Street, Spring Vale, Barnsley - Dismissed **24/07/2017** – Delegated.

**Planning Application 2016/1478:** Formation of vehicular access at 18 Roper Lane, Thurgoland, Barnsley, S35 7AA – Dismissed **31/07/2017**- Delegated.



**Planning Application 2016/1338:** Erection of two storey side and single storey extension to rear of 179b King Street, Hoyland, Barnsley, S74 9LL - Split Decision - 13/07/2017 - Delegated.

**Planning Application 2016/1340:** Erection of two storey side extension and a single storey front extension to dwelling at 101 Genn Lane, Ward Green, Barnsley – Dismissed **10/08/2017** –Delegated.

**Planning Application 2016/1080:** Conversion of existing garage to bungalow at 102 Sackville Street, Barnsley – Allowed **15/08/2017** - Delegated

**Planning Application 2017/0403:** Conversion of existing 2 storey annex from garage to games room to dwelling with associated amenity space parking and new access to existing dwelling at Ivy Cottage, 108 Upper Hoyland Road, Hoyland, Barnsley – Allowed – Delegated.

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Chair

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<b>MEETING:</b>	General Licensing Regulatory Board
<b>DATE:</b>	Wednesday, 6 September 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillors C. Wraith MBE (Chair), Clarke, Dures, S. Green, Daniel Griffin, Hampson, W. Johnson, Millner, Pouri, Richardson, Saunders, Sheard, Shepherd, Spence, Tattersall, Williams and Wilson

At the invitation of the Chair, The Mayor, Councillor Ennis.

### 14 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

### 15 Minutes

The minutes of the meeting held on the 26<sup>th</sup> April, 2017 were taken as read and signed by the Chair as a correct record.

### 16 Taxi Legislation - Proposed Changes

The Service Director Culture, Housing and Regulation submitted a report advising Members of a range of taxi legislation recommendations proposed by the All Party Parliamentary Group (APPG) for taxis.

It was reported that recent and significant changes to the taxi and private hire markets combined with the introduction of new technologies had led many drivers and representative bodies across the industry to believe that the existing regulation was no longer fit for purpose and that associated reform had not kept pace with the changing market.

Taxi regulations were not set nationally and this had resulted in some Private Hire Operators taking advantage of less robust licensing systems to avoid areas where stronger requirements existed. An example of this was 'cross border hiring'. The introduction of the Deregulation Act 2015 had allowed Private Hire Operators to subcontract a booking to another operator licensed within a different licensing district. This had the effect of limiting the enforcement action that Authorities could undertake against a driver who operated in another area despite not meeting the local licensing regulations.

In addition, the APPG had identified one local authority that did not require an applicant to undertake a DBS check to receive a licence which was felt to be imperative in order to ensure that all applicants were subject to rigorous criminal conviction screening before being granted a licence to carry passengers. It was also noted that the absence of a national database of licenced drivers and applicants who had been refused a licence or whose licences had been revoked meant that there

was a greater risk of applicants/drivers applying to a different licensing authority and being granted a licence.

The APPG had, therefore, proposed that the Government consult on the creation of statutory guidance for taxi and Private Hire Vehicle Licensing which would set out minimum standards that all licensing authorities should impose. It was also proposed that Local Authorities would retain the ability to impose further standards above this should they feel it necessary and proportionate to local needs.

The APPG also proposed that:

- In order to address issues in relation to 'cross border hiring' there should be a statutory definition which would define that a journey should begin or end in the licensing authority area
- There should be a national database of registered drivers and operators in conjunction with the DVLA and the Police

In order to address the types of issues identified locally, Licensing Officers within South Yorkshire had met with representatives of the Local Government Association and the National Anti-Fraud Network to secure the development of a national register of all licenced driver refusals and/revocations. It was acknowledged that whilst this would not solve all the challenges, it was an important sector-led initiative aimed at tackling the problem of individuals making applications in different areas following a refusal or revocation elsewhere.

The report also indicated that, following the recent events in Rotherham, that Local Authority had implemented a number of stringent licensing requirements including:

- (a) Enhanced DBS Checks
- (b) Certificate of Good Conduce – for those residing outside the UK
- (c) Improved theory test
- (d) BTEC Level 2 Certificate - Professional Taxi and Private Hire Driver
- (e) Sign code of conduct for vulnerable passengers
- (f) Dress code
- (g) Taxi cameras recording audio and video – with video recording on at all times and audio when transporting a child under 18 or a vulnerable adult

The Board noted that with the exception of (d) and (g), all the remaining measures were imposed by this Council. It was also noted that currently the Licensing Service was undertaking a review of the application criteria and policy requirements in order to ensure a more rigorous approach was applied when meeting its duty to protect the public.

The report engendered a full and frank discussion during which the following matters were raised:

- Members very much supported the introduction of CCTV cameras in vehicles for both the protection of the public but also for the driver. It was noted that the trade organisations were broadly supportive of such a proposal but that prior to the inclusion within the licensing criteria, there would be a full consultation with all drivers and operators. Arising out of the discussion, it was noted that:

- Whilst the costs of CCTV recording equipment had significantly reduced over recent years, the costs of the purchase and installation would have to be borne by the driver/operator/proprietor as appropriate
- The reasons for not requiring audio to be recorded all the time were outlined – it was noted that Information Commissioner required there to be a demonstrated evidential need
- There was support for a standardised approach to taxi licensing including the adoption of minimum standards for all licensing authorities to impose. Discussions with both Sheffield and Doncaster had indicated that their licensing conditions were not too dissimilar to Barnsley's. Arising out of the above, there was a discussion as to how this Board could lend support to the APPG proposals possibly by requesting the local MP's to support the proposals when discussed in Parliament. It was noted that a Private Members Bill (from the APPG) had been timetabled for discussion in February 2018
- The introduction of a BTEC qualification was welcomed in principal although it was noted that this would have to be financed by the Driver and not the Authority. Details of the course and it's appropriateness for Barnsley would be investigated. It was also noted that some authorities had introduced a communication/speaking test and this could be considered as part of the review of conditions
- There was a discussion of the requirements in relation to the transportation of disabled passengers.
  - It was noted that the Law Commission recommendation was that 33% of the fleet should be wheelchair accessible but in Barnsley this was currently around 11%. Whilst drivers were encouraged to purchase such vehicles their decisions were largely commercially driven.
  - Additional charges to carry disabled passengers was not permitted and if any Member became aware of instances where this occurred they should inform the Licensing Service
  - There was a need to consult disability groups to ensure that the needs of such users were being met. The Service had regular meetings with the Diversity and Equalities Officer who also attended the Trade Liaison Group meetings
- In response to specific questioning, it was noted that Uber Drivers had to comply with the same conditions of licence as any other driver. It was noted, however, that no such applications had been made to Barnsley

## RESOLVED

- (i) that the report be noted and the proposals supported; and
- (ii) that the report be sent to the four MP's for Barnsley who be requested to support the APPG proposals when discussed within Parliament.

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Chair

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# Item 17



<b>MEETING:</b>	Statutory Licensing Regulatory Board
<b>DATE:</b>	Wednesday, 6 September 2017
<b>TIME:</b>	2.30 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillors C. Wraith MBE (Chair), Clarke, Dures, S. Green, Daniel Griffin, W. Johnson, Saunders, Shepherd, Spence, Tattersall and Wilson

### 1 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interests from Members in respect of the item on this agenda.

### 2 Minutes

The minutes of the meeting held on the 26<sup>th</sup> October, 2016 were taken as read and signed by the Chair as a correct record.

### 3 Exclusion of the Public and Press

**RESOLVED** that the public and press be excluded from this meeting during the consideration of the following item because of the likely disclosure of exempt information as defined by Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

### 4 Premises Licence - Whispers

The Board received an oral report from the Executive Director Core Services on the current position with regard to the Premises Licence in respect of Whispers, Regent Street, Barnsley.

Members were reminded that on the 15<sup>th</sup> March, 2017 a second review of the Premises Licence had been undertaken by a Sub Committee of this Board at which the Premises Licence had been revoked. An appeal had subsequently been lodged within the Magistrates Court and a pre hearing had been held in April 2017 with a final appeal date scheduled for September, 2017.

Following an approach from the License holder's legal representative, discussions took place over a number of months regarding a potential settlement of the appeal and following discussions with Responsible Authorities and Elected Members who sat on the Sub Committee meeting together with the Chair of the Board on the 14<sup>th</sup> August, 2017, the appeal had been settled and the terms of the proposed Consent Order were reported. The settlement agreed was that that the existing owner/licence holder would be removed from all operational control and the premises transferred to a lessee; there would be an investment of funds into the property; and a

rebranding/relaunch of the business. The Consent Order had been approved on the 17<sup>th</sup> August, 2017 and the appeal hearing vacated.

On the 29<sup>th</sup> August, 2017 the Council's Licensing Team had received information which, although unverified at the moment, suggested that the arrangements proposed via the Consent Order would not be able to go ahead and the reasons for this were outlined. In the light of this information it was likely that the Licensing Authority would have to use its power under the provisions of the Licensing Act 2003 to seek a review hearing before a Sub Committee of this Board.

It was particularly disappointing that the agreed arrangements for the refurbishment and rebranding of the premises would not now go ahead but the reasons for this were noted.

**RESOLVED** that the report be noted.

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Chair



# Item 18

## NOTES OF GENERAL LICENSING REGULATORY BOARD PANEL

18<sup>th</sup> July, 2017

**Present:** Councillors C Wraith MBE (Chair), J Carr and Williams together with Councillor Tattersall (Reserve Member).

Members of the Public and Press were excluded from the meeting.

### **1 Declarations of Interests**

There were no declarations of pecuniary or non-pecuniary interest.

### **2 Hackney Carriage and Private Hire Driver's Licence – Application – Mr C E E**

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr C E E.

The applicant was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel decided that in view of all the evidence and, taking account of the manner in which he presented himself, the applicant was a fit and proper person to hold such a licence and that the application be granted subject to:

- (a) Review in six months time; and
- (b) that in the in the event that there are any concerns as to his conduct in that intervening six months (given that he took an illegal substance for 18 months), he can be required to undertake a drugs test within a 7 day notice period

The licence was granted on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions
- He had shown genuine remorse for his actions that led to the convictions
- The manner in which he presented himself at the hearing when he had shown himself to be a different person, he had grown up, matured and had additional family responsibilities with the custody of his children

The decision of the Panel was unanimous.

### **3 Hackney Carriage and Private Hire Driver's Licence – Application – Mr G D**

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr G D.

The applicant was in attendance together with Mr S S (Chair of the Private Hire Association who gave evidence in support of his case.

After considering all the information and representations made the Panel decided that in view of the evidence and, taking account of the manner in which he presented himself, the applicant was a fit and proper person to hold such a licence and that the application be granted on the following grounds:

- There was sufficient justification to warrant a deviation from the Council's Guideline Policy for Criminal Convictions
- He had accepted that he was responsible for the offences that led to the convictions and had shown genuine remorse for those actions
- The reference submitted including the oral evidence submitted by the Chair of the Private Hire Association

The decision of the Panel was unanimous.

#### **4 Hackney Carriage and Private Hire Driver's Licence – Application – Mr I A**

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr I A.

The applicant was in attendance and gave evidence in support of his case.

After considering all the information and representations made the Panel was placed in an extremely difficult predicament as Mr I A had lied throughout the Panel hearing and this became evident throughout the course of the meeting. The application was, therefore, refused on the grounds that the applicant had shown no extenuating or mitigating circumstances to warrant a deviation from the Council's Guideline Policy for Criminal Convictions and the Panel was not satisfied that he was a fit and proper person to hold such a licence.

The decision of the Panel was unanimous.

**15<sup>th</sup> August, 2017**

**Present:** Councillors Shepherd (Chair) Daniel Griffin and Markham together with Councillor Phillips (Reserve Member).

Members of the Public and Press were excluded from the meeting

#### **6 Declarations of Interests**

There were no declarations of pecuniary or non-pecuniary interest.

## **7 Hackney Carriage and Private Hire Driver's Licence – Appeal Against Revocation – Mr S H**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting the Panel to determine an appeal against the immediate revocation of the Hackney Carriage and Private Hire Driver's Licence held by Mr S H.

The applicant was in attendance together with his Barrister Mr F who gave evidence in support of his case.

After considering all the information and representations made the Panel decided that the decision to immediately revoke the Hackney Carriage and Private Hire Driver's Licence on the 2<sup>nd</sup> June, 2017 be upheld and the appeal against that decision be dismissed on the grounds that there was sufficient doubt as to Mr S H's fitness to hold such a licence, there were no extenuating or mitigating circumstances to warrant a departure from the Council's Guideline Policy for Criminal Convictions and the Licensing Service had presented sufficient evidence to show that he was not a fit and proper person to hold such a licence.

The decision of the Panel was unanimous.

**29<sup>th</sup> August, 2017**

**Present:** Councillors C Wraith MBE (Chair), W Johnson and Markham together with Councillor Phillips (Reserve Member).

Members of the Public and Press were excluded from the meeting

## **8 Declarations of Interest**

There were no declarations of pecuniary or non-pecuniary interest.

## **9 Hackney Carriage and Private Hire Driver's Licence – Application – Mr A S**

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr A S.

The applicant was in attendance and was supported by Mr M R (Vice Chair of the Private Hire Association) who gave evidence in support of his case.

After considering all the information and representations made the Panel decided that the application be refused as there was insufficient justification to warrant a departure from the Council's Guideline Policy for Criminal Convictions and the applicant had not convinced the Panel that he was a fit and proper person to hold such a licence.

The decision of the Panel was unanimous.

## **10 Hackney Carriage and Private Hire Driver's Licence – Application - Mr A A S**

The Panel considered a report of the Service Director Culture, Housing and Regulation on an application for the grant of a Hackney Carriage and Private Hire Driver's Licence by Mr A A S.

The applicant was in attendance together with Mr G D and Mr A S (Chair and Vice Chair of respectively of the Rotherham Operators and Driver's Services) who gave evidence in support of his case.

After considering all the information and representations made the Panel decided that the application be refused as there was insufficient justification to warrant a departure from the Council's Guideline Policy for Criminal Convictions as the applicant had not convinced the Panel that he was a fit and proper person to hold such a licence.

The decision of the Panel was unanimous.

## **11 Hackney Carriage and Private Hire Driver's Licence - Determination – Mr W S G**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr W S G.

Mr W S G was not in attendance and was not represented in person but a letter was submitted by his representative Mr D W (Licensing Consultant) which gave evidence in support of his case.

After considering all the information and representations made the Panel decided that Mr W G S be allowed to retain his Hackney Carriage and Private Hire Driver's Licence but that:

- The licence be suspended for a period of 8 weeks
- He be issued with a Final Written Warning which will be kept on file as to his future conduct
- He be required to undertake and pass, within three months, a Council approved driver awareness course at his own expense
- Any further offences committed will require him to appear before a Panel of the General Licensing Regulatory Board which may result in his Licence being revoked.

The decision of the Panel was unanimous.

## **12 Hackney Carriage and Private Hire Driver's Licence – Determination- Mr J C F**

The Panel considered a report of the Service Director Culture, Housing and Regulation requesting the determination of the Hackney Carriage and Private Hire Driver's Licence held by Mr J C F.

The Panel decided, after considering written representations from Mr J C F's representative, Mr D W (Licensing Consultant), that consideration of this matter be deferred until the next meeting to be held on the 3<sup>rd</sup> October, 2017.

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# Item 19

## NOTES OF MEETINGS OF THE STATUTORY LICENSING REGULATORY BOARD SUB COMMITTEE

14<sup>th</sup> August, 2017

- 1 **Present:** Councillors C Wraith (Chair), Daniel Griffin and Markham together with Councillor J Carr (Reserve Member).

Members of the Public and Press were excluded from the meeting

2. **Declarations of Pecuniary and Non-Pecuniary Interest**

There were no declarations of pecuniary or non-pecuniary interest.

3. **Application for a Personal Licence – Ms C L F**

The Sub Committee considered a report of the Service Director Culture, Housing and Regulation on an application for a Personal Licence by Ms C L F.

The applicant was not in attendance to give evidence in support of her case which the Sub Committee felt was particularly disappointing.

Representatives of the South Yorkshire Police were in attendance and outlined the substance of their objection to the application.

After considering all the evidence presented by all parties present and by the applicant in her absence the Sub Committee determined that the application be refused as Members were not convinced that the applicant was able to adhere to the Licensing Objectives and particularly in relation to the Prevention of Crime and Disorder Objective. In addition, the Sub Committee noted that if granted, the applicant could become a Designated Premises Supervisor at some time in the future and it felt that this could have a considerable impact on the local wider community.

The decision of the Sub Committee was unanimous.

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# Item 20

## APPEALS, AWARDS AND STANDARDS REGULATORY BOARD

### (a) School Admission Appeals Panel – 18<sup>th</sup> July, 2017

Dearne ALC	2 Refused 1 Withdrawn
Parkside Primary	1 Allowed
Summerfields Primary	1 Withdrawn
Meadstead Primary	1 Withdrawn
Oakhill Primary	1 Refused

### (b) School Admission Appeals Panel – 19<sup>th</sup> July, 2017

Darton College	3 Allowed 2 Refused
Worsbrough Common Primary	1 Withdrawn
Gawber Primary	1 Refused
Silkstone Primary	1 Allowed
Forest Academy	1 Withdrawn

### (c) School Admission Appeals Panel – 20<sup>th</sup> July, 2017

Wombwell Park Street	1 Allowed 2 Refused
Brierley C of E	1 Refused
Sandhill Primary	1 Allowed
Laites Primary	2 Withdrawn
Athersley South Primary	1 Refused 2 Withdrawn

### (d) Standards Board Pre Assessment Panel – 2<sup>nd</sup> August, 2017

Councillors Makinson (Chair), Cave and Millner received a report of the Executive Director Core Services requesting Members to consider whether or not a complaint made against Councillor 'X' should be formally investigated under the Council's arrangements for dealing with ethical standards complaints.

The Panel determined that given the nature and subject of the complaint that it would not be proportionate or an appropriate use of resources for the complaint to be the subject of a formal investigation and that the complainant be notified accordingly.

**(e) School Admission Appeal Panel – 11<sup>th</sup> September, 2017**

Penistone Grammar	4 Allowed 1 Refused
Kexborough Primary	1 Refused
High View PLC	1 Refused
Jump Primary	1 Allowed
Greenfield Primary	1 Refused

**Other appeals withdrawn prior to the allocation of a date**

Kirk Balk	1 Withdrawn
Littleworth Grange	1 Withdrawn
High View PLC	1 Withdrawn
Athersley North	2 Withdrawn
Littleworth Grange	1 Withdrawn
Shawlands Primary	1 Withdrawn
Horizon College	1 Withdrawn
The Dearne High	2 Withdrawn
Meadstead Primary	1 Withdrawn

<b>MEETING:</b>	Health and Wellbeing Board
<b>DATE:</b>	Tuesday, 8 August 2017
<b>TIME:</b>	4.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

### Present

Councillor Sir Stephen Houghton CBE, Leader of the Council (Chair)  
 Councillor Jim Andrews BEM, Deputy Leader  
 Councillor Margaret Bruff, Cabinet Spokesperson - People (Safeguarding)  
 Councillor Jenny Platts, Cabinet Spokesperson - Communities  
 Wendy Lowder, Executive Director Communities  
 Julia Burrows, Director Public Health  
 Lennie Sahota, Interim Service Director - Adult Social Care and Health  
 Lesley Smith, Chief Officer, NHS Barnsley Clinical Commissioning Group  
 Emma Wilson, NHS England Area Team  
 Adrian England, HealthWatch Barnsley  
 Dr Richard Jenkins, Medical Director, Barnsley Hospital NHS Foundation Trust  
 Sean Rayner, District Director, South West Yorkshire Partnership NHS Foundation Trust

### 11 **Declarations of Pecuniary and Non-Pecuniary Interests**

There were no declarations of pecuniary or non-pecuniary interest.

### 12 **Minutes of the Board Meeting held on 6th June, 2017 (HWB.08.08.2017/2)**

The meeting considered the minutes of the previous meeting held on 6<sup>th</sup> June, 2017.

**RESOLVED** that the minutes be approved as a true and correct record.

### 13 **Minutes from the Children and Young People's Trust Executive Group held on 9th June, 2017 (HWB.08.08.2017/3)**

The meeting considered the minutes from the Children and Young People's Trust Executive Group meeting held on 9<sup>th</sup> June, 2017.

**RESOLVED** that the minutes be received.

### 14 **Minutes from the Safer Barnsley Partnership held on 28th June, 2017 (HWB.08.08.2017/4)**

The meeting considered the minutes from the Safer Barnsley Partnership meeting held on 28<sup>th</sup> June, 2017.

**RESOLVED** that the minutes be received.

**15 Minutes from the Provider Forum held on 14th June, 2017 (HWB.08.08.2017/5)**

The meeting considered the minutes from the Provider Forum meeting held on 14<sup>th</sup> June, 2017. The meeting noted the positive work plan developed by the Provider Forum and the engagement of all Forum members in taking this forward.

**RESOLVED** that the minutes be received.

**16 Minutes from the South Yorkshire and Bassetlaw STP Collaborative Partnership Board held on 12th May and 9th June, 2017 (HWB.08.08.2017/6)**

The meeting considered the minutes of the South Yorkshire and Bassetlaw STP Collaborative Partnership Board meetings held on 12<sup>th</sup> May and 9<sup>th</sup> June, 2017.

**RESOLVED** that the minutes be received.

**17 Public Questions (HWB.08.08.2017/7)**

The meeting noted that no public questions had been received for consideration at today's meeting.

**18 Feel Good Barnsley Video (HWB.08.08.2017/8)**

The Board viewed the Feel Good Barnsley video, identifying the need for agencies to work with local people to deliver the health priorities within the Barnsley Place Based Plan. The message in the video was specifically designed to engage with those people not previously involved in activity, and the Board commented on the importance of using the video in a range of venues, for example at local events, on screens in the Interchange and shops and cinemas, rather than only in Council buildings and GP's surgeries.

**RESOLVED** that the Feel Good Barnsley video be welcomed and arrangements be made for its dissemination as widely as possible.

**19 Health and Wellbeing Board Action Plan Highlight Report (HWB.08.08.2017/9)**

The meeting received a report highlighting progress against the Health and Wellbeing Board Action Plan, setting out specific progress against the Board's priorities and incorporating case studies from the "My Best Life" social prescribing service. The meeting noted that all 50 actions had been RAG rated as amber or green, with no significant risks identified.

The meeting noted the intention to support the Action Plan with a performance dashboard, which would be presented to future Board meetings, and will focus in particular on reducing health inequalities and improving healthy lifestyle.

Particularly in relation to improving services for older people, whilst the Board welcomed activities to provide a first line of treatment following a fall, Members commented on the importance of pursuing measures for frail older people that would prevent a fall in the first place.

**RESOLVED:-**

- (i) that the progress being made to deliver the Health and Wellbeing Strategy and Barnsley's Integrated Place Based Plan be noted; and
- (ii) that SSDG establish a task and finish group to focus on preventative measures in relation to frail older people.

