

CITY & COUNTY OF SWANSEA

CABINET

At: Committee Room 1, Civic Centre, Swansea.

On: Tuesday, 1 July 2014

Time: 5.00 pm

AGENDA

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.** 1 - 2
3. **Minutes.** 3 - 8
To approve and sign as a correct record the Minutes of the meeting of Cabinet held on 3 June, 2014.
4. **Leader of the Council's Report(s).**
5. **Public Question Time.**
6. **Councillors' Question Time.**
7. **Scrutiny Report(s):**
 - 7.a Cabinet Member Response to the Report of the Attainment and Wellbeing Scrutiny Panel. 9 - 18
8. **Report of the Leader.**
 - 8.a One Swansea Plan and Delivery Framework 2014. 19 - 23
9. **Report(s) within the Cabinet Member for Citizen, Community Engagement and Democracy Portfolio:**
 - 9.a Customer Contact Strategy. 24 - 39
10. **Report(s) within the Cabinet Member for Learning and Skills Portfolio:**
 - 10.a 21st Century Schools Programme - New Gowerton Primary School. 40 - 48
 - 10.b Home to School Transport Policy - Public Consultation on a New Proposed Policy. 49 - 137
 - 10.c Local Authority Governor Appointments. 138 - 139
11. **Report(s) within the Cabinet Member for Place Portfolio:**
 - 11.a Consultation Response : Reform of the Housing Revenue Account Subsidy System (HRAS). 140 - 167

- 12. Report(s) within the Cabinet Member for Wellbeing Portfolio:**
- 12.a Integration of Health and Social Care Services. **168 - 213**
- 13. Exclusion of the Public. 214 - 217**
- 14. Report(s) within the Cabinet Member for Regeneration Portfolio:**
- 14.a Disposal of Former Earlsmoor Residential Care Home, Bryn Road, Swansea. **218 - 223**
- 14.b Swansea Market Building Enhancement Programme (BEP). Grant Award, Revised FPR7 and Contract Award. **224 - 230**



Patrick Arran
Head of Legal, Democratic Services & Procurement
Thursday, 19 June 2014

Contact: Democratic Services - 636820

CABINET (10)

Labour Councillors:

Nicholas S Bradley	William Evans
June E Burtonshaw	David Phillips (Leader)
Mark C Child	Christine Richards (Deputy Leader)
Sybil E Crouch	Rob C Stewart
C Ryland Doyle	Mitchell Theaker

Officers:

Jack Straw	Chief Executive
Phil Roberts	Director of Place
Dean Taylor	Director of Corporate Services
Chris Sivers	Director of People
Arwyn Thomas	Chief Education Officer
Deborah Driffield	Chief Social Services Officer
Mike Hawes	Head of Financial Services
Lee Wenham	Head of Marketing, Communications & Scrutiny
Steve Rees	Head of Human Resources
Patrick Arran	Head of Legal, Democratic Services & Procurement – Electronic and hard copy
Tracey Meredith	Deputy Head of Legal, Democratic Services & Procurement - Electronic and hard copy
Huw Evans	Head of Democratic Services
Democratic Services	1 Copy
Patrick Fletcher	Communications
Scrutiny Team	1 Copy
Archives	1 Copy
Various Councillors	10 Copies
All Other Councillors	Via e mail

Total Copies Needed:

57 Full & 10 Public

Disclosures of Interest

To receive Disclosures of Interest from Councillors and Officers

Councillors

Councillors Interests are made in accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea. You must disclose orally to the meeting the existence and nature of that interest.

NOTE: You are requested to identify the Agenda Item / Minute No. / Planning Application No. and Subject Matter to which that interest relates and to enter all declared interests on the sheet provided for that purpose at the meeting.

1. If you have a **Personal Interest** as set out in **Paragraph 10** of the Code, you **MAY STAY, SPEAK AND VOTE** unless it is also a Prejudicial Interest.
2. If you have a Personal Interest which is also a **Prejudicial Interest** as set out in **Paragraph 12** of the Code, then subject to point 3 below, you **MUST WITHDRAW** from the meeting (unless you have obtained a dispensation from the Authority's Standards Committee)
3. Where you have a Prejudicial Interest you may attend the meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, **provided** that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. In such a case, you **must withdraw from the meeting immediately after the period for making representations, answering questions, or giving evidence relating to the business has ended**, and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration (**Paragraph 14** of the Code).
4. Where you have agreement from the Monitoring Officer that the information relating to your Personal Interest is **sensitive information**, as set out in **Paragraph 16** of the Code of Conduct, your obligation to disclose such information is replaced with an obligation to disclose the existence of a personal interest and to confirm that the Monitoring Officer has agreed that the nature of such personal interest is sensitive information.
5. If you are relying on a **grant of a dispensation** by the Standards Committee, you must, before the matter is under consideration:
 - i) Disclose orally both the interest concerned and the existence of the dispensation; and
 - ii) Before or immediately after the close of the meeting give written notification to the Authority containing:

- a) Details of the prejudicial interest;
- b) Details of the business to which the prejudicial interest relates;
- c) Details of, and the date on which, the dispensation was granted; and
- d) Your signature

Officers

Financial Interests

1. If an Officer has a financial interest in any matter which arises for decision at any meeting to which the Officer is reporting or at which the Officer is in attendance involving any member of the Council and /or any third party the Officer shall declare an interest in that matter and take no part in the consideration or determination of the matter and shall withdraw from the meeting while that matter is considered. Any such declaration made in a meeting of a constitutional body shall be recorded in the minutes of that meeting. No Officer shall make a report to a meeting for a decision to be made on any matter in which s/he has a financial interest.
2. A "financial interest" is defined as any interest affecting the financial position of the Officer, either to his/her benefit or to his/her detriment. It also includes an interest on the same basis for any member of the Officers family or a close friend and any company firm or business from which an Officer or a member of his/her family receives any remuneration. There is no financial interest for an Officer where a decision on a report affects all of the Officers of the Council or all of the officers in a Department or Service.

CITY AND COUNTY OF SWANSEA

MINUTES OF THE MEETING OF THE CABINET

HELD AT COMMITTEE ROOM 1, CIVIC CENTRE, SWANSEA. ON
TUESDAY, 3 JUNE 2014 AT 5.00 PM

PRESENT: Councillor D Phillips (Leader) Presided

Councillor(s)	Councillor(s)	Councillor(s)
N S Bradley	S E Crouch	W Evans
J E Burtonshaw	C R Doyle	R C Stewart
M C Child		

Also Present : K Williams (PWC) and R Hebbon (PWC).

1. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillor C Richards and M Theaker.

2. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea, the following interest were declared:-

Councillor J E Burtonshaw – Personal – Minute No.12 - Disposal of Land on School Sites – has dispensation from Standards Committee to stay and speak but not vote – Governor of Blaenymaes Primary School.

Councillor W Evans – Personal – Minute No.12 - Disposal of Land on School Sites – has dispensation from Standards Committee to stay and speak but not vote – Governor of Tre – Uchaf School.

Councillor C R Doyle – Personal – Minute No.12 - Disposal of Land on School Sites – has dispensation from Standards Committee to stay and speak but not vote – Governor of Birchgrove Primary School.

3. **MINUTES.**

RESOLVED that the Minutes of the meeting of the Cabinet held on 6 May 2014 be approved as a correct record.

4. **LEADER OF THE COUNCIL'S REPORT(S).**

None.

5. **COUNCILLORS' QUESTIONS.**

None.

6. **PUBLIC QUESTIONS.**

The Leader allowed the following questions from Members of the Public who had been late for the item due to heavy traffic on Oystermouth Road. These questions were asked after Minute No.12.

Mr Jenkins asked questions in relation to Minute No.12 – Disposal of Surplus Land on School Sites in respect of the expanding schools in Pontarddulais. The Cabinet Member for Learning and Skills responded accordingly.

Ms Button asked questions in relation to Minute No.12 – Disposal of Surplus Land on School Sites in respect of Knelston Primary School. The Cabinet Member for Learning and Skills responded accordingly.

Ms Sanderson asked questions in relation to Minute No.12 – Disposal of Surplus Land on School Sites in respect of Tre Uchaf Primary School. The Cabinet Member for Learning and Skills responded accordingly.

7. **ANNUAL FINANCIAL AUDIT OUTLINE - CITY AND COUNTY OF SWANSEA.**

Kevin Williams on behalf of the PWC presented the Annual Financial Audit Report in relation to the Council's Financial Statement for 2013/14.

The report detailed the proposed approach to the audit of the Council's 2013/14 Financial Statements. The report also highlighted a summary of audit risks and proposed auditor responses.

CABINET DECISION

Cabinet received and noted the Annual Financial Audit Report in relation to the Council's Financial Statement for 2013/14.

8. **ANNUAL FINANCIAL AUDIT OUTLINE - CITY AND COUNTY OF SWANSEA PENSION FUND.**

Kevin Williams on behalf of PWC presented the Pension Fund report for 2013/14.

CABINET DECISION

Cabinet received and noted the Pension Fund Report for 2013/14.

9. **RESPONSE TO THE REPORT OF THE ECONOMIC INACTIVITY SCRUTINY INQUIRY PANEL - LOOKING AT HOW THE COUNCIL AND ITS PARTNERS COULD REDUCE ECONOMIC INACTIVITY IN SWANSEA.**

The Cabinet Member for Regeneration presented a joint report on the response to the report of the Economic Inactivity Scrutiny Inquiry Panel looking at how the Council and its partners could reduce economic inactivity in Swansea

CABINET DECISION

That the Cabinet members response as outlined in the report and related plan be approved

Policy Framework

None

Reason for Decision

To comply with the requirements of the Council Constitution.

Consultation

Legal, Finance.

10. **COUNCIL TAX - HELP FOR PENSIONERS.**

The Section 151 Officer presented a report which sought agreement of a Council Tax Scheme to help Pensioners for 2014/ 2015.

CABINET DECISION

That:

(1) The proposed scheme be adopted.

(2) The proposals and qualifying criteria set out in paragraph 2 of the report be agreed.

Policy Framework

None.

Reason for Decision

To comply with Financial Procedure Rules.

Consultation

Legal, Finance and Access to Services.

11. **FLYING START CAPITAL PROGRAMME EXPANSION 2014-2016.**

The Cabinet Member for Learning and Skills presented a report which outlined the capital proposals included in the Strategic Outline Plan submitted to Welsh Government in respect of the expansion of the Flying Start Programme between 2014/15 and 2015/16 (Supplementary Bid) and to award the work to Corporate Building and Property Services

CABINET DECISION

That the Director of People be authorised to: -

- (1) implement the settings, as detailed in the approved Flying Start Strategic Outline Plan (SOP)
- (2) submit planning applications where appropriate
- (3) authorise that the schemes as detailed, together with their financial implications, be included in the capital programme
- (4) authorise the work to be awarded to Corporate Property and Building Services

Policy Framework

One Swansea Plan

Reason for Decision

To comply with Financial Procedure Rule 7-to approve and include new Capital schemes in the Capital Programme.

To seek authorisation to submit Planning applications where appropriate/if required.

To award contract to Corporate Building and Property Services - To comply with Contract Procedure Rule 1.2.4 - to award a contract.

Consultation

Education, Poverty, Corporate Building and Property Services, Finance and Legal.

12. **DISPOSAL OF SURPLUS LAND ON SCHOOL SITES.**

The Cabinet Member for Learning and Skills presented a report which considered responses to the consultation carried out with schools.

CABINET DECISION

That Cabinet declared the following sites surplus to requirements and authorised the Director of Place to dispose of them:

- (1) Blaenymaes Primary School – the site as shown on Plan 1B of the report.
- (2) Knelston Primary School – the site as shown on Plan 2B of the report.
- (3) Tre Uchaf Primary School – the site as shown on Plan 3B.
- (4) YGG Gellionnen – the site as shown on Plan 4B.

Policy Framework

Capital Budget and Programme 2014/15 – 2017/18.

Reason for Decision

To report back on the consultation with the Governing Bodies on the proposed land sales and to seek approval to proceed with the disposals in principle as set out in the recommendations to meet the required local contribution – a need set out in the Capital Budget & Programme 2014/15 – 2017/18

Consultation

Corporate Building & Property Services, Finance, Legal, Democratic Services & Procurement

13. **WESTERN BAY HEALTH AND SOCIAL CARE PROGRAMME - INTERMEDIATE CARE FUND.**

The Cabinet Member for Wellbeing submitted a report which sought endorsement to include the Western Bay Intermediate Care Fund capital schemes in the Capital Programme.

CABINET DECISION

That the details and financial implications of the CCS capital schemes included in the Intermediate Care Fund package of schemes to be delivered as part of the Western Bay Programme be approved and their inclusion in the Council's Capital Programme be authorised.

Policy Framework

The Revenue and Capital Budget as reported to and approved by Council on 18 February 2014.

Sustainable Social Services for Wales: A Framework for Action.

Reason for Decision

To comply with Financial Procedure Rule No. 7 (Capital Programming and Appraisals):to include new schemes in the Capital Programme.

Consultation

Legal, Finance and Access to Services.

14. **EXCLUSION OF THE PUBLIC.**

Cabinet was requested to exclude the public from the meeting during consideration of an urgent item of business identified in the recommendations to the report on the grounds that they involve the likely disclosure of exempt information as set out in the exclusion paragraph of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2000 relevant to the items of business set out in the report.

It was **RESOLVED** that the public be excluded for the following item of business.

15. **URGENT ITEM.**

The Leader stated that pursuant to paragraph 100B(4)(b) of the Local Government Act 1972, he considered that the report of the Head of Legal, Democratic Services and Procurement – Senior Coroner Resignation should be considered at this meeting as a matter of urgency..

Reason for Urgency

The Senior Coroner resigned by letter of 28 May 2014 with an effective termination of the 31 May 2014 and an interim Senior Coroner had to be nominated immediately. The Leader authorised this appointment on 30 May and the Cabinet needs to be aware of the action taken and authorise the Head of Legal, Democratic Services and Procurement to devise and implement a process to advertise for a replacement Senior Coroner within the statutory timescales of three months form the date the vacancy arose.

CABINET DECISION

That the recommendations as outlined in the report be approved.

The meeting ended at 5.49pm

CHAIR

Report of the Cabinet Member for Learning and Skills

Cabinet - 1 July 2014

RESPONSE TO THE REPORT OF THE ATTAINMENT AND WELLBEING SCRUTINY INQUIRY PANEL

Purpose:	To outline the response of the Cabinet Member to the scrutiny recommendations and to present an action plan to address these.
Policy Framework:	None
Reason for Decision:	To comply with the requirements of the Council Constitution.
Consultation:	Legal, Finance, Equalities
Recommendation(s):	It is recommended that: 1) The Cabinet Member response as outlined in the report and related action plan be agreed.
Report Author:	Arwyn Thomas & Sarah Crawley
Finance Officer:	Susan Rees
Legal Officer:	Janet Hooper
Access to Services Officer:	Phil Couch

1. Introduction

- 1.1 The Attainment and Wellbeing Scrutiny Inquiry report was submitted to Cabinet on the 15 October 2013 after the Wellbeing Inquiry Scrutiny Panel completed a detailed inquiry into attainment and wellbeing in schools across Swansea.
- 1.2 The response and whether Cabinet agree, or not agree, with each recommendation is detailed in this report.

2. Response to Overview and Scrutiny Recommendations

- 2.1 We welcome the work of the Scrutiny Panel and recommendations. There are several actions and recommendations relating to school governors in the Action Plan. We acknowledge these as positive steps, however a wider piece of work is required to explore best practice and the mandatory training requirements for school governors.

Recommendation 1

All schools in Swansea including pupil referral units should sign up to the UNCRC and work towards recognition as rights-respecting.

Cabinet Member Response:

Swansea Council is proud to be the first authority in Wales to commit to UNICEF's Rights Respecting Schools (RRS) programme. Our vision is that by 2017 every school in Swansea, including our PRUs, will have formally started the RRS journey with a vision to eventually becoming a Level 2 RRS. A conference was held last year to launch and celebrate this commitment to children's rights and since then over 30 additional schools have joined the programme.

The commitment made by schools ensures that our children grow up understanding their rights and the rights of all of the children around them. The benefits of entrenching children's rights in our schools are clear and we have every intention of continuing with this commitment.

RRS is not simply an award, an initiative or a bolt on, it marks a total culture and change in ethos within our schools.

Recommendation is **AGREED**

Outcome: All schools signed up to the UNCRC. All to have rights respecting recognition

Timeframe: 2014-2017

Responsible officer: Lead by the Director of People (Lead Director for UNCRC implementation) with support from implementation group members, as well as the whole Local Authority.

Recommendation 2

Awareness raising is carried out in relation to UNCRC including the provision of information to councillors, school governors, staff and partner organisations.

Cabinet Member Response:

A substantial amount of work around awareness raising has taken place over the past year or so, with very public commitments being made to the United Nations Convention on the Rights of the Child (UNCRC), including conferences, policy launches and press work. From 2011 – 2014 Governors have been trained in over 40 schools. Work will be done to identify those Governors who haven't attended, and those remaining schools will be targeted.

There is a significant amount of work that is still required in terms of ensuring staff, Councillors and Governors have the required training to fully understand the implications and meaning of the UNCRC, and that we provide clear information also to our partner organisations.

As part of its work to embed the UNCRC, a task and finish group of staff has been developed with the purpose of raising awareness of the UNCRC and the implications for rights-based practice. Training sessions with staff run by UNICEF have taken place, and more are planned. A training and development programme for councillors and

staff will be put in place. This will be included in a roll out of compulsory safeguarding training for Members

Swansea Council has become the first in Europe to fully embed the UNCRC in its policy framework and is now required to publish an annual scheme outlining the work that has been done and that will be done to further realise the rights within the convention. The first scheme will include clear actions that will be taken to increase awareness and further embed the UNCRC.

Recommendation is **AGREED**

Outcome: Awareness raising and training in relation to the UNCRC is completed with all Councillors, staff, school governors and partner organisations

Timeframe: 2014-2016

Responsible officers: Director of People

Recommendation 3 has been moved to after Recommendation 11 as it is an extension of this recommendation.

Recommendation 4

It investigates different mediums for the wider training of governors including the use and availability of online training tools and involvement in appropriate inset days and be party to wider 'all school' training.

Cabinet Member Response:

The Council currently has a comprehensive governor training programme including all required compulsory elements. However, as part of a wider review of 'What is effective Governance?' and 'Developing Leadership' the skills and knowledge that Governors require will be built into a training programme which will also include the best ways of delivering to ensure easy access to Governors.

UNCRC training has been part of the programme since September 2011. To date governors 37 primary schools and 7 comprehensive schools have attended this training. The remaining schools will be targeted and invited to send a governor/s to future training session.

Moves to online training for governors are being pursued by the Association of Directors of Wales (ADEW) Governors Support Officers (GSO) Group and the Educational Regional School Improvement Board. This has to be an all Wales project. A request will be made to the working party developing the training to include references in training modules on UNCRC.

UNCRC website has online training units which the School and Governor Unit will research and, if appropriate, include in support materials sent to governors in the future.