**20 Better Care Fund: Guidance & Principles (HWB.08.08.2017/10)**

The meeting received a report giving an overview of the 2017-19 integration of the Better Care Fund planning requirements and timescales and giving an update on the local planning processes and proposed principles in developing the Barnsley Better Care Fund plan. The meeting noted that whilst there were relatively few delays in the transfer of care in Barnsley, the number of admissions to hospital of people aged 65 and over remained an area for improvement and this was receiving attention as part of the planning process.

**RESOLVED:-**

- (i) that the principles and planning requirements for the integration of Better Care Fund, as set out in the report submitted, be noted; and
- (ii) that, in view of the need for the plan to be submitted by 1<sup>st</sup> September, 2017, the final plan be circulated to Board members for comment and the Chair of the Board and the Accountable Officer of Barnsley Clinical Commissioning Group be authorised to sign off the plan for submission on behalf of the Board.

**21 Carers' Strategy 2017 - 2020 (HWB.08.08.2017/11)**

The meeting received a report and presentation on the development and progress in the implementation of the Carers' Strategy 2017-20. This highlighted the work with carers to co-produce the Strategy, based on their experiences, and identify the gaps in provision to take the Strategy forward. The Strategy was built around a vision for carers who were informed, empowered and individually resilient, and could be supported to provide good quality care. The Strategy sought the support of all agencies and partners to create a carer friendly Barnsley.

The meeting discussed the importance of support from carers to social care provision, and the importance of taking action to maximise its impact. It was noted that most carers' assessments were undertaken alongside those of the service users, rather than by way of a separate carers' assessment, and the need for further data to confirm this was noted. Whilst the concept of making Barnsley "carer friendly" was supported, the need for a more holistic approach with other initiatives, such as dementia friends, was important.

The meeting discussed the importance of understanding best practice in relation to support for carers, not necessarily taking affordability into account initially, and giving consideration to how any gaps were filled.

**RESOLVED:-**

- (i) that the progress and development of the new Carers' Strategy 2017-20 be noted, particularly in relation to the wider contribution it makes to health and wellbeing priorities; and
- (ii) that the importance of understanding best practice, and how progress might be made towards this, be agreed and each agency seek to examine how they might contribute to the implementation of the Strategy.

**22 Healthwatch Annual Report (HWB.08.08.2017/12)**

The meeting received the Healthwatch Barnsley Annual Report for 2016/17, setting out activities through the year and plans for 2017/18. The report identified in particular work with GPs and carers on the Carers Identification Scheme, work with mental health services and Barnsley's deaf community and learning from seven announced Enter and View visits undertaken during the year.

**RESOLVED** that the Healthwatch Barnsley Annual Report 2016/17 be received and the important contribution made by Healthwatch to health and wellbeing in Barnsley be acknowledged.

**23 Pharmaceutical Needs Assessment (PNA) 2018-2020 (HWB.08.08.2017/13)**

The meeting received a report outlining proposals for a combined South Yorkshire approach to support the four local authorities develop their own 2018-20 Pharmaceutical Needs Assessment for approval by individual Health and Wellbeing Boards before the end of March 2018.

**RESOLVED** that the requirements for a Pharmaceutical Needs Assessment to be undertaken before the end of March 2018, and the process outlined in the report for this, be noted.

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Chair

<b>MEETING:</b>	Overview and Scrutiny Committee
<b>DATE:</b>	Wednesday, 12 July 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Council Chamber, Barnsley Town Hall

## MINUTES

**Present** Councillors W. Johnson (Chair), G. Carr, Charlesworth, Clements, Ennis, Gollick, Daniel Griffin, Hampson, Hand-Davis, Hayward, Lofts, Pourali, Tattersall, Williams and Wilson together with co-opted member Mr J. Winter

**In attendance** Councillors Bruff, Platt and Saunders

### 13 Apologies for Absence - Parent Governor Representatives

Apologies for absence were received from Ms K. Morritt in accordance with Regulation 7(6) of the Parent Governor Representatives (England) Regulations 2001.

### 14 Declarations of Pecuniary and Non-Pecuniary Interest

Cllr Jeff Ennis declared a pecuniary interest in minute 16 as Director for Public and Patients of Barnsley Healthcare Federation CIC.

Cllrs Gill Carr, Gail Charlesworth, Sarah Tattersall and John Wilson declared non-pecuniary interests in minutes 17 and 19 due to their positions on the Corporate Parenting Panel.

Cllr Phillip Lofts declared a non-pecuniary interest in minutes 17 and 19 due to his position on the Adoption Panel.

### 15 Minutes of the Previous Meeting

The minutes of the meeting held on 21<sup>st</sup> June, 2017 were approved as a true and accurate record.

The meeting was informed that the additional information which had been requested regarding 4:Thought had not yet been received, but would be circulated to Members at the earliest opportunity.

### 16 Intermediate Care Services

The following witnesses were welcomed to the meeting:

- Brigid Reid, Chief Nurse Barnsley Clinical Commissioning Group (CCG), Chair of the Alliance Management Team
- Jayne Sivakumar, Head of Commissioning and Transformation, Barnsley CCG
- Sean Rayner, District Director-Barnsley & Wakefield, South West Yorkshire Partnership NHS Foundation Trust (SWYPFT)
- James Barker, Director of Business Development and Strategy, Barnsley Healthcare Federation

- Diane Edwards, Associate Director of Nursing, Barnsley Hospital NHS Foundation Trust (BHNFT)
- Jacqui Howarth, Service Manager-Right Care Barnsley, BHNFT
- Rachel Dickinson, Executive Director-People, Barnsley MBC
- Lennie Sahota, Service Director-Adult Assessment and Care Management, Barnsley MBC
- Cllr Margaret Bruff, Cabinet Spokesperson, People (Safeguarding)

In introducing the item, the meeting was informed that the definition of intermediate care used in Barnsley was “active rehabilitation following an acute illness or early therapeutic intervention to prevent hospitalisation”.

The Committee received a presentation which provided information of the work which was undertaken through an Alliance Contract between SWYPFT, BHNFT, Barnsley Healthcare Federation, Barnsley MBC and Barnsley CCG to provide intermediate care. The main principles of the specification was to provide:

- Patient-centred care (ensuring that treatment meets the needs of the patient, rather than patients being treated in line with the needs of the service);
- effective clinical leadership;
- strong system knowledge (ensuring that the right service is provided at the right time);
- a partnership focus; and
- an increased role for early therapeutic intervention (as intermediate care was currently focused on rehabilitation following hospitalisation, rather than preventing hospitalisation).

The meeting was informed that RightCare Barnsley (the core and origin of the Alliance Contract set up between SWYPFT, BHNFT and Barnsley CCG) served as the single point of entry and exit to the intermediate care service. This approach sought to reduce the amount of communication required between different organisations, ensuring that patients were progressed through care appropriately.

The meeting was also informed that performance measurements regarding quality of life were being established, to ensure that rehabilitation and therapeutic intervention was enabling patients to be as independent as possible. This approach was being embedded in the service through the therapeutic staff being requested to upskill colleagues in therapeutic approaches, with the aim of staff being able to enable patients to be more independent.

It was explained to the meeting that hospitalisation could often lead to “deconditioning” of patients, where patients lost muscle mass and mobility, reducing their ability to rehabilitate and act independently.

Questions were asked in response to the presentation and report submitted, and the following matters were highlighted:-

- In relation to the history of RightCare Barnsley, it was explained that there had previously been an unplanned care board, led by the CCG. At that time, the default option for GPs had been to refer patients to hospital for unplanned care, which typically created pressure in the system. Therefore, a care co-ordination centre approach was sought, to provide a brokerage service by



phone to GPs. This allowed GPs to ensure that patients were directed to the most appropriate place.

- Mount Vernon Hospital was expected to close, with some of the capacity being provided through care homes. These would be procured in line with a strict service agreement, to ensure that the required standards were met. This would ensure that patients were cared for closer to home and would allow patients to be directed to homes which best met their treatment needs. It was explained that, in relation to the planned Transition Unit NHS inpatient beds there were currently vacant wards at Barnsley Hospital where this would be established (with an aim of a capacity of 24 beds).
- The staff currently employed on the wards at Mount Vernon Hospital would be at risk of redundancy, but it was expected that it was likely that these staff would be able to redeployed within the Alliance. Staff had been kept informed of the proposals for the future of Mount Vernon Hospital over the last 12 months, but formal consultation had not yet started. SWYPFT was the owner of the Mount Vernon Hospital site, which was expected to be sold following the closure. Proceeds from the sale would be handled in accordance with Department of Health guidance.
- Prevention of falls at care homes, while ensuring that patients retained mobility to prevent deconditioning, was an area of work which RightCare Barnsley would be undertaking in the coming year.
- Patient information systems were shared by all partners to the Alliance Contract (with due regard for patient confidentiality) to ensure that information was shared effectively, ensuring the best care for patients. There did remain some issues in ensuring compatibility of IT systems, but this would not put any patients at risk.
- If Members wished to support the intermediate care service in Barnsley, they were recommended to contact the Alliance Contract Management Team, through the Scrutiny Officer, as there was a range of public representative roles which Members could fill. In addition, Members were advised that the Alliance Contract team could provide them with the most up to date information regarding any proposals for the service, so that this information could be accurately transmitted to the public.

The Chair thanked the witnesses for their contribution to the discussion.

**RESOLVED:**

- i. That Members who wish to support and contribute to the development of the intermediate care service should express their interest via the Scrutiny Officer.
- ii. That the witnesses be thanked for their attendance and contribution.

**17 Corporate Parenting Panel Annual Report 2016-17**

The following witnesses were welcomed to the meeting:

- Rachel Dickinson, Executive Director - People, Barnsley MBC

- Mel John-Ross, Service Director - Children's Social Care and Safeguarding, Barnsley MBC
- Liz Gibson, Virtual Headteacher for Looked After Children, Barnsley MBC
- Angela Fawcett, Designated Nurse-Safeguarding Children, Barnsley CCG
- Andrea Scholey, Named Nurse Children in Care, 0-19 Service, Barnsley MBC
- Councillor Sarah Tattersall, Corporate Parenting Panel Member
- Councillor Margaret Bruff, Cabinet Spokesperson - People (Safeguarding)
- A Barnsley Foster Carer

The Committee considered a report which set out the responsibilities and statutory duties of the Council to act as good Corporate Parents.

Questions were asked in response to the presentation and report submitted, and the following matters were highlighted:-

- The report indicated that there had been many positive outcomes from the Council's work as a Corporate Parent, including children spending less time in care, high adoption rates, high placement stability, and good academic results. The witnesses commented that the Corporate Parenting Panel had served as an effective critical friend for the service. The witnesses confirmed that the Corporate Parenting Panel had been willing and able to challenge the service when this was required.
- The meeting was informed that the Council's Takeover Challenge in November 2016 achieved a Gold Commendation from the Children's Commissioner for England.
- Care leavers were provided with a significant level of support. All care leavers had a pathway plan and an allocated social worker to provide them with assistance as they transitioned towards independence. The process of working towards independence began when children were early teenagers and the pathway plan was designed with the young people to ensure that it met their needs. The meeting was informed that many care leavers stayed with their foster carers after leaving the service. The development of life skills (including cooking, managing money, diet, travel and knowing how to access services) was a paramount part of the transition towards independence and semi-independent accommodation was available for care leavers.
- Termly Personal Education Plans (PEPs) were in place for all children in care and PEPs were being rolled out for post-16 children (which was not a statutory requirement).
- The Public Health Nursing service was currently undergoing a redesign. The meeting was assured that no capacity had been removed from the service and a report could be provided to a future meeting to set out the new arrangements.
- 85.7% of children in care were placed within 20 miles of their home address, above the national average (74.7%) and the performance of statistical neighbours (84.3%). In some instances, those children who were placed more than 20 miles from their home address had particular reasons for this, such as

a need for specialist care or living with their prospective adoptive parents. 34% of Barnsley looked after children were placed outside of the Borough. Members were assured that, where looked after children were to be placed in schools outside of the Borough, the Virtual Headteacher worked closely with schools to ensure that they met the children's needs.

- A foster carer commented that foster carers felt highly valued by the Council and that their views and opinions were listened to.

The Chair thanked all of the witnesses for their attendance.

**RESOLVED:** That the witnesses be thanked for their attendance and contribution.

## 18 Exclusion of the Public and Press

**RESOLVED** that the public and press be excluded from the meeting during consideration of the following item because of the likely disclosure of exempt information as defined by the specific paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 as amended identified:

<u>Minute No</u>	<u>Paragraph</u>
19	2

## 19 Children's Social Care Reports

The following witnesses were welcomed to the meeting:-

- Mel John-Ross, Service Director - Children's Social Care and Safeguarding, Barnsley MBC
- Councillor Margaret Bruff, Cabinet Spokesperson - People (Safeguarding)

Mel John-Ross introduced the Children's Social Care monthly report for May 2017, containing a summary of performance and the major performance indicators for children's safeguarding and social care. Members were also provided with a summary report, together with supporting documentation, which outlined and explained the terminology used in the report and advised how to interpret the information given.

Members asked questions in response to the report submitted and the following matters were highlighted:-

- There was a discussion regarding the number of instances of children missing from care. The meeting was informed that a detailed presentation regarding this issue had been made to the Corporate Parenting Panel and this could be circulated to the Committee for information. Members of the Corporate Parenting Panel commented that children missing from care was an issue about which the Panel was especially vigilant.
- A similar report regarding adult social care services was in the process of being developed and it was requested that, once this was available, it be provided to the Committee.

- The number of pupils at schools which had not received a rating of at least Good in their most recent Ofsted inspection was discussed as a concern. The meeting was informed that the service worked closely with the Virtual Headteacher to ensure that looked after children were enrolled in the school which was most appropriate for their needs. Absences from school was typically higher than average for looked after children, which was an area the service was seeking to address.
- There had been an increase in contacts with the service in May 2017, but this had not continued in June 2017 and was not thought to be part of a trend.

**RESOLVED –**

- i. That additional information be provided to the committee to provide clarity on ‘children missing from care’.
- ii. That the witnesses be thanked for their attendance and contribution.

<b>MEETING:</b>	Central Area Council
<b>DATE:</b>	Monday, 3 July 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Riggs (Chair), P. Birkinshaw, Bruff, G. Carr, J. Carr, Clarke, W. Johnson, Mathers, Pourali and Williams.

### 1. Declaration of Pecuniary and Non-Pecuniary Interests

There were no declarations of pecuniary or non-pecuniary interests.

### 2. Minutes of the Previous Meeting of Central Area Council held on 8th May, 2017 (Cen.03.07.2017/2)

The meeting received the minutes from the previous meeting of Central Area Council held on 8<sup>th</sup> May, 2017.

Questions were raised regarding feedback on the siting of cameras, and it was noted that this would again be pursued by the Area Council Manager.

With regards to the clarity on the policy relating to the replacement of litter bins, Members noted that the Chair would take this forward, meeting with the Cabinet Spokesperson for Place.

**RESOLVED** that the minutes of the Central Area Council held on 8<sup>th</sup> May, 2017 be approved as a true and correct record.

### 3. Notes of the Ward Alliances - with a brief update from each (Cen.03.07.2017/3)

The meeting received the notes of the meetings of the Central, Dodworth, Kingstone, Stairfoot and Worsbrough, Ward Alliances within the Central Area held in April and May, 2017. Brief feedback was provided by each of the Ward Alliance Chairs.

Councillor Clarke provided an update on the work of the Worsbrough Ward Alliance, noting that the priorities for the Alliance had been long standing. Numerous events had been held to engage the public, including with Green Fingered Wanderers. An event had been held 2 weeks previously, focusing on residents clearing their own streets, fostering pride in their area. This had been successful with 10 adults and 10 young people engaged. The use of the refurbished Dale Park Pavilion by young people had also been encouraged.

With regards to Health and Wellbeing, Members heard how winter packs had been distributed in the area, and several other schemes such as yoga and healthy eating courses had been held. Opportunities had been developed to bring groups together, and an event had been arranged to take place in September to this end.

In addition it was noted that a communications strategy was being developed to target those not accessing services provided, a skills analysis of Ward Alliance

Members was also being developed to see how the Alliance could be strengthened. An analysis of Ward Alliance Expenditure would also take place.

Councillor P. Birkinshaw – updated on the work led by the Dodworth Ward Alliance and made Members aware that a number of events had already been held this year, including an Easter Egg Hunt in Gilroyd attended by 80 children. In May and Enterprise event was held where over 40 business from the ward were in attendance. Although fewer members of the public attended than was hoped for, but feedback from the event was positive, and it was hope that this could be repeated in future.

Members heard of other events held such as the Teddy Bears Picnic, and Dodworth Gala, which had been successful, with events in Penny Pie Park, in Gilroyd and South Road planned to take place during the summer. The establishment of a number of groups had been supported, which were helping with planting, litter picking and increasing pride in their area. A concern was raised with regards to the rise of graffiti in the area and it was agreed that the policy for removing graffiti be forwarded to Members.

Councillor Johnson provided an update with regards to Stairfoot Ward Alliance. Highlighted was the success in supporting Barnsley Main Heritage Group, and the progress being made with Stairfoot Station Heritage Group, both helping to support the visitor economy. CCC (Community, Commerce, and Council) was helping to engage businesses in the community, assisting improvements in the area.

Members noted that several events were arranged to take place in July, including the Picnic in the Park, Aldham Gala, and an event in Leslie Road Play area. Thanks were given to Twiggs Grounds Maintenance for their work in general but specifically for ensuring areas were clear before events.

Councillor Williams made Members aware that many Love Where You Live events had been held, with mixed success. Often after litter picks areas returned to their previous condition in around two weeks. Therefore the Ward Alliance was looking at alternatives, where community groups would adopt an area in order to foster pride, and advice would be given on maintenance. Also incentives such as providing street parties were being considered for areas that looked after their streets on an ongoing basis. The Alliance was in the process of organising a cycle ride around the 5 wards of the Central Area and sources of loan bikes were being considered.

It was noted that the Alliance had decided to focus the smaller number of priorities of Pride in Kingstone, Health and Wellbeing, and Communications, with a focus on cohesion for the current year.

Councillor Bruff – made Members aware of the efforts to spend Ward Alliance Funds in a more strategic manner. It was noted that groups were still funded; however this was with a view that they would be sustainable in the longer term. Members heard of the celebration event recently held, which commended those who had gone above and beyond the call of duty.

Community lunches had been held at St. Peter's Church, and they had been supported by family centres in the area. In addition the Ward Alliance had funded a support worker who was working in the Polish Library, which would shortly have been in place for three months and the impact of this was due to be reviewed.

A number of clean ups had been held, including at the Hen Pen, and the assistance of Twiggs had been greatly received. A number of training courses had also been arranged for groups, including for Safeguarding, and Youth Work.

Members of Barnsley Road Club had been on training relating to leading groups of cyclists on the road and encouraging cycling. It was noted that there would now be a cycling road race in Barnsley.

**RESOLVED** that the notes and feedback from the Ward Alliances be received.

#### **4. Report on the Use of Ward Alliance Funds (Cen.03.07.2017/4)**

The Area Council Manager drew the attention of Members to the amounts of Ward Alliance Funds allocated. Members were encouraged to plan ahead, to ensure efficient expenditure within the financial year.

**RESOLVED:-** that the report be noted.

#### **5. Procurement and Financial Update (Cen.03.07.2017/5)**

The Area Council Manager introduced the item, referring to the table which illustrated the priorities and principles of the Area Council, and how they contributed to the Council's Corporate Priorities and Outcomes.

Members noted the contract with RVS to reduce loneliness and isolation in adults (50+) had commenced and the offer to meet with each of the Ward Alliances within the next 4-6 weeks. Members questioned whether volunteers would be engaged to run the service, and it was noted that this was the case and case studies of such volunteering would be circulated.

The meeting heard how the final monitoring meeting for the previous contract with RVS was still outstanding, and service users would be involved in the review of the contract.

The Area Council Manager went on to mention the contract with YMCA to build emotional resilience in children and young people aged 8-14 years. Members noted the targeted approach being taken, and that two sessions each week were being held in each ward within the area.

The four contracts granted through the Youth Resilience Fund were delivering well, and Members noted the arrangements made due to Lifeline Ltd going into administration. It was suggested that RVS would be promoting intergenerational projects as part of their work.

Members were reminded of the contract with Twiggs Grounds Maintenance, which had been extended, and would now finish 31 March, 2018. It was suggested that the future of the service be considered in more depth in the autumn.

The meeting heard how it had been agreed that the contract with Kingdom Security would be fundamentally reviewed in the autumn, and decisions made as to whether the service would continue. Questions were raised about how the service took

account of the needs of those in the area whose first language was not English, and their ability to understand either written or spoken word.

Members discussed the work conducted under the Private Rented Housing Management and Enforcement, noting the vacancies currently existing in the core team, and the corresponding impact on service within the area.

The attention of Members was drawn to the financial position of the Area Council, and it was noted that £66,970 remained unallocated within the 2017/18 financial year. Members also noted the small amounts of finance remaining in future years should existing contracts be renewed at the same level.

**RESOLVED:-**

- (i) That the overview of Central Area Council's current contracts and associated timescales be noted;
- (ii) That the changes made to the Youth Resilience Fund award originally made to Lifeline Ltd be noted;
- (iii) That the current financial position for 2016/17, and the projected expenditure for 2017/18 – 2019/20 be noted.

**6. Borough-wide Services Delivered Locally - Update (Cen.03.07.2017/6)**

The Area Council Manager gave an update on the two service areas previously agreed as those warranting further consideration. As discussed at the previous meeting, Neighbourhood Services now had systems in place to collect performance information. A workshop was in the process of being arranged in October to consider this, and it was suggested that each ward should be represented.

With regards to Family Support, a similar workshop had been arranged to take place 10<sup>th</sup> August, and again a representative from each ward was requested. The outcome from the workshop was scheduled to be reported to the Area Council at the meeting in September, 2017.

**RESOLVED** that the update be noted.

**7. Community Cohesion and Integration (Cen.03.07.2017/7)**

Tariq Bashir, Project Manager, and Eileen Sanderson, Chair, of 'Who is your neighbour?' were welcomed to the meeting.

The project had been established in 2010 in South Yorkshire, and was targeting areas where there had been a rise in the BNP. The project would bring groups of people together to have conversations, air fears, and understand the reasoning behind their views.

Numerous examples were given around South Yorkshire where the project had been active.

Members commented that there were many groups supporting ethnic minorities in the borough, but that these did not often engage with each other or with other groups.



It was noted that the demographic in Barnsley had changed significantly in recent years, and the populations in Kingstone and Central had particularly altered. It was suggested that the Area Council Manager discusses with colleagues from 'Who is my neighbour?', and Members from the Kingstone and Central Wards, how this type of work could be taken forward in these wards, with a view to replicating this in other areas if successful.

**RESOLVED:-**

- (i) That colleagues from 'Who is your neighbour?' be thanked for their attendance; and
- (ii) That the Area Council Manager discusses with Members and relevant officers how the project could be taken forward in the Central and Kingstone Wards.

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Chair

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<b>MEETING:</b>	North Area Council
<b>DATE:</b>	Monday, 17 July 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Meeting Room 3, Barnsley Town Hall

## MINUTES

**Present** Councillors Leech (Chair), Cave, Cherryholme, Howard, Lofts, Miller, Platts, Spence and Tattersall

### 1 Declarations of Pecuniary and Non-Pecuniary Interests

There were no declarations of pecuniary or non-pecuniary interest.