The Authority is organising a training programme for schools on UNCRC. As part of the invitation to attend it will be suggested that the

<p>school nominate either their teacher governor, staff governor or Headteacher governor to attend to ensure that members of the governing body are included in the training and able to report back to the governing body.</p> <p>Monitoring governor attendance at training sessions will be undertaken as part of the School and Governor Unit.</p>
<p>Recommendation is AGREED</p> <p>Outcome: The UNCRC and Wellbeing are an integral part of governor and staff training within schools in Swansea with staff continuously improving their knowledge and application.</p> <p>Timeframe: May/June/July 2014 UNCRC training in schools 2014/15 quarterly monitoring onwards</p> <p>Responsible officers: School Governor Unit</p>

<p>Recommendation 5</p>
<p>It encourages schools to find more creative ways to involve parents based on best practice.</p>
<p>Cabinet Member Response:</p> <p>Estyn has recognised the work of Swansea’s schools to share best practice. The importance of this will also be emphasised in the next cross phase meeting and during future governor training.</p> <p>We are now developing a strategy of school to school support. This will identify where the best practice is located in Swansea schools and how this practice can be adapted and used by other schools. Involving parents can be one of those particular themes.</p> <p>There are a number of good examples of parental involvement in schools including Seaview in which new parent governors are being supported by other more experienced mentor governors. There are community school projects such as Families in Schools in Blaenymaes with parents and children sessions after school. Family Learning Signature is being used in a number of schools particularly within Penderry with support from the Communities First team.</p> <p>These projects and initiatives have been shared between headteachers and pastoral workers in schools through joint meetings.</p> <p>The Save the Children FAST (Families and Schools Together) project is working in Hafod school, with intentions to approach more schools in Swansea.</p>
<p>Recommendation is AGREED</p> <p>Outcome: Best Practice identified and used by more schools. More parents are involved in their children’s learning/education and the benefits of the UNCRC and wellbeing work</p> <p>Timeframe: 2014/15 many of these initiatives will expand into more schools with support from the Poverty & Prevention Service and head teachers and governors</p>

Recommendation 6

It works to encourage a wider range of people to become governors with a variety of skills and knowledge and that are truly reflective of wider society.

Cabinet Member Response:

As part of a wider review of 'What is effective Governance?' and 'Developing Leadership' the skills, knowledge and representation that Governors of an effective Governing Body require will be explored.

This will include regular briefings and updates to ensure consistency across the City and County of Swansea.

In order to realistically address this recommendation there needs to be clarity over the role of the Local Authority in governor recruitment. Certain categories of governors are elected through their stakeholder groups i.e. staff, teacher and parent governors. It is not appropriate for the Authority to influence this process although advice and guidance is given on process if required. Schools' equality policies should cover governors and governing body membership. The Authority plans to review the Model Equality Policy provided to schools. A focus on equality and diversity in relation to governor recruitment and appointment will be included in the model policy.

Community governors are appointed by the governing body. The Authority recommends all governing bodies undertake a skills audit on an annual basis to identify skills gaps in order to inform their training needs and recruitment priorities. A sample skills audit is provided to all governing bodies.

Cabinet appoints L.A. governors on the recommendations from the Local Authority Governor Appointment Panel. The majority of Local Authority Councillors are governors and most schools have a Councillor as a governor. Councillors will be asked to ensure that their individual governing bodies consider and discuss with their governing bodies how reflective their membership is of their wider community.

Current vacancy levels in Swansea are low. Approximately 100 total vacancies (total number of governors in Swansea in excess of 1,500) of which approximately 15 are Local Authority vacancies. Each individual governors' term of office is four years and so it needs to be recognised that the impact of any actions taken in relation to this recommendation will take time to embed and evidence.

The Authority will request sharing of good practice from other Authorities in relation to governor recruitment via the ADEW Governors Support Group.

Recommendation is **AGREED**

Outcome: More school Governors who reflect the wider community of

their school, who are trained and have the appropriate skills
Timeframe: 2014/15 – 2017/18
Responsible officers: School Governor Unit

Recommendation 7

It develops 'questions to ask' guidance in relation to wellbeing in schools for governors using the issues identified in section 3.12 and in consultation with headteachers and governing bodies. This should be made available online for schools and governors to access.

Cabinet Member Response:

This will be developed through the regional improvement group and current joint working arrangements.

Guidance needs to be compiled by specialists in respect of "questions to ask" and so it will be suggested by the Local Authority that governing bodies identify a link governor for Wellbeing. The Local Authority will offer training sessions, around the Role of the Link Governor. This role includes accessing specialist knowledge and information in relation to their specific link area and ensuring relevant questions are asked at governing body meetings and that they feedback at meetings, as appropriate, the information they have obtained.

In order to monitor this the School and Governor Unit internal governing body RAG status matrix will include monitoring of Link Governors for Wellbeing and governing body minutes will be monitored to assess if Wellbeing is being considered by governors as a regular agenda item.

Recommendation is **AGREED**

Outcome: Governing bodies will be encouraged to appoint Wellbeing link governors. Minutes of governing body meetings will be monitored for wellbeing discussions and actions

Timeframe: 2014/15 to be implemented

Responsible officers: School Governor Unit

Recommendation 8

It facilitates the introduction of a system leaders approach within governing bodies. That is new chairs of governors being supported by experienced governors from other schools across the regions and new governors offered a buddy system from within the individual governing body.

Cabinet Member Response:

As part of a wider review of 'What is effective Governance?' and 'Developing Leadership' the support that governing Bodies require will be explored. This will include capacity building within the Governing Body, the potential for mentoring and succession planning into key roles.

This is to be facilitated through the regional improvement group which will facilitate a cross authority Governors network. The Local Authority must commit to the new national model for school improvement. Within

this mandatory requirement for changes to governor training and governor support must be addressed first and capacity issues dictate that it is not possible to implement non mandatory developments until all statutory requirements are in place.

In the interim there are existing, local arrangements in place to support and mentor governors and share good practice. They are as follows:

Swansea Association of Governing Bodies
Bronze Award Mentor Schools
Governor Support Officer
Individual, bespoke training on the Roles and Responsibilities of Governing Bodies either on request or via identification of need for support by Challenge Advisor, ESTYN inspection reports or individual governors / governing bodies

Recommendation is **AGREED**

Outcome: Continuing with the existing support arrangements for governors, and influencing the introduction of a system leaders approach ready for 2015/16

Timeframe: on-going work now, and future work in 2015/16

Responsible officers: School Governor Unit

Recommendation 9

To develop more consistency in transition from primary to secondary schools including the development of an advisory document based on 'what works' in conjunction with schools across the authority. This should be made available online for schools and governors to access.

Cabinet Member Response:

This will be a cross phase item for discussion with the schools with the best track record. Communities First are working with a number of schools using Pupil Deprivation Grant to run transition projects prior to and during the summer holiday periods each year.

An assessment and evaluation will need to be carried out looking at the good practice and outcomes for students, then a resource package will need to be developed and then shared.

Recommendation is **AGREED**

Outcome: more pupils experience smooth transition into secondary schools

Timeframe: developed and implemented by Winter 2014/15 ready for work in Spring/Summer 2015/16.

Responsible officers: Chief Education Officer

Recommendation 10

Performance measures relating to children and young people are revisited to ensure that they do not only measure objective data but ensure that subjective measures such as Children and Young People views are built in.

Cabinet Member Response:

We welcome this recommendation because it strengthens our view that a range of data is needed to capture performance. Also, in improving schools and services the views of our Children and Young People are paramount.

Wider performance measures from outside of education will need to be included at Directorate level and include measurements from Health and Leisure to capture a child's whole development. These will be addressed through our Directorate Plans and measures.

A task and finish group of officers has been established to ensure we expand and develop our work to hear the voices of children and young people, and that they have opportunities to participate fully in our decision making process. This work will be outlined at the launch of the Council's UNCRC scheme in November 2014.

The Super Survey and Big Conversation run by the C&YP Strategy Unit's participation team ensure children and young people's subjective views are fed into services.

Recommendation is **AGREED**

Outcome: Children's views are measured and taken into account within UNCRC and wellbeing work in schools and across the Local Authority
Timeframe: launch in November 2014. Implementation post November 2014 onwards

Responsible officers: Director of People

Recommendation 11

More opportunities for schools to share good practice be developed (including online options).

Cabinet Member Response:

Analysis of inspection outcomes in Swansea demonstrates that our performance significantly outperforms the rest of Wales. 21 of Wales' secondary schools are deemed to have excellent prospects for improvement – 7 are in Swansea. 15 of Wales' schools have been deemed to have excellent current performance – 4 are in Swansea.

We are developing and implementing an effective, sustainable school to school support model where we are able to accurately identify, profile and share excellent practice across all areas of school performance in order to maximise the life chances of young people. The structure of the work is to be determined but it will be a practitioner led, scalable, logical, collaborative and effective way of capturing and sharing intelligence and learning from leaders in the field.

Recommendation is **AGREED**

Outcome: Schools are sharing and implementing more good practice therefore raising standards

Timeframe: 2014/15 onwards

Responsible officers: Chief Education Officer

Recommendation 3
Schools are encouraged to work more widely with the many partners and organisations that could potentially deliver parts of the curriculum for PSE in schools.
<p>Cabinet Member Response: Guidance is issued to Headteachers identifying good practice in respect of matters that should be reported to governors on a termly basis. From September 2014 this guidance will state that Headteachers are encouraged to report on the use of external agencies to support and enhance curriculum work in respect of UNCRC, Wellbeing and PSE. Link Governors for Wellbeing will become a recommendation to governing bodies as part of the annual update on good practice to be issued to Head teachers and Chairs of Governing Bodies in the Autumn Terms from 2014</p> <p>The Governors Report to Parents requires governors to report annually to parents on action taken to develop or strengthen links with the community (including links with the police).</p>
<p>Recommendation is AGREED Outcome: Schools are working with partners to develop and deliver wellbeing and UNCRC work as part of the curriculum Timeframe: September 2014 – onwards Responsible officers: Chief Education Officer</p>

3. Addressing the Recommendations

The Action Plan for delivering Wellbeing and the UNCRC in schools is detailed above. It is important to acknowledge that meeting these recommendations will require a team approach and responsibility will be shared by identified officers, headteachers and governors. These recommendations will be delivered through activities within the UNCRC implementation plan and School Governors Unit plans.

The Authority has a number of methods for communicating with governors which will be used to raise awareness of the Action Plan and to request that actions are addressed. UNCRC will be identified as a cross cutting theme throughout communication. These methods include:

- Clerk to Governor Forums
- Information packs sent to new governors on appointment
- Email updates
- Training, training programmes, training packs
- Governors newsletters.

4. Equality and Engagement Implications

The Council's decision to embed the UNCRC duty into policy and practice was agreed on the 24th September 2013, we are now working across Council to look at the detail of how this will work. The existing Equalities Impact Assessment (EIA) may be adapted to include a section

on Children's Rights Impacts (CRIA). This is likely to increase the advice and guidance needed during this process.

All schools are required to have a Strategic Equality Plan in place which should be reviewed and approved by the governing body on a three year rolling programme. The Authority will review the model policy which is issued to schools taking into account the Action Plan. A request will be made that all governing bodies consider, review and adopt the revised policy. We will continue to provide advice and guidance to schools as and when requested.

5. Legal Implications

In October 2013 it was agreed that the UNCRC (1989) be embedded within, and become part of the Council's Policy Framework and that a duty be placed on the Executive ('the Cabinet') to have 'due regard' to the UNCRC (1989).

By agreeing to place a 'due regard' duty upon the executive of the Authority, i.e. the Cabinet, Swansea Council shows commitment to children's rights, the UNCRC (1989), and to supporting and respecting the young citizens of this City and County.

Governors are required to attend mandatory training with effect from September 2013. The content is prescribed by Welsh Government, but Swansea can include local priorities.

6. Financial Implications

There is an annual cost of £40,000 to continue with the agreement with UNICEF UK to deliver the Rights Respecting Schools Award in Swansea. There are also financial implications in terms of roll out of training and capacity building in the Access to Service Team to support the EIA and CRIA process and in terms of building capacity within the Children and Young People Strategy Unit Participation Team to deliver and embed Rights Based Practice. These costs will continue to be contained within the existing overall education budget provision.

Background Papers: None.

Appendices: None.

Report of the Leader

Cabinet – 1 July 2014

ONE SWANSEA PLAN AND DELIVERY FRAMEWORK 2014

Purpose:	This report presents the One Swansea Plan 2014 and Delivery Statement.
Policy Framework:	Council Constitution.
Reason for Decision:	To adopt the One Swansea Plan 2014 as the overarching strategy for the area.
Consultation:	Legal, Finance, Access to Services
Recommendation(s):	It is recommended that: 1) The One Swansea Plan and Delivery Statement 2014 are adopted.
Report Author:	Dave Mckenna
Finance Officer:	Carl Billingsley
Legal Officer:	Nigel Havard
Access to Services Officer:	Phil Couch

1.0 Background

- 1.1 The One Swansea Plan was adopted by Council for the first time in 2013. In line with a more flexible, results based approach, the plan is to be reviewed and updated annually. To this end the needs assessment for the plan was updated in November 2013 and a consultation process undertaken earlier this year.
- 1.2 The updated 2014 version of the plan, along with a delivery statement showing how the plan will make a difference, was agreed by Swansea Local Service Board in May. These documents can be found at: www.swansea.gov.uk/OneSwansea.
- 1.3 This plan is the overarching strategic plan for Swansea. As the Council has a strategic leadership role for the area so the One Swansea Plan should reflect the Council's Policy Commitments. At the same time the One Swansea Plan and the Council's Corporate Plan should be closely aligned.

1.4 At the heart of the plan are six Population Outcomes and 21 linked Challenges. These are summarised in the table below.

Population Outcomes	Challenges
A. Children Have a Good Start in Life	1. Low Birth Weight 2. Domestic Abuse 3. School Readiness
B. People Learn Successfully	1. School Attendance 2. School Achievement 3. Adult Qualifications
C. Young People and Adults Have Good Jobs	1. Youth Unemployment 2. Economic Inactivity 3. Average Earnings 4. Economic Performance
D. People Have a Decent Standard of Living	1. Child Poverty 2. Household Income 3. Personal Debt
E. People are Healthy, Safe and Independent	1. Preventable Early Deaths 2. Life Expectancy 3. Older Peoples' Independence 4. Crime
F. People Have Good Places to Live and Work	1. Public Transport 2. Carbon Emissions 3. Biodiversity 4. Housing Quality

2.0 How Has the Plan Changed?

2.1 The purpose of having an annual update of the One Swansea Plan is to ensure that it can respond and adapt to any important changes. This year, however, the plan remains broadly the same as the plan published in 2013. The vision, overall approach and population outcomes, for example, have not changed.

2.2 Some of the details of the plan have, however, been updated to reflect changes over the last 12 months. The section referring to culture, for example, has been updated to reflect the Dylan Thomas Centenary. Safeguarding is another important priority that has come to the fore over the last 12 months and has been reflected. Similarly, while the 21 challenges remain the same, at least for this year, some aspects, such as improved indicators, for example, have been altered.

2.3 The process of updating the plan reflected:

- **The One Swansea Needs Assessment 2013** – This first update of the strategic needs assessment provides updated data for the indicators as well as some improvements to the indicators. The full document can be found at www.swansea.gov.uk/OneSwansea

- **One Swansea Plan Consultation 2014** – This process collected feedback from the public through Swansea Voices and a separate online survey and from partner organisations through an online survey. The findings report can also be found at www.swansea.gov.uk/OneSwansea
- **Integrated Impact Assessment** – The aim of this assessment, facilitated by the Council's Sustainable Development Unit, is to ensure that the plan is consistent with a range of policy issues such as sustainable development, social inclusion, equalities and healthy cities. A summary of the recommendations made from the assessment and the responses are attached as an appendix to the plan.

2.4 One advantage of updating the plan annually is that the list of 21 challenges can be adjusted. Challenges that are seen as no longer important can be replaced by new ones that have become more pressing. As the plan is relatively new the Local Service Board has agreed that the challenges remain the same for this year but that the LSB Research Group is asked to make recommendations about changes as part of the process of producing the One Swansea Needs Assessment 2014.

3.0 Partnership and Regional Working

3.1 The following set of principles for partnership and regional working are included in the updated plan:

- Swansea LSB holds overall responsibility and accountability for the delivery of the One Swansea Plan and for the coordination of partnership working.
- The LSB will recognise and work with a small number of local and regional 'delivery partnerships' that will provide leadership in given service areas.
- Outside of the recognised delivery partnerships, partnership working will be informal, flexible, aligned with priorities and strictly 'task and finish'.
- All partnership arrangements outside of the delivery partnerships will be periodically reviewed by the relevant delivery partnership – when work is complete or no longer a priority it will end.

3.2 As part of this approach the following groups have been recognised as delivery partnerships by the LSB:

Delivery partnerships that the LSB directs:

- Swansea Children and Young People Board
- Swansea Healthy City Board
- Swansea Economic Regeneration Partnership
- Swansea Poverty Forum

- Safer Swansea Partnership

Delivery partnerships that inform the work of the LSB:

- Swansea Bay City Region Board
- Western Bay Executive Programme Board
- Swansea Environmental Forum

4.0 Delivery Framework

- 4.1 A wider lesson from this area of work is that ‘delivery is a bigger challenge than strategy’. Making a difference to high level outcomes requires the coordination of a wide range of partners and the engagement of the public. This is a different way of working than is typical within organisations.
- 4.2 The Delivery Framework is a tool intended to help the LSB to monitor, focus and coordinate activity around the 21 Challenges in the Plan. Drawing on lessons learnt from the work on NEETs in particular, it highlights the need for a single point of leadership and a single ‘coordinating mechanism’ (usually an action plan).
- 4.3 The Delivery Framework briefly sets out for each Challenge:

Aspiration for 2020	A measurable objective - where we want the indicator for the Challenge to be in 2020
Population Indicator Progress	Where the indicator is now – taken from the most recent One Swansea Needs Assessment
Key Partnerships and Programmes	The most significant partnerships and programmes likely to impact on this Challenge – individual services are not highlighted
Coordinating Mechanism	The partnership action plan or similar that coordinates activity for this Challenge.
Lead	The Strategic Partnership (and sub group where relevant) that is accountable for coordinating activity
LSB Actions	How the LSB will add value to activity to address this challenge – this could range from simply highlighting an issue to undertaking a fundamental system review

- 4.4 The Delivery Framework for 2014 can be found at: www.swansea.gov.uk/OneSwansea.

5.0 Equality and Engagement Implications

- 5.1 The Single Needs Assessment that informs the plan explores patterns of inequality as well as a number of protected characteristics. The consultation for the One Swansea Plan 2013 incorporated both an Integrated Impact Assessment and an Equalities Impact Assessment.

5.2 The engagement process will be integral to the success of any actions emerging from the One Swansea Plan and will need to be further informed through maintaining both an overall and, where necessary, individual Equality Impact Assessment.

6.0 Legal Implications

6.1 The One Swansea Plan has been produced and updated in accordance with the relevant Welsh Government Guidance: 'Shared Purpose – Shared Delivery'

6.2 The Head of Legal and Democratic Services and Procurement will be consulted in respect of any possible contractual or partnership arrangements as potentially envisaged by Paragraph 3.1 above

7.0 Financial Implications

7.1 There are no additional financial implications arising from this report.

Background Papers:

- The One Swansea Plan 2013
- One Swansea Needs Assessment 2013

All available at: www.swansea.gov.uk/oneswansea

- Shared Purpose – Shared Delivery: Guidance on Integrating Partnerships and Plans (2012)

Available from www.wales.gov.uk

Appendices: none

Agenda Item 9.a

Report of the Cabinet Member for Citizen and Community Engagement and Democracy

Cabinet – 1 July 2014

CUSTOMER CONTACT STRATEGY

Purpose:	To agree a customer contact strategy.
Policy Framework:	None
Reason for Decision:	To improve the way we develop and provide modern and efficient customer services.
Consultation:	Legal, Finance, Access to Services and the Customer Services project team.
Recommendation(s):	It is recommended that: 1) The Customer Contact strategy and action plan is approved.
Report Author:	Lee Wenham
Finance Officer:	Carl Billingsley
Legal Officer:	Patrick Arran
Access to Services Officer:	Phil Couch

1. Introduction

- 1.1 The Council is working to make Swansea a prosperous place, where people have choices and opportunities to improve their lives.
- 1.2 Like all councils, Swansea faces significant challenges to maintain and improve services in the face of significant reductions in the amount of funding and resources available.
- 1.3 Swansea has a population of approximately 240,000 and significant daily inflows of approximately 30,000. The latest Welsh Government population projections suggest Swansea is projected to grow by 13.1% (31,200) by 2036; which will give rise to a greater demand for the services that we provide as a council.
- 1.4 At the same time, the way customers want to access services and information is changing and the potential of new technology to

transform the way we do business and reduce costs has increased dramatically.

- 1.5 As a result, the Council needs to continue to review and develop the ways that we provide access to our services so that we are able to deliver cost effective, good quality services to our customers through a variety of channels.
- 1.6 This strategy, set out in an action plan at Appendix A, has been developed in line with the Council's Policy Commitments and the *Sustainable Swansea Fit For the Future* initiative, including our work on innovation, demand management and income and charging.

2. Overview of current position

- 2.1 The Council has modernised and reconfigured aspects of its customer services and contact in recent years. Some face to face services have been centralised at the Civic Centre, a number of call centres have been established and more transactional functions have been made available through the council's website.
A customer services standard, *The Swansea Standard*, has been implemented, resulting in positive feedback from customers.
- 2.2 There is currently no overarching strategy or single service providing a strategic lead or co-ordinating customer services across the council. As a result, services have introduced service-based initiatives. A corporate framework is essential to maximise the potential benefit for customers and to reduce costs.
- 2.3 We also need to understand more about our customers, why they contact us and how they would prefer to do business so that we can better meet and, where possible, reduce demand.
- 2.4 **Face to face contact**
- 2.5 Customers have access to staff and services at a large number of our venues. The Civic Centre contact centre deals with 105,000 customers each year. Benefits staff members are trained to work across three channels and their work is rotated between these functions.
Elsewhere there are high volumes of face to face contact in venues including libraries, leisure centres and district housing offices. These venues largely provide their own services with some sign-posting to other services within the council.
- 2.6 Current issues include long queues in the contact centre during peak times, limited customer services in communities and a lack of wifi and PCs available to the public to improve self-serve to help reduce queuing times.

2.7 In addition, having several different locations in some communities mean that customers are confused about where to go for support and they may have to go to more than one office to access council services. There are opportunities to provide information and advice to residents which may help them to access services or to make choices.

2.8 **Telephone contact**

2.9 We receive in excess of 800,000 telephone calls via the central switchboard, specialist call centres and several high-volume areas.

2.10 The council's main switchboard receives more than 330,000 calls annually. There are also a number of call centres operating in various departments, including environmental health (123,000 calls), council tax (76,000), benefits (75,000), housing repairs (66,000) and blue badge (16,000).

2.11 There are high call volume areas with predominantly operational or back-office staff such as registrars (80,000) adult services in-take (31,000) child and family (26,000), planning (16,000) and parking (8,000). In addition, there are several hundred published telephone numbers which means calls are coming in across the Council.

2.12 Current issues include variances in call monitoring and management, response rates and waiting times vary across call centres, call centres do not have the ability to share resources to manage peaks and troughs, out-of-hours and emergency arrangements vary and the main telephone and voice recording systems need replacing. In addition, some services have processes which create large call volumes.

2.13 Customers are often unable to have multiple queries dealt with via a single call. As with face to face contact, we are missing the opportunity to provide additional information, advice or guidance.

2.14 **Digital services**

2.15 The current council website is used by 1.4 million visitors per year, viewing around 3.2 million pages. This is approx 8,600 page views per day, which can increase during extreme weather conditions to over 32,700 pages viewed. The website was previously updated in 2008 and is running on an old server. Investment has been made to upgrade the latest version of the software including installing new servers to make the site more stable. A new content management system has been procured to improve the content and structure to ensure it is focused on customer needs and ease of use. The new website is due to "go-live" in June.

- 2.16 A review of the Council's payment system has been undertaken to resolve some ongoing technical issues with the Council's cash-receipting system. The review will allow further roll-out of the e-payments module which will allow further website development to make it easier for people to purchase and pay online.
- 2.17 Social media is widely used in departments to highlight events, council initiatives and campaigns. It is increasingly being used by customers to report faults. In addition, mobile apps are used such as the Connect Swansea's Binfo which provides rubbish and recycling collection information.
- 2.18 Current issues include the resources available for the main council website upgrade, with StaffNet also needing to be moved to the new content management system. Only basic online payments can be made currently because e-payments have not been rolled-out across the full range of council services. Social media is not handled by customer services teams and the use of apps and other technology such as LiveChat needs to be developed corporately.
- 2.19 In summary, our digital offer is insufficient to meet both our customers' expectations and what is required to deliver modern and effective transactions.

2.20 **Out-going contact and communications**

- 2.21 The Council uses a range of methods to contact and communicate with customers, including letters, email, social media and text messaging. Current issues include a lack of customer information and no central database, with post often being the first choice for out-going communication, inefficient print to post handling and an inconsistent approach to bulk emails and text messaging
- 2.22 In addition to these issues, the strategy also considers customer insight and technology and infrastructure which are set out in Appendix A. Improved customer insight will help us to better understand our customers, their profiles, trends and preferences. This will enable us to be more efficient in the way we deal with customers and to better target services towards customer needs and preferences.

3. **Customer views and trends**

- 3.1 During consultation in the past two years, customers have told us that the two most important influences on their view of the Council are the services they receive and contact with council staff.

- 3.2 In response, and following further consultation, we launched the *Swansea Standard* setting out how we'll treat our customers at the point of contact. The public response has been positive.
- 3.3 Additional research carried out with Swansea Voices in October 2013 considered current and future customer contact with the Council. Swansea Voices is the Council's citizen's panel which reflects the make-up of Swansea's population aged over 16 years.
- 3.4 The vast majority of residents (85%) have access to the internet. Of these, 96% access it at home. The other main ways for residents to access the internet are 'out and about' such as using a mobile phone or other portable device (45%), in work (43%) or in a library (19%).
- 3.5 More than 90% of residents use the internet to buy goods or services and three quarters book holidays and pay bills online.
- 3.6 When compared to the latest National Survey for Wales 2012-13, more people in Swansea have access to the internet than the all-Wales figure (85% compared to 73%).
- 3.7 The vast majority (86%) own a mobile phone and 56% use mobile apps.
- 3.8 How customers report faults/request a service:

Method	Phone	email	Face to face	Online form	Social media	Mobile apps
Current	87%	38%	24%	20%	5%	2%
Preferred	72%	56%	27%	26%	10%	10%

- 3.9 How customers receive information:

Method	Post	Web/online form	email	phone	Social media	Mobile apps
Current	61%	50%	22%	22%	8%	1%
Preferred	48%	46%	47%	18%	16%	9%

- 3.10 Customers want more information and services provided online, including: requests for recycling bags; parking fines and the ability to report faults. However, some of the barriers include computer access, IT skills and limitations with the current website.
- 3.11 The Government has launched its Digital by Default strategy encouraging public services to be delivered online or by other digital means. The Council has a 12-month digital inclusion project running until December 2014 to support groups such as the economically inactive and older people to use computers and online services. A

digital inclusion strategy is currently being developed to build upon this project and to ensure more residents are supported to use online services

- 3.12 A recent study by the Society of IT managers (SOCITM) found that the average cost per customer contact was:
- Face to face £8.60
 - Phone £2.83
 - Online 15p
- 3.13 A number of councils in Wales and England have modernised their customer contact through the use of technology, digital services and consolidating phone and face-to-face contact. The structure and models vary and we can learn from their experiences.
- 3.14 Councils such as Torfaen have introduced automated call handling which has reduced costs and waiting times. Other recent developments such as the use of LiveChat has, for instance, seen Cornwall Council reduce overall contact centre costs by reducing unnecessary contact and improving customer satisfaction because there is no need to phone or wait in queues. Using LiveChat, one operative can communicate with up to six customers at one time.
- 3.15 In summary, these findings highlight the need to provide high quality phone and email services, improve our online information, expand the range of online services and develop the use of new methods to provide better customer experience and reduce costs.

4. The strategy

- 4.1 The main drivers of the strategy are:
- **Consolidate customer services** into a single service to establish consistent standards for customers.
 - **Provide a range of high quality customer services** through the web, phone, face-to-face, emails, text messaging, social media and developing the use of technology.
 - **Better use of resources and customer data** to improve efficiency and customer experience.
 - **Greater use of technology** to improve services, customer insight and working practices.
 - **Manage demand** by providing self-serve opportunities and increasing the range and effectiveness of online services to reduce unnecessary contact and waiting times for customers.

4.2 The strategy has four key aims:

- To improve customer experience.
- To achieve a fundamental shift in customer contact to digital self-service channels.
- To consolidate current customer contact.
- To use customer insight to improve services and achieve the other aims.

4.3 To achieve these aims we need to implement a number of key principles:

- We will operate as a single customer service organisation, not a number of separate customer services businesses.
- We will bring current customer contact resources under a single management structure.
- We will adopt the principle of *digital by default* and transfer, wherever possible, customer contact from face to face and telephone to digital channels.
- We will *make every contact count* to reduce or minimise demand and change resident behaviour.

4.4 We will need to:

- Invest in our telephony, digital and mobile working infrastructure.
- Reduce the number of customer contact posts over time to achieve savings.
- Develop a change plan with external and internal stakeholders.
- Ensure residents and protected groups are not disadvantaged by these changes.

5. Strategy scope and overview

5.1 Our Customer Contact Strategy focuses on our core customer channels: phone, email, face-to-face, online, out-going communications and developing contact via the likes of social media and text messaging.

5.2 We will offer customers flexibility in the way they can access services and interact with the council by providing the services they want.

5.3 Building on the growth of internet use to deliver more digital services will be at the heart of our strategy, adopting a '*Digital by Default*' approach.

5.4 This will help to drive down costs, maximise efficiency, give greater flexibility and access for customers and gather valuable customer insight to help us develop services tailored to our customers' needs.

- 5.5 We will make it easier for customers to contact us by phone and speak to trained staff who can resolve their requests.
- 5.6 We will also increase online contact through forms and develop the use of email, social media, mobile apps, LiveChat and text messaging to improve efficiency and customer service.
- 5.7 Our successful contact centre will be the centrepiece of our face-to-face channel, along with the potential for developing community-based facilities to help prevent unnecessary journeys and queuing times for customers. Discussions are already under way to offer a broader range of services at the Council's network of community libraries, along with the consideration of creating community hubs either in existing council buildings or by bringing together services into a single community building to act as a one stop shop.
- 5.8 Our staff will be equipped with the skills and knowledge they need to deliver effective customer services.
- 5.9 We will focus on making every contact count by skilling front-line staff in their engagement with the public to encourage personal responsibility and wellbeing through consistent messages.
- 5.10 The strategy will be supported by a publicity and marketing campaign to encourage customers to use the most efficient channel.
- 5.11 Our digital inclusion project will be extended beyond the 2014/15 financial year and support from trained staff will help to provide customers with IT skills and access to PCs to use online services.

6. Outcomes

- 6.1 The strategy has key outcomes for our customers and the Council.
- 6.2 Customers will have:
 - Increased choice in the ways they contact the council.
 - Quicker and easier access to a range of services.
 - High quality customer services across all channels.
 - Support to use new contact methods.
 - Opportunities to provide feedback to help shape services.
- 6.3 The Council will have:
 - Customer services consolidated into a single service, providing strategic direction and better linkages across all channels.
 - Better use of technology and existing resources to increase efficiency and drive down costs.
 - Consistent standards and practices in meeting customer needs.

- A reduction in unnecessary customer contact and increased satisfaction.
- A better understanding of our customers enabling us to tailor and target services.

7. Channel shift marketing plan

7.1 The Council's new website will be launched in summer 2014, with the development of a wider range of online services by the autumn. This will be followed by a marketing campaign to publicise the new website and its range of services to maximise efficiencies and encourage customer use.

The campaign will include online and offline promotion, including:

- Advertising services on Facebook and Twitter.
- Posters in council venues.
- A local media campaign.
- Emails.
- Advertising on council vehicles.
- Advertising boards and bridge banners.

7.2 A comprehensive review of all printed material will be carried out to ensure the most prominent point of contact is always the website address.

7.3 Achieving behavioural change is complex and difficult to achieve. This will require the use of resources from across the council, including research, communications, web and marketing as part of a *Making Every Contact Count* initiative to help manage customer demand.

8. Implementation

8.1 The strategy will be rolled-out over three years, supported by a Customer Services Project Plan. The priorities for Year One will be:

- A new website based on user feedback and best practice.
- Start the incremental roll-out of online services and e-payments.
- Improvements to the contact centre including wifi access, a new e-zone and piloting self-service cash payment machines.
- Piloting automated call handling.
- Digital inclusion strategy and promotion of existing sessions.

8.2 As these above priorities are rolled-out their impact will be assessed prior to deciding the phasing of further actions in Years Two and Three.

9. Consultation and Engagement

- 9.1 It is vital that we consult our customers on the strategy and on-going developments. This will include Swansea Voices, children and young people, older people, the Council's equality groups and customers at our different contact points. This will form part of on-going consultation to ensure we continue to provide and develop services in line with customer expectations. A full Equalities Impact Assessment will be undertaken as set out in section 10 of this report to address these issues.
- 9.2 Customer feedback will form part of a new drive to improve customer insight and quarterly reports will be provided to Heads of Service to ensure they have the latest findings and emerging trends.
- 9.3 We will work closely with other councils and agencies to learn lessons and identify potential collaboration opportunities.

10. Equality and Engagement Implications

- 10.1 An initial EIA Screening has been undertaken as a result of which a full EIA Report will be completed for the overall project. This will lay out the issues to be considered to ensure that necessary existing and enhanced methods of access will be maintained or introduced to allow access to services by otherwise excluded communities or groups.
- 10.2 As individual sub-projects proceed, this overall EIA will provide a template to ensure a consistent approach. The overall EIA may be amended to incorporate any new aspects which emerge during a sub-project and these will be considered for inclusion overall and so against all sub-projects.
- 10.3 The strategy will need to be reviewed in the light of emerging changes to legislative or regulatory requirements in the areas of equalities and Welsh language.

11. Financial Implications

- 11.1 The Year One proposals set out above will be funded by existing budgets within Communications and Customer Engagement, Information and Business Change and Finance.
- 11.2 There is provision in the Information and Business Change budget for the planned upgrading of the telephone and voice recording systems during 2014/15.

- 11.3 Other initiatives including technology and infrastructure will require an 'invest to save' business case which will be developed during Years Two and Three of Customer Services Project.

12. Legal Implications

- 12.1 There are no specific legal implications associated with this report, however the strategy will have to accommodate and comply with our statutory publication obligations.

Background Papers: None.

Appendices: Appendix A: Customer Contact Strategy Action Plan.

Appendix A: Customer Contact Strategy Action Plan

- **Face to face contact**

We will make it easier for customers to resolve their inquiries at the first point of contact by supporting customers to use online services, reducing queues and providing better access to a range of services.

<p>Increase the range of on-line services to reduce the need to visit the contact centre and reduce queuing times.</p>	<ul style="list-style-type: none"> • Contact centre transactions will be prioritised to become online services to reduce the need for customer visits. • Appoint digital champions in service areas to support/train customers to use online services. • Work with service areas to roll-out online services.
<p>Reduce queuing times by improving online access and self-serve opportunities.</p>	<ul style="list-style-type: none"> • Create an E-zone in the Civic Centre for the public to access council and partner websites and provide help to carry out online transactions. • Provide wifi facilities so that customers can be taken out of the queue to transact via an iPad with staff support. • Consider self-serve ticketing for some services. • Trained contact centre staff will support customers in using online services. • Introduce cash machines so that customers can deposit cash/pay bills quickly, allowing customers to pay third-party bills which will also generate income for the council. • Review parking arrangements to reduce queues. • New arrangements to enable visitors turning up for meetings to avoid the queue – eg, self-serve check-in.
<p>Provide better access to a wider range of services.</p>	<ul style="list-style-type: none"> • Work with partners to share facilities and provide a one-stop advice centre. • Consider how other council venues can provide wider services/advice and access to free phone, PCs and video conferencing for customers. • Consider community and/or city centre contact centres.

- **Phone contact**

We will consolidate call centres into a federated structure and cluster trained staff to deal with a wide range of complex services.

We will reduce the amount of published numbers, trial automated call handling and use resources more efficiently.

<p>Further consolidate call centres and make it easier for customers to speak to trained staff for complex and personal issues.</p>	<ul style="list-style-type: none"> • Establish a new call centre federated model to manage complex services (social services, finance & benefits) and those services that have similarities and can be clustered (buildings & environment). • Introduce a single management structure and local supervision for federated call centre model. • Internal call handling for managers and back-office staff to be provided by call centres.
<p>Improve call handling and use resources more efficiently</p>	<ul style="list-style-type: none"> • Procure a new voice recording system. • Pilot an automated call-handling system in benefits, business rates and council tax with the potential to roll-out across other services. • Establish consistent practices and call reporting and monitoring across all call centres. • Cross-train staff in call centres to work across disciplines and redirect staff to manage peaks. • Provide clear and consistent operating and working practices – eg, opening times and out-of-hours.
<p>Reduce the number of calls to operational and back-office staff.</p>	<ul style="list-style-type: none"> • Rationalise the amount of published telephone numbers to make it easier and more efficient for customers and staff. • Transfer high volume calls to call centres to improve efficiencies and free-up operational staff. • Provide recorded messages and improved online information for regular updates – eg, waste collection, pitches etc. • All customer contact to promote online information to reduce unnecessary contact.

- **Digital**

We will implement a new website content management system focused on customers and providing a wider range of online services and payments. We will encourage and support customers to use online services and develop new digital services to provide easier access and improve efficiency.

<p>Redesign and launch Swansea.gov.uk</p>	<ul style="list-style-type: none"> • Task-orientated site design. • Based around the user. • Improve search functionality. • Existing online resources replicated on the new site. • Additional reporting services. • Rationalise stand-alone websites. • Work with new commercial manager to identify new income streams.
<p>Support customers to use online services.</p>	<ul style="list-style-type: none"> • A digital inclusion plan aimed at key groups including the economic inactive and older people. • Contact centre staff to identify and support appropriate customers. • Marketing plan to promote online services.
<p>Roll-out new online services and payments.</p>	<ul style="list-style-type: none"> • Review online payments & consider alternative software systems. • Prioritise new online services by income and efficiency saving. • Integrate forms with online payments. • Integrate forms with back office systems. • Develop online mapping with integrated fault reporting.
<p>Redesign Staffnet to improve efficiency and make it easier to access information.</p>	<ul style="list-style-type: none"> • Replace current platform with a modern intranet system. • Make Staffnet task-orientated. • Have clear themes – eg, group all HR tasks and info together. • Improve search function. • Replace static monitoring systems such as spreadsheets and access databases with online systems. • Promote the use of knowledge bases within call centres.
<p>Integrate social media and LiveChat into customer services to improve efficiency and access.</p>	<ul style="list-style-type: none"> • Work with call centre staff to roll-out customer services support via social media. • Consider implementing a chat function with scripts online so that call centre staff handle up to six users at once. • Consider the use of Skype or other VOIP service to handle supported browsing. • Provide electronic progress updates to customers who request services.

- **Out-going contact**

We will reduce the amount of post and inefficient handling and develop a range of modern contact methods to save time and money.