### 2 Minutes of the North Area Council meeting held on 15th May 2017

The Area Council received the minutes of the previous meeting held on 15<sup>th</sup> May 2017.

**RESOLVED** that the minutes of the North Area Council meeting held on the 15<sup>th</sup> of May 2017 be approved as a true and correct record.

### 3 Commissioning, Project Development and Finance Update

The Area Council Manager provided Members with a financial position and forecast for expenditure based on the projects that have been proposed in order to establish which of the existing financial commitments the North Area Council wish to continue to fund.

It was highlighted that the sum of £400,000 is available for the period 2017/18 but that current contracts exceed the available budget. The tenders for the Anti-Poverty Community Outreach Project are due to be evaluated shortly. The Clean and Green Service (Forge) is due to run until September 2017 but a decision was taken to advertise an enhanced tender opportunity for 2 years (+ 1 year), with tender returns also due to be evaluated in July 2017. The Environmental Enforcement contract (Kingdom) is due to run until 31<sup>st</sup> March 2019, if all options to extend the contract are taken. A decision on this is needed by the end of September.

In terms of the Positive Progressions – Stronger Futures pilot, this would appear to have been overtaken by the European funding.

It was also highlighted that it has not been possible to recruit to the position of Private Sector Housing Officer. A meeting will be held later in the week to discuss options.

The exact amount of recycled income from enforcement activity is as yet unknown, but is unlikely to fill the budget deficit.

**RESOLVED** that

- (i) The North Area Council note the existing budget position and forecast for the funding commitments and that North Area received a budget of £400,000 for the period 2017/18.
- (ii) Members note the procurement position of the Anti-Poverty and Clean and Green Tender and the position on the recruitment of the Private Sector Housing and Environment Officer
- (iii) A workshop will be arranged to provide a steer in relation to any unallocated funding.

#### **4 Grants Panel Second Round - Update**

The Area Council Manager introduced this item and reminded Members that it was agreed at the April 2017 meeting that the unallocated Stronger Communities Grant Funding would be available in a second round of funding allocated from the 2017/18 period. The opportunity was advertised from 19<sup>th</sup> May 2017 with a deadline for applications of Friday 30<sup>th</sup> June. Four applications have been received and the panel moderation meeting will take place on Thursday 10<sup>th</sup> August, with a decision shortly afterwards. A full update will be provided in September.

**RESOLVED** that Members note the timescales for the second round of funding from the 2017/18 allocation.

#### **5 Community Magazine - Editorial update**

The Area Council Manager introduced this item and provided members with an update on the development of the North Area Council Community Magazine. The final version has now been signed off, copies are being prepared and have been booked in with distributors and Royal Mail. There has been some pressure from central Communications to include corporate messages in the Community Magazine, but members felt that this should be balanced with good quality descriptive information and good quality photographs. Members were also concerned that producing the magazine will increase the Area Team's workload.

**RESOLVED** that Members continue to support the project, including the collation of material, and note the timescales for publication.

#### **6 Opportunities for Young People - Positive Progressions Market Consultation Update**

The Area Council Manager introduced this item and explained that although a lot of work had been done, the future direction of the project may need to change. The regional work by Sheffield City Region colleagues around the European Social Fund's Inclusive Labour Markets is likely to duplicate or displace this project.. This is unfortunate because the schools re now engaged and seem keen to assist with the planned service offer. This situation provides an opportunity to re-evaluate and refocus the efforts of the officers involved.

**RESOLVED** that the North Area Council note the update regarding the project's development and the proposal to re-evaluate the intended service offer.

**7 Economic Regeneration - Small Business Surgeries - development update/social media training**

The Area Council Manager updated the North Area Council on the development progress of the small business development surgeries model. Members were asked to support the project by engaging with small independent businesses in the North Area and using social media to promote the project.

**RESOLVED** that the Area Council note the progress to date for this project, paying particular attention to the next steps and the need to actively encourage participation of local businesses.

**8 Performance Management Report - Main commissions reported in September SCG 2016/17 final reports**

The Area Council Manager provided Members with a detailed and comprehensive North Area Council performance report for 2016/17 Quarter 4 (January – March 2017) in respect of the CAB & Dial Community Outreach Project; Forge Community Partnership, C & K Careers and Kingdom Security Services Ltd.

**RESOLVED** that Members note the contents of the Performance Management Report.

**9 Report of the Ward Alliance Fund**

The Area Council Manager introduced this item and updated the North Area Council with regard to the financial position of the Ward Alliance budget for each ward for the 2017/18 period, including the allocation remaining.

**RESOLVED** that Members note the contents of the Performance Management Report and prioritise the efficient expenditure of the Ward Alliance Funds 2017/18, in line with the guidance on spend.

**10 Notes from the Area's Ward Alliances**

The meeting received the notes from the Darton East Ward Alliance held on 11<sup>th</sup> April, 9<sup>th</sup> May and 13<sup>th</sup> June 2017; Darton West Ward Alliance held on 3<sup>rd</sup> April, 8<sup>th</sup> May and 12<sup>th</sup> June 2017; Old Town Ward Alliance held on 3<sup>rd</sup> May and 7<sup>th</sup> June 2017; and St Helen's Ward Alliance held on 11<sup>th</sup> May and 22<sup>nd</sup> June 2017.

**RESOLVED** that the notes of the respective Ward Alliances be noted.

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Chair

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<b>MEETING:</b>	Dearne Area Council
<b>DATE:</b>	Monday, 24 July 2017
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Meeting Room, Goldthorpe Library

## MINUTES

**Present** Councillors Noble (Chair), Gardiner, Gollick, C. Johnson, Phillips and Sixsmith MBE

### 1 **Declarations of Pecuniary and Non-Pecuniary Interests**

There were no declarations of pecuniary or non-pecuniary interests.

### 2 **Minutes of the Previous Meeting of Dearne Area Council held on 15th May, 2017 (Dac.24.07.2017/2)**

The meeting received the minutes from the previous meeting of Dearne Area Council. Arising from Minute 55, the meeting noted the good progress now being made on the railway embankment project and the hope that better access could be achieved with the cooperation and support of BMBC engineering services.

**RESOLVED** that the minutes of the meeting held on 15<sup>th</sup> May, 2017 be approved as a true and correct record.

### 3 **Community Safety in the Dearne (Dac.24.07.2017/3)**

The Community Safety Team Leader introduced a report giving an update on community safety issues in the Dearne area for the quarter to 30<sup>th</sup> June, 2017. The meeting noted the presentation of the data in a different format from previous reports and Members welcomed the layout of the report and clarity with which the information was presented.

The meeting noted the comparative figures for Goldthorpe and Thurnscoe, in particular the higher incidence of some offences in Thurnscoe. The meeting noted the focus of activity by the Community Safety Team in response to this. Members noted that the figures for Bolton upon Dearne were contained within those for Goldthorpe but that it was difficult to disaggregate this information without considerable time consuming manual analysis.

The meeting noted the work that the Community Safety Team Leader had undertaken with groups and individuals in the community so that they could better understand the new approach now being taken, and the different role she had to her predecessor. A good understanding of the pressures and concerns within the community, and wider community relationships, was being developed which was helping to make good progress on this issues.

**RESOLVED** that the report be noted.

#### **4 Performance of Commissioned Services (Dac.24.07.2017/4)**

The Area Manager introduced a report giving an update on the delivery of the Dearne Area Council's commissioned services and service level agreements, and those services paid for through the Dearne Development Fund. The report incorporated data comparing performance on the commissioned services for the previous year.

In respect of the commissioned services, it was noted that these were all performing at levels that would significantly exceed current targets. It was therefore proposed to meet with Twiggs, Kingdom and the Safer Community Service providing the private sector housing officer during August to reassess the targets to ensure that the performance was maintained. Kingdom's recent activity had focused particularly on car parking, although it was noted that more than 90% of penalties issued for litter were for cigarette ends. Anecdotal evidence suggested that offenders might be more furtive in their activity for example, clearing up dog fouling if they felt they were being observed. The effectiveness of Kingdom's current priorities would be considered in the August discussions.

In relation to activity by Twiggs, the more stable staffing situation had allowed better progress to be made and there was evidence that the activity had promoted more community ownership, with local people stepping forward to keep particular areas clean. This needed to be taken into account in reassessing Twigg's priorities in due course. The meeting noted recent compliments from the public about how the tidiness of the local area had been improved over recent months and the further work being undertaken to incorporate litter picks as part of the restorative justice arrangements for the area.

The meeting noted some criticism from landlords about the visibility of the private sector housing enforcement project, although the meeting noted that this continued to exceed its targets even with reduced capacity. Part of this criticism was perhaps resulting from landlords' personal priorities differing from those of the Area Council, and there was a need to make clear to landlords that this was the case. Equally, landlords needed to be reminded to use the proper route to make service requests so that proper prioritisation could be undertaken. Members raised concerns about this member of staff being a lone worker, and noted the support received from the wider team, which also meant that jobs could be picked up by the central team where appropriate.

In relation to the Dearne Development Fund, it was noted that the eleven projects were operating on different timescales, meaning that quarterly reports were not all available at the same time. However, it was noted that all of these projects were progressing well against targets/outputs. The meeting noted that the Dial project seemed to be reaching more residents than the CAB project and there was a need to examine whether this was due to a lack of promotion or the difference between the two offers.

The Goldthorpe Development Group continued to attract higher attendances and had made good progress in reducing isolation. It also provided an opportunity for local Members to drop in and meet with those using the service. It was noted that it was largely the same group of people attending each time, with occasional new attendees, although there might be merit in considering whether the service was



reaching all potentially vulnerable people in the area, using corporate performance data.

Members noted the success of the Allotments project in engaging people with learning disabilities in this activity, particularly as a result of the fruit and vegetable stall open on Wednesdays. A sessional worker had been engaged to achieve participation by local schools in this activity, and consideration was being given to a Lottery bid to sustain this activity. In relation to the project to tackle anxiety and stress in schools, the meeting noted the counselling service in place and the development of a coping pack for young people. Whilst some progress had been made, Members noted the lack of any good performance data, and there was a limited understanding of whether the project had affected demand on the mental health services.

The meeting noted good progress on the Dearne Electronic Community Village, bearing in mind that this project had not started until May. There was a need to keep this project under review to see if attendances increased with the closure of Goldthorpe Job Centre. There may be scope to commission further activity if this was the case, although Members considered that this should be funded by the Job Centre rather than the Area Council.

**RESOLVED:-**

- (i) that the report be noted; and
- (ii) that the Area Manager seek demographic information from the Corporate Business Improvement and Intelligence Unit to establish if the Goldthorpe Development Group project is reaching all potentially vulnerable people in the area.

**5 Dearne Area Council Financial Position and Progress of Projects  
(Dac.24.07.2017/5)**

The Area Manager introduced a report giving an updated financial position for all Dearne Area Council expenditure, and outlining the unallocated amount remaining for the 2017/18 financial year. The report also provided an update on projects that were previously agreed at the Area Council. The meeting noted that expenditure against the community newsletter was not identified in 2017/18 as this used resources carried forward from previous years and there would be a need to consider at a future meeting whether this project was to be continued.

**RESOLVED:-**

- (i) that the updated financial position for Dearne Area Council expenditure, and the unallocated amounts for 2017/18, be noted; and
- (ii) that the progress of previously agreed projects that had been committed from the 2017/18 resources be noted.

**6 Notes from the Dearne Ward Alliance held on 27th April and 29th June, 2017  
(Dac.24.07.2017/6)**

The meeting received the notes from the Dearne Ward Alliance meetings held on 27<sup>th</sup> April and 29<sup>th</sup> June, 2017.

**RESOLVED** that notes from the Dearne Ward Alliance be received.

**7 Report on the Use of Ward Alliance Funds (Dac.24.07.2017/7)**

The Area Manager introduced a report giving an update on expenditure against the Ward Alliance Fund. This identified resources available of £9,670 for Dearne North and £10,026 available for Dearne South. The meeting discussed the need to identify further projects for funding.

**RESOLVED** that the report be noted.

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Chair

<b>MEETING:</b>	North East Area Council
<b>DATE:</b>	Thursday, 27 July 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Meeting Room 1 - Barnsley Town Hall

## MINUTES

**Present** Councillors Hayward (Chair), Cheetham, Clements, S. Green, Hampson, Higginbottom, Houghton CBE, Makinson, Richardson, Sheard and C. Wraith MBE

### 12 Declarations of Pecuniary and Non-Pecuniary Interests

There were no declarations of pecuniary or non-pecuniary interests.

### 13 Minutes of the Previous Meeting of North East Area Council held on Thursday 1st June 2017

The meeting considered the minutes from the previous meeting of the North East Area Council held on 1<sup>st</sup> June 2017.

**RESOLVED** that the minutes of the North East Area Council held on 1<sup>st</sup> June 2017 be approved as a true and correct record.

### 14 Notes of the Following Ward Alliances with Feedback from each Ward Alliance Chair

The meeting received notes from the Cudworth, Monk Bretton, North East and Royston Ward Alliances held throughout May and June 2017. The following updates were noted:-

*Cudworth* – A very successful achievement award evening was held on 14<sup>th</sup> June. Biodiversity events have taken place in Cudworth Park and Carlton Marsh. Yorkshire in Bloom judging has taken place and a good result is anticipated. Tea in the Park was a great success and was attended by Dickie Bird and over 2000 members of the public. Thanks were expressed to the Area Team for their help and involvement.

*Monk Bretton* - First Aid and Food Hygiene courses have now been completed, certificates are awaited. The table tennis club is now meeting regularly but there is still space for new members. The Ward Alliance booklet is being finalised. Carlton gala will take place on 5<sup>th</sup> August and a Christmas event is planned for 1<sup>st</sup> December 2017. On 21<sup>st</sup> June the war memorial was planted up with summer bedding plants to attract bees and butterflies with the help of volunteers and children from local primary schools. and bird nuts to attract birds. Yorks in bloom judge seemed impressed. An application is being submitted to 'Awards for All' for a defibrillator and an expression of interest has been submitted for the Principal Towns project.

*North East* - Virgin media recently gave a presentation regarding the broadband expansion programme. One of the Principal Towns officers spoke about the project,

which is looking to invest £5m over the next 3 years to encourage regeneration. A number of funding applications have been agreed. Recent events included the Great Houghton tidy village day on 5<sup>th</sup> June, the Brierley Residents Group meeting on 13<sup>th</sup> June and the Great Houghton family fund day on 15<sup>th</sup> July.

*Royston* - The Gala was a great success, the Proms event is to take place on Sunday 30<sup>th</sup> July and again on 3<sup>rd</sup> September. Initial feedback has been received regarding the Principal Towns expression of interest. Summer activities are underway at various location. The Achievement awards evening is planned for 18<sup>th</sup> March 2018. The Albert Shepherd commemorative stone service will take place at Barnsley Town Hall on 20<sup>th</sup> November at 2 p.m. It was reported that 40 tons of road planings had been spread across local bridleways to cover up the pot holes.

**RESOLVED** that the notes from the Ward Alliances be received.

## **15 Live Well - My Best Life Barnsley**

Natalie Dunn, Team Leader, and Todd Micklethwaite, Social Prescribing Advisor, delivered a presentation regarding the 'My Best Life' initiative, which is a new social prescribing service for Barnsley, funded by NHS Barnsley Clinical Commissioning Group (CCG).

It was explained that the six advisors and their manager visit people in their own homes to connect them with local non-medical support to improve mental and physical wellbeing through promoting a healthier lifestyle and improving their home environment. Home health checks are carried out and smoke and carbon monoxide alarms fitted when necessary. Advisors can identify safeguarding concerns and other problems such as social isolation, hoarding, and anxiety and depression.

Examples of successful case studies were provided. It was highlighted that there is no 'typical' customer and the service deals with people across the whole spectrum of need, from age 18 with no upper limit. Referrals are made by any healthcare professional, including GPs and social workers. Sometimes an immediate response is possible. Confidentiality is paramount and the GP must always obtain consent from the customer before sharing information. There is a need to encourage GPs to promote the service widely.

A Member raised concern regarding possible duplication with other services such as the Fire Service. Reassurance was given that the service works closely with other organisations such as the Fire Service, RVS and Age UK, identifying gaps in service and feeding back to the CCG

**RESOLVED** that Natalie and Todd be thanked for their attendance and contribution and that Members help to promote the service widely.

## **16 Private Sector Housing and Enforcement Initiative**

Chris Platts, the new Private Sector Housing Officer, was welcomed to the meeting and provided Members with an overview of his role. He will work with vulnerable people such as those with depression and mental health issues, signposting them to other services where appropriate and also with landlords in the private rented sector,

issuing enforcement notices as a last resort. Part of his role will also be to champion the Landlord accreditation scheme. A number of Members were aware of problems in their areas and were provided with Chris's contact details.

**RESOLVED** that Chris be thanked for his attendance and contribution and that Members undertake to contact him with local information where appropriate.

## **17 Undergraduate Apprenticeship**

Jake Finney, Undergraduate Apprentice, gave a presentation outlining the tasks that he has worked on during his internship for the North East Area Council, which included supporting many projects and initiatives; helping to organise volunteering; promoting social action; monitoring and evaluation of projects and developing neighbourhood networks and the communication toolkit. During his internship Jake has gained skills in community development, project management, communication, team work and negotiation. Jake was thanked for his contribution to the work of the North East Area Council and was presented with a small gift of appreciation from the Members of the North East Area Council.

A discussion took place regarding the recruitment for Jake's successor. Five applications have been received, three of whom have just finished their degrees. Members felt that it was appropriate to offer the opportunity to both undergraduates and recent graduates as an internship opportunity, subject to Human Resources (HR) clearance.

**RESOLVED** that Jake be thanked for his hard work and commitment and that the post be re-evaluated with HR to include both recent graduates as an internship opportunity and undergraduates.

## **18 The North East Area Council Project Performance Report**

The North East Area Council Manager introduced this item and provided Members with an update regarding performance of the North East Area Council's commissioned projects, including case studies for many of the projects.

Key points to note include: initial positive feedback has been received in terms of the Foster Care review - the project will be formally reviewed after 12 months; over 2000 volunteers have contributed a total of 7975 hours, which equates to a cash equivalent of £94,105; four apprentices on the BCB 'Apprentice and Employability' contract have successfully gained employment since April. Two enforcement officers are employed under the Kingdom Security contract and have achieved 100% of the contract hours, issuing 151 FPNs (147 for littering and 4 for dog fouling) together with 52 PCNs for parking. Around 70-75% of the enforcement income will be added to the North East Area Council budget.

It was explained that the Employability for under-16s (Summer Holiday Internship) contract is shortly finishing and that a final report will be submitted to the October meeting.

**RESOLVED** that Members note the performance update.

## **19 Report on the Use of Area Council Budgets and Ward Alliance Funds**

The North East Area Council Manager introduced this item and updated Members regarding progress in respect of the North East Area Council budget and progress in each Ward in expending the Ward Alliance Fund in line with priorities. It was highlighted that £18,881 is left to spend in the North East Area Council commissioning budget.

**RESOLVED** that the report be noted and that Members be encouraged to identify projects which would benefit from funding, in line with the North East Area Council's agreed priorities.

## **20 The North East Area Council Wildlife Corridor**

The North East Area Council Manager introduced this item and highlighted the significant number of wildlife projects that have taken place across the area, involving all sections of the community. It was explained that good working links have been formed with several organisations, including the Yorkshire Wildlife Trust, Groundworks at Rabbit Ings, Carlton Marsh Volunteers, Hogwarts Hedgehog Hospital, the Parks Service and the Countryside Team. There is now a proposal to develop a 'Wildlife Corridor' which will run across the North East Area Council, north to south from Rabbit Ings to Priory Campus and West Haigh Wood and west to east from Athersley Memorial Fields to West Haigh Wood. The proposed Wildlife Corridor will help to create a connected landscape to encourage and support wildlife living in these areas

**RESOLVED** that

- (i) the North East Area Council support the proposal for a Wildlife Corridor;
- (ii) the North East Area Council forms a Steering Group to take this initiative forward, working together with partner agencies, and
- (iii) The North East Area Council explores additional funding streams to help finance the proposal.

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Chair

<b>MEETING:</b>	Penistone Area Council
<b>DATE:</b>	Thursday, 3 August 2017
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Council Chamber, Penistone Town Hall

## MINUTES

**Present** Councillors Barnard (Chair), David Griffin, Hand-Davis, Millner, Unsworth and Wilson

### 9 Declarations of pecuniary and non-pecuniary interests

No Members declared an interest in any item on the agenda.

### 10 Minutes of the Penistone Area Council meeting held on 15th June, 2017 (PAC.03.08.2017/2)

The Area Council received the minutes of the previous meeting held on 15<sup>th</sup> June 2017.

A discussion took place regarding affordable housing provision in the area (Minute No 4). It was acknowledged that traditionally Penistone has not done well in terms of provision of affordable housing. Members felt that there is a need to understand why developers are not willing to develop affordable housing schemes in the area, as this is an issue which concerns local residents. The lack of council land and the limited affordable sites on which to develop housing association/social housing schemes may well be a factor. Sarah Cartwright (Group Leader, Housing Growth) has been invited to attend the October meeting to update Members in this respect.

It was reported that the DIAL project (Minute No 6) has been extremely successful, with people often queuing outside the door and individual appointments lasting in excess of 30 minutes. The project will need to be carefully monitored to ensure the service is not overstretched as it relies heavily on volunteers.

Both the Tour de Yorkshire and the Armed Forces Day had been very successful and well received by the community. Ambitious plans are in hand in respect of the latter for future years.

**RESOLVED** that the minutes of the Penistone Area Council meeting held on 15<sup>th</sup> June 2017 be approved as a true and correct record.

### 11 Report on the Use of Ward Alliance Funds (PAC.03.08.2017/3)

The Area Council Manager introduced this item, highlighting that £15,597.01 is still to be allocated, although there are some projects in the pipeline which will reduce this figure further. It was pointed out that the applications which are currently being submitted are of a very high quality. A discussion took place regarding the problems caused by pigeons. It seems that measures taken recently have only been partially effective and a long term solution needs to be found.

**RESOLVED** that the report be noted and that the Area Council Manager be tasked with exploring options regarding the pigeon pest control problem.

## **12 Performance Report (PAC.03.08.2017/4)**

The Area Council Manager updated Members with respect to the performance of services commissioned to deliver the outcomes and social value objectives of Penistone Area Council for the period April to June 2017. Attention was drawn to the achievements and outcomes of each service/project, including Countryside Skills and Training, the Clean and Tidy Team, Penistone Advice Drop IN, Penistone FM, Penistone Scout Activity Centre development, Isolated and Vulnerable Older People Service, Penistone Youth Project, Bumping Spaces and Sporting Penistone.

Members noted that Public Health outcomes are now included for each project where appropriate and a number of positive developments were highlighted such as the fact that 8 full time jobs have been created and recruited to, 310 adult volunteers have been engaged (67 more than previously) and that 100 community groups are supported, 9 of which are newly created.

**RESOLVED** that Members note the update report.

## **13 Isolated and Vulnerable Older People Service - Age UK (PAC.03.08.2017/5)**

Jane Holliday, Karen Dennis and Ellen Hall from Age UK were welcomed to the meeting to deliver a presentation in respect of the Penistone Social Inclusion Service. A brief history of the commissioned service was given and included how the service was promoted, partnership, the Good Neighbours scheme, the 'Eyes on the Ground' initiative, the Community Car Scheme and the individual service. A number of individual and group case studies was provided, showing the positive impact that has been achieved in the community. It was noted that services are provided in Penistone, Millhouses and Thurlstone but that there is a need to develop it in the more isolated rural communities of the Penistone Ward.