Streamline processes and rationalise the amount of postal correspondence.	<ul style="list-style-type: none"> • DesignPrint to provide cost-effective “cradle to grave”– design, print, insertion and postage service. • Consider a corporate document management system to scan all incoming post to reduce the time taken to process customer requests.
Increase the use of email to contact customers.	<ul style="list-style-type: none"> • Move towards email by default, where possible. • Encourage customers to contact us by email and online forms to automatically code and filter requests to reduce back-office work. • Consider solutions to improve monitoring and quality.
Use cost-effective methods to contact large volume recipients.	<ul style="list-style-type: none"> • Consolidate postal services to ensure mail discounts are maximised. • Use Mailchimp to send bulk emails. • Review text messaging contracts and needs across the Council with the aim of consolidating into a single solution.

- **Customer Insight**

We will capture and analyse customer information and contacts more effectively so that we have a better understanding of customer needs, preferences and trends. This data will be used to develop and target services.

Improved analysis of customer data and trends to inform service development.	<ul style="list-style-type: none"> • Consider the procurement of customer database/CRM solution. • Customer insight updates to be provided to Heads of Service along with recommendations for improvement. • Mystery shopper exercises in customer contacts areas and provide feedback to improve. • Appoint service improvement officers to promote customer service, channel shift and implement changes in service areas.
Customers to help shape services.	<ul style="list-style-type: none"> • Complaints and access issues to be monitored and addressed with departments. • Swansea Voices to provide feedback on key customer issues. • Regular customer surveys/consultation to help shape services.

	<ul style="list-style-type: none"> • Develop customer forums to improve feedback and comments.
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- **Technology**

We will maximise the use of existing software to improve telephone services, expand online payment services and procure new systems to provide a single view of our customers.

Improve the use of the e-payments system.	<ul style="list-style-type: none"> • Commission Civica to carry out a health check to ensure we maximise existing modules. • Designate a group of officers to manage Civica issues and support cashiers in rolling-out e-payments across the council. • The web team to identify and encourage services to offer e-payments. • Encourage customers to use direct debit and apply full cost recovery for using credit cards.
Improve telephone functionality.	<ul style="list-style-type: none"> • Procure a modern telephone system for the main civic buildings. • Review existing contracts in other buildings to consolidate contracts and maximise savings. • Procure a new corporate voice recording system. • Maximise our telephony management system to respond to peaks. • Team leaders to receive training to improve performance management.
Improve the capture and use of customer data and contacts.	<ul style="list-style-type: none"> • Consider the procurement of customer database/CRM solution or systems integrator. • Develop a Tell Us Once facility for births and customer changes. • Research and Information to provide regular analysis on customer insight.
Identity assurance (potentially from Welsh Government)	<ul style="list-style-type: none"> • Scope methods of identifying users to verify their details to reduce crime including fraud. • Use verification to benefit the council, eg to cut fraud. • Use verification to check user info behind the scenes with third parties, saving a face to face visit.
Consider a customer relationship management system and integrator systems.	<ul style="list-style-type: none"> • Provide a system to handle appointment booking and link with payments. • Consider system to link to existing back office systems –possibly instead of customer relationship management system to save on annual costs.

Agenda Item 10.a

Report of the Cabinet Member for Learning and Skills

Cabinet – 1 July 2014

21st CENTURY SCHOOLS PROGRAMME

2nd STAGE (CONSTRUCTION) CONTRACT AWARD, CAPITAL PROGRAMME AUTHORISATION AND LAND AT THE ELBA, GOWERTON – PROPOSED CHANGE OF PURPOSE FOR WHICH THE LAND IS HELD FOR THE NEW BUILD FOR GOWERTON PRIMARY SCHOOL

Purpose:

- To approve the scheme for the new build for Gowerton Primary School subject to confirmation of grant and contract with Welsh Government.
- To seek authorisation to award the 2nd Stage Contract for the works to Tender No. 1, subject to confirmation of grant and contract with Welsh Government.
- To approve the appropriation of the proposed site at The Elba.

Policy Framework:

- The Review and Capital Budget as reported to and approved by Council on the 18th February 2014.
- Corporate Priority to review the overall provision of schools.
- Corporate Priority to improve opportunities for children and young people.
- Corporate Priority improving school performance.
- Corporate Priority effective corporate and strategic management of assets.

Reason for Decision:

- To comply with Financial Procedure Rule 7 (Capital programming and Appraisals) – to commit and authorise schemes as per the Capital Programme.
- To comply with Contract Procedure Rule 13, the evaluation and award of contract.
- Statutory requirement under S.122 (2A) of the Local Government Act 1972 to consider any objections to the proposed appropriation of an open space.

Consultation:

Education, Finance, Legal Services, Corporate Building and Property Services.

Recommendations:

It is recommended that: -

1. The capital scheme as detailed together with the financial implications set out in Appendix A is approved, subject to confirmation of grant and contract with Welsh Government and;
2. The contract for the works to build a new school for Gowerton Primary be awarded to Tender No. 1 subject to confirmation of grant and contract with Welsh Government and;
3. As no objections to the appropriation have been received, the Appropriation of the land from the Director of Place to the Director of People is approved which will enable the building of the proposed new Gowerton Primary School;
4. Head of Legal, Democratic Services and Procurement is authorised to enter into any necessary documentation required to complete the contract and achieve the scheme.

Report Author: Brian Roles**Finance Officer:** Steve Matthews**Legal Officer:** Debbie Smith**Access to Services
Officer:** Phil Couch**Part A****1.0 Introduction/ Background**

- 1.1 The Strategic Outline Programme (SOP) detailing the re-organisation and investment needs for schools across Swansea was submitted to the Welsh Government (WG) in 2010.
- 1.2 In December 2011 further approval in principle was granted by WG to proceed with the schemes outlined within "Band A" of the programme subject to contract and Local Authority contribution of 50% towards overall costs.
- 1.3 In line with WG programme requirements the Capital Budget and Programme 2013/14 to 2016/17 provides an outline spending profile for the early priority schemes, totalling £21m. Included within this first phase of priority projects is a new school on a single site for Gowerton Primary School.
- 1.4 In July 2013 the Welsh Government announced £4.5 m of funding within the current financial year to accelerate priority schemes with the aim of achieving a construction on site within 2013/14. This approval included the scheme for Gowerton.

1.5 The scheme is subject to the successful approval of three stages of a business case. To date two of these stages have been approved by the Welsh Government and subject to the final stage (FBC) approval the Authority will enter into a formal contract with the WG which will form a binding agreement with the City & County of Swansea (CCS).

2.0 Description of Scheme

2.1 Tregwyr Infant School and Tregwyr Junior School were amalgamated in September 2010. The new school is now called Gowerton Primary School but still operates out of the three sites, with the aspiration to move the new primary school from its existing three school sites.

2.2 The progress so far through the establishment of a single school has already seen improvements in attainment through the development of a shared ethos, common policies and more effective use of the delegated budget. Phase 2 of the amalgamation, a replacement school on a new site is essential in order to fully realise both the educational and financial benefits that were targeted by the amalgamation. Phase 2 will deliver a more appropriate teaching and learning environment and further raise educational standards, achieve substantial economies and greater operational efficiencies, whilst addressing a reduction in surplus places and running costs across the existing buildings.

2.3 With a combined site area, of approximately 2.86 acres, the existing site area is below BB99 guidelines for a 315 pupils plus Nursery school. Furthermore, there is an inefficient use of space across 3 sites. The only 'green' areas are to be found at the Junior site, and consist of a small green area at the rear and side of the site, and also the wooded area known as The Mount, which although in part is within the curtilage of the School grounds, is also accessible to the public and has to be risk assessed prior to every use by the School.

2.4 Whilst the School are making use of the resources available to them as reported by Estyn in 2012, there is no appropriate transition from indoor to outdoor learning environments, or immediate access to suitable habitat and grassed areas.

2.5 The proposed new build for Gowerton Primary School will provide a 315 place Primary school plus a Nursery, and will be a 1.5 Form Entry school of traditional construction.

2.6 This proposed site at The Elba is 2.49 acres; this satisfies BB99 guidelines for all external areas with the exception of pitches. However this can be fulfilled with the existing facilities and proposed enhanced facilities at The Elba adjacent to the proposed site.

2.7 The proposals include a modest enhancement of the remaining facilities at The Elba to mitigate that loss of the 2.49 acres and satisfy the requirements of Policy HC23 of the Unitary Development Plan. The scheme includes for the provision of an all-weather 3G surface to the

tennis courts primarily now utilised as a MUGA, and also requires the realignment and new equipment for the play area.

3.0 Objectives of Scheme

- 3.1** The construction of a new Gowerton Primary School will provide:
- Pupils and staff with a safe, sound and fit for purpose school environment
 - An appropriate environment that facilitates an improvement in attainment levels across the whole age range of Gowerton Primary School
 - Greater operational efficiencies
 - Community usage of school facilities
 - Reduce the number of surplus places within the City & County of Swansea

4.0 IT/System Implications

4.1 The IT infrastructure requirements for the new school have been identified in the detail design of the scheme. The new building will have both hard wired and wireless infrastructures throughout.

4.2 Both school and local Authority technical support have informed the planned infrastructure provision and will continue to develop these in the new school.

5.0 Staffing Implications

5.1 The Head is planning for the occupation of the new build including staffing requirements consistent with the expected delegated budget.

6.0 Property Implications

6.1 The existing buildings are proposed to be retained as an Education asset for the time being but if no longer required for this purpose would form part of the disposal programme with receipts ring fenced and received to fund future projects as part of the 21st C programme.

6.2 All future maintenance liabilities will be continued within the current review budget either retained or devolved to schools in line with the relevant division of responsibilities.

7.0 Equality and Engagement Implications

7.1 A full Equality Impact Assessment has been carried out and has shown this project will have a positive impact on;

7.2 Age – Gowerton Primary School is a school for pupils aged 3-11 years. This project will have a very positive impact on the Education of all 3-11

year olds who attend the school in the future.

7.3 *Disability* – The design, delivery and implementation of this project has taken full consideration of the social model of disability, which recognises that people are disabled by the barriers of society (e.g. physical, environmental, organisational, and attitudinal, communication, etc.) rather than by any physical condition. The design of the new buildings and the running of the school in the future will ensure that ALL the pupils and staff can make the most of their new environment.

7.4 *Welsh* – All public signage within the school will be bilingual.

8.0 Legal Implications

8.1 The land is currently held by the Director of Place for recreation purposes. In order for the scheme to proceed, the land use needs to be altered from recreation to Education purposes and hence the requirement for Appropriation.

8.2 Under the provisions of Sections 122, (2A) of the Local Government Act 1972, the Council may not appropriate land comprising or forming part of an open space unless before doing so, it causes notice of its intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated and consider any objections to the proposed appropriation which may be made.

8.3 Notices of the intended appropriation of the said land at the Elba were duly published in The South Wales Evening Post on the 6th and 13th January 2014. No objections were received.

8.4 The Head of Legal, Democratic Services and Procurement has carried out a report on title on the land and has confirmed that there are no constraints that would affect the proposals.

9.0 Financial Implications

Capital

9.1 The Council provisionally approved an indicative budget of £5m for the new Gowerton school at Council on the 14th February 2013 as part of the 21st Century Schools Programme. A revised 21st Century Schools programme was set out in the Capital Budget and Programme report presented to Council on the 18th February 2014 with the budget for Gowerton being £6.575m.

9.2 The current estimate of cost amounts to £6.805 and will be funded with WG grant of £3.4025m and the Authority's own resources of £3.4025m. The increase in cost will be contained within the total funding available in the 21st Century Schools Band A Programme. The costs are summarised as follows:

	Expenditure	£
1	Construction	£5,551,000
2	3G Tennis Courts and Play area	£247,000
3	Surveys and external fees	£445,000
4	Additional Traffic Measures	£15,000
5	CBPS Fees	£231,000
6	Education Fees	£80,000
7	Legal and Planning Fees and other direct costs	£28,000
8	Digital Learning	£50,000
9	Decant	£50,000
10	Contingency	£108,484
	Total Costs	£6,805,043

- 9.3** The increase in costs are attributable to a number of factors including;
- Initial costs were based on indicative budget costs for the project prior to design.
 - Unknown site costs arising from site investigations.
 - Drainage offset requirements.
 - Enhancement of the remaining facilities at The Elba to mitigate that loss of the 2.49 acres and satisfy the requirements of Policy HC23 of the Unitary Development Plan.
 - Insurance Requirements.
 - Uplift in construction market.
- 9.4** Subject to the approval of costs the Final Business Case (FBC) will be subject to Welsh Government approval and award of grant as detailed in 1.5 above.
- 9.5** Until the Authority receives the offer of grant the contract for the works will not be signed and actioned.
- 9.6** Details of the current estimated cost and funding are set out in Appendix A.

Revenue

- 9.8** The school's operational revenue costs will continue to be appropriately funded by way of budget share of the total schools delegated budget provided in 2014-15 budget and future years as set out in the medium term financial plan.
- 9.9** All schools are funded on a consistent and transparent basis and the new build on a single site will mean that the school no longer requires split site funding (which is provided to reflect the additional costs incurred when a school operates across more than one site).

- 9.10** Furthermore, there are currently two kitchens operating, at each of the infant and junior sites. The new build will have a single kitchen which will result in a direct revenue saving.

Part B - Appointment of contractor to carry out 2nd Stage construction works.

10.0 Procurement/Tender Process

- 10.1** This scheme was procured through a two-stage procurement process utilising the South West Wales Regional Framework via a mini competition. The Contract Award Report of February 2013 set out the tendering procedure. The first stage involved the Council accepting a pre-construction fee from a contractor to work collaboratively with the Council to agree a firm tender price for the construction stage of the project. Tenderer No. 1 was selected to proceed with stage one. The contract was awarded in accordance with the Council's Contract Procedure Rules and authorised under delegated authority as the pre-construction fee was under a £1m.

- 10.2** The Stage 2 tender was returned to Legal and Democratic Services by the stated deadline of 12.00 noon on 1st May 2014 and was opened in compliance with the Contract Procedure Rules.

- 10.3** Tender received as marked by Legal Services:-

Tenderer No. 1. – £6,113,888.66.

The single tender was arithmetically checked and found to be correct.

- 10.4** The Stage 2 tender has been approved by the Tender Evaluation Panel, and recommended for Contract Award by the Responsible Officer and Heads of Finance, Legal and Procurement in accordance with the Council's Contract Procedure Rules.

11.0 Financial Implications

- 11.1** The overall project budget is £6.805m with a construction works budget of £6.114m.

- 11.2** The Contract cost, inclusive of Works, Contractor Design Fees and Services, can be met from the approved budget for the scheme. Any variations to the contract that arise will have to be funded by reducing other elements of the scope of works.

- 11.3** Until the Authority receives the offer of grant from WG the contract for the works will not be signed and actioned.

12.0 Legal Implications

12.1 The South West Wales Regional Framework led by Carmarthenshire County Council has been established in accordance with EU legislation. The Contract Award is recommended for approval in accordance with the Council's Contract Procedure Rules.

12.2 Any contractual liabilities/obligations with the successful tenderer will be covered by appropriate contract documentation to be prepared and approved by the Head of Legal, Democratic Services and Procurement.

12.3 The contract and offer of grant funding from Welsh Government will contain conditions which are legally binding. The Council will need to ensure that these conditions are reasonable and that it is able to comply with the same.

Background Papers:

- Delegated Powers Report dated February 2013 21st Century Schools Programme
(Pre Construction Design Scheme and Contract approval)
- Cabinet Report dated 17th September 2013 21st Century Schools Programme
(Authorisation to submit Planning Application and to Publish Open Space Notices)

Appendices

Appendix A - Financial Implications: Summary

1. CAPITAL COSTS	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	Total £'000
<u>Expenditure</u>					
Construction		2439	3022	90	5551
3F Tennis Courts and Play Area		247			247
External Fees and Surveys	363	51	30	1	445
Additional Traffic Measures		15			15
CBPS Fees	60	102	60	9	231
Education Fees	20	40	20		80
Legal and Planning Fees and other direct costs	17	11			28
Digital Learning		50			50
Decant			50		50
Contingency		60	48		108
EXPENDITURE	460	3015	3230	100	6805
<u>Financing</u>					
WG grant		1737.5	1615	50	3402.5
Own resources	460	1277.5	1615	50	3402.5
FINANCING	460	3015	3230	100	6805
2. REVENUE COSTS	2013/14 £'000	2014/15 £'000	2015/16 £'000	2016/17 £'000	Total £'000
<u>Service Controlled - Expenditure</u>					
Employees Maintenance Equipment Administration				5	5
NET EXPENDITURE	0	0	0	5	5

Report of the Cabinet Member for Learning and Skills

Cabinet – 1st July 2014

HOME TO SCHOOL TRANSPORT POLICY – PUBLIC CONSULTATION ON A NEW PROPOSED POLICY

Purpose:	To report back on the responses to consultation with regard to the proposed new Home to School Transport Policy and transitional support arrangements.
Policy Framework:	Current Home to School Transport Policy. The Welsh Education Strategic Plan.
Reason for Decision:	For Cabinet to consider the responses received as part of the recent public consultation together with the Equality Impact Assessments and determine whether it wishes to ask Council to adopt some or all of the proposals .
Consultation:	Legal, Finance, Transportation & Access to Services
Recommendation(s):	It is recommended that: - <ol style="list-style-type: none">1) Cabinet note the outcome of the statutory consultation process and the potential impact on equalities issues, as outlined in the report.2) Cabinet decide which, if any, of the three consultation proposals, in relation to the discretionary areas of provision, should be taken forward to Council for approval.
Report Author:	Chris Sivers
Finance Officer:	Susan Rees
Legal Officer:	Janet Hooper
Access to Services Officers:	Sherill Hopkins and Phil Couch

1. Financial Context

- 1.1 The Council, in common with all local authorities, needs to take radical action to respond to the wide range of service and financial pressures that we face, including the reduction in external grant as a result of the UK austerity measures.
- 1.2 The scale of the financial, demographic and sustainability challenge requires the Council to adopt a radically different approach to previous years. An approach that focuses on:

- The core future purpose of the Council
- The transformation of services and the model of delivery
- Greater collaboration with other councils and local organisations, community groups and residents, and above all:
- Sustainable solutions with prevention at the heart

1.3 This ambition is set out in *Sustainable Swansea – fit for the future*.

1.4 The Medium Term Financial Plan adopted by Council on 18th February 2014 detailed the forecast budget savings requirements for the Council for the period 2015/16 to 2017/18, together with an indicative funding scenario for each financial year. Specific details of the individual savings proposals that make up the above total are included in Appendix 'A' to this report.

1.5 A key element of the budget strategy is the achievement of future year specific savings proposals across all Services as follows:-

	<u>2015/16</u> <u>£'000</u>	<u>2016/17</u> <u>£'000</u>	<u>2017/18</u> <u>£'000</u>
Specific Savings proposals	-8,990	-17,143	-18,706

1.7 Several of the proposals require further consideration by Cabinet in terms of implementation. Where this is the case, it has been agreed that further reports will be brought back to Cabinet during 2014/15 detailing the work undertaken and decisions required to implement the specific proposals.

1.8 It goes without saying that progress against these proposals is essential if the Council is to achieve the required level of savings to balance future budget requirements. Consequently, any decision not to proceed with a particular proposal or any shortfall against agreed savings will lead to a requirement for additional savings from elsewhere within the Authority.