It was highlighted that there is a huge variety of groups in Penistone and new groups are being developed all the time. One Councillor was aware of a 'Men in Sheds' project running in the Scissett/Denby Dale area and felt that this, or something similar, could be replicated in Penistone. It was also reported that 30 people have volunteered for the service in the first 6 months, 22 of whom were not previously involved with Age UK. Volunteers are mostly older people and have provided over 120 hours of time in building relationships, identifying support needs and developing skills and awareness around older people's issues.

A discussion took place around the need for a community repair service. This falls under Age UK's 'Good Neighbours' scheme and also Yorkshire Housing's 'Stay Put' service provides similar support. It was highlighted that financial advice is also provided by Age UK for those aged 50+, claiming more than £1 million for those aged 65+ across Barnsley.

It was felt that the Community Car scheme could be developed further and that this needs to be promoted widely, with an accompanying need for more volunteer drivers. Members also discussed the merits of raising the awareness of dementia,



highlighting that although there are a number of services available such as memory services, day centres and carer support, they are not all in one place which makes it difficult for service users and their carers to navigate without support.

**RESOLVED** that attendees be thanked for their attendance and contribution and for the positive impact which the service is making in the community.

#### **14 Procurement and financial update (PAC.03.08.2017/6)**

The Area Council Manager introduced this item and provided members with an update on the commissioning and procurement activity around the Isolated and Vulnerable Older People Service, the Working Together Fund, the Clean and Tidy Service and the New Clean and Tidy for 2017/18, highlighting that the Penistone Area Council has allocated £171,633.50 of its total budget of £200,000 for the 2017/18 financial year.

**RESOLVED** that Members

- (i) Receive the update on the Isolated and Vulnerable Older People Service and extend the contract from 1st January 2018;
- (ii) Note the update of the Penistone Working Together Fund
- (iii) Note the update on the current clean and tidy commission and the update of the newly appointed service provider, and
- (iv) Note the finance update and put on hold any further discussions regarding enforcement services for Penistone.

#### **15 Principal Towns Programme (PAC.03.08.2017/7)**

Fiona O'Brien, Principal Towns Officer, was welcomed to the meeting and delivered a presentation outlining various elements of the Principal Towns Project, including Commissioning Board feedback, Penistone Registration of Interest and the next steps in the programme, to include the Business Plan, Working Group, Procurement Plan and match funding together with business and community consultation. Most of the projects have been approved by the Board and will now move on to the next phase. The business plan should be submitted to the Commissioning Board on 28<sup>th</sup> September but a request to change this date to November will be made, as more research is needed.

A discussion took place regarding road safety in Penistone and Members felt that this should be a consideration within the project as pedestrians in the town centre are faced with numerous challenges.

**RESOLVED** that Fiona O'Brien be thanked for her attendance and contribution and that Gary McNaught (Highways) be invited to attend a meeting in the second or third week in September to discuss options regarding road safety.

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Chair

<b>MEETING:</b>	South Area Council
<b>DATE:</b>	Friday, 1 September 2017
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Meeting Room, The Hoyland Centre

## MINUTES

**Present** Councillors Stowe (Chair), Dures, Franklin, Lamb, Markham, Saunders and R. Wraith.

### 9 Declarations of Pecuniary and Non-Pecuniary Interests

No Member wished to declare an interest in any item on the agenda.

### 10 Minutes of the Meeting of South Area Council held on 16th June, 2017 (Sac.01.09.2017/2)

The meeting considered the minutes of South Area Council held on 16<sup>th</sup> June, 2017.

**RESOLVED** that the minutes of the South Area Council held on 16<sup>th</sup> June, 2017 be approved as a true and correct record.

### 11 Notes of the Ward Alliances (Sac.01.09.2017/3)

The meeting received the notes from the following Ward Alliances:- Hoyland Milton and Rockingham held on 11<sup>th</sup> July, 2017; Wombwell held on 13<sup>th</sup> July, 2017; and Darfield Ward Alliance held on 13<sup>th</sup> July, 2017.

**RESOLVED** that the notes from the Ward Alliances be received.

### 12 Report on the Use of Ward Alliance Funds (Sac.01.09.2017/4)

The Area Council Manager remarked that in previous years there had been lower numbers of applications than had been desirable, however in the current financial year the opposite was true. A significant number of high quality applications had been received by each fund, and that was reflected in the expenditure contained within the report.

**RESOLVED** that the report be noted.

### 13 Performance Report (Sac.01.09.2017/5)

The Area Council Manager introduced the item. The Tidy Team continued to do well, and the number of new volunteers was sizable; with 52 new young volunteers and 45 new adult volunteers within the previous quarter.

The meeting noted that the Team would be focusing on the engagement of businesses in the next quarter, which would include working with a number of establishments that they had previously worked with.

The performance of Kingdom Security continued to be rated as 'Green'. However, most of the Fixed Penalty Notices related to littering, whereas the majority of complaints related to dog fouling. It was noted that, anecdotally, some dog owners would only pick up after their dog when being watched, but would leave it when not under surveillance, and therefore were difficult to prosecute.

The meeting went on to discuss the service level agreement which provided a Private Sector Housing Enforcement Officer. It was noted that the previous officer had now secured a permanent position centrally within the Council. However, the position had been filled until the end of the contract through temporary internal moves. The performance against the contract was exemplary, with every target being met or exceeded. It was agreed for the Chair to send a letter to the outgoing officer, thanking them for their service to the Area Council.

The contract to provide advice services continued to be delivered effectively. Since the service commenced over £2million of additional benefit had been gained, and over £2million of previously unmanaged debt was now managed.

The Area Council Manager referred to the high numbers of clients being referred to other sources of support with money management, and the corresponding low numbers of repeat clients. Also noted was the high proportion of very vulnerable clients, who were unable to access help without face to face support.

Questions were raised regarding performance against the 'Improving the Local Economy' priority, given that the courses to support local businesses had finished some time ago. The Area Council Manager responded by saying some work could be done to more accurately record the contribution of the existing contract to the local economy. In addition it was noted that the Area Team had also previously supported this priority through encouraging local recruitment by businesses opening in the area.

Members noted the significant investment around Junction 36, and in Cortonwood, and it was suggested that it may be useful to further consider this priority, and how the local residents could benefit from the investment in the local economy. It was suggested that a workshop be held to map the investment and programmes related to improving the economy, in order to more accurately understand how the Area Council could support. It was suggested that this may take place after the Area Council Meeting in December.

Members discussed and welcomed the recent expansion of Cortonwood and the benefits to the local area, however the pressure on infrastructure was noted and it was suggested that these concerns be brought to the attention of relevant officers in Rotherham Council.

**RESOLVED:-**

- (i) that the report be noted;
- (ii) that the Chair writes to the outgoing Private Sector Housing Enforcement Officer, thanking them for their hard work and contribution to the area;
- (iii) that a workshop be organised to consider the 'Improving the Local Economy' priority and to map the interventions taking place locally.

**14 Appreciation**

The Chair gave thanks to Kate Faulkes, the Area Council Manager, for her hard work and support in establishing the Area Council and the significant progress seen over the past four years. The Chair remarked on the fantastic journey undertaken and the fundamental changes made over the course of her employment in the area.

The sentiments were echoed by all Councillors in attendance, and best wishes were expressed for her future career.

The Area Council Manager responded that the first part of her new role would be to recruit a new Area Council Manager for the South Area, and gave assurances that someone of appropriate skills and experience would be recruited.

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Chair

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# Item 30

## 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

(26<sup>th</sup> July 2017)

### **Review Of The Financial Contributions Policy For Adult Social Care Services**

#### **1.0 Purpose of the Report**

- 1.1 To inform the Cabinet of the findings of a recent public/stakeholder consultation about proposed changes to the Council's policy concerning financial contributions for Adult Social Care Services.

#### **2.0 Recommendations**

##### **2.1 Cabinet is recommended to:**

- **Approve the changes outlined in the proposed policy (please see Appendix 1) for adoption by Full Council.**
- **Agree that the proposed changes are implemented with effect from Monday, 2<sup>nd</sup> October 2017.**

#### **3.0 Introduction**

- 3.1 The Council's medium term financial strategy includes a requirement for £400K additional income from changes to the Financial Contributions Policy.
- 3.2 The Fairer Contributions Policy for Adult Social Care Services has been written to comply with the Department of Health (DH) Care Act 2014 statutory guidance. The Policy explains the Council's approach to determining how much each service user should contribute towards the cost of their adult social care services. It outlines the Council's aims and principles on how we ensure a fair approach to setting the level on contributions to be made by eligible service users in receipt of social care and support.
- 3.3 The overriding principle behind the proposed changes is that charges will be based on the full cost of the provision (which aligns with the Council's Fees and Charges Policy) and that service users will pay the amount that they can reasonably afford to pay towards the full cost of their care. Individual financial assessments would be undertaken, which will ensure that contributions are based on a person's ability to pay calculated using national guidelines and the Council's financial assessment framework.

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

4.1 The proposed changes in the revised policy are:

- Removal of the current £150 weekly cap on contributions towards care and support in the community.
- The introduction of a one off charge for people who are not eligible for financial support but still wish the Council to make their care arrangements for them, to cover the cost of making those arrangements.
- A change to the policy in relation to Disability Related Expenditure (DRE) to make clear any financial disregard would only apply to the **additional** costs incurred as a result of the disability, not all of the costs.
- To address the current disparate in charging between residential and community based services.

4.2 The justification for these proposals can be summarised as follows:

- To ensure compliance with Care and Support Statutory Guidance (2014) concerning fairer charging for adult social care.
- To bring the policy in line with the Council's charging principles
- Supporting the Council to continue delivering adult social care support to an increasing number of people.

4.3 In addition, the majority of other local authorities have already removed any cap on financial contributions and therefore, these proposed changes would bring us in line with this. Within the Region, Wakefield and Kirklees Councils have no cap whilst Sheffield, Rotherham and Doncaster Councils have caps which have been set in line with the cost of residential care.

#### **5.0 Consideration of Alternative Approaches**

5.1 The changes are necessary to ensure that our Financial Contributions Policy complies with the requirements of the above named statutory guidance which was published in pursuance of the Care Act (2014) together with the Council's charging principles and maximises income to enable the Council to support as many residents in need of care, as possible. The changes also support the Council's Medium Term Financial Strategy.

5.2 An alternative approach would be to not implement these changes and continue with the current Policy. However this would not bring us into line with how the majority of other local authorities have reviewed and changed their Financial Contribution Policies to ensure they are adhering to the Care Act and to help them respond to the increasing demand for social care by targeting resources to those most in need.



## **6.0 Implications for Local People and Service Users**

### **6.1 Removal Of The £150 Weekly Cap**

6.2 The £150 weekly cap only applies to those receiving support in the community, not those in residential or nursing care homes. At present, people residing in care homes can be required to pay the full cost of their care and support.

6.3 All service users would be offered the opportunity to have a full financial assessment to calculate their contribution. This will consider a person's income and any savings they may have as a basis for deciding how much, if anything, they can afford to pay as a fair contribution towards the cost of their services. Any charges would be calculated against the full cost of the care/support a person receives.

### **6.4 Introduction Of Support Planning Charge For Self-Funders**

6.5 For people who are not eligible for financial support but still wish the Council to make their care arrangements for them, we are proposing to introduce a one-off fee to cover the costs of making these arrangements. This would only apply to new service users and therefore existing service users would be unaffected.

### **6.6 Disregard Of Disability Related Expenditure**

6.7 The final proposed change to the policy is in relation to Disability Related Expenditure (DRE). The policy allows for expenditure incurred in relation to a person's disability to be disregarded from their financial assessment. We are proposing that the policy is amended to make clear that, in future, this only applies to any **additional** expenditure incurred in relation to a person's disability and not all expenditure. Currently, 688 service users have DRE disregarded from their financial assessments but not all would be affected by the change as most will already only be claiming additional expenditure.

### **6.8 Mitigating Actions To Support Those Who Will Be Affected By The Proposals**

6.9 The following mitigating actions would hopefully support those who will be affected by the proposed changes:

- All service users will be offered the opportunity to have a full financial assessment to calculate their contribution. This will consider a person's income and any savings they may have as a basis for deciding how much, if anything, they can afford to pay as a fair contribution towards the cost of their services
- All service users will be offered the opportunity to have a full review of their social care support. This will be an asset and strength based review and will consider a range of different ways in which support for eligible needs can be delivered that may help to reduce costs.
- Many care providers charge higher rates for self funding clients. In order to mitigate for this, if as a result of the proposed policy changes, a service user

becomes self funding and their current provider would be charging them a higher hourly rate, providing they request for BMBC to continue to oversee their care arrangements BMBC could agree to continue to contract on their behalf, thereby ensuring the service user continues to benefit from our rates.

- 6.10 It is anticipated that the proposed changes could affect up to 6% of service users, currently receiving community based care and support (approximately 97 people) Of the remaining 94% of service users, 22% do not make a financial contribution at all and 72% are currently paying their maximum assessed contribution.

## **7.0 Financial Implications**

- 7.1 It is expected the proposals will generate in excess of £400K additional income for the Council.

## **8.0 Employee Implications**

- 8.1 There are no implications for council employees associated with this report. There will not be a need to engage additional staff to process financial contribution assessments arising from changes to this policy.

## **9.0 Communications Implications**

- 9.1 Subject to approving the recommendations in this report, service users who will be affected by the changes will receive further correspondence, detailing their revised social care charge and offering a new financial assessment to clarify their accessible income. Those who currently choose not to disclose their financial information will be encouraged to do so, ensuring they are not paying more than they can reasonably afford to pay.
- 9.2 If approved and adopted, the changes within the revised Fairer Contributions Policy will be the subject of a communications and marketing plan, in preparation for the implementation date.

## **10.0 Consultations**

- 10.1 The proposed changes to the policy were the subject of a recent public/stakeholder consultation. The consultation consisted of the following activities which are detailed in a communication and engagement plan:
- Briefing note for staff and stakeholders
  - The policy and an accompanying survey was available via the council's consultation page, <http://consult.barnsley.gov.uk/portal> from Monday, 3 April 2017 to Friday, 26 May 2017 so that people were able to make themselves familiar with the changes and give their views
  - Media release , all local media, BMBC website
  - Posts on internal Facebook channels
  - In excess of 1300 letters and FAQ leaflets posted out to existing service users
  - Appearance in the council's 'Open Mail' weekly e-bulletin
  - Member briefing

- Cabinet Spokespersons briefing
- DMT and SMT briefings
- Message to employees via Straight Talk
- Agenda item on all staff team meetings
- Meeting with Barnsley Service User and Carers Forum

## 10.2 Outcome Of The Public/Stakeholder Consultation

- 10.3 By 5<sup>th</sup> June, a total of 8 written responses had been received to the consultation. Of these, almost all concerned requests for clarification over whether or not the subject would be required to pay more towards his or her care package and on which clarity was, subsequently provided.
- 10.4 On the 11<sup>th</sup> April, a meeting of the Adult Social Care Service Users and Carers Board took place to discuss the proposed changes. Fifteen people attended this meeting and the discussion was well received and understood. There were no concerns or objections raised at the meeting, on the proposed changes in the revised policy.
- 10.5 Two respondents completed the online survey, one of whom was in receipt of an adult social care package provided in the community. This respondent declared that they already made a financial contribution to their care package but that the current £150 weekly cap should not be removed nor should a one-off arrangement fee be introduced for people wanting the Council to make the necessary arrangements. The respondent added that this should be in recognition of older people having paid taxes all their working lives.
- 10.6 The second response, made on behalf of a service user, suggested that they would consider paying an amount over the current £150 weekly cap but did not agree with having to pay a one –off fee to the Council for arranging care.
- 10.7 In addition, the ‘My Barnsley Too’ Disability Forum wrote to request a meeting to further consider the impact of the proposed changes upon disabled service users, many of whom were already only claiming for additional disability related expenditure.
- 10.8 No responses have been received, to date, from local MPs or elected members on behalf of constituents and no comments were recorded in social media on the proposals in the revised, draft policy.
- 10.9 In the absence of any evidence or data, it is difficult to pinpoint why there has been such a low response to this consultation except to speculate that a combination of, firstly, other major Council consultations which did more to occupy local people’s thoughts and, secondly, the announcement of a snap General Election and, in particular, the media coverage given to the future funding of social care, following the launch of the Conservative Party’s manifesto, may have been significant factors.
- 10.10 Based upon the existing response to the public consultation and the findings of the initial equality impact assessment, Cabinet is recommended to approve the proposed

changes to the revised, draft Financial Charging Policy for Adult Social Care, in order to ensure the Authority is compliant with statutory guidance concerning fairer charging and is able to provide support to a greater range of services whilst targeting greater support to those most in need, based on a financial assessment.

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

11.1 The revised proposals, as outlined in Paragraph 4.1, will continue to ensure older, vulnerable people in need of care and support, remain safe from harm and are able to lead enriching lives through affording greater personalisation, independence and choice.

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

12.1 The proposals have been subject to an initial Equality Impact Assessment, details of which are in Appendix 2.

12.2 A review of the impact of the proposals will be carried out in 12 months time and any implications will be noted as part of the future development of the policy and reported as part of the quarterly monitoring of the Council's equality priorities.

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

13.1 The objective of the proposals is to ensure that only those who can afford to pay a greater contribution towards their adult social care package will be asked to do so, based upon a financial assessment. In terms of disability related expenditure and the disregard element, many service users are already claiming for any additional expenditure incurred.

13.2 However, in considering the above, Cabinet will be mindful that, at the time of drafting this report, a proposed Adult Social Care Green Paper, announced in the Spring Budget (2017) will have the purpose of outlining options for the future funding of adult social care and which, in terms of the final outcome, may or may not have implications for tackling poverty, during the next Parliament.

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

14.1 The proposals are not expected to affect the closing of any gaps in health equality as all service users will continue to receive a care package, based upon an assessment of their needs, including complex needs and only those service users who can afford to make a greater contribution towards their care package will be required to do so under these proposals.

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

15.1 There are no implications for tackling crime, disorder and antisocial behaviour arising directly from this report.

**16.0 Risk Management Issues**

16.1 No unfunded or unanticipated risks are envisaged as a result of implementing the proposed changes. No service user will be left without a care package, thereby ensuring that no older, vulnerable adult is exposed to any risk of harm, including neglect.

**17.0 Health, Safety and Emergency Resilience Issues**

17.1 There are no implications arising directly from this report.

**18.0 Compatibility with the European Convention on Human Rights**

18.1 The proposed changes in the draft policy do not contravene any of the Articles or Protocols in the Convention.

**19.0 Conservation of Biodiversity**

19.1 There are no implications for the local environment or the conservation of biodiversity emerging through this report.

**20.0 Glossary of Terms and Abbreviations**

20.1 Not applicable.

**21.0 List of Appendices**

21.1 Appendix 'A': Financial implications of the report  
Appendix 1- Revised, draft Financial Contributions Policy for Adult Social Care  
Appendix 2 – Consultation Questionnaire  
Appendix 3 – Equality Impact Assessment

**22.0 Details of Background Papers**

22.1 Background papers used in the compilation of this report are available to view by contacting Julie Moore, tel. 01226 772396 or email [juliemoore@barnsley.gov.uk](mailto:juliemoore@barnsley.gov.uk)

Officer Contact: Lennie Sahota (Interim Service Director: Adult Social Care and Health)

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Date: 01.06.17

Financial Implications/
Consultation ..... <i>(to be signed by senior Financial Services Officer where no financial implications)</i>

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**APPENDIX A**  
**Prepared on Behalf of the Director of Finance**

**FINANCIAL IMPLICATIONS**

**Review of the Financial Contributions Policy for Adult Social Care Services**

<b>i) <u>Capital Expenditure</u></b>	<u>2017/18</u> £	<u>2018/19</u> £	<u>2019/20</u> £	<u>Total</u>
<b>To be financed from:</b>	0	0	0	0
	0	0	0	0

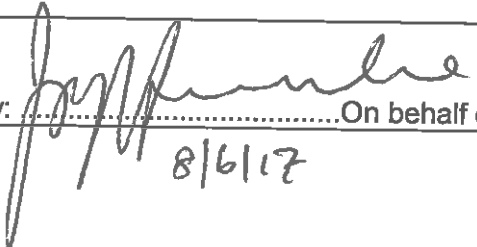
<b>ii) <u>Revenue Effects</u></b>	<u>2017/18</u> £'000	<u>2018/19</u> £'000	<u>2019/20</u> £'000	<u>Later Years</u> £'000
Current Client Contribution	2,372	2,372	2,372	2,372
Proposed Client Contribution	2,372	2,772	2,772	2,772
Variance	0	400	400	400

**To be Financed from:**

The above savings KLOE have been built into the resource envelope for 18/19 and allowed for in the Council's MTFS Plan 2017-2020

**iii) Impact on Medium Term Financial Strategy**

**This report has no impact on the Authority's Medium Term Financial Strategy.**

Agreed by:  On behalf of the Director of Finance  
 8/6/17

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**FINANCIAL CONTRIBUTIONS POLICY FOR  
ADULT SOCIAL CARE SERVICES**

Author	Julie Moore, Keith Dodd, Helen Perrin
Owner	Lennie Sahota
Date Written / Updated	February 2017
Impact Assessment Date	May 2017
Impact Assessor	Julie Moore, Jules Horsler, Shafeek Khan
Date Issued	
DWPG Approved Date	
Next Review Date	
Document No.	3
No of pages	10

# **Financial Contributions Policy for Adult Social Care Services**

## **1.0 PURPOSE**

- 1.1 This policy explains the Council's approach to determining how much (if anything) each service user should contribute financially towards the cost of their adult social care services.
- 1.2 The scope of the policy covers both residential and non-residential services for older people, adults with learning disabilities, adults with physical disabilities and adults with mental health problems who are assessed as having 'eligible needs' within the meaning of the Care Act 2014.
- 1.3 Revenue received from service users financial contributions towards the cost of the services will be reinvested to enable the Council to provide care and support for more people within the borough.
- 1.4 For the purpose of this policy an adult is a service user aged 18 and above

## **2.0 LEGISLATIVE AND NATIONAL POLICY REFERENCES**

- 2.1 The Care Act 2014 provides a single framework for charging for care and support services. Section 14 provides local authorities with the power to charge service users in receipt of care and support and Section 17 permits local authorities to undertake an assessment of the service user's financial resources in order to determine how much, if anything, they are able to pay towards the cost of those services.
- 2.2 The Care and Support (Charging and Assessment of Resources) Regulations 2014, and Care and Support Statutory Guidance (and annexes) issued by the Department of Health under the Care Act 2014 set out further detail regarding charging for care. The relevant parts of the guidance are Chapter 8: Charging and financial assessment, Annex A: Choice of accommodation and additional payments, Annex B: Treatment of capital, Annex C: Treatment of Income, Annex D: Recovery of debts, Annex E: Deprivation of assets and Annex F: Temporary and short-term residents in care homes.
- 2.3 Barnsley Council's Policy for seeking financial contribution towards the cost of care and support services will adhere to the requirements and principles set out in the Care Act 2014 and the associated national guidance.

## **3.0 OBJECTIVES OF THE POLICY**

- 3.1 The objectives of the Financial Contributions Policy are as follows:
  - ensure that people are not charged more than it is reasonably practicable for them to pay;
  - be comprehensive, to reduce variation in the way people are assessed and charged;
  - be clear and transparent, so people know what they will be charged;
  - promote wellbeing, social inclusion, and support the vision of personalisation, independence, choice and control;
  - support carers to look after their own health and wellbeing and to care effectively and safely;

- be person-focused, reflecting the variety of care and caring journeys and the variety of options available to meet their needs;
- apply the charging rules equally so those with similar needs or services are treated the same and minimise anomalies between different care settings;
- encourage and enable those who wish to stay in or take up employment, education or training or plan for the future costs of meeting their needs to do so; and
- be sustainable for local authorities in the long-term

#### **4.0 POLICY EXCLUSIONS**

4.1 This policy covers all care and support services provided or arranged to meet eligible needs within the meaning of the Care Act 2014 with the exception of the following which cannot be charged for by law:

- Intermediate care, including reablement, which must be provided free of charge for up to six weeks
- Social Work Support
- Occupational Therapy.
- Information and Advice.
- Assessment and Care Management Services (including financial assessment)
- After Care Services provided under Section 117 of the Mental Health Act 1983
- Community equipment (aids and minor adaptations) and minor property adaptations costing £1,000 or less
- Care and support for people suffering from Creutzfeldt Jacob Disease
- Services that are the responsibility of the National Health Service, e.g. continuing health care
- Any administration fee relating to arranging that care and support. The only exception is in the case of a person with eligible needs and assets above the upper capital limit who has asked the local authority to arrange their care and support on their behalf. In such cases, the local authority may apply an administration fee to cover its costs
- Adaptations to property - any financial contribution is determined by separate national rules

#### **5.0 CONTRIBUTIONS TO THE COST OF RESIDENTIAL CARE SERVICES**

5.1 Section 14 of the Care Act 2014 gives local authorities a discretionary power to charge for care and support provided within a care power. Barnsley MBC has taken the decision to exercise this power.

5.2 Where someone's on-going care and support needs are to be met within a care home, and they are seeking financial support from the Council, a financial assessment will be carried out to determine the amount they will be required to contribute towards the cost of their care.

5.3 The value and treatment of capital and assets will be based on the definitions within Care Act 2014, Care and Support Statutory Guidance Annex B and C.

#### **Capital**

Where an individual's capital (excluding the value of their main home) exceeds the upper capital limit specified within the Care Act 2014 Care and Support Statutory Guidance

Annex B, they will be required to pay the maximum contribution towards the service. These are:

- If your capital is **below £14,250** it will be disregarded for financial assessment purposes.
- If you have capital **between £14,250 and £23,250** we will need to take this into account. You will be required to pay £1 per week for every £250 of capital between £14,250 and £23,250.
- Anyone with assets above the upper capital limit (including the value of their previous residence, unless a spouse or partner is living there) will not qualify for financial assistance. At the time of this policy being published the upper capital limit was £23,250

5.4 The Council will normally make up the difference between what the service user can afford to pay (as determined by the financial assessment) and the cost of the care home place, up to the Council's 'usual rate'. This is the amount that the Council agrees to pay local care homes, on an annual basis, for various types of need. Should a service user wish to take up a place in a care home where the weekly rate exceeds the Council's usual rate, then they will need to make arrangements for a third party, i.e. family member or friend, to make up the difference (known as a 'top-up'). In these circumstances the Council will need to assure itself that these arrangements (including any future price increases) are sustainable and should they breakdown at any point the Council reserves the right to seek an alternative placement at the 'usual rate'

5.5 Where a service user has legitimate reasons for seeking a care home place in a different authority, i.e. to be nearer to family, Barnsley Council will apply the 'usual rate' for that locality, i.e. the rate at which that the receiving Council normally pays for care in a care home for a particular level of need.

5.6 In all cases the service user will always retain the statutory weekly Personal Expense Allowance after they have contributed to the weekly cost of their care. This amount is reviewed annually by the government.

5.7 Where someone enters a care home and has sufficient funds to pay for themselves via ownership of a property they may be eligible to defer some or all of their care costs against the value of that property. This is known as a Deferred Payment Agreement. More details about Barnsley MBC's Deferred Payment Scheme can be found on the Council's website or in leaflet format on request. The Council charges set up costs, an annual monitoring and administration fee, termination costs, and interest on all deferred payment loans agreed from April 2015.

## **6.0 CONTRIBUTIONS TO THE COST OF CARE FOR PEOPLE LIVING IN THE COMMUNITY**

6.1 Barnsley Council will seek a financial contribution towards the cost of care and support delivered in a service user's home and other community settings, for example, day services, wherever this is deemed to be affordable.

6.2 In the vast majority of cases, the full cost of care and support services will be the value of the Personal Budget that the service user deploys to purchase those

services, less the value of any excluded services listed at 4.1 above. A financial assessment will be carried out to determine how much the service user can afford to contribute towards the cost of their services.

6.3 **Income**

The value and treatment of income will be based on the definitions within the Care Act 2014 Care and Support Statutory Guidance Annex C.

All individuals will be offered the opportunity to have a full financial assessment to calculate their contribution. It is the individual's responsibility to provide information to complete this and failure to satisfy the Council will result in the maximum contribution being applied.

If a service user declines or refuses a financial assessment they will be required to pay for the full cost of their services.

The financial assessment will consider the person's income and any savings they may have as a basis for deciding how much, if anything, they can afford to contribute towards the cost of their services. It will:

- Ensure that no one is left with less than the basic level of income support plus a further 25% after they have paid their assessed contribution. Services will be provided free to anyone whose income is at or below this amount.
- Take into account any expenditure that the person may incur as a direct result of their disability (Disability Related Expenditure) and discount this from the amount they have available to pay their assessed contribution.
- Provide contact details for any further welfare benefits advice that the person may benefit from .

The basic principle of the financial assessment calculation is:

$$\text{Individual Income} \text{ LESS } \left[ \begin{array}{l} \text{Income Support or Pension Credit +25\%} \\ \text{allowance Housing Costs \& Expenses} \\ \text{Disability Related Expenditure} \end{array} \right] = \text{Net Available Income for Contribution}$$

In relation to Disability Related Expenditure (DRE) the disregard element will only apply to any **additional** expenditure incurred which is **directly** due to a person's disability, thus ensuring that service users are making a fair contribution towards the cost of their care.

People who are in receipt of either high rate Disability Allowance (DLA) or high rate Attendance Allowance (AA) will need to be financially reassessed. This is because high rate DLA and AA includes benefit for overnight care which is currently excluded from a financial assessment.

6.4 Anyone with capital assets above the upper capital limit (excluding the value of their main residence) will not be entitled to financial support from the Council. At the time of this policy being published the upper capital limit was £23,250.

6.5 Anyone with savings less than the lower capital limit will be ignored when working out how much someone should pay towards the cost of their care. At the time of this policy being published the lower capital limit was £14,250.

6.6 Where a service user has sufficient means to fund their own care, e.g. they have savings above the upper capital limit or if their income is at a level where their financially assessed contribution matches or exceeds the value of their personal budget, they are still entitled to request that the Council arrange their services.

6.7 The Council will introduce a one-off arrangement fee (administration) for brokering and arranging non-residential services for self-funding residents as per para 8.58 of the Care Act. The fee is set at a level where it does not exceed the costs which the Council incurs. The fee for a standard brokerage service is £122.00 and £260.00 for a more complex service (see appendix A) The fees are a flat rate to ensure clarity about the cost of the Local Authority arranging a person's care. The charges will apply to both self funders with assessed eligible needs and those who approach the Brokerage Team privately and do not have any assessed eligible needs.

The brokerage cost will not apply to any existing service users who become self funding due to this policy change

6.8 Barnsley MBC currently operates a 'maximum weekly contribution', i.e. a maximum amount that anyone is asked to contribute towards their care and support, regardless of the size of their personal budget (NB this does not apply to permanent care in a care home). At the time of this policy being published the maximum weekly contribution was £150. **From Monday xxxxxxxxxx 2017 the 'maximum weekly contribution' cap limit on contribution of £150 will be removed.**

6.9 Many care providers charge higher rates for self funding clients. If, as a result of this policy change a service user has become self funding and their current provider would be charging them a higher hourly rate, providing they request for BMBC to continue to oversee their care arrangements BMBC could agree to continue to contract on their behalf, thereby ensuring the service user continues to benefit from our rates. This does not apply to any new service users or at the point of a review.

6.10 In a minority of cases the service user may not be using a personal budget, for example, where services are arranged for a temporary period only. In these cases the value of the services will be the actual cost of commissioning those services and the financial assessment will determine how much the service user can contribute towards that cost.

6.11 Where the care and support plan includes periods of respite care (either planned at a certain time or to be taken 'as and when required') this will be 'annualised' within the personal budget, i.e. the annual cost will be worked out as a weekly value. The assessed financial contribution will then take account of the weekly value of all services including provision for respite.

6.12 Most non-residential service provided to give carers a break are provided to the person being looked after and it is the service user (not the carer) who is liable to pay. Where this is the case, the amount of service provided will be included in the overall care package and the associated cost will form part of the total assessed contribution. If respite is the

only service being received, the annual cost is calculated as a weekly value for the purposes of calculating the service users financial contribution (if any)The service user's ability to pay the total contribution will be determined via the financial assessment as set out above. Any one-off services **provide directly to the carer** for their specific needs will **not** be subject to a financial contribution.

## **7.0 BENEFIT MAXIMISATION**

- 7.1 The council must encourage service users to maximise all Government benefits to which they are entitled. This includes making them aware of benefits, where they can access information and signposting to organisations that can support them with the appropriate application process
- 7.2 Service users (or their representatives) **MUST** inform the council when applications to receive further benefits are successful as this will affect their level of assessed income and further support a rise in the level of contributions that the council receives from service users
- 7.3 If a service user fails to inform the council of the above any increase in their assessed contribution due to receipt of the benefit will be backdated to the date the benefit was agreed from.

## **8.0 REVIEW AND APPEAL**

- 8.1 As a minimum, a service user's assessed contribution will be reviewed on an annual basis. Changes to circumstances may also lead to a new financial assessment being undertaken. If requested, a service user's contribution can be reviewed at their request..
- 8.2 Service users have a duty to notify the Council if there is a change to their financial or personal circumstances. If the change in circumstance results in an underpayment of charges this will be applied from the date of change. If the change in circumstances results in an overpayment of charges this will be applied from the date of change if the Council is notified within 28 days of the date of the change otherwise a re-assessment will take place from the date notified.
- 8.3 Where a service user considers that an incorrect contribution has been calculated, e.g. because information given has been misinterpreted, some information has not been taken into account, a mistake has been made, etc., they may, at any time, request an informal review. Such a request should be made to the Financial Assessment Team, Financial Services.by whatever means is most appropriate for the service user (this does not have to be in writing). The Assistant Manager (Payments) Commercial Services, Financial Services will have delegated authority to deal with the matter at this stage. If appropriate the review will be carried out by a different person to whoever conducted the first assessment. It may be agreed at this stage with the service user that a home visit is needed but in some circumstances issues may be resolved over the telephone. The target for completing an informal review will be 2 working days from the receipt of the request.
- 8.4 A formal review may be requested by a service user in the following circumstances:
  - An informal review has been conducted but the charge-payer remains dissatisfied.
  - The service user is satisfied that the Charging Policy has been correctly applied but

considers that the charge would result in financial hardship because of special circumstances.

- 8.5 A request for a formal review should be made to the Council's Feedback and Improvement Team who will coordinate a response from the appropriate Service Director who will have delegated authority for the decision making at this stage. The outcome of the formal review and the reasons for the decision will be notified to the service user in writing by the relevant Executive Director within 25 working days of the request for a formal review being received.
- 8.6 In cases where the service user has concerns about the quality or nature of the service provided the Social Services complaints procedure should be used. Details can be obtained from the Council's website or by contacting the Feedback and Improvement Team

## **9.0 REFUSAL TO PAY**

- 9.1 Where a service user refuses to pay their assessed contribution, for whatever reason, the service will not be withdrawn. The Council will continue to provide the services as long as they are required to meet an assessed need and will review the service users' financial circumstances and ability to pay. If payment is unreasonably withheld the council may pursue the debt owed by the service user, which may include use of court proceedings.
- 9.2 If a service user deploys their personal budget by having a direct payment or supported managed account, the payments made to the service user into this account will be net of any assessed contribution.
- 9.3 The service user must ensure that their weekly contribution is paid into this account in order for the cost of their support to be paid for. If the service user does not put their correct contribution into this account and as a result invoices/personal assistant wages for their support provision cannot be paid, providing the council has paid all of BMBCs agreed weekly funding into the account **any debts to providers or personal assistants will be liable to be paid by the service user or their representative as the contract for the support is between them and the provider/personal assistant.**

## **10.0 NOTIFICATION AND BILLING**

- 10.1 Contributions will normally be sought from **the date the service commences**. Service users will be informed of their assessed contribution before receiving their first invoice which will normally be monthly in arrears, i.e. for services provided in the previous month.

## **11.0 VARIATION TO PLANNED SERVICE**

- 11.1 The service users support plan will determine the components of the service and the number of hours they should receive. Contributions will be calculated on the basis of planned service provision and applied on a weekly basis.

Variations to planned service will occur from time to time for a variety of reasons, for example, where a service user is unwell and decides not to attend a day service on a particular day, or is away visiting relatives and does not require a home care service. This does not automatically mean that the weekly contribution will be reduced. The assessed weekly contribution will continue to be levied in all circumstances where the actual cost of providing any remaining services during a particular week is equal to or exceeds the assessed contribution, regardless of any variations to planned provision.



11.2 A reduction of the assessed weekly contribution will only be considered if:

- The service user has given reasonable notice ( 1 week minimum) of absence e.g. due to holidays, planned hospital stay, etc.

**Or**

- The service user has been admitted to hospital or short term care in an emergency.

**And**

- The actual cost of remaining services received during a particular week is less than the assessed financial contribution.

11.3 Where a planned service is not delivered, e.g. a domiciliary care provider does not arrive or arrives late/leaves early, the service user should notify their Social Care Practitioner (via the Customer Access Team) as this may affect the Council's contractual relationship with a service provider and may result in variations in payment for the period in question. A marginal variation in time may be acceptable providing that the desired outcome is completed in line with the client's needs.

## Brokerage Costs

<b>Banding Level</b>	<b>A</b>	<b>B</b>
<b>Banding Definition</b>	<b>Standard Brokerage and Information Centred Work</b>	<b>Complex Brokerage and Task Centred Work</b>
<b>Key Activities in relation to the Banding Level</b>	<ul style="list-style-type: none"> <li>• defining outcomes to be achieved and costing of services</li> <li>• Information seeking in relation to local services, availability, access etc.</li> <li>• Exploring informal support services</li> <li>• Providing Personalisation Support Service re employing PAs</li> <li>• Working through carer support</li> <li>• Budget planning</li> <li>• Liaising with Care Manager/Coordinator</li> <li>• Liaising with key operational teams</li> <li>• End of life brokerage</li> </ul> <p>***if terminally ill – this process to be completed within a maximum of 2 days</p>	All of activity in Column A + <ul style="list-style-type: none"> <li>• Organising live in carers</li> <li>• Brokering to address challenging behaviour or long term conditions</li> <li>• Children in transition, school and college leavers</li> <li>• Where an advocate is involved or is required</li> <li>• multiple funding streams</li> <li>• multiple needs e.g. mental health and learning disability</li> </ul>
<b>No. of Brokerage hours</b>	Up to 6 hours	Up to 13 hours
<b>Duration</b>	5 days	10 days
<b>Costs of Brokerage</b>	<b>£122</b>	<b>£260</b>

## **PROPOSED CHANGES TO THE FINANCIAL CONTRIBUTIONS POLICY FOR ADULT SOCIAL CARE SERVICES: STAKEHOLDER CONSULTATION (2017)**

### **Introduction**

Barnsley MBC remains committed to ensuring older, disabled and vulnerable adults and their carers receive the care and support they need to promote and safeguard wellbeing and maximise independence, choice and control.

The Care Act (2014) clarifies the services which councils have to provide free of charge and the services for which they can make a charge, subject to a financial assessment confirming the person's ability to pay.

Barnsley MBC's approach to charges is outlined within its Financial Contributions Policy.

### **Proposed Changes To The Financial Contributions Policy**

Barnsley MBC, like most councils, faces considerable challenges in providing adult social care services. There is increasing demand for such services and rising costs but, at the same time, councils are facing cuts to their funding as a result of the national austerity measures.

In order to be able to continue meeting the needs of as many people as possible, it is increasingly necessary to ensure that services are as efficient as possible and targeted at those in greatest need.

This requirement for greater efficiency, combined with the Council's corporate objective of empowering individuals to become more directly responsible for their health and wellbeing, has led to the following 3 proposals upon which we would welcome your comments:

1. To remove the ceiling on the maximum amount a person is required to contribute towards his or her adult social care package within the community.
2. To introduce a 'one-off' arrangement fee for charging people receiving an adult social care package if they have capital savings above an upper limit.
3. To limit the amount disregarded by the Council concerning spending incurred by service users due to a disability, to only additional expenditure.

For care and support provided to you in your own home, Barnsley MBC currently sets a maximum weekly contribution of £150, regardless of the size of the care package. However, this does not apply to permanent care in a care home where people can be required to pay the full cost of their care and support. We estimate that this change could affect around 97 people or 6% of service users who are, currently, receiving community based care and support.

In addition, 688 service users have Disability Related Expenditure (DRE) disregarded from their financial assessments but not all would be affected by the change as most will, already, only be claiming additional expenditure.

Greater detail on the proposals and how they could affect you, is set out in the draft, revised policy which can be found [here](#). A fact sheet on the proposed changes can be found [here](#).

We are very interested in obtaining your response to the following questions by the deadline date of Friday, 26<sup>th</sup> May at 4.00pm:

### Tell Us About You

Question 1: Please indicate why you are interested in completing this consultation, by ticking one of the boxes below:

- A service user
- A carer
- A relative
- On behalf of someone likely to be affected by the proposals
- On behalf of an organisation with an interest in the proposals

Question 3: Please tell us if you are male or female

- Male
- Female

Question 3: Please indicate which age range you belong to by clicking one of the boxes below:

- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75-84
- 85 and over

Question 4: Please tell us your ethnic origin by ticking one of the following boxes:

- White (British, English, Scottish, Welsh or Northern Irish)
- Irish
- Gypsy or Irish traveller
- Any other White background
- Mixed/multiple Asian groups
- Asian or Asian British
- Black or Black British
- Arab

Question 5: Please state if you have a disability or impairment, by ticking one of the following boxes:

- Yes
- No

Question 6: Please give your post code in the box below

Question 7: Are you currently receiving an adult social care package?

- Yes
- No

Question 8: Do you receive care and support at home?

- Yes
- No

Question 9: If you have answered yes to the previous question, please state if your care and support is provided at home or in residential or nursing care

- At Home
- Residential/nursing care
- Any other type of provision (please state below)

### Proposals

Question 10: Do you currently make a financial contribution to your care package?

- Yes
- No

Question 11: In order to continue supporting as many people as possible, we are proposing to remove the £150 weekly cap. The cap only applies to service users who receive care and support in the community and not those in residential or nursing care. Please indicate in the box below if you agree that all people in Barnsley who receive care and support and who can afford to pay more, should do so?

Question 12: If people have the means to pay for their own care and support but want the Council to make the care arrangements for them, do you agree they should pay a 'one-off' fee to cover the cost of making the arrangement?

- Yes
- No

Question 13: If you have answered 'No' to the previous question, please state why you disagree by using the box below.

Question 14: Appropriate disability related expenditure is able to be disregarded from a person's financial assessment. It is proposed that the Financial Contributions Policy is amended to make clear that this should in future only apply to any additional expenditure incurred in relation to a person's disability and not all if the expenditure. Do you agree (please state below)

Impact Of The Proposals

Question 15: Please describe how the proposed changes could affect you, by writing in the box below

Question 16: Any Other Comments (Please use the box below)

Thank you for completing this questionnaire. Your comments will be treated in strict confidence and will help inform whether or not Barnsley MBC decides to implement the proposed changes to the financial charging policy. This decision will be taken by a meeting of the Council's Cabinet, later this year.

All budget efficiencies must complete the Initial Community Impact Assessment.

The Initial CIA is used to identify those budget efficiency proposals that may have a significant impact on diverse groups.

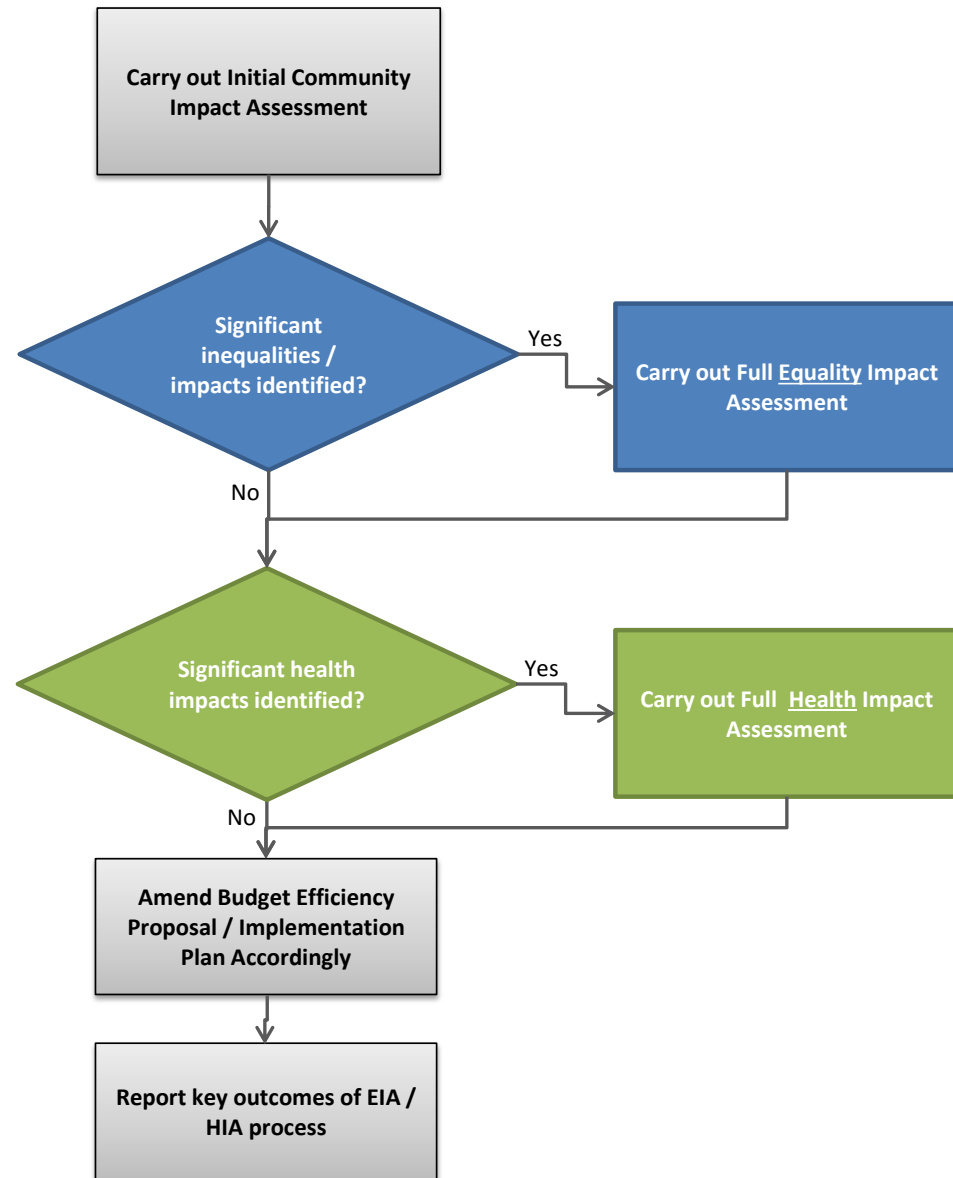
Those proposals that are likely to have significant impact on diverse groups must then complete a Full Equality Impact Assessment (Full EIA).