1.9 This report relates to Home to School Transport, contained within the agreed savings for the People Directorate. The target savings in respect of this service, *and specifically these proposals*, are:-

	<u>2015/16</u> <u>£'000</u>	<u>2016/17</u> <u>£'000</u>	<u>2017/18</u> <u>£'000</u>
Home to School Transport	100	223	309

By their very nature, and due to statutory guidance that the Council has to take into account, the realisation of savings (including those to Aided Transport), whilst protecting existing pupils, have a long lead in period. The potential total annual savings could be in excess of £1.1m by 2022/23.

1.10 The financial context facing the Council cannot 'fetter' the discretion of the Authority. It is a clear and compelling driver but as part of the decision making process Cabinet, and then Council as the ultimate decision maker, has to fully consider and take into account the responses received through consultation.

1.11 Equality Impact Assessments have been completed in respect of all of the proposed changes. They reflect the views received during the consultation and are attached as Appendix A.

2. Background to the Review

- 2.1 The Welsh Government's Learner Travel (Wales) Measure 2008 (referred to as "the Measure") sets out the current statutory duties of Local Authorities with regard to the provision of home to school transport. Statutory guidance is also provided by the Welsh Government in the Learner Travel Operational Guidance 2009 document (referred to as "the 2009 Guidance").
- 2.2 Cabinet on the 11th February 2014 approved the commencement of consultation with interested parties in relation to the proposed changes set out in this report. The report provided further background detail in relation to the partnership with the former South West Wales Integrated Transport Consortium (SWWITCH) to produce a Regional Home to School Transport Policy covering Swansea, Neath Port Talbot, Carmarthenshire and Pembrokeshire.
- 2.3 The proposed new policy will be simpler and clearer than the current individual Council policies and covers transport for mainstream and SEN pupils. The Policy will be supported by more detailed Operational Guidelines which will be issued to all those involved in the assessment of entitlement and procurement of school transport. The proposed new policy will take into account current budget pressures and recognise the need to make changes to discretionary transport elements.
- 2.4 Significant efficiency and contract savings of at least £660k per annum have already been delivered by comparison with the equivalent contracts in 2009 (in addition to mitigation of other inflationary cost drivers), as part of the 3 year 'One Education Budget' strategy over recent years, through consistently robust management of the service and regular re-tendering of taxi contracts, to as far as possible optimise efficiency of delivery. This represents achieved cumulative savings of around £2.0m, without any reliance on costly external consultancy support.
- 2.5 These savings also in part reflect the impact of the improved 'spread' of Welsh medium primary and secondary provision over recent years through the QEd strategic programme.
- 2.6 Wherever possible the fullest practical use of the vehicles that the Council operates is ensured before contracting with other operators. Constructive discussion has taken place with the relevant officers in Education, Social Services and Transportation which indicates little scope for further savings to be delivered in this area. *Any further detailed work on this would be part of the wider corporate transport review.*
- 2.7 However, further challenging saving targets for 12/13 and 13/14 have proved unachievable without a change in Council policy and further pressures are apparent in the current financial year.
- 2.8 National changes to criteria for determining 'safe' walking routes to school, outside the Council's control, are likely to significantly increase demand and therefore costs of free transport provision in the future, as well as undermining some of the work that has been undertaken to deliver 'invest to save' options through investment in improving walking routes to school.

3. Statutory Requirements

- 3.1 The Learner Travel (Wales) Measure 2008 sets out the legal framework for home to school transport in Wales. Under section 3 of the Measure, children of

compulsory school age are entitled to free home to school transport when they live more than 2 miles (for primary age) and 3 miles (for secondary age) from their nearest suitable school. The walking distance is measured by the shortest available route. The guidance states that, “a route is considered to be ‘available’ if it is safe for a child without a disability or learning difficulty to walk the route alone or with an escort if the age of the child would call for such an escort.” If a route is not ‘available’ then a child is entitled to free transport even though the distance from home to school is less than the distance limit that applies to his/her age. *The Council will continue to meet these responsibilities in any future policy.*

- 3.2 In deciding whether a School is a suitable School, Local Authorities need to take into account the child’s age, ability and aptitude, and any learning difficulties.

Paragraph 1.23 of the 2009 Guidance states:

“1.23 Neither the child’s or parent’s language preference or mother tongue, nor religious faith or conviction of the child or his or her parent have any bearing on whether a School is suitable. However, the Measure (section 10) does require each local authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure”.

Section 4 of the Measure also requires a local authority to make other travel arrangements for children of compulsory school age if the authority judges it is necessary in order to facilitate a child’s attendance at school. Paragraph 1.18 of the 2009 Guidance says this section provides the basis for local authorities to support travel for children if they have particular needs, whether arising from a learning difficulty, a disability or any other factor which makes particular travel arrangements necessary to facilitate the child’s attendance.

- 3.3 Part 2 of the 2009 Guidance deals with discretionary transport arrangements. Paragraph 2.3 of the 2009 Guidance says:
“2.3 Section 6 of the Measure gives a local authority a power to make any arrangements they think fit to facilitate the travel of learners to and from a place where they receive education or training. The power applies in relation to a learner living or studying in the authority’s area. This could include transport for those under 5 or over 16, or to schools other than the nearest suitable school – for instance it could include transport to schools with or without a religious character or to Welsh or English medium schools in cases where the nearest suitable school has not met parental preference in these respects.

2.4 Local Authorities may provide free transport for travel over a shorter walking distance than the statutory distances of 2 or 3 miles. When this is the case, the policy must apply to all pupils in similar circumstances living in the authority’s area.

2.5 If a local authority does make use of the Powers in section 6 of the Measure, it must ensure that any policies are fair, reasonable and comply with relevant legislation including equality legislation and the Human Rights Act 1998. Local Authorities must not discriminate unlawfully between learners when using their section 6 powers.”

4. Discretionary Areas of Provision

- 4.1 The draft policy on which consultation has taken place proposes changes to the following areas of discretionary provision:

Proposal 1: Passenger Assistants on School Transport Services

4.2 Current Policy

The Home to School Transport policy currently states, in respect of pupils with special educational needs, that:

‘passenger assistants are generally provided on all vehicles as standard’.

For other pupils it states that:

‘passenger assistants are provided on all home to primary school contract vehicles.’

4.3 Proposal on which we have consulted

That the provision of passenger assistants in future is on the basis of a risk assessment where it is assessed that there would be a significant risk to passenger safety if a Passenger Assistant was not provided. This would be for all categories of passengers. This is currently the practice in around half of the Local Authorities in Wales. For children with statements of SEN this would be done as part of their annual review. For other pupils this would be carried out annually when routes are reviewed for the start of the new academic year.

4.4 Key points raised in consultation

The most significant areas of concern highlighted include:

The removal of passenger assistants is detrimental to the safety of pupils

Children on mainstream primary routes in approximately half the Councils in Wales are currently being transported on routes without passenger assistants and have been for some time. Before any route has its passenger assistant removed it will be assessed to ensure that no unacceptable risks are being placed on the children.

For SEN transport routes, the provision of a passenger assistant would remain necessary in the majority of cases.

For mainstream routes there are a number of situations where specific potential issues are identified:

1. Routes where children transfer from one vehicle to another
2. Routes where the vehicle stops some distance from the school and the children are walked into the school.
3. Where pre-school age children are carried
4. Child protection issues of a single adult working with children.
5. Failure of parent/ carer to meet pupils at drop off points.

These issues could be overcome by removing the current option for pre-school children to buy a seat on school transport, and also by advising schools to undertake their duty (as outlined in the Learner Travel Operational Guidance 2009 – para. 1.55), to supervise embarkation and disembarkation of the school transport vehicles. Specifically this states:

The Welsh Assembly Government regards it as good practice that head teachers ensure that there is supervision of embarkation and disembarkation, whether on, outside, or near the school premises. The level of supervision will depend on local circumstances and the age of pupils. The head teacher should contact the authority immediately about any concerns or matters reported to him or her.

Under the Measure the Authority is under a duty to assess learner travel needs and to make travel arrangements. Travel arrangements may include provision of persons to escort a child when travelling. In making an assessment the Authority must have regard to the needs of disabled learners, learners with learning difficulties, the age of child and nature of routes. Transport arrangements are not suitable if they cause unreasonable level of stress on a child or are unsafe. In order to comply with the duty under the Measure and to ensure the continued safety of children travelling to school the Authority will undertake risk assessments on routes and consider the needs and risks posed. The risk assessment will include any risk posed by the age of the pupils, any special educational needs, disabilities, any other areas of vulnerability, and general standards of behaviour on the route. Any risk identified will be assessed and a decision made as to whether a passenger assistant should be provided on that route. This will ensure that the duty under the Measure and general duty of care is discharged.

The removal of passenger assistants will make journeys too stressful for children and their parents

Routes will be carefully inspected before any passenger assistants are removed and possible causes of stress for the passengers will be considered before a decision is made. By engaging with the children it should be possible to discover what specific concerns they may have and the council will attempt to work with them to alleviate these causes of stress. It must be remembered that about half of the Councils in Wales already transport their primary children without passenger assistants and we will only remove any passenger assistant if appropriate after an assessment is carried out.

Safeguarding and child protection concerns for children, particularly on their way home, and in terms of the vulnerability of the driver, which would need to be mitigated

All staff that work on school transport services have to be checked through the Disclosure and Barring Service and approved by the Council prior to employment. School transport services carrying pupils of secondary school age do not currently have passenger assistants travelling on them and so the proposal would be consistent with this approach.

There may be occasions when there is no responsible adult at the drop off point to collect a primary aged child. A procedure for dealing with this circumstance is already included in the school transport contract terms and conditions and also in the School Transport Code of Conduct. Pupils are not allowed off the vehicle if there is no responsible adult there to meet them.

Safety concerns in terms of ensuring the use of seatbelts, supervision of children and opportunities for bullying

The size of the vehicle used on the service will be a factor to be considered as part of the risk assessment process alongside the number and age of pupils as

it would be easier for the driver to supervise a smaller number of pupils on a minibus or car than on a larger bus or coach.

The potential impact on school admissions and particularly the choices of pre-school parents

Approximately 20 pupils of pre school age purchase spare seats on school transport. Most of these are mainstream pupils who would not be able to purchase seats if this proposal is implemented.

There is no legal requirement for the Council to provide transport for pupils under statutory school age, but the removal of this facility is likely to be unpopular with parents who will have to make alternative arrangements to get their pre school aged children to and from school.

Most of the pre school age pupils who purchase spare seats attend Welsh Medium or Voluntary Aided provision and therefore the impact of withdrawing this concession is likely to have a greater impact on these schools than English medium schools.

It is likely that some parents will select local English Medium mainstream provision as their pre school aged children will not be able to purchase seats to travel to Welsh medium or VA schools further away. This will potentially impact on pupils' ability to engage in Welsh medium activities at the pre school stage and language ability in the longer term.

The Guidance for the Measure does not restrict consideration of the effects of a policy change on the Welsh language to any age group and would be equally good practice for pre-school as for post-16. Failure to take this into account raises the prospect of a potential challenge.

The Council does not have the ability to assess routes effectively

The Council employs qualified road safety officers, transport professionals and health and safety officers and in the case of pupils with SEN employs an officer with many years' experience of working with children with the full range of SEN. This officer also has access to the educational psychology team and the wider resources of the Additional Learning Needs team if necessary.

4.5 Projected Savings

Assuming passenger assistants are paid the minimum wage of just over £6 per hour, the potential saving on mainstream transport of removing all passenger assistants would be around £135k per year. Routes will be assessed before withdrawing passenger assistants and any costs will be met from within the remaining transport budget.

The income currently generated by the sale of spare seats to pupils of pre school age is £3,800 per annum. The loss of this income would need to be offset against these savings leaving a net projected saving of up to £131,200.

4.6 Equalities Implications

An EIA Screening Form was previously completed with the agreed outcome that a full EIA report was required. The completed EIA report is attached (Appendix A).

The provision of passenger assistants in future would be on the basis of a risk assessment where it is assessed that there would be a significant risk to

passenger safety if a Passenger Assistant was not provided. This would be for all categories of passengers.

For children with statements of SEN this would be done as part of their annual review and for other pupils this would be carried out annually when routes are reviewed for the start of the new academic year.

The risk assessment proposed would also be subject to an Equality Impact Assessment.

Proposal 2: Transport to Voluntary Aided Schools (Catholic and Church in Wales)

4.7 Current provision

The Authority currently provides free transport to Voluntary Aided (VA) schools (Catholic and Church in Wales) based upon the statutory distance criteria regardless of whether the school is the nearest available school for that child.

The VA school (based on the parental choice made) is effectively deemed to be the nearest suitable school for the child, and the statutory distance criteria (2 miles primary, 3 miles secondary) is then applied. Transport is provided on this basis to pupils aged 5 to 19 both to schools in the Council's area and also for pupils living in Swansea but whose closest faith school is outside the Council's area.

4.8 Proposal on which we've consulted

That discretionary free transport to Voluntary Aided sector schools would only be provided (based on the statutory distance criteria) where there is no nearer mainstream school for that pupil. This will apply to pupils aged 5 to 19 years.

The proposed change would be introduced on **a transitional basis**, which means that those pupils in receipt of free transport prior to September 2014 would retain that benefit up to the next point of transition, e.g. a move from primary to secondary education or when progressing from year 11 to post 16 education.

Pupils with statements of Special Educational Need (SEN) would not be affected by this proposed policy change as their transport is based upon distance criteria to their chosen/allocated school.

4.9 Key points raised in consultation

The most significant areas of concern highlighted include:

Restriction on learner and parental choice, especially for less wealthy families (Parents / carers with a strong desire for a faith based education for their children will be unable to send their children to a faith based school because transport costs are considered to be prohibitive).

The Council is committed to providing high quality schools for all its children and by deciding to make efficiency savings in the manner proposed it means that scarce funds can be targeted at preserving this core provision. It cannot be denied that poorer families may find it more difficult to find the resources to get their children to a VA school. They will however, have access to a good local school.

Perceived discrimination on religious grounds and will treat Aided schools differently than Welsh medium schools

The proposal to remove this transport is not viewed as discriminatory. This is because the Council is currently treating the voluntary aided sector more favourably than the other English medium schools and the new policy will treat both groups equally. It is recognised that this proposal will only impact on the VA schools and it is regrettable that the financial position of the Council has made this proposal necessary. The Council can offer assurances that no child currently in receipt of free transport who is attending a VA school will have their transport removed for their time at that school.

The Learner Travel Operational Guidance 2009 states (section 1.23):

“Neither the child’s or parents language preference or mother tongue, nor religious faith or conviction of the child or his or her parent have any bearing on whether a school is suitable. However the Measure (Section 10) does require each Local Authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure.”

The Learner Travel Operational Guidance 2009 does go on to say in section 2.18:

“Section 9 of the Education Act 1996 places a general duty on local authorities to have regard to the general principle that pupils are to be educated in accordance with the wishes of their parents so far as that is compatible with the provision of effective instruction and training and the avoidance of unreasonable public expenditure. Consequently, many authorities in Wales have a policy of providing free transport to pupils attending church schools who live beyond the walking distances set in the Measure and these policies have been developed to meet local circumstances and needs. Section 6 of the Measure will allow local authorities to continue to be able to provide such transport and Welsh Ministers expect this to be the case.”

The Authority’s interpretation of the above statements, and further examination of the Learner Travel (Wales) Measure (2008) (the Measure) and the Operational guidance (2009) concludes that the removal of the discretionary spend on VA school transport is permissible within the guidance.

Additionally the legal duties outlined in the draft Guidance on learner Travel Statutory Provision and Operational Guidance states that Local Authorities must promote access to Welsh medium education. Faith schools are not included in these duties.

The proposal will cause parents financial difficulties / financially unfair / general disagreement

There may be a cost to parents. This cost is likely to be the same as the cost for any other parent deciding not to send their child to the nearest mainstream local school. A good education will be available locally should the parents not be able to meet the transport costs. We understand that this may cause difficulties, hence the phasing in over 6 years.

The proposal goes against Statute i.e. Section 6 of Education Act, or Learner Travel (Wales) Measure or Operational Guidance, UNCRC, Human Rights Act, Equality Act 2010

Section 9 of the Education Act places a general duty on local authorities to have regards to the general principle that pupils are to be educated in accordance with the wishes of their parent, however this is 'in so far as that is compatible with the provision of efficient instruction and training **and with the avoidance of unreasonable public expenditure**'. Due to the financial pressures the Council is currently facing it is considered to be unreasonable to continue to provide faith based transport which is a discretionary provision under section 6 of the Measure

Nothing in the proposal contravenes Principle 7 of the United Nation Convention on the Rights of the Child. This is an entitlement for a child to receive education which promotes their general culture. It is not an entitlement to transport.

Also, nothing in the proposal contravenes Article 2 of the European Convention on Human Rights or any legislation on unlawful discrimination. Article 2 of the first Protocol guarantees a right to access to education. The Article also requires all schools to respect parents beliefs. It does not confer an entitlement to transport.

The Equality Act 2010, Schedule 3, provides an exemption to discrimination on the grounds of religion or belief in relation to transport to or from school.

Please see response to "The proposal constitutes discrimination on religious grounds" above which covers the Learner Travel Measure and it's Operational Guidance.

The proposal will affect the long term viability of the Faith schools

There may be some impact on the number of pupils on roll at Faith schools, however, most Aided schools are currently over-subscribed. Consequently, the Council does not envisage any school becoming non-viable as a result of the proposed transport changes. Furthermore, education provision in the Council is likely to change over the longer term, especially with regard to secondary schools.

There may also be a corresponding increase in numbers at other mainstream schools, providing there are sufficient places. Should there be insufficient capacity it may be necessary to transport children to the next available school.

Increased traffic congestion across the City

It is thought that the overriding effect of this policy is more likely to be less travel rather than more. It is true that in the shorter term there may be increased drop off traffic at some schools, but this will be mitigated by the transitional implementation of the new policy.

It is possible that there might be increased numbers of pupils travelling by public transport, resulting in overloading of public transport vehicles at peak times but this is difficult to quantify as the numbers of pupils involved are uncertain, as are their future choice of travel mode.

There could also be areas where there is no public transport available at all or none available at appropriate times. The areas most affected would be very

rural and the most likely scenario is that pupils will have longer journeys involving a change of bus, probably in the city centre.

Impact on those Not in Education, Employment or Training (NEETS)

It is possible that if pupils are not able to take up the option of faith based education because of the inconvenience and costs of travelling then some pupils may be discouraged from attending school. They will however have the option of attending their local school.

We have a good track record of working with those at risk of becoming NEET and we would continue to provide support to ensure that students are supported.

Administrative impact on the Local Authority

There would be a significant increase in administration costs if the Council chose to in future charge or means test parents for Aided transport, however, this is not what is being proposed here.

4.10 Projected savings

Modelling the savings which would be realised from this change of policy requires some assumptions to be made:

- (i) The spread of pupils across all age ranges in the school remains the same.
- (ii) Pupils lose entitlement to free transport at each school life event e.g. at transition from primary to secondary school.

The costs at September 2013 are estimated to be £806,540 including an estimated 3% indexation factor which is applied annually from 1 September. The potential savings have been modelled as pupils drop out during the transitional period. Passenger numbers will therefore fall and vehicle sizes can be reduced based upon current costs and the numbers of pupils in each year group.

Whilst the proposal would be a significant change to policy, using current attendance and travel records it can be demonstrated that the change will affect approximately 40% of children at Bishop Vaughan, 60% at St David's, 34% at St Joseph's Cathedral, 26% at St Illtyd's and 18% at Christchurch schools.

There would be some increases in transport costs to other schools if pupils move to alternative mainstream provision but it is anticipated that if the policy change is implemented from September 2015, a saving of £683,000 might be delivered by 2022/23. Savings in earlier years will be modest due to the need to protect existing pupils through the remaining years of their education at their chosen school until the respective point of transition.

Savings would commence from September 2015 when these could amount to £22.5k (part year effect in 15/16). This could rise to £67.7k in 2016/17, £138.4k in 2017/18, £209.6 in 2018/19, £371.5k in 2019/20, £471.5k in 2020/21 and £601.7k in 2021/22.

The possibility of means testing pupils for entitlement has been considered, but this would involve considerable extra administration as there would need to be continual monitoring of entitlement as families incomes change. This would reduce the potential savings outlined above. In addition pupils who may be entitled as a result of means testing are likely to be relatively small numbers at

scattered locations across the County. The provision of transport on this basis is likely to be expensive as taxis and small minibuses would be needed compared to the current costs of providing transport using buses and minibuses for larger groups of pupils who live in the same area.

4.11 Equalities Implications

An EIA Screening Form was previously completed with the agreed outcome that a full EIA report was required. The completed EIA report is attached (Appendix A).

It is recognised that this proposal will only impact on the Voluntary Aided schools and it is regrettable that the financial position of the Council has made this proposal necessary. The Council can offer assurances that no child currently in receipt of free transport who is attending any of these schools would have their transport removed for the remainder of their time at that school. The phased introduction of the change will ensure this. Legal advice states that these changes do not contravene any statutes including the Equality Act 2010.

The potential saving over time is very significant, although the need to protect existing pupils means that the full savings could not be realised until 2022/23.

Proposal 3: Financial Assistance for Post 16 Transport – Introduction of a common charge.

The 2013/14 budget of £546k included £321k in financial assistance to Gower and Neath Colleges, a further £195k in respect of SEN transport, and a further £29k in respect of assistance in transport to sixth forms.

4.12 Current Policy

School Sixth Forms: Currently all post 16 pupils attending a Swansea school sixth form who live more than 3 miles from the school are provided with free home-to-school transport.

Gower College, Swansea: The majority of Swansea students opting to study at post 16 at Gower College are required to pay *between £205 and £220 per annum* towards the cost of their transport. The Local Authority makes an annual payment to Gower College Swansea of £272k and £49k to NPT College to subsidise the costs of transport provision for students – a total annual grant of £321k.

Further Education Colleges outside the City and County of Swansea: Some post 16 students opt to attend a Further Education (FE) College outside the City and County of Swansea area i.e. NPT College if a particular course is not available in the area. Students are provided with a free bus pass to attend these destinations, but have to make a financial contribution of £100 per annum towards transport and other college services.

4.13 Proposal on which we've consulted

To seek to introduce a common charge across the City and County of Swansea with Gower College Swansea for all post 16 students eligible through distance criteria to the nearest appropriate school except for those students who still have a statement of special educational needs. This proposal would apply to English medium, Welsh medium and Voluntary Aided provision.

The level of charge would need to be set at a level broadly consistent with charges for College students and also those charges levied by the Council for the sale of spare seats on contracted School Transport services. Assuming a charge of around £300 per academic year, this would actually result in a lower charge for spare seats on school transport services than is currently levied (£400) and would only marginally affect the overall saving to the Council. This would equate to **£1.58 per day for a return journey of over 3 miles for post 16 learners.**

4.14 Key points raised in consultation

The most significant areas of concern highlighted include:

The proposed charge is too expensive / financially unfair.

The average cost to the Council of a pupil's seat on school transport is £750 per year so on this basis the proposed charge of £300 is reasonable. For families with a low income or for students with a low income living independently, the Education Maintenance Allowance (EMA) is available to help with further education costs.

Currently students eligible for transport attending Swansea school sixth forms are provided with free home-to-school transport. In contrast, students attending Gower College Swansea have to pay £205 plus an administration fee of £15 per annum towards transport costs. The proposal to introduce a standard rate of around £300 per student living more than 3 miles from the school or college destination would seek to ensure equity across the student base.

Charging will be a disincentive to pupils staying on in sixth form.

As explained above, an EMA is available to support students from low income families. There are already students attending College paying transport costs at more than £200. The proposal will help towards keeping post 16 students in education (as opposed to a removal of support altogether).

The proposal discriminates against language and/or religious choice.

The proposal is to introduce a common charge to all post 16 students. We recognise the possible greater impact on students attending faith and Welsh medium schools as they have less choice of establishments and therefore travel further. Presently the students of the Welsh medium and Catholic sixth forms have enjoyed free transport whereas students attending College are charged.

There is no evidence that the Authority has paid due attention to Clause 10 of the Measure to promote access to education and training through the medium of the Welsh Language

When a Council is using its powers under Section 6 of the Measure to offer discretionary travel arrangements for learners not entitled to free transport provision, a charge can be made for these arrangements. The Council is promoting access to Welsh education by treating the Welsh medium and English medium post 16 pupils the same, i.e. they will all have to pay the same charge. The Council is proposing to continue to provide transport for Welsh Medium provision but a charge will be made. As explained above, an EMA is available to support students from low income families.

This proposal adversely affects choice

With the new proposed charge, the cost will be equitable for all post 16 across the borough. Any student living more than three miles from the nearest provision will pay the same price.

There needs to be concessions for those in receipt of certain benefits / low income families

The Education Maintenance Allowance remains available for these families and this provides up to £30 per week during term time for eligible students. The possibility of means testing pupils for entitlement has been considered, but this would involve considerable extra administration as there would need to be continual monitoring of entitlement as families incomes change. This would reduce the potential savings outlined above.

Will encourage greater student vehicle traffic, congestion and parking issues

There is no evidence to suggest this might be the case. If students elect to transport themselves, it is highly likely that the cost of personal transport will exceed the proposed cost per annum.

4.15 Projected Savings

Gower College Swansea receives an annual income from the City and County of Swansea of £272k. This is a discretionary allowance to provide subsidised transport for post 16 students going to Gower College Swansea. In addition an amount of £49k per annum is allocated for post 16 students living in the City and County of Swansea who attend destinations outside Swansea, the total annual amount being £321k.

Therefore, a policy change to introduce a charge for post 16 students could result in savings, once fully implemented of around £321k per annum ie. the annual payment to the Colleges. During the first year the savings would be £187,250 – that is 7/12 of the overall grant total for the financial year 2015/16. The full financial gain of £321k would be made during the financial year 2016/17.

Additional savings would be achieved in relation to students aged 11-16 years who travel on home-to-school transport to school. The income generated by the charge of around £300 per student would offset current costs. However, it would be necessary to put in place administrative support to cope with the additional workload to administer the charge levied on each eligible individual student ie. those living more than 3 miles from the school/college destination and also for those students travelling outside the area in order to pursue a particular course not being offered within the area. The estimated cost of this additional support is £10,000 per annum

It could also be possible to introduce a means tested system to assess eligibility to pay the £300 annual fee; however, the costs anticipated to operate a system would significantly reduce any potential savings. Eligible students are in receipt of an Educational Maintenance Allowance as previously stated.

4.16 Equalities Implications

An EIA Screening Form was previously completed with the agreed outcome that a full EIA report was required. The completed EIA report is attached (Appendix A).

Whilst the potential impact on take up of post 16 education is uncertain and of concern, the potential saving is significant. The Education Maintenance Allowance will provide support to those students and families who are eligible to receive this support. It is recognised that the biggest impact of this change will be on the Welsh Medium and Voluntary Aided sectors.

There is no duty to provide transport or make transport arrangements for those over 16. Section 6 of the Learner Travel Measure allows for this discretionary service to be provided and for it not to be free of charge. In making any change, regard must be had for the 2009 Learner Travel Operational Guidance.

However, the Measure (section 10) does require each local authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure. There is no further mitigation for young carers, disabled students without an SEN statement or those disproportionately affected i.e. Welsh Medium students and Faith students.

5. How did the Authority consult?

5.1 Consultation took place between Monday 3rd March and Friday 11th April. We offered response by online version, tick box proforma, letter, or email and also face to face meetings where appropriate. All comments and feedback received have been evaluated in order to be represented to Cabinet in this report and inform the final transport policy.

5.2 During the consultation we engaged with the following stakeholders:

Audience	Method
Pupils	Pupil questionnaire via email to all School Councils
Parents/carers	Local media, social media, CCS website
Governors	Email to all Governing Bodies
Headteachers	Email to all Headteachers
The Council's Executive Board	Email
Cabinet	Formal process
All Councillors	Email
Trade Unions	Email
Evening Post	Press Release
Diocese	Email and meetings as appropriate
Gower College Swansea	Email and invitation to meet
Neath Port-Talbot College	
Coleg Sir Gar	Email
Welsh Government	Email
Estyn	Email
AMs	Email
MPs	Email
School Staff	Email, Local Media, Twitter, Social Media, CCS Website
Other Media	Press release
Senior Managers in Education	Email
All Council Staff	Staffnet
Swansea Residents	Local Media, CCS website, social media
Local Businesses	Local Media, CCS website

Bus Companies and Taxi Operators	Email
Neighbouring Authorities – ERW plus Bridgend and Vale of Glamorgan	Email
RhAG	Email
Children’s Commissioner	Email
SNAP Cymru	Email
Scrutiny Board	Email
Out of County Establishments e.g. Heronsbridge School	Email
School Councils	Email

5.2 In total, 884 people responded to the consultation and their views on the three proposals were as follows:

	<i>I agree with this proposal</i>	<i>I disagree with this proposal</i>	<i>I neither agree nor disagree with this proposal</i>	<i>Did not respond</i>
<i>Passenger Assistants</i>	105	431 (49%)	310	38
<i>Transport to Voluntary Aided Schools</i>	89	741 (84%)	39	15
<i>Charging for Post 16 Transport</i>	62	482 (55%)	300	40

5.3 A summary of the responses received from School Councils is attached at Appendix B. Detailed responses have also been received from Bishop Vaughan School and RhAG which provide a good summary on objections to two of the three proposals (attached as Appendices C and D, respectively). Copies of every response and all comments are available to Members, within the Members’ Room. However for the purposes of this report, comments have been summarised into the most common themes. In summarising the comments, each communication was reviewed. Some made a single comment on a single aspect/proposal and others several comments over the course of a multi-page letter.

5.4 The following table summarises the **most frequently made** comments for each proposal.

PROPOSAL 1 Total comments = 224	Number of comments for this category
Removal of passenger assistants is detrimental to safety	70
General agree comments (no specific reason)	7
General neither agree or disagree comments	6
General disagree comments (no specific reason)	136
Removal of passenger assistants will make journeys too stressful for children (and their parents)	5
PROPOSAL 2 Total ALL comments = 253	Number of comments for this category
The Proposal constitutes discrimination on religious grounds	162
There will be a restriction on freedom of choice especially for less wealthy families	16
The proposal is unfair as Welsh schools are not being treated the same	12
The proposal will cause parents financial difficulties / financially unfair / general disagreement	59
The proposal goes against Statute (Use of section 6 of Education Act, or Learner Travel (Wales) Measure or Operational Guidance)	4
PROPOSAL 3 Total Comments =125	Number of comments for this category
The proposed charge is too expensive / financially unfair	9
Charging will be a disincentive to pupils in staying on to sixth form	15
Discriminates against language and / or religious choice	23
Adversely effects choice	73
There needs to be concessions for those in receipt of certain benefits / low income families	5

6. Implementation Timescales

- 6.1 It would be possible to implement a changed policy for new pupils / students only with effect from September 2015, subject to Council agreement of the proposals at its meeting on the 15th July 2014. This would provide sufficient time for schools and parents to be notified prior to the new academic year 2015 and would enable the Council's transport policy statement to be amended accordingly by the due date of 1st October 2014. In this way, changes could then be implemented from September 2015.

7. Financial Implications

- 7.1 The estimated potential savings set out within the report, necessarily make a range of assumptions as to contractual and customer behavioural responses to the proposed changes in policy. Whatever action is taken to change current transport policies, the resulting savings are likely to be offset to some extent at least by the continuing cost pressures and potentially significant implications of changes in national guidance in relation to available walking routes.

- 7.2 The table below summarises the potential scale and phasing of savings:

Option	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23
Passenger Assistants	-	£70k	£131k	£131k	£131k	£131k	£131k	£131k	£131k
Aided Transport	-	£22.5k	£67.7k	£138.4k	£209.6k	£371.5k	£471.5k	£601.7k	£683k
Post 16 Transport	-	£187k	£320k	£320k	£320k	£320k	£320k	£320k	£320k

- 7.3 The existing MTFP cumulatively sets out savings requirements of;

15-16 £138k
16-17 £333k
17-18 £1,418k

It is recognised that these total savings include additional proposals not specifically addressed at this time by the proposals in this report (especially around future efficiencies). Nevertheless whilst the early implementation years' savings proposals are in excess of that required, the later years' values are less than required and flow at a later time than required. It remains a necessity and inevitability that, if the Authority is to balance its medium term plan, even on the basis of current forecast resources (which are likely to deteriorate further as the public finances come under further strain), all of the existing planned savings are required by value and on time. Any shortfall will need to be addressed by compensating alternative savings.

8. Equality and Engagement Implications

- 8.1 EIA Screening Forms were previously completed for all three proposals with the agreed outcome that a full EIA report was required. The full EIA reports are attached (Appendix A). It should be noted that the following information are

areas extracted from each of the EIA reports in relation to some of the impacts and justification – each EIA should be considered in its entirety for the full detail of the assessment and impact.

In summary:

Proposal 1 was found to be relevant to age, disability, race, religion, sexual orientation, Welsh language, poverty/social exclusion and carers.

Pupils would only be supervised on their home to school transport journeys by the driver which could result in a negative impact upon pupil behaviour. In addition journeys could take longer if drivers have to get in and out of the vehicle to help children get on and off.

This proposal will not affect SEN pupils who qualify for free transport on grounds of their specific needs but could affect disabled pupils without a statement of SEN e.g. those with mobility difficulties.

This proposal could affect pupils who may be at risk of bullying because of their protected characteristics eg young carers, those of different ethnicities, disabled pupils, pupils of different (or perceived) sexual orientations, pupils who don't speak English or Welsh

Justification: The provision of passenger assistants in future would be on the basis of a risk assessment where it is assessed that there would be a significant risk to passenger safety if a Passenger Assistant was not provided. This would be for all categories of passengers.

For children with statements of SEN this would be done as part of their annual review and for other pupils this would be carried out annually when routes are reviewed for the start of the new academic year.

The risk assessment proposed would also be subject to an Equality Impact Assessment.

Proposal 2 was found to be relevant to age, disability, religion, sex, poverty/social exclusion, carers and community cohesion.

Some parents wishing their child to receive a faith education may be deterred from participating if free transport provision is ceased due to increased costs and less convenient transport arrangements involved in getting to and from the faith medium school of choice.

There could also be an impact on young carers with disabled parents and their ability to get to school.

The proposal will not affect SEN pupils who qualify for free transport on the grounds of their specific needs but could affect disabled pupils without a statement of SEN eg those with mobility difficulties.

Numbers of pupils attending faith medium schools could potentially fall and pupils could transfer to alternative maintained schools within the City and County of Swansea affecting projected pupil numbers used to forecast future education provision across the local authority area.

It could also impact upon the numbers of pupils attending faith medium schools and have impact upon falling roles at these schools.

Justification: It is recognised that this proposal would only impact on the Voluntary Aided schools and it is regrettable that the financial position of the Council has made this proposal necessary. The Council can offer assurances that no child currently in receipt of free transport who is attending any of these schools would have their transport removed for the remainder of their time at that school. The phased introduction of the change will ensure this. Legal advice states that these changes do not contravene any statutes including the Equality Act 2010.

Proposal 3 was found to be relevant to age, disability, race, religion, sex, Welsh language, poverty/social exclusion, carers and community cohesion.

£300 per annum would be a barrier to some potential students wishing to pursue post 16 education options. It is possible that the charge could have an impact on the long-term viability of 6th Forms in the area. Young Carers could also be impacted by the charges leading to them becoming NEET (Not in Education, Employment or Training). The proposal will not affect SEN pupils who are still covered by a Statement and qualify for free transport on grounds of their specific needs, however could affect students who have other disabilities not addressed by SEN provision. Possible greater impact on students attending faith and Welsh medium schools as they have less choice of establishments and therefore travel further.

Justification: Whilst the potential impact on take up of post 16 education is uncertain and of concern, the potential saving is significant. The Education Maintenance Allowance will provide support to those students and families who are eligible to receive this support. There is no duty to provide transport or make transport arrangements for those over 16. Section 6 of the Learner Travel Measure allows for this discretionary service to be provided and for it not to be free of charge. In making any change, regard must be given to the 2009 Learner Travel Operational Guidance. However, the Measure (section 10) does require each local authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure. There is no further mitigation for young carers, disabled students without an SEN statement or those disproportionately affected i.e. Welsh Medium students and Faith students.

9. Legal Implications

- (i) The statutory requirements are set out in the body of the report and confirm that the Council is given both statutory duties and discretionary powers to provide transport. The Welsh Government's Learner Travel (Wales) Measure 2008 (the Measure) sets out, amongst other things, the duties on Local Authorities to assess learner travel needs and to make transport arrangements for school pupils and young people in education or training aged 16-19 in Wales. The requirements of the Measure and associated Learner Travel Operational Guidance (the 2009 Guidance) must be followed when formulating the Local Authority's Travel Arrangements or making amendments to existing policy.
- (ii) The 2009 Guidance states that:

“An authority should only change an existing transport policy and / or arrangements at the beginning of a school year (unless an emergency such as

road works necessitates change). *Any changes that reduce discretionary provision of free school transport should only apply to pupils reaching compulsory school age or changing school. An authority could be judged to be acting unreasonably if entitlement to free school transport were withdrawn during a pupil's education at a particular school and parents had not been aware of this possibility at the time their application for admission was accepted.* An authority could also be judged to have acted unreasonably if it changed other aspects of its arrangements, such as timing of services or pick up/drop off points, if it failed to give parents adequate and timely notification of the change.

If an authority is considering changing its school transport policy, the Welsh Government recommends that, as a matter of fairness and good practice, there should be consultation with the schools, parents of pupils, and any other relevant parties likely to be affected, before a decision is taken." Consultation should also take place with pupils.

The 2009 Guidance is Statutory, and the Authority must take it into consideration when making decisions on reviewing its Policy. There would be a strong likelihood of a challenge if the Authority chose to ignore it e.g. if it did not protect existing pupils.

Also, before coming to its decision, the Authority must carry out proper consultation and give conscientious consideration to the results of the consultation. A full consultation has been carried out and the responses are contained within this report for consideration.

(iii) Section 149 of the Equality Act 2010 (Public Sector Equality Duty) requires public authorities to demonstrate in decision making that they have paid 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who share a protected characteristic and people who do not share it
- foster good relations between people who share a protected characteristic and those who do not

The relevant protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The Authority must have due regard to the impact of any of the proposals on those with a protected characteristic.

The Authority has a specific duty to publish information to demonstrate how they have paid due regard to the aims above as part of their decision making. Undertaking Community and Equality Impact Assessments would be evidence that the Authority has paid due regard to its legal obligations in making the decision on the recommendations in this report.

iv) In respect of the 3 proposals regarding the discretionary provision:

Proposal 1 – Passenger Assistants on School Transport Services -

Under the Measure the Authority is under a duty to assess learner travel needs and to make travel arrangements. Travel arrangements may include provision of persons to escort a child when travelling. In making an assessment the Authority must have regard to the needs of disabled learners, learners with learning difficulties, the age of child and nature of routes. Transport

arrangements are not suitable if they cause unreasonable level of stress on a child or are unsafe. In order to comply with the duty under the Measure and to ensure the continued safety of children travelling to school the Authority will undertake risk assessments on routes and consider the needs and risks posed. The risk assessment will include any risk posed by the age of the pupils, any special educational needs, disabilities, any other areas of vulnerability and general standards of behaviour on the route. Any risk identified will be assessed and a decision made as to whether a passenger assistant should be provided on that route. This will ensure that the duty under the Measure and general duty of care is discharged.