For advice and support to complete the Initial CIA or the Full EIA please contact your directorate's Equality and Inclusion Business Adviser.

Those proposals that are likely to have a significant impact on one or more of the health and well being factors should then complete a Full Health Impact Assessment (Full HIA).

For advice and support to complete the Full HIA please contact your directorate's Public Health lead officer.

Include the EIA / HIA as appendix to any Cabinet / Delegate report and include summary of key findings in the report itself.



## Initial Community Impact Assessment (Budget Efficiencies)

Details

<b>Service</b>	<b>Lead Officer</b>	<b>Date</b>
People	Julie Moore	21st April 2017
<b>Business Unit</b>	<b>Email</b>	<b>Telephone</b>
Business Unit 2	<a href="mailto:juliemoore@barnsley.gov.uk">juliemoore@barnsley.gov.uk</a>	01226 772396

Summary

**Outline of savings proposal**

*The council's medium term financial strategy includes a requirement to £400K additional income from changes to the Fairer Contributions Policy*

<b>Summary of savings objectives</b>	<b>Reference</b>
<i>Removal of the £150 weekly cap on contributions towards care and support in the community - introduction of a one off charge for people who are not eligible for financial support bu</i>	

### Initial Equality Impact Assessment

Current inequalities

<b>Which groups may experience a differential impact in this service area before the budget reductions?</b>			
Protected characteristic	Details of group	Degree of differential impact / outcomes	+ve or -ve inequality
<i>Please select group from the drop-down list.</i>	<i>Describe in more detail which people in this protected characteristic group currently experience a differential impact and why. Eg "BME people, especially new arrivals to the borough, are under-represented amongst current service users".</i>	<i>Please select the level of inequality experienced by the group ( high, medium, low or none ).</i>	<i>Is the inequality positive or negative for the group?</i>
Disabled people	<i>People within this group are only adversely affected due to their levels of financial income. There is also currently a weekly contributions cap of £150 towards care and support in the community.</i>	Medium	Positive and negative elements



Future  
inequalities**Which groups may experience a differential impact in this service area after the budget reduction?**

<b>Protected characteristic</b>	<b>Details of group</b>	<b>Degree of differential impact / outcomes</b>	<b>Improve ?</b>
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group will be affected and why. Eg "Disabled people with communication disabilities such as people with sensory impairments and people with learning difficulties because they may find using online services more difficult."	Please select the level of inequality likely to be experienced by the group after the investment ( high, medium, low or none ).	Is the situation for this group likely to improve or become more unequal as a result of this budget reduction?
Disabled people	People within this group are only adversely affected due to their levels of financial income. However the number affected will increase due to the removal of the cap , but this will only affect 6 % of people. People are not being penalised as a result of a disability as the impact of the proposals does not relate to disability but a persons ability to contribute financially.	Medium	No change

Next steps

**Full Equality Impact Assessment**

<b>Full EIA not usually required:</b>	If there are either no or only minor equality impacts identified for this budget reduction then a Full EIA is not usually required.	
<b>Full EIA usually required:</b>	Where there is likely be either a high / medium negative inequality identified that is likely to get worse or to continue as a result of the budget reduction.	
Is a full EIA required?	Details of Full EIA process - Who, how and when will this take place?	E+I team consulted?
Yes	This will be carried out by Julie Moore with the support of Jules Horsler and will take place during April/May 2017	Yes
		Date last consulted
		01/03/17

Please email your completed Initial EIA to: [equalityanddiversity@barnsley.gov.uk](mailto:equalityanddiversity@barnsley.gov.uk)**Initial Health Impact Assessment**

Health impacts

**Initial Health Impact Assessment**

<b>Area of impact</b>	<b>Details of health impact</b>	<b>Details of group(s) affected</b>	<b>Degree of impact</b>
-----------------------	---------------------------------	-------------------------------------	-------------------------

Please select type of impact from the drop-down list.	Describe in more detail what the impact on the health of local people might be (positive and negative impacts). Eg "The budget reduction will reduce access to the countryside so discouraging healthy lifestyles" or "The budget reduction might result in more people being unable to access the service which will be on-line only in the future - this can affect people's health and well-being".	Please describe which groups may be most affected by the health impacts (eg people on low incomes, people with existing medical conditions, older people, children etc).	Is the situation for this group likely to improve or become more unequal as a result of this budget reduction?
Other	Any changes arising to financial contributions made will be subject to an assessment in which a number of considerations including health will be taken into account	Only those who can afford to pay more will do so. This equates to only 6 % of Service Users being affected. These are the most financially affluent group of Service Users ,some of whom do not want	Positive and negative elements

**Full Health Impact Assessment**

Next steps

<b>Full HIA not usually required:</b>	If there are either no or only minor equality impacts identified for this budget reduction then a Full HIA is not usually required.				
<b>Full HIA usually required:</b>	Where there is likely be either a high / medium health impact then a Full HIA will usually be required.				
Is a full HIA required?	Details of Full HIA process - Who, how and when will this take place?	Public Health Lead consulted?			
No		<table border="1"> <tr> <td data-bbox="1771 630 2051 730"></td> </tr> <tr> <td data-bbox="1771 730 2051 762">Date last consulted</td> </tr> <tr> <td data-bbox="1771 762 2051 857"></td> </tr> </table>		Date last consulted	
Date last consulted					

Please email your completed Initial CIA to: [equalityanddiversity@barnsley.gov.uk](mailto:equalityanddiversity@barnsley.gov.uk)

# Full Equality Impact Assessment (Budget Efficiencies)

Please check that the summary details of the project, outlined in the Initial EIA are still correct and up to date.

Details

<b>Service</b>	<b>Lead Officer</b>	<b>Date</b>
People	Julie Moore	21st April 2017
<b>Business Unit</b>	<b>Email</b>	<b>Telephone</b>
Business Unit 2	julie.moore@barnsley.gov.uk	01226 772396

Summary

**Outline of policy/strategy**

The council's medium term financial strategy includes a requirement to £400K additional income from changes to the Fairer Contributions Policy

**Summary of policy/strategy objectives**

Removal of the £150 weekly cap on contributions towards care and support in the community - introduction of a one off charge for people who are not eligible for financial support but still wish the council to make their care arrangements for them, to cover the cost of making those arrangements - changes in relation to Disability Related Expenditure (DRE) to make clear the disregard would only apply to the additional costs incurred as a result of the disability, not all the costs.

**Reference**

0

Page 195

**What are the key equality and diversity questions you would like to ask?**

- eg Which diverse groups are likely to be most effected by the changes? How and why will they be most effected?
- Do some diverse groups experience greater need for services which the budget efficiency may reduce?
- Are some diverse groups less able to cope with any negative impacts that may result from the budget efficiency? Which groups are they and why are they less able to cope?
- How can the budget efficiency be revised / implemented differently so as to help minimise negative impacts or improve outcomes for diverse groups?
- How can the budget efficiency help to promote equal access to or take-up of services for all sections of the community?

Are we confident that only 6% of Service Users will be affected?

How will the proposed changes ensure equality in relation to paying a contribution towards the cost of social care support?

How can we ensure that those effected are supported to order to minimise negative impact?

Step 2

**How and when will you find out the answers to these questions?**

- eg Ask staff and other stakeholders what they know.
- Discuss the issue with service users.

Meet with a relevant community group or forum.

Analyse service performance data and compare it with local demographic data.

	Who	When
Analyse financial data and records on CONTROCC	Julie Moore	Apr-17
Meet with Barnsley Service User and Carers Group	Julie Moore	Apr-17
Encourage those who are negatively affected to complete the online Fairer Contributions Assessment or request for an FCA carrying out and for a review of their current support package. . This will be an asset and strength based review and will consider a range of different ways support for eligible needs can be delivered which may help to reduce costs.	Julie Moore	Aug-17

Step 3

**Customer Acces - How accessible is the service and how will this be affected by the budget efficiency?**

Has the service been assessed for the Minimum Access Standard?

Yes

Do you have an plan to improve customer access?

Yes

How will the budget efficiency affect this plan?

NA

**How accessible is your service for the following groups?**

Deaf (BSL Users)

Physical Impairment

Visual Impairment

Hearing Impairment

Learning Difficulty

Community Language

very - online information

very - online information or

acceptable - telephone

very - online information

acceptable as telephone

acceptable - can access an

Step 4

**What have you learnt about how this budget efficiency could impact on diverse groups?**

Impact is to a minimal group of people 6%

Some Care Providers might charge a higher hourly rate for people funding their own care and support

There will be a fairer system for the disregard of Disability Related Expenditure

People who will be self funding must have access to a range of information to help them make an informed decision about the support they decide to purchase.

Step 5

**How has (or will) the budget efficiency proposal / implementation plan been altered to minimise any inequalities / differential impacts for diverse groups?**

Who	When
-----	------

All service users will be offered the opportunity to have a full financial assessment to calculate their contribution. This is a basis for deciding how much, if anything, they can afford to pay	ASC and Financial Services August/Sept 2017	
Some Care Providers charge a higher rate for self funding clients. In order to mitigate for this, if as a result of the proposed changes a service user becomes self funding and their current provider would be charging them a higher hourly rate, providing they request for BMBC to continue to oversee their care arrangements BMBC could agree to continue to contract on their behalf, thereby ensuring the service user continues to benefit from our rates	ASC August/Sept 2017	
All service users will be offered the opportunity to have a full review of their social care support. This will be an assess and strength based review and consider a range of different ways support for eligible needs can be delivered which may help to reduce costs	ASC 2017/18	
The information on Live Well Barnsley website will be kept current and up to date, with new provider details being promptly added ensuring that service users have access to a range of information about services and organisations to access for support		

Step 6

**When and how will you assess the actual impact on diverse groups (ie after implementation)?**

eg When and how will you review the actual impact?

Was the actual impact better or worse than predicted?

Did the mitigating action you put in place have the desired effect?

What will you do differently if the actual impacts are different than those predicted?

	Who	When
Initially as part of the consultation process there will be analysis of the consultation which will be taken into consideration when the policy goes to cabinet for approval	Julie Moore	Jun-17
Analysis of financial data	Julie Moore	Mar-17
Respond to and analyse any complaint	Julie Moore and	Sep-17
Post Implementation review and report. This will inform the future development of the policy	Julie Moore	Jan-18

Step 7

**How will you make sure the decision makers are able to fully consider the outcomes of this EIA?**

eg Completed EIA to be presented to Cabinet - attached to the cabinet report

Issues log and risk register etc updated to reflect findings of EIA.

Performance management framework incorporates equality objectives and measures.

	Who	When
Completed EIA to be presented at Cabinet	Cabinet Spoke	Jun-17

Service risk and Issues log maintained and updated

Julie Moore

April to Nov 2017

Step 8a

**MONITORING - Which groups may experience a differential impact in this service area before the budget efficiency?**

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	+ve or -ve inequality
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group currently experience a differential impact and why. Eg "BME people, especially new arrivals to the borough, are under-represented amongst current service users".	Please select the level of inequality experienced by the group ( high, medium, low or none ).	Is the inequality positive or negative for the group?
Disabled people	People within this group are only adversely affected due to their levels of financial income. There is also currently a weekly contributions cap of £150 towards care and support in the community.	Medium	Positive and negative elements

Step 8b

**Which groups may experience a differential impact in this service area after the budget efficiency?**

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	Predicted improvement ?
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group will be affected and why. Eg "Disabled people with communication disabilities such as people with sensory impairments and people with learning difficulties because they may find using online services more difficult."	Please select the level of inequality likely to be experienced by the group after the project ( high, medium, low or none ).	Is the situation for this group likely to improve or become more unequal as a result of this project?
Disabled people	People within this group are only adversely affected due to their levels of financial income. However the number affected will increase due to the removal of the cap , but this will only affect 6 % of people	Medium	Don't know


Step 7b

**Consultation, Advice and Support**

E+I Team Consulted	E+I Business Partner (Name / email)	Date of most recent contact
Yes	Jules Horsler	Apr-17

Step 8

**Please email your completed EIA to:** [equalityanddiversity@barnsley.gov.uk](mailto:equalityanddiversity@barnsley.gov.uk)

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# Item 31

## BARNESLEY 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 for PLACE

#### Review of the Lettings Policy in response to changes in Universal Credit affecting the 18 to under 22 age group

#### 1. Purpose of report

- 1.1 To update on the outcome of the review of the Lettings Policy, recently undertaken by Berneslai Homes. The review was prompted by changes in Universal Credit legislation affecting the 18 to under 22 age group.
- 1.2 To seek approval to make amendments to the Council's Letting Policy as recommended and highlighted in Appendix 1 of the report.

#### 2. Recommendations

##### **It is recommended that:**

- 2.1 The proposed amendments to the Council's Lettings Policy and Code of Guidance as contained in Appendix 1 are agreed.
- 2.2 The Council works with Berneslai Homes and other agencies to provide advice and to support those applicants adversely affected by the legislative changes.
- 2.3 That a review of how the housing needs of those individuals affected by the amendments to the Lettings Policy be undertaken as part of the Housing Allocations and Community Safety Service Review; the proposals/actions to be presented to Cabinet over the coming months.

#### 3. Introduction

- 3.1 The current Lettings Policy was agreed by the Council and implemented from April 2014. Although there has been a minor amendment in the Lettings Policy in 2016, to reflect changes in how we advertise vacancies following the Access to Service review, the policy is and has remained fit for purpose since the last review in 2014.
- 3.2 The changes in the Welfare Benefits system contained in 'The Universal Credit (Housing Costs Element for claimants aged 18 - 21) (Amendment) Regulations 2017 means that we need to review the way we deal with housing applicants aged 18 to under 22, who will no longer automatically qualify for financial assistance towards their rent payments, subject to their financial situation. The Council do not offer tenancies to under 18's as a general rule.

#### 4. Current Situation

- 4.1 Whilst the current Lettings Policy is still considered 'Fit for Purpose', changes brought about by the introduction of The Universal Credit (Housing Costs Element for claimants aged 18 to 21) (Amendment) Regulations 2017 means that from 1st April 2017 the Housing Costs Element of Universal Credit will not be payable to all claimants aged 18 - 21 years old, going forward. To avoid offering accommodation to housing applicants which may not be affordable, the council must consider how we manage housing applications from young people aged 18 to under 22.
- 4.2 The review of the Lettings Policy, which has been managed by the Lettings Manager at Berneslai Homes (in consultation with the Council and other key stakeholders including Berneslai Homes tenants), has concentrated on addressing the potential affordability issues for 18 to under 22 year old housing applicants who may no longer qualify for assistance with their housing costs given the changes in Universal Credit. These changes were partially introduced by Government from the 1st April 2017 and will be fully rolled out in Barnsley in July 2017 as part of the Government's Universal Credit implementation timetable.
- 4.3 The review resulted in a 'Preferred Option' and proposed several recommended changes to the Lettings Policy and Code of Guidance as included in Appendix A. These changes were presented to the Berneslai Homes Board on 4<sup>th</sup> May 2017, recommending that the Board support submitting the 'Preferred Option' for Council approval. In summary, the recommendations propose that:
- Housing applicants aged 18 to under 22 should still be able, subject to the existing Lettings Policy eligibility criteria, to make applications and be eligible to join the Council's housing waiting list and bid for homes via Choice Based Lettings. At the time of joining the register, an initial affordability assessment will be undertaken to explore how the applicant intends to pay their rental costs. Any unemployed applicants will be advised to liaise with the Department for Works and Pensions (DWP) to ascertain whether they might qualify for assistance with their housing costs should their housing application be successful.
  - When applicants aged 18 to under 22 become eligible for an offer, a financial assessment will be undertaken to ensure that the applicant is able to pay their rent, either from their own income or because they are one of the exempt cases under Universal Credit regulations and therefore will still be able for assistance with their housing costs under Universal Credit. The details of the financial assessment are being worked up by Berneslai Homes' Tenancy Support Team but will review overall affordability (including all living expenses) and not just the ability of a perspective tenant to pay their rent.
  - Where the housing applicant is able to afford the rent for the property, the offer will go ahead.
  - Where the offer is unaffordable, the housing applicant will be advised that they will not qualify for an offer until their situation changes and they

either become eligible for assistance with housing costs through Universal Credit, or they gain employment and have sufficient income to pay their housing costs direct. There will be an appeals process for any prospective tenant who is turned down for accommodation on affordability grounds. This will be consistent with the existing appeals process as detailed in the Lettings Policy (pages 40-43).

**Impact on Housing Waiting List Applicants:**

- 4.4 As at 1st April 2017, from a waiting list of 5603, there were 707 applicants within the age group 18 - under 22 years. Of the 707 applicants, 241 are single persons and would potentially be adversely affected by these proposals. This equates to 4.3% of the total waiting list. However, the list of cases which the Government has indicated will be exempt from the Universal Credit changes means that fewer than 241 are likely to be affected, in reality. Whilst not exhaustive, exemptions to the changes are likely to be granted to those applicants who are:
- In work (with earnings threshold)
  - Out work less than 6 months (employed before for more than 6 months)
  - Couples
  - Care Leavers
  - Who can't live with parents (DWP assessment)
  - Unable to work due to medical issues
  - Single parents with child/children under 3
  - Carers
  - Pregnant people (29 weeks+)
- 4.5 In 2016/2017 Berneslai Homes rehoused 112 under 22 year old applicants out of a total number of lettings of 1456. 7.7% of the total number of allocations. Of this total 48 (3.3% of allocations completed) were single persons and potentially would have been affected by the proposals had they been effective in 2016/17. Of these 48 applicants it is believed that 37 would have been eligible for housing on the basis of falling in to one of the exempt categories or were in employment leaving 11 who would not therefore have received an offer.
- 4.6 Whilst it is anticipated that the numbers of affected applicants will be low, the impact of the benefit changes could be significant on both:
- The availability of accommodation for young people in the region, as some Local Authorities and Registered Providers may choose to completely exclude this age bracket from their waiting lists/allocations policies. This, in turn, impacts on other Council services e.g. Housing Options and Welfare Advice and, ultimately, Homelessness.
  - Rent collection rates and the sustainability of tenancies for Council/ Registered providers.

The recommended changes in the Lettings Policy will help to mitigate these effects.

## **5. Proposal and justification**

- 5.1 It is proposed that the recommendations made as a result of the review are supported and the proposed changes to the Lettings Policy and Code of Guidance implemented.
- 5.2 The withdrawal of housing support for non-exempt 18 to 22 year olds will result in these individuals being unable to pay their rent if allocated a property and this will result in almost certain eviction. This is not in the best interest of these individuals as their credit rating will be adversely affected and they will have the negative experience of failing to maintain a tenancy
- 5.3 Whilst these changes will have a negative impact on a small number of housing applicants, the Council must ensure that it is not allocating properties which are unaffordable. Debt and money worries can have a detrimental effect on health and well-being and could exacerbate the vulnerability of young applicants.
- 5.4 From a business perspective, the council also needs to ensure that it continues to maintain rental collection rates which are re-cycled back into the HRA for the purpose of both maintaining and retaining a quality supply of social housing across the borough.
- 5.5 These Policy changes will be accompanied by the provision of further detail regarding the financial assessment and appeals process for applicants and a review, as part of the Housing Stock Options Service Review for Housing Allocations and Community Safety, on how the Council and Berneslai Homes can do further work with vulnerable service users, affected by the legislation, to secure affordable accommodation.

## **6. Implications for local people / service users**

- 6.1 The Universal Credit (UC) regulation changes will adversely impact 'new claim' applicants aged 18- under 22. Non-automatic payment of the housing element of UC will mean that many young people, who are reliant on benefits, will have a lack of affordable housing options.
- 6.2 The proposed changes to the Lettings Policy will mean that some applicants will not be offered social housing accommodation if a financial check identifies that that they cannot afford to cover the rent.
- 6.3 Whilst the Council would not choose to exclude young applicants from accessing social housing accommodation, changes to UC nationally mean that mitigations need to be put in place to prevent young people from potentially being offered accommodation which is unaffordable.
- 6.4 To militate against the negative impact of these changes, the council proposes to approve the changes to Lettings Policy and to undertake a review of how the Council and Berneslai Homes can do further work with affected service users to explore accommodation options that are affordable.

## **7. Financial implications**

- 7.1 Consultations on the financial implications have taken place with representatives of the Executive Director of Core Services.
- 7.2 There are no direct financial implications from this report.

## **8. Employee implications**

- 8.1 There are no issues arising directly from this report.

## **9. Communications implications**

- 9.1 Relevant lettings literature and the BH website will be updated to reflect this policy change, accordingly.

## **10. Consultations**

- 10.1 Consultations have taken place with the Berneslai Homes' Senior Management Team and BH Board (4<sup>th</sup> May), Senior Officers and the Cabinet Spokesperson for Place within the Council and Barnsley Tenants and Residents Federation who are supportive of the approach being recommended.

## **11. Tackling Health Inequalities**

- 11.1 The recommended changes will impact on the availability of social housing accommodation to some 18-under 22 year old applicants on the housing waiting list. However, the changes to the Lettings Policy aim to minimise the impact of this new legislation on affected young people. Offering accommodation which is unaffordable could impact on the health and well-being of young people, their financial situation and opportunity to access further accommodation in the future (if they get evicted, have arrears, poor references etc.).

## **12. Climate Change & Sustainable Energy Act 2006**

- 12.1 There are no issues arising from this report.

## **13. Risk Management Issues**

- 13.1 There are 'business' risks associated with not making the proposed changes to the Lettings Policy. These include the potential for: increased rent arrears and resultant evictions and the sustainability of tenancies and neighbourhoods. The recommended changes aim to address some of these risks.
- 13.2 There is a risk that delays in customers providing information regarding their income etc. will increase the void turnaround time. Berneslai Homes intend to notify customers at the earliest possible opportunity of the need to provide financial information to mitigate any increases in void turnaround times.
- 13.3 Clearly, there is also a risk that some vulnerable people will not have access to social housing provided by the Council and managed by Berneslai Homes. If other local RPs and Housing Providers/landlords choose to exclude young

people from their accommodation altogether, there is a real risk of increased homelessness amongst certain groups of young people across the borough and beyond. The changes look to strike a balance between still assisting young people to secure social housing, but not offering accommodation which is unaffordable and could exacerbate the vulnerability of a service user further.