Proposal 2 – Transport to Voluntary Aided Schools (Catholic & Church in Wales)

A full Equality Impact Assessment has been completed. It is considered that the proposal is not discriminatory. Free transport to faith schools is a discretionary provision in exercise of the discretionary power under section 6 of the Measure (unless either section 3 applies by virtue of the relevant walking distance to the nearest suitable school or section 4 applies by virtue of the Council considering it necessary in any given case that travel arrangements, including transport, were necessary to facilitate attendance of a child). As free transport to faith schools is discretionary, it is possible to withdraw this provision. However, in order to do this, it is essential that the Authority are satisfied that it has considered all the matters set out in the 2009 Guidance and in particular paragraphs 2.18 – 2.20. These paragraphs state:

“Transport to Denominational Schools

2.18 Section 9 of the Education Act 1996 places a general duty on local authorities to have regard to the general principle that pupils are to be educated in accordance with the wishes of their parents so far as that is compatible with the provision of effective instruction and training and the avoidance of unreasonable public expenditure. Consequently, many authorities in Wales have a policy of providing free transport to pupils attending church schools who live beyond the walking distances set in the Measure and these policies have been developed to meet local circumstances and needs. Section 6 of the Measure will allow local authorities to continue to be able to provide such transport and Welsh Ministers expect this to be the case.

2.19 The Welsh Assembly Government, like local authorities, recognise the value and role of faith based education and want local authorities to continue to use their discretionary powers to make transport arrangements which take account of parental preferences for schools with a religious character. This reflects current policy on entitlement to free transport and Welsh Ministers are not currently inclined to legislate further on arrangements at local level. However, if there should be any changes in learner travel arrangements at the local level, which adversely impacts on choice, then Welsh Ministers will consider taking action such as further guidance, directions or regulations.

2.20 If an authority provides free or subsidised transport to church schools, it must be non-discriminatory.”

The Authority must therefore consider whether the withdrawal of free transport to a faith school complies with the 2009 Guidance and consider in particular whether it would adversely impact on parental choice but also considering the

avoidance of unreasonable public expenditure. The Authority must also ensure it complies with paragraph 2.5 of the 2009 Guidance:

“2.5 If a local authority does make use of the powers in section 6 of the Measure, it must ensure that any policies are fair, reasonable and comply with relevant legislation including equality legislation and the Human Rights Act 1998. Local Authorities must not discriminate unlawfully between learners when using their section 6 powers”

As stated in the Report, nothing in the proposal contravenes Principle 7 of the United Nation Convention on the Rights of the Child. This is an entitlement for a child to receive education which promotes their general culture. It is not an entitlement to transport.

Also, nothing in the proposal contravenes Article 2 of the European Convention on Human Rights or any legislation on unlawful discrimination. Article 2 of the first Protocol guarantees a right to access to education. The Article also requires all schools to respect parent’s beliefs. It does not confer an entitlement to transport.

The Equality Act 2010, Schedule 3, provides an exemption to discrimination on the grounds of religion or belief in relation to transport to or from a school.

In respect of the different treatment of transport to Welsh medium schools, the Learner Travel Operational Guidance 2009 states at paragraph 1.23:

“Neither the child’s or parents language preference or mother tongue, nor religious faith or conviction of the child or his or her parent have any bearing on whether a school is suitable. However the Measure (Section 10) does require each Local Authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure.”

It is the view of the Education Department officers that travel assistance is required to meet the requirements to promote access to education and training through the medium of Welsh under section 10 of the Measure, and therefore it follows that Welsh medium transport provision cannot be withdrawn.

However, there is no case in law on the interpretation of the provision in the Measure and the Guidance and therefore any decision could be open to challenge by way of Judicial Review.

Proposal 3 – Financial Assistance for Post 16 transport – Introduction of a Common Charge

Section 3 and 4 of the Measure do not apply to children over compulsory school age. There is no duty to provide transport or make transport arrangements for those over 16. Section 6 allows for this discretionary service to be provided and to charge for it. In making any change, regard must be had to the 2009 Guidance

- v) Any decision by the Council to change its current policy, may be challenged by way of Judicial Review. Therefore Council will have to ensure that it acts lawfully. The grounds for Judicial Review are: Illegality; Irrationality; Procedural unfairness and legitimate expectation.

Background papers:

Learner Travel (Wales) Measure (2008) and Operational Guidance (2009)

Appendices:

Appendix A: Equality Impact Assessments

Appendix B: Summary of School Council Responses

Appendix C: Detailed response received from Bishop Vaughan RC School

Appendix D: Detailed response received from 'Parents for Welsh Medium Education'
(RhAG)

Equality Impact Assessment (EIA) Report

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to Equality and Diversity.

Please refer to the ‘Equality Impact Assessment Guidance’ while completing this form. If you would like further guidance please contact the Access to Services Team (see Guidance for details).

Where do you work?
Service Area: Education
Directorate: People

(a) This EIA is being completed for a...

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(b) Please name and describe below...

Home to School Transport (Passenger Assistants)

Only provide passenger assistants on home to school transport services where there is assessed to be a significant risk to passenger safety if one was not provided.

(c) It was initially screened for relevance to Equality and Diversity on 03/10/2013

(d) It was found to be relevant to...

Age	<input checked="" type="checkbox"/>	Sex	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	Welsh language	<input checked="" type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	Poverty/social exclusion	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	Carers	<input checked="" type="checkbox"/>
Race	<input checked="" type="checkbox"/>	Community cohesion	<input type="checkbox"/>
Religion or (non-)belief	<input checked="" type="checkbox"/>		

(e) Lead Officer

Name: Rhodri Jones

Job title: Stakeholder and Communications Manager

Date (dd/mm/yyyy): 11/06/2014

(f) Approved by Head of Service

Name: Brian Roles

Date (dd/mm/yyyy): 13/06/14

Section 1 – Aims (See guidance):

Briefly describe the aims of the function, service, policy, procedure, strategy, plan, proposal or project:

What are the aims?

To reduce the provision of passenger assistants on free home to school transport services and only provide them where there is an identified risk to passenger safety.

Who has responsibility?

Council, Cabinet, Executive Board, Director of People and Chief Education Officer.

Who are the stakeholders?

Pupils who live more than 2 miles from their primary sector school and more than 3 miles from their secondary sector school qualifying for free home to school transport. Pupils with Special Educational needs will not be affected by this proposal.

Section 2 - Information about Service Users(See guidance):

Please tick what information you know about your service users and provide details/ evidence of how this information is collected.

Age	<input checked="" type="checkbox"/>	Race	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Religion or (non-)belief	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	Sex	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	Sexual orientation.....	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	Welsh language.....	<input checked="" type="checkbox"/>
Carers	<input type="checkbox"/>		

What information do you know about your service users and how is this information collected?

Currently passenger assistants are provided on transport for 5 English medium primary, 1 English medium secondary, 20 Welsh medium primary and 17 faith primary contracts. Passenger assistants are provided to supervise children during their home to school transport journeys and when they get on and off the vehicles.

Breakdown of School Transport that currently has Passenger Assistants

Route Nos.	School	Vehicle Capacity	Passenger Assistant
315	C'church C in W Pri.	16	Yes
317	C'church C in W Pri.	7	Yes
337	Pontarddulais Primary	16	Yes
339	YGG Bryniago	16	Yes
341	YGG Pontybrenin	16	Yes
342	YGG Pontybrenin	8	Yes
343	YGG Pontybrenin	35	Yes
344	YGG Pontybrenin	16	Yes
345	YGG Pontybrenin	16	Yes
661	YGG Y Login Fach	16	Yes
662	YGG Y Login Fach	16	Yes
663	YGG Y Login Fach	Page 674	Yes
664	YGG Y Login Fach	16	Yes

666	YGG Y Login Fach	16	Yes
670	St David's RC Pri.	16	Yes
671	St David's RC Pri.	16	Yes
672	St David's RC Pri.	47	Yes
673	St David's RC Pri.	49	Yes
681	YGG Llwynderw	16	Yes
682	YGG Llwynderw	16	Yes
683	YGG Llwynderw	16	Yes
684	YGG Llwynderw	16	Yes
685	YGG Llwynderw	16	Yes
686	YGG Brynymor	8	Yes
687	YGG Brynymor	47	Yes
693	St Joseph's Cath. Pri.	16	Yes
694	St Joseph's Cath. Pri.	16	Yes
695	St Joseph's Cath. Pri.	60	Yes
696	St Joseph's Cath. Pri.	49	Yes
697	St Joseph's Cath. Pri.	70	Yes
698	St Joseph's Cath. Pri.	16	Yes
699	St Joseph's Cath. Pri.	29	Yes
701	Cila Primary/Olchfa	16	Yes
717	Llanrhidian Primary	55	Yes
735	Pennard Primary	16	Yes
751	Knelston Primary	57	Yes
752	Knelston Primary	53	Yes
814	St Illtyd's Primary	7	Yes
815	St Illtyd's Primary	16	Yes
816	St Illtyd's Primary	33	Yes
829	YGG Lonlas	16	Yes
840	YGG Gellionen	16	Yes
Totals		1030	

Any Actions Required?

-
-

Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics. This could be based on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

	Positive	Negative	Neutral	Needs further investigation
Age	➔ <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	➔ <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	➔ <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	➔ <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	➔ <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	➔ <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh language	➔ <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers	➔ <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case?

Pupils will only be supervised on their home to school transport journeys by the driver which could result in a negative impact upon pupil behaviour.

Journeys could take longer if drivers have to get in and out of the vehicle to help children get on and off.

This proposal will not affect SEN pupils who qualify for free transport on grounds of their specific needs but could affect disabled pupils without a statement of SEN eg those with mobility difficulties.

This proposal could affect pupils who may be at risk of bullying because of their protected characteristics eg young carers, those of different ethnicities, disabled pupils, pupils of different (or perceived) sexual orientations, pupils who don't speak English or Welsh.

What consultation and engagement has been undertaken (e.g. with the public and/or members of protected groups) to support your view? Please provide details below.

A full statutory consultation has taken place, as required by Welsh Government. The following groups were consulted using the recorded method.

Audience	Method
Pupils	Pupil questionnaire via email to all School Councils
Parents/carers	Local media, social media, CCS website
Governors	Email to all Governing Bodies
Headteachers	Email to all Headteachers
The Council's Executive Board	Email
Cabinet	Formal process
All Councillors	Email
Trade Unions	Email
Evening Post	Press Release
Diocese	Email and meetings as appropriate
Gower College Swansea	Email and invitation to meet
Neath Port-Talbot College	
Coleg Sir Gar	Email
Welsh Government	Email
Estyn	Email
AMs	Email
MPs	Email
School Staff	Email, Local Media, Twitter, Social Media, CCS Website
Other Media	Press release
Senior Managers in Education	Email
All Council Staff	Staffnet
Swansea Residents	Local Media, CCS website, social media
Local Businesses	Local Media, CCS website
Bus Companies and Taxi Operators	Email
Neighbouring Authorities – ERW plus Bridgend and Vale of Glamorgan	Email
RhAG	Email
Children's Commissioner	Email
SNAP Cymru	Email
Scrutiny Board	Email
Out of County Establishments e.g. Heronsbridge School	Email
School Councils	Email

In total, 884 people responded to the consultation and their views on this proposal were as follows:

	<i>I agree with this proposal</i>	<i>I disagree with this proposal</i>	<i>I neither agree nor disagree with this proposal</i>	<i>Did not respond</i>
<i>Passenger Assistants</i>	105	431 (49%)	310	38

Who responded

Parent	(63.8%)
Pupil / Student	(13.9%)
School / College Staff	(9.3%)
Councillor	(0.7%)
Governor	(2.0%)
Transport Provider	(0.0%)
Other, please state	(10.3%)

Male	239 (35.3%)
Female	439 (64.7%)

(86.1%)	White - British, any other White background		
(1.2%)	Mixed - White & Black Caribbean, White and Black African, White & Asian, any other Mixed background		
(10.5%)	Asian or Asian British- Indian, Pakistani, Bangladeshi, any other Asian Background		
(1.5%)	Black or Black British - Caribbean, African, any other Black background		
(0.7%)	Chinese or Other ethnic group		
(13.9%)	No religion / belief	(0.0%)	Jewish
(82.4%)	Christian (including Church of England, Catholic Protestant and all other Christian denominations)	(0.8%)	Muslim
(0.0%)	Buddhist	(0.0%)	Sikh
(0.2%)	Hindu	(2.7%)	Prefer not to say

The key points raised in consultation were:

1. The removal of passenger assistants is detrimental to the safety of pupils
Before any route has its passenger assistant removed it will be assessed to ensure that no unacceptable risks are being placed on the children.

In order to comply with the duty under the Measure and to ensure the continued safety of children travelling to school the Authority will undertake risk assessments on routes and consider the needs and risks posed. The risk assessment will include any risk posed by the age of the pupils, any special educational needs, disabilities, any other areas of vulnerability, and general standards of behaviour on the route. Any risk identified will be assessed and a decision made as to whether a passenger assistant should be provided on that route. This will ensure that the duty under the Measure and general duty of care is discharged.

necessary in the majority of cases.

The removal of passenger assistants will make journeys too stressful for children and their parents

Routes will be carefully inspected before any passenger assistants are removed and possible causes of stress for the passengers and parents will be considered before a decision is made

2. Safeguarding and child protection concerns for children, particularly on their way home, and in terms of the vulnerability of the driver, which would need to be mitigated
All staff that work on school transport services have to be checked through the Disclosure and Barring Service and approved by the Council prior to employment. School transport services carrying pupils of secondary school age do not currently have passenger assistants travelling on them and so the proposal would be consistent with this approach. There may be occasions when there is no responsible adult at the drop off point to collect a primary aged child. A procedure for dealing with this circumstance is already included in the school transport contract terms and conditions and also in the School Transport Code of Conduct. Pupils are not allowed off the vehicle if there is no responsible adult there to meet them
3. Safety concerns in terms of ensuring the use of seatbelts, supervision of children and opportunities for bullying
The size of the vehicle used on the service will be a factor to be considered as part of the risk assessment process alongside the number and age of pupils as it would be easier for the driver to supervise a smaller number of pupils on a minibus or car than on a larger bus or coach
4. The potential impact on school admissions and particularly the choices of pre-school parents
Approximately 20 pupils of pre school age purchase spare seats on school transport. Most of these are mainstream pupils who would not be able to purchase seats if this proposal is implemented. There is no legal requirement for the Council to provide transport for pupils under statutory school age, but the removal of this facility is likely to be unpopular with parents who will have to make alternative arrangements to get their pre school aged children to and from school. Most of the pre school age pupils who purchase spare seats attend Welsh Medium or Voluntary Aided provision and therefore the impact of withdrawing this concession is likely to have a greater impact on these schools than English medium schools. The Measure (section 10) does require each local authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure.
5. The Council does not have the ability to assess routes effectively
The Council employs qualified road safety officers, transport professionals and health and safety officers and in the case of pupils with SEN employs an officer with many years' experience of working with children with the full range of SEN. This officer also has access to the educational psychology team and the wider resources of the Additional Learning Needs team if necessary

Any actions required (to mitigate adverse impact or to address identified gaps in knowledge).

- Monitoring of pupil behaviour on home to school transport as part of the risk assessment prior to the removal of any passenger assistants.

●

Section 4 - Other Impacts:

Please consider how the initiative might address the following issues.

You could base this on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty

(Please see guidance for definitions on the above)

Please explain any possible impact on each of the above.

Potential to impact upon vulnerable pupils on home to school transport journeys as supervision will be by the driver only.

Risk of driver being distracted (safety issue) and/or driver complaints about the situation.

The proposal will not impact upon poverty as transport will continue to be provided, however social inclusion/exclusion issues eg potential for bullying, vulnerability on home-to-school transport could increase.

What work have you already done to improve any of the above?

Is the initiative likely to impact on Community Cohesion (see the guidance for more information)?

Reduced opportunity for adult intervention on home to school transport journeys to resolve conflict of pupils.

How will the initiative treat the Welsh language in the same way as the English language?

Passenger assistants to be removed on all faith, English and Welsh medium home to school transport services across the Local Authority area. If a driver is not Welsh speaking and is transporting Welsh speaking pupils who do not speak English they may be at an increased risk.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

- Mitigation to be considered as part of the risk assessment
-

Section 5 - Monitoring arrangements:

Please explain the arrangements in place (or those which will be put in place) to monitor this function, service, policy, procedure, strategy, plan or project:

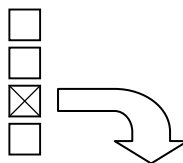
- **Monitoring arrangements:** If Cabinet and Council approve the change to the policy the risk assessments carried out on each of the routes will act as our monitoring arrangement

Actions: Carry out risk assessment prior to the removal of any passenger assistants.

Section 6 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to guidance for further information on this section).

- Outcome 1: Continue the initiative...
- Outcome 2: Adjust the initiative...
- Outcome 3: Justify the initiative...
- Outcome 4: Stop and remove the initiative...



For outcome 3, detail the justification for proceeding here:

It is regrettable that the financial position of the Council has made this proposal necessary. However, the provision of passenger assistants in future will be on the basis of a risk assessment where it is assessed that there would be a significant risk to passenger safety if a Passenger Assistant was not provided. This would be for all categories of passengers. This is currently the practice in around half of the Local Authorities in Wales. For children with statements of SEN this would be done as part of their annual review. For other pupils this would be carried out annually when routes are reviewed for the start of the new academic year.

The risk assessment will also be subject to an Equality Impact Assessment.

Section 7 - Publication arrangements:

On completion, please follow this 3-step procedure:

1. Forward this EIA report and action plan to the Access to Services Team for feedback and approval – accesstoservices@swansea.gov.uk
2. Make any necessary amendments/additions.
3. Provide the final version of this report to the team for publication, including email approval of the EIA from your Head of Service. The EIA will be published on the Council's website - this is a legal requirement.

Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
Monitoring of pupil behaviour on home to school transport as part of the risk assessment to consider impact upon behaviour, health and safety of travellers.	Transport Team	Ongoing	Include as part of route risk assessment if the Policy is approved by Council	
Carry out Equality Impact Assessment on the proposed Risk Assessment	Transport Team Access to Services Team	December 2014	EIA completed and mitigation put in place where possible	
Carry out risk assessment prior to the removal of any of the passenger assistants	Transport Team	Ongoing	Each route will have been risk assessed prior to the removal of any passenger assistants	

* Please remember to be 'SMART' when completing your action plan (Specific, Measurable, Attainable, Relevant, Timely).

Equality Impact Assessment (EIA) Report

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to Equality and Diversity.

Please refer to the 'Equality Impact Assessment Guidance' while completing this form. If you would like further guidance please contact the Access to Services Team (see Guidance for details).

Where do you work?
Service Area: Education
Directorate: People

(a) This EIA is being completed for a...

Service/ Function <input checked="" type="checkbox"/>	Policy/ Procedure <input type="checkbox"/>	Project <input type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>	Proposal <input type="checkbox"/>
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(b) Please name and describe below...

Home to School Transport (Voluntary Aided Schools)

Only to provide free transport to Voluntary Aided (faith) sector schools where pupils meet the statutory distance criteria and where there is no nearer Mainstream school.