**14. Promoting Equality & Diversity and Social Inclusion**

- 14.1 Changes to the housing element of Universal Credit payments will directly impact on some young people aged 18- under 22. The recommendations have been subject to an Equality Analysis by Berneslai Homes, a copy of which is attached at Appendix 3. The proposals to change the Lettings Policy are designed to minimise the effects of this legislation on the 18 to under 22 age group.
- 14.2 Equality monitoring of the Lettings Service forms part of the Berneslai Homes Performance Management Framework considered by Senior Managers.
- 14.3 The recommendations are supported subject to the Council and Berneslai Homes reviewing how they can support/advise you people affected by the legislative changes to source affordable accommodation. This will be considered within the Housing Stock Options review Housing Options Service Review.

**15. Background Papers**

Appendix 1 – Proposed Updates to Lettings Policy and Code of Guidance

Appendix 2 - Berneslai Homes Board Papers 4<sup>th</sup> May Item 12.

Appendix 3 – Berneslai Homes Equalities Analysis

The full Lettings Policy is available online at: <https://www.berneslaihomes.co.uk/wp-content/uploads/2016/11/LETTINGS-POLICY-2014-revised-2016.pdf>

The full Code of Guidance is available online at: <https://www.berneslaihomes.co.uk/wp-content/uploads/2016/11/LETTINGSPOLICYCODEOFGUIDANCENovember-2016.pdf>

Office Contact: Sarah Cartwright	Date:
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Financial Implications / Consultation:



Date: 23/05/2017

Consultations have taken place with representatives of the Executive Director – Core Services

## **Appendix 1 – Proposed Changes to the Lettings Policy and Code of Guidance**

**The revised Draft Lettings Policy - Recommended changes contained in Section 8g (page 29).**

### **8g Housing applicants aged 18-21 years old**

All applicants aged 18-21 will be eligible to join the waiting list, subject to satisfying Section 6a of this policy. However as some 18-21 year old applicants are no longer eligible for the Housing Cost Element of Universal Credit, in accordance with Statutory Instrument 2017, No.2 The Universal Credit (Housing Costs Element for claimants aged 18 to 21) (Amendment) Regulations 2017 any offer of accommodation will be subject to a Pre-Tenancy Assessment which includes a Risk Assessment and affordability check.

Offers will only be made to applicants aged 18-21 years able to demonstrate that they can afford to sustain the tenancy: support and advice may be offered to overcome difficulties where appropriate.

To carry out the affordability check, documents will need to be produced to support the figures, so bank statements, benefits letters, wage slips etc. will be asked for.

The above paragraph has been added to the Assessment Procedures section of the Lettings Policy. The paragraph explains that whilst 18-21 year olds are still eligible to join the waiting list, an offer of accommodation will now be subject to a pre-tenancy assessment. The offer will be withdrawn if an applicant fails the affordability check.

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**The revised Draft Code of Guidance - Recommended changes are contained within Section 9f (viii) (Page 76).**

### **9f (viii) Applicants aged 18-21 years old**

As a result of The Universal Credit (Housing Costs Element for Claimants aged 18-21) (Amendment) Regulations 2017 (2017 No. 252) not all housing applicants will be eligible for assistance with their housing costs through the welfare benefits system (Universal Credit). These changes mean that we have to undertake an assessment of an applicant's financial ability to maintain a tenancy prior to any tenancy being offered.

Applications from people aged 18-21 years will be accepted onto the waiting list (subject to the applicant satisfying any immigration requirements and the standard exclusion/suspension appendices within the Lettings policy) and will be eligible to make applications for vacancies through the standard choice based lettings system.

At the time the application is acknowledged and accepted onto the waiting list we will inform the applicant of our requirement to undertake a financial assessment. They will be advised to begin collecting the information we will ask for should they become eligible for an offer of

accommodation and where appropriate asked to contact DWP to check eligibility for Housing Cost Element assistance under Universal Credit.

Should the applicant come up for an offer of accommodation, an affordability assessment will be undertaken. The applicant may be asked to provide proof of their income, any welfare benefits received and employment status, in order that an affordability assessment to be undertaken. We will hold the vacant property for a maximum of 10 working days to give the applicant time to provide the information. Where the necessary information is not provided within the prescribed period, the offer will be withdrawn.

On receipt of the information we will undertake a financial assessment to ascertain whether the rent of the property on offer is affordable.

Where the property is deemed affordable either with support through Universal Credit – Housing Costs Element or through the earnings/ savings of the applicant, the offer will be made.

Where the assessment determines the rent to be unaffordable, the offer will be withdrawn. The application will be placed in a pending status. The applicant will be informed of the decision and what they might do to qualify for an offer.

The Universal Credit (Housing Costs Element for claimants aged 18 to 21) (Amendment) Regulations 2017 stipulate that the following category of persons, aged 18-21 years old, will still be eligible for assistance with their Housing Cost Element of Universal Credit:

- Applicants who have responsibility for a child or a qualifying person.
- Was a Care Leaver before reaching the age of 18.
- The applicant has no parents or where neither parent lives in Great Britain
- Where the Secretary of State considers that it would be inappropriate for the young person to return to the parental home (The Government will determine this)
- Receives the care component of Disability Living Allowance at the middle or highest rate or the daily living component of Personal Independence Payment (PIP)
- Is subject to active multi-agency management arrangements (MAPPA case)
- Is in temporary accommodation provided by a local authority in respect of their homelessness duties
- Has been subject to, or threatened with, domestic violence by their partner, former partner, or a family member
- Where, due to caring responsibilities or a physical or mental impairment, the number of hours the claimant is expected to work is less than 35 hours per week
- Those applicants on whom a work-search requirement cannot be imposed due to the range of time-limited circumstances prescribed in the Universal Credit Regulations 2013 (SI 2013/376). These include where the applicant has suffered a bereavement



within the past 6 months (in relation to a partner, a child for which the applicant is responsible for or the child of a partner)

- They are receiving treatment for an addiction. (The claimant is, and has been for no more than 6 months, receiving and participating in a structured recovery-orientated course of alcohol or drug dependency treatment)
- Those applicants who are currently in work and have net earnings in an assessment period above a prescribed amount. This amount is set at the monthly equivalent that a person would earn working 16 hours per week at the National Minimum Wage for a person aged 18-20 years (£89.60 per week as at April 2017) If the applicant is under a contract of apprenticeship, the amount is set at the monthly equivalent of 16 hours per week at the National Minimum Wage of apprentices (£56 per week from April 2017) There is a time limited exemption of 6 months for those applicants who do not satisfy who do not satisfy this requirement in an assessment period but whose earnings were at this level or above for a prescribed 6 month period.
- Applicants who are already in receipt of Housing Benefit/ Housing Cost element at the time of an offer of accommodation. Must not have a break in claim.

The above paragraph has been added to Section 9f of the Code of Guidance, which lists the situations and process for cases which need a Special Assessment. The pre-tenancy assessment for 18- under 22 year olds is a new process.

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A fresh approach to people, homes and communities

**Agenda Item 12**

Report of the Director of  
Customer and Estate  
Services to Board  
4<sup>th</sup> May 2017

**REVIEW OF THE LETTINGS POLICY AS A RESULT OF CHANGES IN  
UNIVERSAL CREDIT FOR 18 TO UNDER 22 YEAR OLD CLAIMANTS**

**1. Executive Summary**

The purpose of this report is to update Board on the review of the Lettings Policy following the changes in Universal Credit regulations relating to housing costs for 18 to under 22 year olds and to seek Board approval to recommend the changes to the council.

**2. Recommendations**

**2.1 That the Board agree the proposed changes to the Lettings Policy and Code of Guidance as contained in Appendix 1.**

**2.2 The Director of Customer & Estate Services to forward these recommended changes to the Lettings Policy and Code of Guidance to the Council for consideration and agreement of the changes.**

### 3. Introduction/Background

- 3.1 The current lettings policy was agreed by the Council and implemented from April 2014. Although there has been a minor amendment in the Lettings Policy in 2016 to reflect changes in how we advertise vacancies following the Access to Service review, the policy is and has remained fit for purpose since the last review in 2014.
- 3.2 The changes in the Welfare Benefits system contained in 'The Universal Credit (Housing Costs Element for claimants aged 18 - 21) (Amendment) Regulations 2017 means that we need to review the way we deal with housing applicants aged 18 to under 22, who will no longer automatically qualify for financial assistance towards their rent payments, subject to their financial situation.

### 4. Current Position

- 4.1 The current Lettings Policy was implemented by Berneslai Homes in April 2014.
- 4.2 While the current Lettings Policy is still considered 'Fit for Purpose' changes brought about by the introduction of The Universal Credit (Housing Costs Element for claimants aged 18 to 21) (Amendment) Regulations 2017 means that from 1st April 2017 the Housing Costs Element of Universal Credit will not be payable for all claimants aged 18 - 21 years old going forward. We now need to review the way we deal with housing applicants aged 18 to under 22 to avoid the situation whereby we are offering accommodation to housing applicants that may no longer be affordable.
- 4.3 A copy of the revised Universal Credit Regulations are attached at Appendix 3 of this report together with a summary of the regulations and importantly the exceptions to the regulations which highlights who may still receive support with housing costs in the future.
- 4.4 The review of the Lettings Policy, which has been managed by the Lettings Manager, has included a presentation to the Customer Panel in February 2017, discussions with members of Barnsley Tenants and Residents Federation and Senior Officers and the Cabinet Spokesperson for Place from the Council, who have agreed in principal the proposed direction for dealing with 18 to under 22 year old housing applicants.
- 4.5 The review has concentrated solely on addressing the potential affordability issues for 18 to under 22 year old housing applicants who may no longer qualify for assistance with their housing costs given the changes in Universal Credit which were partially introduced by Government from the 1st April 2017 and will be fully rolled out in Barnsley in July 2017 as part of the Government's Universal Credit implementation timetable.

- 4.6 The recommended changes to the Lettings Policy and Code of Guidance, which supports the Lettings Policy, are in summary:
- Housing applicants aged 18 to under 22 will still be able, subject to the existing Lettings Policy eligibility criteria, to make applications and be eligible to join the waiting list.
  - Following initial assessment the applicant will be advised of their eligibility to join the waiting list and that should they become eligible for an offer of accommodation an affordability assessment will be undertaken. At this time we will advise any unemployed applicant to liaise with the Department for Works and Pensions (DWP) to ascertain whether they might qualify for assistance with their housing costs should their housing application be successful
  - Housing applicants aged 18 to under 22 years old will still be eligible to apply for accommodation through the Homeseeker Choice Based Lettings Service.
  - When applicants aged 18 to under 22 become eligible for an offer, it is proposed that a financial assessment is undertaken to ensure that the applicant is able to pay their rent, either from their own income or are one of the exempt cases under Universal Credit regulations and therefore will still be able for assistance with their housing costs under Universal Credit. Where the housing applicant is able to afford the rent for the property, the offer will go ahead and where the offer is unaffordable we will advise the housing applicant that they will not qualify for an offer until their situation changes and they either become eligible for assistance with housing costs through Universal Credit or they gain employment and have sufficient income to pay their housing costs direct.
- 4.7 As at 1st April 2017 out of a waiting list of 5603 there were 707 applicants within the age group 18 - under 22 years. Of the 707 applicants, 241 are single persons and potentially adversely affected by these proposals. This equates to 4.3% of the total waiting list. However, the list of cases which the Government has indicated will be exempt from the Universal Credit changes means that fewer than 241 are likely to be affected.
- 4.8 In 2016/2017 we rehoused 112 under 22 year old applicants out of a total number of lettings of 1456. 7.7% of the total number of allocations. Of this total 48 (3.3% of allocations completed) were single persons and potentially affected by the proposals had they been effective in 2016/17.
- 4.9 Whilst it is anticipated that the numbers of affected applicants will be low, the impact of the benefit changes could be significant on both:
- The availability of accommodation for young people, as some local authorities and Registered Providers may choose to completely exclude this age bracket from their waiting lists/allocations policies.
  - Rent collection rates and the sustainability of tenancies for Council/ Registered providers.

The recommended changes in the Lettings Policy will help to mitigate these effects.

## 5. Options

- 5.1 Do not change the Lettings Policy/Code of Guidance and allow housing applicants aged 18 to under 22 to gain tenancies without any financial checks being undertaken. This is likely to result in increased rent arrears, and tenancy failures.
- 5.2 Exclude housing applicants from joining the waiting list. This will result in less risk to income collection but will drastically reduce the housing options to this age group and may well affect the demand for smaller units of accommodation, studio and one bedroom flats which younger people tend to request.
- 5.3 Allow housing applicants aged 18 to under 22 to join the waiting list but carry out a financial assessment prior to offer to ensure any accommodation offered is affordable and the tenancy has the maximum opportunity to be sustainable. This is the recommended option.

## 6. Consultations

- 6.1 Consultations have taken place with Berneslai Homes' Senior Management Team, Senior Officers and the Cabinet Spokesperson for Place within the Council and Barnsley Tenants and Residents Federation who are supportive of the approach being recommended.

## 7. Equality and Diversity

- 7.1 These recommendations have been subject to an Equality Analysis which has included Members of this Board. While the Government's policy to restrict access to housing costs support is directly aimed at younger people, the proposals to change the Lettings Policy are designed to minimise the effects on the 18 to under 22 age group.
- 7.2 Equality monitoring of the Lettings Service forms part of the Berneslai Homes Performance Management Framework considered by Senior Managers.

## 8. Risks

- 8.1 There are risks associated with not making the proposed changes to the Lettings Policy in terms of increased rent arrears, possible evictions and adversely affect tenancy sustainability. The recommended changes aim to address some of these risks.
- 8.2 There is a risk that delays in customers providing information regarding their income etc. will increase the void turnaround time. We intend to notify customers at the earliest possible opportunity of the need to provide financial information to mitigate any increases in void turnaround times.

9. Financial Implications/Value for Money
- 9.1 There are no direct financial / value for money implications resulting from this report.
10. Employee Implications
- 10.1 None arising directly from this report.
11. Agreement of the Council required or divergence from the Strategic Plan
- 11.1 The Lettings Policy is a Council Policy. Any agreement to change the Lettings Policy by this Board will need the approval of the Council.
12. Proposal
- 12.1 That Board approve the recommended changes to the Lettings Policy.
13. Glossary
- 13.1 None.
14. List of Appendices
- 14.1 Appendix 1 – The revised Draft Lettings Policy - Recommended changes contained in Section 8g (page 29).
- 14.2 Appendix 2 – The revised draft Code of Guidance - Recommended changes are contained within Section 9f(viii) Page 76.
- 14.3 Appendix 3 – Summary of the changes in Universal Credit: Housing Costs for 18 to under 22 year olds.
15. Background Papers
- 15.1 The Universal Credit (Housing Costs Element for Claimants aged 18 to 21) (Amendment) Regulations 2017.
- 15.2 Explanatory Memorandum to The Universal Credit (Housing Costs Element for Claimants aged 18 to 21) (Amendment) Regulations 2017. 2017 No. 252.

Financial Implications/Consultations

*A. Ruddle*

Officer Contact: Bob Cartwright  
Lettings Manager

Tel. No. 787676

Date: 24th April 2017

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## **Universal Credit: housing costs for 18 to 21 year olds**

From 1st April 2017, the rules are changing for young people aged 18 to 21 who want to claim help with housing costs in areas where Universal Credit is fully rolled out.

Unemployed young people who can live in their family home will no longer automatically receive an amount for housing in their Universal Credit award.

Young people who are in work, have children of their own, are disabled or are vulnerable are not affected by this change. A full list of exemptions is given below.

Landlords can continue to rent to these young people with confidence.

Most will have clear upfront evidence that they are exempt - for example those in work or claiming a disability benefit. This evidence could also be in the form of a statement from a trusted third party (e.g. a local authority homelessness team or a relevant charity) that the young person is unable to return to the parental home.

Some young people will be eligible for support because they are unable to return to the parental home, but will not have upfront evidence. In these cases any extenuating circumstances will be taken into account.

### **18 to 21 year olds who can get help with housing costs**

- Those for whom it is inappropriate for the young person to live with their parents, for example where there has been a breakdown in the relationship with their parents, where the young person has been asked to leave the family home, or where the need to live independently is part of an agreed plan with relevant support agencies
- Those who are claiming Universal Credit in a live service area
- Those who are responsible for a child or a qualifying young person
- Those who get the care component of Disability Living Allowance at the middle or highest rate
- Those who get the daily living component of Personal Independence Payment
- Those who have a physical or mental impairment and are not expected to work more than 35 hours a week
- Those who are a relevant carer and are not expected to work more than 35 hours a week
- Those who were a care leaver before the age of 18
- Those who are a victim of domestic violence
- Those who live in Temporary Accommodation
- Those who have no parent

- Those who cannot live with their parents because they do not have a home in Great Britain
- Those who cannot live with their parents because of a serious risk to their physical or mental health or significant risk of harm
- Those who earn the monthly equivalent of 16x National Minimum Wage in their Universal Credit assessment period
- Those who have a contract as an apprentice on the last day of their Universal Credit assessment period. Continuing entitlement is dependent on them earning the monthly equivalent of 16x National Minimum Wage for apprentices during each assessment period
- Those who have made a new claim to Universal Credit and earned the monthly equivalent of 16x National Minimum Wage for 18 to 20 year olds each month for the 6 calendar months before the month in which they made their claim to Universal Credit (see National Minimum Wage and the in-work threshold calculation below)
- Those who have made a new claim for Universal Credit and have been contracted as an apprentice for the 6 months before the month in which they claim Universal Credit and they were earning the monthly equivalent of 16X National Minimum Wage for apprentices throughout that period
- Those who are an existing Universal Credit claimant and: a) earned the monthly equivalent of 16x National Minimum Wage for 18 to 20 year olds in each of the 6 previous assessment periods, or b) have received Universal Credit for less than 6 months and have earned the monthly equivalent of 16x National Minimum Wage for 18 to 20 year olds in each of the previous assessment periods and in any additional calendar months within the last 6 months but before the month in which they claimed.
- Those who are an existing Universal Credit claimant contracted as an apprentice and: a) earned the monthly equivalent of 16x National Minimum Wage for apprentices in each of the 6 previous assessment periods, or b) have received Universal Credit for less than 6 months and have earned the monthly equivalent of 16x National Minimum Wage for apprentices in each previous assessment period and in any additional calendar months within the last 6 months but before the month in which they claimed.
- Those who are a member of a couple who claim Universal Credit as a couple
- Those who are covered by multi-agency public protection arrangements (MAPPA) - for example: registered sex offenders, violent and other types of sexual offenders, offenders who pose a serious risk of harm to the public, certain claimants in Scotland who may cause serious harm to the public
- Those who are a prisoner in custody or on remand
- Those who are attending a court or tribunal as a party to any proceedings or as a witness
- Those who are under protection arrangements because they are involved in

criminal investigations or proceedings

- Those who are getting treatment for alcohol or drug dependency
- Those who are abroad for no more than 6 months to get treatment for an illness or physical or mental impairment or for medically approved convalescence or care, or are accompanying a partner, child or qualifying young person for whom they are responsible and they are receiving such treatment, convalescence or care
- Those whose partner or child has died in the last 6 months
- Those who are taking part in activity that is in the nature of a public duty, for example jury service
- Those who are expecting a baby within 11 weeks
- Those who miscarry or whose baby is stillborn after the 24th week of pregnancy
- Those who have a fit note showing they cannot work for up to 14 days
- Those who are not subject to 'all work-related requirements' conditionality as part of their Universal Credit claim
- Those who are a Housing Benefit claimant who moves into a Universal Credit full service area or are transferred into Universal Credit full service by DWP who are entitled to Housing Benefit at the point that they move or are moved
- Those who moved into a Universal Credit full service area or are transferred from Universal Credit live service to Universal Credit full service after 31 March 2017 and were receiving the Housing Costs element when they moved or were transferred
- Those who have been claiming in Universal Credit full service since before 1 April 2017 and their claim includes the Housing Costs element.

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## Equality Analysis

**Name of policy service or function:  
Lettings Policy- Change to assessment  
of applicants aged 18-21 years old  
(inclusive)**



### Purpose

There are legal, moral and best practice reasons for ensuring that our policies do not discriminate against people and to actively promote equality of opportunity where ever possible.

This Equality Analysis (EA) should be completed for all policies, strategies and functions – when they are being developed or when they are being reviewed. It is not a one-off process however, only the start of a longer process whereby equality is embedded into the mainstream of your policy development and review.

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**By doing an Equality Analysis you will be able to focus on the equality issues that are the most important, plan the improvements needed and evaluate their success.**

Equality analysis should help you, not restrict you; you may also wish to group several policies with a similar purpose or remit within a single EA.

### What to include

Use research, customer profile information and the results of consultation and surveys to evidence your responses and comments. It is best practice to include the views and feedback from people with different characteristics and experience. If appropriate, different people should be involved in the EA process at some point.

It is **not recommended** for just one individual to carry out an EA. Where possible, the EA should involve:

- ✓ The person (or people) who are responsible for the policy or function (the 'owner')
- ✓ The people who implement the policy (officers)
- ✓ The people who the policy is for (customers, staff)

### Equality requirements

The law on equality is complex and rapidly changing. **If you are in any doubt about the requirements of the legislation, or how to complete this EA, then you should seek advice from the Organisational Development Manager.**

Name of Manager responsible for completing equality analysis	<b>Bob Cartwright</b>
Names of other people involved in the analysis	<b>Julie Walker, Julie Griffiths, Councillor Roya Pourali, Councillor Caroline Makinson, Debbie Ibbeson and Tracy Shaw</b>
Is this a new policy/service or a review of an existing policy/service?	<b>New</b> Existing
What is the purpose of the policy/service?	<ul style="list-style-type: none"> <li>• To contribute to the development of balanced and sustainable communities</li> <li>• To create and , wherever possible, maximise choice for housing applicants</li> <li>• To provide flexible and affordable housing options which meet expectations</li> <li>• To seek to promote social inclusion</li> <li>• To meet housing needs</li> <li>• To make effective use of the housing stock</li> <li>• To minimise relet void periods</li> <li>• To minimise the incidence of difficult to let property</li> <li>• To promote and achieve equality of opportunity</li> <li>• To adhere to relevant legislation and regulatory framework</li> <li>• To assist the local authority in meeting its' statutory and corporate responsibilities towards Barnsley residents</li> <li>• To ensure that the council fulfils its legal responsibility to produce a lettings policy.</li> </ul>
Who is intended to benefit from the policy and in what way?	<p>Applicants on the Housing Register (including transfer applicants) and their households, through assessing their housing need and satisfying the need of those with the highest priority.</p> <p>Existing tenants and residents, through reducing the number of empty properties and any associated crime and disorder on estates, lessening the environmental impact of these and preventing anti-social behaviour related to these.</p> <p>The wider community by contributing to safer sustainable communities</p>

		The council in satisfying its legal duties to publish a lettings policy.	
Does the policy, service or function you are reviewing comply with relevant equality legislation?		√ Yes – fully <input type="checkbox"/> More investigation needed <input type="checkbox"/> Specific concern identified	
Has an EA been carried out previously?		√ Yes But not directly linked to the current minor amendments to the Lettings policy	
What were the main findings of the previous EA, and what actions were taken?		<p><b>Main Findings</b></p> <p>There is potential for inconsistencies in dealing with people who present with a criminal background, especially if the customer fails to declare all the relevant circumstances. The arrangement to reduce/eliminate the impact includes the Special Assessment Process and Senior Managers authorising any exclusions or suspensions. Other support agencies are aware of their role in ensuring their clients make full disclosure to enable accurate assessments to be made.</p> <p>There is little evidence to suggest that there is any discrimination under the CBL system. Although we acknowledge that customers with disabilities could be disadvantaged. We overcome this by maintaining a list of vulnerable customers who need assistance accessing the CBL service. In addition support agencies are utilised to minimise any potential disadvantages.</p> <p>We maintain a comprehensive data base of all disabled customers needs including: physical, sensory and mental health issues and what their specific property requirements are.</p> <p><b>Actions</b></p> <p>None outstanding</p>	
Date this EA commenced	3.4.2017	Date this EA completed	12.4.2017
EA Review date (+ 3 years from now)		April 2020 or sooner if Lettings Policy reviewed.	

Using the sections below, review the policy, service or function under consideration, in relation to the protected characteristics:

	<p><b>People with the protected characteristics below have different needs, experiences or priorities. With regard to this policy service or function please identify what might lead to (or has led to) unequal service delivery. Please indicate what steps you have taken or might take to mitigate the potential inequality. Please transfer any planned actions to the table at the end of this document.</b></p>
<b>General Comments</b>	<p>The suggested changes to the lettings policy directly relate to changes in the national welfare benefits system. Under: The Universal Credit (Housing Costs Element for claimants aged 18 to 21 ) (Amendment) Regulations 2017. Under these regulations the automatic right to help with housing costs under Universal Credit will end for 18years olds to under 22 year olds. The Government have announced a number of categories of individuals who will still get assistance with their housing costs _ See appendix 1 to this Equality Analysis.</p>
<b>Age</b>	<p>The changes in Universal Credit Regulations directly relates to people aged 18 to under 22 year old and will have a direct effect on those individuals, unless the Secretary of state has indicated that they are in an exempt category. The lettings policy will allow all 18 to under 22 year olds, looking for council housing, to join the waiting list. An assessment of the financial situation of housing applicants who are aged 18 to under 22 will have a financial assessment undertaken to determine whether an offer can go ahead. This is to ensure that any offer of accommodation is both affordable to the individual and to give the tenancy the maximum opportunity to succeed/ be sustainable.</p> <p>Existing tenants from this age group are less likely to be affected          We will need to monitor and report on the effects of this policy on individual housing applicants.          As of 12<sup>th</sup> April 2017 696 families are on the waiting list aged 18 to under 22. The actual number of families rehoused from this age group numbers approx. 120 per year.</p>
<b>Race/Ethnicity</b>	<p>There is no indication that are any qualitative or quantitative differences towards applicants in this group</p>
<b>Gender</b>	<p>Although the policy is not gender specific it is likely that the policy will adversely affect males more than females given one of the exemptions is for families with children/ caring responsibilities and a majority of females on the waiting list have children.</p>
<b>Disability</b>	<p>One of the exemptions announced by the government who will retain the right to assistance with housing costs are people in receipt of Disability Living Allowance at the middle or highest rate and people who receive the daily living component of Personal Independence Payment</p>
<b>Religion/Belief</b>	<p>There is no indication that are any qualitative or quantitative differences towards applicants in this group</p>
<b>Sexual orientation</b>	<p>There is no indication that are any qualitative or quantitative differences towards applicants in this group</p>



<b>Gender reassignment</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group
<b>Pregnancy and Maternity</b>	One of the exemptions announced by the government who will retain the right to assistance with housing costs are females who are expecting a baby within 11 weeks
<b>Marriage and Civil partnerships</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group
<b>Socio-economic factors</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group

	<b>2 What evidence do you have, or can you get, for any comments about inequalities in section 1. For example, anecdotal evidence, reports from Northgate, customer satisfaction data or local or national reports. Any reports you need to run should be included as an action at the end of this document.</b>
<b>General Comments</b>	
<b>Age</b>	We currently have 696 applicants on the waiting list in this age group. Although it is difficult to accurately determine how many applicants will be adversely affected because, although some of the exemptions are clear ie pregnancy, care leavers, MAPPA cases and families with children, some are not so clear and will be determined by the department for Works and Pension (DWP) eg young people who cannot live with their parents/ Domestic violence cases etc. In these examples initial indications are that the DWP will make the decision on eligibility for financial assistance towards housing costs. Indications are that DWP will determine these on a case by case basis
<b>Race/ethnicity</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group
<b>Gender</b>	Of the 112 applicants aged 18 to under 22 rehoused in 2016/7, 26 were males. This does indicate that potentially there could be inequalities between gender. Need to develop report showing effect between males and females.

<b>Disability</b>	Indications are that disability, depending on level, will be an exception and will still receive assistance towards housing costs as previously.
<b>Religion/belief</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group
<b>Sexual orientation</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group
<b>Gender reassignment</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group
<b>Pregnancy and Maternity</b>	One of the exemptions announced by the government who will retain the right to assistance with housing costs are females who are expecting a baby within 11 weeks
<b>Marriage and Civil partnerships</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group
<b>Socio-economic factors</b>	There is no indication that are any qualitative or quantitative differences towards applicants in this group

	<b>3 Who are the key stakeholders in relation to this policy and how are they being consulted?</b>
<b>General Comments</b>	<p>Members of the public. Staff within Berneslai Homes/ The Council, Council Members, Berneslai Homes Board Members, Support Agencies</p> <p>Senior Council and Berneslai Homes Officers Cabinet Spokesperson has been consulted on this change in policy and is in broad agreement to the proposals</p> <p>The proposals were discussed at the Customer Panel held in February 2017 at which representatives of members of the public and from The Tenants &amp; Residents Federation were present. All were in agreement with the suggested approach</p> <p>A meeting has been arranged with Barnsley Tenants &amp; Residents Federation for 25<sup>th</sup> April 2017.</p>

<b>Age</b>	We will notify all new housing applicants potentially affected by this change in policy at registration stage of the application to join the waiting list procedure, we will contact all 18 to under 22 year olds to advise on the change of approach to applicants of this age and offer advice and support at offer stage should offers be withdrawn.
<b>Race/ethnicity</b>	Not directly affected
<b>Gender</b>	Not directly affected- See General comments above
<b>Disability</b>	See General comments above
<b>Religion/belief</b>	Not directly affected- See General comments above
<b>Sexual orientation</b>	Not directly affected- See General comments above
<b>Gender reassignment</b>	Not directly affected- See General comments above
<b>Pregnancy and Maternity</b>	Not directly affected- See General comments above
<b>Marriage and Civil partnerships</b>	Not directly affected- See General comments above
<b>Socio-economic factors</b>	See General comments above

Using the information from the sections 1 and 2 complete the following action plan: (insert more rows if necessary)

**Please ensure you keep a note of the actions you have agreed to carry out and report on progress quarterly to the Organisational Development Manager**

Issues identified	Protected characteristic groups involved	Action planned or already taken to minimise discrimination/promote equality of access	Officer (s) responsible for the actions (must be identified)	Target date for completion
1. Monitor effects of this policy change	Age/ Gender/ disability	Develop reports from Northgate showing effects by these equality strands	R. Cartwright	When policy adopted by BMBC
2. Seek protocols with DWP to establish a mechanism for early identification of exempt cases	Age	Meeting between Rents Manager and DWP Manager arranged for 27 <sup>th</sup> April 2017	C Roby	TBA
3.				
4.				

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Name/signature of manager completing analysis	R. Cartwright
Date assessment sent to Organisational Development Manager	5.5.2017
Name/signature of Organisational Development Manager	Yasmin Henstock
Date of publication of equality analysis	



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# Item 32



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 26 July 2017
<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, Frost, David Griffin, Lamb, Pourali, Saunders and Sheard

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

Cllr Gardiner declared a non-pecuniary interest in minute 51 in relation to the sale of land to NPS Barnsley Ltd in his capacity as an NPS Barnsley Ltd Board Member.

Cllr Pourali declared a non-pecuniary interest in minute 54 in relation to the management of properties at Longcar by Berneslai Homes in her capacity as a Berneslai Homes Board Member.

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

The Leader reported that no decisions from the previous meeting held on 12<sup>th</sup> July, 2017 had been called in.

### 50. Minutes of the previous meeting held on 12th July, 2017 (Cab.26.7.2017/3)

The minutes of the meeting held on 12<sup>th</sup> July, 2017 were taken as read and signed by the Chair as a correct record.

### 51. Decisions of Cabinet Spokespersons (Cab.26.7.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 7<sup>th</sup> July, 2017 were noted.

### 52. Petitions received under Standing Order 44 (Cab.26.7.2017/5)

It was reported that no petitions had been received under Standing Order 44.

### Leader

### 53. Think Yorkshire (Cab.26.7.2017/6)

#### RESOLVED:-

- (i) that the Council become a founding supporter of Think Yorkshire and agree to pay the annual fee of £500 for membership;

- (ii) that the Leader of the Council or their nominee be authorised to represent the Council at the Think Yorkshire General Assembly or any similar body, if established, and to cast the Council's vote for membership of the Board; and
- (iii) that the relevant officers of the Council be authorised to contribute to the work programme of the Think Yorkshire, as appropriate.

#### **Place Spokesperson**

#### **54. BMBC Housing Development - Longcar PDC (Cab.26.7.2017/7)**

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

- (i) that the revised scheme costs for the Longcar PDC Housing Development totalling £4,373,000 to be financed from a combination of capital resources earmarked as part of the 2020 Capital New Starts programme, monies earmarked within the Housing Revenue Account Capital Reserve and revenue resources held within the Strategic Housing Function, as detailed in the report now submitted, be approved;
- (ii) that approval be given for the Council to enter into a build contract with Saul Construction in the sum of £3,838,500 included within the above;
- (iii) that the appropriation of the four affordable units associated with the development into the Housing Revenue Account to be managed by Berneslai Homes be approved; and
- (iv) that the potential Return on Investment from the development of up to £0.7m be noted and a further update on this following the sale of all the properties be received.

#### **55. Establishing a Local Integration Board (LIB) to Coordinate National, Regional and Local Work and Health Programmes Across Barnsley (Cab.26.7.2017/8)**

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

- (i) that the Council pledge support to progress the implementation of a Local Integration Board (LIB) to coordinate national, regional and local work and health programmes, as detailed in the report now submitted;
- (ii) that the Council pledges support to the Sheffield City Region (SCR) work and health programmes and identifies the appropriate governance and reporting arrangements to ensure the Local Integration Board is integrated into existing structures; and
- (iii) that key people from the Authority be identified and nominated to ensure the Local Implementation Board is effective and the programme delivers the desired local impact. This includes the nomination of:-
  - The Cabinet Spokespersons for Place and Communities to share the Lead Member role to champion and support this work across the Council and its strategic partners;



- The Executive Director for Communities to be the Strategic Responsible Officer; and
- Operational Officers, working alongside the Combined Authority Executive to mobilise the Board and programme.

**People (Safeguarding) Spokesperson**

**56. Proposed Changes to the Financial Contributions Policy for Adult Social Care Services: Stakeholder Consultation (Cab.26.7.2017/9)**

**RECOMMENDED TO FULL COUNCIL ON 28<sup>TH</sup> SEPTEMBER, 2017:-**

- (i) that the changes outlined in the proposed Financial Contributions Policy for Adult Social Care Services, as set out in Appendix 1 of the report now submitted, be approved for adoption; and
- (ii) that the proposed changes be implemented with effect from 2<sup>nd</sup> October, 2017.

.....  
Chair

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# Item 33



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 6 September 2017
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

**Members in Attendance:** Councillors Franklin, D. Griffin, Pourali, Saunders, Sheard

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

Councillor Franklin declared a non-pecuniary interest in Item 69 in his capacity as a member of the Milton Hall Group.

Councillor Pourali declared a non-pecuniary interest in Item 74 in her capacity as a Berneslai Homes Board Member.

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

The Leader reported that no decisions from the previous meeting held on 26<sup>th</sup> July, 2017 had been called in.

### 59. Minutes of the previous meeting held on 26th July, 2017 (Cab.6.9.2017/3)

The minutes of the meeting held on 26<sup>th</sup> July, 2017 were taken as read and signed by the Chair as a correct record.

### 60. Decisions of Cabinet Spokespersons (Cab.6.9.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 21<sup>st</sup> and 28<sup>th</sup> July, 2017 were noted.

### 61. Petitions received under Standing Order 44 (Cab.6.9.2017/5)

It was reported that no petitions had been received under Standing Order 44.

### Deputy Leader for Leader

### 62. Arrangements for Discharging the Statutory Role of Director of Children's Services - Test of Assurance (Cab.6.9.2017/6)

**RESOLVED** that the findings and recommendations that emerged from the Peer Led Test of Assurance, concerning the Borough's arrangements for complying with the statutory guidance on the roles and responsibilities of the Director of Children's Services (DCS), as summarised in paragraphs 4.2 and 5.2 of the report now submitted, be approved.

## **Core Services Spokesperson**

### **63. Corporate Performance Report - Quarter 1 Ending 30th June, 2017 (Cab.6.9.2017/7)**

#### **RESOLVED:-**

- (i) that the Corporate Plan Performance Report for Quarter 1 (April to June 2017), as detailed in the report now submitted, be noted;
- (ii) that follow-up reports arising from the Quarter 1 report be received on:-
  - Areas for Improvement:  
Berneslai Homes voids  
Assistive Living Technology
  - Areas of Achievement:  
Better Homes Barnsley
- (iii) that the report be shared with the Overview and Scrutiny Committee to inform and support their ongoing work programme.

### **64. Corporate Finance Performance, Quarter 1 ending 30th June, 2017 (Cab.6.9.2017/8)**

#### **RESOLVED:-**

- (i) that the Corporate Finance Performance Report for the quarter ending 30<sup>th</sup> June, 2017, as set out in the report now submitted, be noted;
- (ii) that Executive Directors/Directors (where appropriate) provide detailed plans on how their forecast overspends will be brought back into line with existing budgets on a recurrent basis;
- (iii) that the writing off for accounting purposes of £0.673m of historical bad debts (general fund) as detailed at paragraph 6.3, be approved;
- (iv) that the writing off for accounting purposes of £0.123m of tenant arrears (Housing Revenue Accounts) as shown at paragraph 6.4, be approved;
- (v) that the budget virements as set out in Appendix 1 of the report be approved;
- (vi) that the potential impact of the Quarter 1 monitoring position on the Council's Medium Term Financial Strategy as detailed in paragraph 7 be noted;
- (vii) that the use of the remaining Invest to Grow Fund (£0.068m) be approved for improving the Council's Cyber Security. The total cost will be £0.287m and the balance will be funded via capital receipts and service savings; and
- (viii) that an update be received on the Council Reserves Strategy as part of the 2018/19 Budget Process to commence in late September.

**65. Capital Programme Performance, Quarter 1 ending 30th June, 2017  
(Cab.6.9.2017/9)**

**RESOLVED:-**

- (i) that the Capital Programme Performance Report for the quarter ending 30<sup>th</sup> June, 2017, as detailed in the report now submitted, be noted;
- (ii) that the 2017/18 and overall five year Capital Programme positions be noted;
- (iii) that the 2017/18 scheme slippage totalling -£2.823m and scheme re-phasing totalling -£3.045m (as detailed in paragraphs 4.4, 4.5 and Appendix B of the report submitted) be approved;
- (iv) that the total net decrease in scheme costs in 2017/18 of £2.784m (as noted in paragraph 4.6 and Appendix B of the report refer) be approved;
- (v) that the net increase in scheme costs in future years totalling £2.356m (as set out in paragraph 4.7 and Appendix B of the report) be approved; and
- (vi) that the new proposed scheme totalling £0.287m (as described in paragraph 5.2 of the report) be approved.

**66. Treasury Management Activities, Quarter 1 ending 30th June, 2017  
(Cab.6.9.2017/10)**

**RESOLVED:-**

- (i) that the Treasury Management Activities undertaken for the period ending 30<sup>th</sup> June, 2017 and compliance with the Prudential Indicators, as set out in the report now submitted, be noted;
- (ii) that the Authority's latest borrowing position be noted; and
- (iii) that Authority's latest investment portfolio and performance for the quarter be noted.

**67. Equality Scheme 2015-18 Annual Update (August 2017) (Cab.6.9.2017/11)**

**RESOLVED:-**

- (i) that the Equality Scheme 2015-18 Annual Report for the period July 2016 to July 2017 be approved;
- (ii) that the progress made towards the equality objectives be noted; and
- (iii) that the key achievements and challenges identified in the Annual Report and support to the priorities for the year ahead be noted.

**68. Health, Safety and Emergency Resilience Report 2016/2017 (Cab.6.9.2017/12)**

**RESOLVED** that the Authority's Health, Safety and Emergency Resilience performance for 2016/17 and the continuous efforts made to improve upon performance in this area, as set out in the report submitted, be noted.

**69. Community Asset Transfer; Milton Hall, Fitzwilliam Street, Elsecar (Cab.6.9.2017/13)**

**RESOLVED:-**

- (i) that the Community Asset Transfer of Milton Hall, Fitzwilliam Street, Elsecar, Barnsley to the Milton Hall Group based on the finalised business case to develop and expand the existing community facility at Milton Hall, as set out in the report now submitted, be approved;
- (ii) that the Service Director Assets be authorised to finalise heads of terms for a 25 year lease to the Milton Hall Group for a nominal rental to develop and expand the existing community facility at Milton Hall; and
- (iii) that the Executive Director Core Services be authorised to complete the lease to the Milton Hall Group.

**People (Safeguarding) Spokesperson**

**70. Annual Report of the Placement and Sufficiency Board for Children in Care 2016/17 (Cab.6.9.2017/14)**

**RESOLVED** that the information and data contained within the first Annual Report of the recently established Placement and Sufficiency Board for Children in Care, be noted.

**People (Achieving Potential) Spokesperson**

**71. School Place Planning: Expansion of Penistone Grammar School (Cab.6.9.2017/15)**

**RESOLVED:-**

- (i) that the Statutory Notice to be published to enlarge Penistone Grammar School by 250 places with effect from September 2018 be noted; and
- (ii) that approval be given to fund the estimated £2.011m capital cost of the extension, as detailed in paragraph 7.1.

**72. Early Education: Review of Nursery Admissions Policy (Cab.6.9.2017/16)**

**RESOLVED** that the revised Admission to Nursery Policy, as detailed in the report now submitted, be approved.

## **Place Spokesperson**

### **73. Glassworks - Further Investment in Town Centre (Cab.6.9.2017/17)**

The Place Spokesperson explained that it had previously been expected that it would be required to re-phase the basement works required following the demolition of the multi-storey car park from Phase 2 to Phase 1 of the project. However, this was not currently thought to be necessary.

#### **RESOLVED:-**

- (i) that an additional investment in the Glassworks Phase 1 scheme of £8.3m as a result of an increase in the size of the scheme together with the accelerated works programme, as set out in the report now submitted, be approved;
- (ii) that a number of movements of individual work packages between the two phases, as highlighted in paragraphs 5.6 to 5.8 of the report, be agreed;
- (iii) that the alignment of resources (£5.1m) previously set aside for the wider Public Realm Works into the overall Glassworks scheme budget, as highlighted in paragraph 5.9, be approved;
- (iv) that the option appraisal work undertaken on the future delivery and governance of the Glassworks project be noted;
- (v) note the use of a design and build form of contract for the construction of Phase 2, as set out in paragraphs 5.1 to 5.5 of the report, as approved under officer delegated powers;
- (vi) that the on-site project management and cost consultancy arrangements for the construction of Phase 2, as set out in sections 5.10 to 5.12 of the report, be approved; and
- (vii) that the revised Glassworks governance arrangements, as set out in sections 5.13 to 5.17 of the report, be approved.

### **74. Review of the Lettings Policy in response to changes in Universal Credit affecting the 18 to under 22 age group (Cab.6.9.2017/18)**

#### **RECOMMENDED TO FULL COUNCIL ON 28<sup>TH</sup> SEPTEMBER, 2017:-**

- (i) that the proposed amendments to the Council's Lettings Policy and Code of Guidance, as detailed in Appendix 1 of the report now submitted, be agreed;
- (ii) that the Council works with Berneslai Homes and other agencies to provide advice and to support those applicants adversely affected by the legislative changes; and
- (iii) that a review of how the housing needs of those individuals affected by the amendments to the Lettings Policy be undertaken as part of the Housing Allocations and Community Safety Service Review; the proposals/actions to be presented to Cabinet over the coming months.

**75. Visitor Economy Strategy (Cab.6.9.2017/19)**

**RESOLVED:-**

- (i) that the Council adopts the Visitor Economy Strategy for Barnsley 2017-2020, as set out in Appendix 2 of the report now submitted; and
- (ii) that the Strategy's action plan priorities are implemented to realise the benefits associated with Visitor Economy Development.

.....  
Chair



## Declarations of Interest contained within the Minute Book

The following Members declared an interest in the minutes indicated:-

<u>Councillor</u>	<u>Minute No.</u>	<u>Subject</u>	<u>Interest</u>
<u>Planning Regulatory Board</u>			
Cllr D. Birkinshaw	36	Planning Application No. 2017/0585 – Erection of safety fencing to golf driving range at Tankersley Park Golf Club	Non-Pecuniary – Brother a member of the Golf Club
Cllr Makinson	33	Planning Application No. 2017/0785 – Conversion of existing building used as shops and flats into 2 dwelling houses at 26-32 Rufford Avenue, Athersley North	Non-Pecuniary – Member of Berneslai Homes Board
Cllrs Unsworth and Makinson	45	Planning Application No. 2017/0811 – Erection of 2 pairs of semi-detached dwelling houses at land off Bellbrooke Avenue, Darfield	Non-Pecuniary – Member of Berneslai Homes Board
Cllr Stowe	42	Planning Application No. 2017/0155 – Residential development of 49 dwellings at Bondfield Close, Bondfield Crescent, Wombwell	Non-Pecuniary – Wife employed at Kings Oak School which is very close to the site in question
<u>Overview and Scrutiny Committee</u>			
Cllr Ennis	16	Intermediate Care Services	Pecuniary – Director for Public and Patients of Barnsley Health Care Federation CIC
Cllrs G. Carr, Charlesworth, Tattersall and Wilson	17	Corporate Parenting Panel Annual Report 2016/17	Non-Pecuniary – Members on the Corporate Parenting Panel
	19	Children’s Social Care Reports	
Cllr Lofts	19	Children’s Social Care Reports	Non-Pecuniary – Member of the Adoption Panel
<u>Cabinet</u>			
Cllr Gardiner	51	Decisions of Cabinet Spokesperson insofar as the decision related to the sale of land to NPS Barnsley Ltd	Non-Pecuniary – NPS Barnsley Ltd Board Member

<b>Councillor</b>	<b>Minute No.</b>	<b>Subject</b>	<b>Interest</b>
Cllr Pourali	54	BMBC Housing Development – Longcar PDC in relation to the management of properties at Longcar by Berneslai Homes	Non-Pecuniary – Berneslai Homes Board Member
Cllr Franklin	69	Community Asset Transfer: Milton Hall, Fitzwilliam Street, Elsecar	Non-Pecuniary – Member of the Milton Hall Group
Cllr Pourali	74	Review of the Lettings Policy in response to changes in Universal Credit affecting the 18 to under 22 age group	Non-Pecuniary – Berneslai Homes Board Member