(c) It was initially screened for relevance to Equality and Diversity on...03/10/2013

(d) It was found to be relevant to...

Age <input checked="" type="checkbox"/>	Sex <input checked="" type="checkbox"/>
Disability <input checked="" type="checkbox"/>	Sexual orientation <input type="checkbox"/>
Gender reassignment <input type="checkbox"/>	Welsh language <input type="checkbox"/>
Marriage & civil partnership <input type="checkbox"/>	Poverty/social exclusion <input checked="" type="checkbox"/>
Pregnancy and maternity <input type="checkbox"/>	Carers <input checked="" type="checkbox"/>
Race <input type="checkbox"/>	Community cohesion <input checked="" type="checkbox"/>
Religion or (non-)belief <input checked="" type="checkbox"/>	

(e) Lead Officer

Name: Rhodri Jones

Job title: Stakeholder and Communications Manager

Date (dd/mm/yyyy): 11/06/2014

(f) Approved by Head of Service

Name: Brian Roles

Date (dd/mm/yyyy): 13/06/14

Section 1 – Aims (See guidance):

Briefly describe the aims of the function, service, policy, procedure, strategy, plan, proposal or project:

What are the aims?

Only to provide transport to voluntary aided (faith schools) for pupils living more than 2 miles from a primary sector and 3 miles from a secondary sector voluntary aided school if there is no nearer alternative mainstream school.

Who has responsibility?

Council, Cabinet, Executive Board, Director of People and Chief Education Officer

Who are the stakeholders

Pupils of parents seeking faith medium education for their children.
Faith medium schools across the City and County of Swansea.

Section 2 - Information about Service Users(See guidance):

Please tick what information you know about your service users and provide details/ evidence of how this information is collected.

Age	<input checked="" type="checkbox"/>	Race	<input type="checkbox"/>
Disability	<input type="checkbox"/>	Religion or (non-)belief	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	Sex	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	Welsh language	<input type="checkbox"/>
Carers	<input type="checkbox"/>		

What information do you know about your service users and how is this information collected?

Currently there are 683 pupils aged between 5 and 16 plus a further 113 pupils in sixth form provision who receive free home to school transport to attend faith medium schools across the City and County of Swansea.

Further information on each pupil is available on our SIMS system including age, disability, race and sex. Work is required to match the pupils currently receiving free home to school transport against the SIMS system. The wider demographic of our faith schools are as follows:












School	WIMD (Welsh Index of Multiple Deprivation) – Percentage of pupils living in the most deprived 30% of all areas	Claiming Free School Meals	Those pupils with a Statement of Special Educational Need (SEN)	Ethnic Background (not White British)
Bishop Vaughan	54.6%	22.1%	13.5%	20.4%
Christchurch	60.9%	14.1%	20.6%	30.6%
St David's	17%	3.4%	13.8%	35.9%
St Illtyd's	74.5%	26.3%	37.3%	13.2%
St Joseph's Cathedral (Greenhill)	50.7%	16.3%	25.6%	35%
St Joseph's Catholic (Clydach)	17.3%	4.6%	10.6%	21%

Any Actions Required?

-
-

Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics. This could be based on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

	Positive	Negative	Neutral	Needs further investigation
Age	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh language	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case?

Some parents wishing their child to receive a faith education may be deterred from participating if free transport provision is ceased due to increased costs and less convenient transport arrangements involved in getting to and from the faith medium school of choice. There could be an impact on young carers with disabled parents and their ability to get to school.

The proposal will not affect SEN pupils who qualify for free transport on the grounds of their specific needs but could affect disabled pupils without a statement of SEN eg those with mobility difficulties.

Numbers of pupils attending faith medium schools could potentially fall and pupils could transfer to alternative maintained schools within the City and County of Swansea affecting projected pupil numbers used to forecast future education provision across the local authority area.

It could also impact upon the numbers of pupils attending faith medium schools and have impact upon falling roles at these schools.

What consultation and engagement has been undertaken (e.g. with the public and/or members of protected groups) to support your view? Please provide details below.

A full statutory consultation has taken place, as required by Welsh Government. The following groups were consulted using the recorded method. In addition to this a number of the schools that are potentially impacted by this proposal carried out specific consultation with their pupils and parents.

Audience	Method
Pupils	Pupil questionnaire via email to all School Councils
Parents/carers	Local media, social media, CCS website
Governors	Email to all Governing Bodies
Headteachers	Email to all Headteachers
The Council's Executive Board	Email
Cabinet	Formal process
All Councillors	Email
Trade Unions	Email
Evening Post	Press Release
Diocese	Email and meetings as appropriate
Gower College Swansea	Email and invitation to meet
Neath Port-Talbot College	
Coleg Sir Gar	Email
Welsh Government	Email
Estyn	Email
AMs	Email
MPs	Email
School Staff	Email, Local Media, Twitter, Social Media, CCS Website
Other Media	Press release
Senior Managers in Education	Email
All Council Staff	Staffnet
Swansea Residents	Local Media, CCS website, social media
Local Businesses	Local Media, CCS website
Bus Companies and Taxi Operators	Email
Neighbouring Authorities – ERW plus	Email

Bridgend and Vale of Glamorgan	
RhAG	Email
Children's Commissioner	Email
SNAP Cymru	Email
Scrutiny Board	Email
Out of County Establishments e.g. Heronsbridge School	Email
School Councils	Email

In total, 884 people responded to the consultation and their views on this proposal were as follows:

	<i>I agree with this proposal</i>	<i>I disagree with this proposal</i>	<i>I neither agree nor disagree with this proposal</i>	<i>Did not respond</i>
<i>Transport to Voluntary Aided Schools</i>	89	741 (84%)	39	15

Who responded

Parent	(63.8%)
Pupil / Student	(13.9%)
School / College Staff	(9.3%)
Councillor	(0.7%)
Governor	(2.0%)
Transport Provider	(0.0%)
Other, please state	(10.3%)

Male	239 (35.3%)
Female	439 (64.7%)

(86.1%)	White - British, any other White background		
(1.2%)	Mixed - White & Black Caribbean, White and Black African, White & Asian, any other Mixed background		
(10.5%)	Asian or Asian British- Indian, Pakistani, Bangladeshi, any other Asian Background		
(1.5%)	Black or Black British - Caribbean, African, any other Black background		
(0.7%)	Chinese or Other ethnic group		
(13.9%)	No religion / belief	(0.0%)	Jewish
(82.4%)	Christian (including Church of England, Catholic Protestant and all other Christian denominations)	(0.8%)	Muslim
(0.0%)	Buddhist	(0.0%)	Sikh
(0.2%)	Hindu	(2.7%)	Prefer not to say

The key points raised in consultation were as follows and a summary of the Local Authority's response follows each point. The full Local Authority response is available in the main report which is available here (ENTER WEB ADDRESS):

1. Restriction on learner and parental choice, especially for less wealthy families.
It cannot be denied that poorer families may find it more difficult to find the resources to get their children to a VA school. They will however, have access to a good local school.
2. Perceived discrimination on religious grounds and will treat Aided schools differently than Welsh medium schools.
The proposal to remove this transport is not viewed as discriminatory. The Council is currently treating the voluntary aided sector more favourably than the other English medium schools and the new policy will treat both groups equally. It is recognised that this proposal will only impact on the VA schools and it is regrettable that the financial position of the Council has made this proposal necessary. The Council can offer assurances that no child currently in receipt of free transport who is attending a VA school will have their transport removed for their time at that school. As such, the policy is not unlawfully discriminatory, however, the new policy does include the removal of certain long standing discretionary provisions for faith. However, the Measure (section 10) does require each local authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure.
3. The proposal will cause parents financial difficulties / financially unfair / general disagreement.
There may be a cost to parents. This cost is likely to be the same as the cost for any other parent deciding not to send their child to the nearest mainstream local school. A good education will be available locally should the parents not be able to meet the transport costs. We understand that this may cause difficulties, hence the phasing in over 6 years.
4. The proposal goes against Statute i.e. Section 6 of Education Act, or Learner Travel (Wales) Measure or Operational Guidance, UNCRC, Human Rights Act, Equality Act 2010.
The Legal view highlighted in the report assures us that we are not contravening any of the above statutes.
5. The proposal will affect the long term viability of the Faith schools.
There may be some impact on the number of pupils on roll at Faith schools, however, most Aided schools are currently over-subscribed. Consequently, the Council does not envisage any school becoming non-viable as a result of the proposed transport changes.
6. Increased traffic congestion across the City
It is thought that the overriding effect of this policy is more likely to be less travel rather than more. It is true that in the shorter term there may be increased drop off traffic at some schools, but this will be mitigated by the transitional implementation of the new policy
7. Impact on NEETS
It is possible that if pupils are not able to take up the option of faith based education because of the inconvenience and costs of travelling then some pupils may be discouraged from attending school. They will however have the option of attending their local school
8. Administrative impact on the Local Authority
There would be a significant increase in administration costs if the Council chose to in future charge or means test parents for Aided transport, however, this is not what is being proposed here

Any actions required (to mitigate adverse impact or to address identified gaps in knowledge).

- Monitor numbers at all Faith Schools to review impact of the policy (if approved)
- Consider the impact on young carers and disabled pupils (those without SEN) and what mitigation (if any) could be put in place

Section 4 - Other Impacts:

Please consider how the initiative might address the following issues.

You could base this on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty

(Please see guidance for definitions on the above)

Please explain any possible impact on each of the above.

It is possible that families wishing a faith education for their children who are disadvantaged by poverty will not be able to afford transport costs for their children and will therefore have to seek a place at the local mainstream school as an alternative. Additional pupils will need to travel on public transport which is less convenient and in some cases there may not be capacity on buses to accommodate additional pupils at peak times, it is also possible that the timings of public transport would not fit with school start and finish times. Families could be disadvantaged by reduced equality of opportunity.

Potential for conflict between the Local Authority and Diocese representatives.

The Diocese is hugely supportive of the poverty agenda and provide financial support to a number of initiatives in deprived areas. There is a risk of damage to both the relationship and the initiatives in the future if this proposal goes ahead.

Pupils who would be unable to travel to a faith school as a result of the changes due to eg carer responsibilities or low income would need to consider attending a local mainstream school which would be closer to their home this would be a reduction in the equality of opportunity in terms of choice of Education available to pupils and their families.

What work have you already done to improve any of the above?

Is the initiative likely to impact on Community Cohesion (see the guidance for more information)?

The following issues are considered pertinent to this proposal:

- Not everybody has an equal chance to take part
- Not everybody gets equal use of services
- People feeling left out or isolated
- Potential to impact upon Christian community

How will the initiative treat the Welsh language in the same way as the English language? There are no Welsh medium faith schools in Swansea. No impact is therefore anticipated.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

- Investigate timings of public transport on routes to faith schools.

*Unfortunately, due to the nature of the proposal, no further action is possible to mitigate the potential impacts identified above.

Section 5 - Monitoring arrangements:

Please explain the arrangements in place (or those which will be put in place) to monitor this function, service, policy, procedure, strategy, plan or project:

Monitoring arrangements: If Cabinet and Council approve the change to the policy there will be regular monitoring of the impact on pupil numbers at these schools.

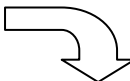
Actions: Ongoing monitoring of pupil numbers at all faith schools.

Section 6 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to guidance for further information on this section).

- Outcome 1: Continue the initiative...
Outcome 2: Adjust the initiative...
Outcome 3: Justify the initiative...
Outcome 4: Stop and remove the initiative...

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>



For outcome 3, detail the justification for proceeding here:

It is recognised that this proposal will only impact on the Voluntary Aided schools and it is regrettable that the financial position of the Council has made this proposal necessary. The Council can offer assurances that no child currently in receipt of free transport who is attending any of these schools will have their transport removed for the remainder of their time at that school. The phased introduction of the change will ensure this. Legal advice states that these changes do not contravene any statutes including the Equality Act 2010.

Section 7 - Publication arrangements:

On completion, please follow this 3-step procedure:

4. Forward this EIA report and action plan to the Access to Services Team for feedback and approval – accesstoservices@swansea.gov.uk
5. Make any necessary amendments/additions.
6. Provide the final version of this report to the team for publication, including email approval of the EIA from your Head of Service. The EIA will be published on the Council's website - this is a legal requirement.

Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
Monitor numbers at all Faith Schools to review impact of the policy (if approved)	Education Department	Annually		
Consider the impact on young carers and disabled pupils and what mitigation (if any) could be put in place	Education Department	December 2014	Young Carers and disabled pupils (those without SEN) identified and mitigation considered and implemented where possible	
Investigate timings of public transport on routes to faith schools	Transport Department	December 2014	Routes assessed and matched against faith schools to identify any gaps	

* Please remember to be 'SMART' when completing your action plan (Specific, Measurable, Attainable, Relevant, Timely).

Equality Impact Assessment (EIA) Report

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to Equality and Diversity.

Please refer to the 'Equality Impact Assessment Guidance' while completing this form. If you would like further guidance please contact the Access to Services Team (see Guidance for details).

Where do you work?
Service Area: Education
Directorate: People

(a) This EIA is being completed for a...

Service/ Function <input checked="" type="checkbox"/>	Policy/ Procedure <input type="checkbox"/>	Project <input type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>	Proposal <input type="checkbox"/>
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(b) Please name and describe below...

Home to School Transport (post-16)

Remove free transport provision for post 16 students at Swansea schools and Gower College Swansea and introduce contributory payment.

(c) It was initially screened for relevance to Equality and Diversity on 03/10/2013

(d) It was found to be relevant to...

Age <input checked="" type="checkbox"/>	Sex <input checked="" type="checkbox"/>
Disability <input checked="" type="checkbox"/>	Sexual orientation <input type="checkbox"/>
Gender reassignment <input type="checkbox"/>	Welsh language <input checked="" type="checkbox"/>
Marriage & civil partnership <input type="checkbox"/>	Poverty/social exclusion <input checked="" type="checkbox"/>
Pregnancy and maternity <input type="checkbox"/>	Carers <input checked="" type="checkbox"/>
Race <input checked="" type="checkbox"/>	Community cohesion <input checked="" type="checkbox"/>
Religion or (non-)belief <input checked="" type="checkbox"/>	

(e) Lead Officer

Name: Rhodri Jones

Job title: Stakeholder and Communications Manager

Date (dd/mm/yyyy): 11/06/2014

(f) Approved by Head of Service

Name: Brian Roles

Date (dd/mm/yyyy): 13/06/14

Section 1 – Aims (See guidance):

Briefly describe the aims of the function, service, policy, procedure, strategy, plan, proposal or project:

<p>What are the aims? To remove provision of free transport for post 16 education and to introduce a contribution of £300 per student per annum for travel on transport provided by the Council</p>
<p>Who has responsibility? Council, Cabinet, Executive Board, Director of People and Chief Education Officer</p>
<p>Who are the stakeholders? Post 16 students, Swansea schools, Gower College Swansea, Neath Port Talbot College, Bridgend College, Coleg Sir Gar and University of Wales Trinity Saint David.</p>

Section 2 - Information about Service Users(See guidance):

Please tick what information you know about your service users and provide details/evidence of how this information is collected.

Age	<input checked="" type="checkbox"/>	Race	<input type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Religion or (non-)belief	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	Sex	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	Sexual orientation.....	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	Welsh language.....	<input type="checkbox"/>
Carers	<input type="checkbox"/>		

What information do you know about your service users and how is this information collected?

Currently there are 1,582 students attending Swansea sixth form school provision of which 525 are eligible for free transport and 4,631 students attending Gower College Swansea of which 1,953 are eligible for free transport. This figure includes 113 pupils who attend sixth form provision in Voluntary Aided schools. Numbers also include some pupils with SEN but any post 16 students who have a Statement of Special Educational Need may be awarded specific transport entitlement as part of their Statement. This will not change under the proposals.

Further information on each pupil is available on our SIMS system including age, disability, race and sex. The wider demographic of our 6th Forms are as follows:












School	WIMD (in the most deprived 30% of all areas) <i>Whole School</i>	Those with a Statement of Special Educational Need (SEN) - Whole School	Ethnic Background (not White British)	
			Y12	Y13
Bishop Gore	46.2%	22.1%	39.3%	36%
Gowerton	23.2%	25.2%	8%	4.8%
Morrison	43.1%	34.3%	10.9%	13.2%
Olchfa	12%	10.5%	14.7%	13.7%
Bishop Vaughan	54.6%	13.5%	16.5%	21.9%
Bryn Tawe	32.7%	21.5%	1.9%	0.9%
Gwyr	15.3%	15.7%	1.6%	0%

Any Actions Required?

- Source demographic data for those attending Gower College Swansea
- Source geographical data for those attending 6th Forms

Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics. This could be based on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

	Positive	Negative	Neutral	Needs further investigation
Age	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	 <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh language	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers	 <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case?

£300 per annum would be a barrier to some potential students wishing to pursue post 16 education options. It is possible that the charge could have an impact on the long-term viability of 6th Forms in the area. Young Carers could also be impacted by the charges leading to them becoming NEET (Not in Education, Employment or Training). The proposal will not affect SEN pupils who are still covered by a Statement and qualify for free transport on grounds of their specific needs, however could affect students who have other disabilities not addressed by SEN provision. Possible greater impact on students attending faith and Welsh medium schools as they have less choice of establishments and therefore travel further.

What consultation and engagement has been undertaken (e.g. with the public and/or members of protected groups) to support your view? Please provide details below.

A full statutory consultation has taken place, as required by Welsh Government. The following groups were consulted using the recorded method. In addition to this a number of the schools and colleges that are potentially impacted by this proposal carried out specific consultation with their pupils, parents and students. RhAG (Rhieni dros Addysg Gymraeg) also carried out a survey (the findings of which are reported back in the Cabinet report).

Audience	Method
Pupils	Pupil questionnaire via email to all School Councils
Parents/carers	Local media, social media, CCS website
Governors	Email to all Governing Bodies
Headteachers	Email to all Headteachers
The Council's Executive Board	Email
Cabinet	Formal process
All Councillors	Email
Trade Unions	Email
Evening Post	Press Release
Diocese	Email and meetings as appropriate
Gower College Swansea	Email and invitation to meet
Neath Port-Talbot College	
Coleg Sir Gar	Email
Welsh Government	Email
Estyn	Email
AMs	Email
MPs	Email
School Staff	Email, Local Media, Twitter, Social Media, CCS Website
Other Media	Press release
Senior Managers in Education	Email
All Council Staff	Staffnet
Swansea Residents	Local Media, CCS website, social media
Local Businesses	Local Media, CCS website
Bus Companies and Taxi Operators	Email
Neighbouring Authorities – ERW plus Bridgend and Vale of Glamorgan	Email
RhAG	Email
Children's Commissioner	Email

SNAP Cymru	Email
Scrutiny Board	Email
Out of County Establishments e.g. Heronsbridge School	Email
School Councils	Email

In total, 884 people responded to the consultation and their views on this proposal were as follows:

	<i>I agree with this proposal</i>	<i>I disagree with this proposal</i>	<i>I neither agree nor disagree with this proposal</i>	<i>Did not respond</i>
<i>Charging for Post 16 Transport</i>	62	482 (55%)	300	40

Who responded

Parent	(63.8%)
Pupil / Student	(13.9%)
School / College Staff	(9.3%)
Councillor	(0.7%)
Governor	(2.0%)
Transport Provider	(0.0%)
Other, please state	(10.3%)

Male	239 (35.3%)
Female	439 (64.7%)

(86.1%)	White - British, any other White background		
(1.2%)	Mixed - White & Black Caribbean, White and Black African, White & Asian, any other Mixed background		
(10.5%)	Asian or Asian British- Indian, Pakistani, Bangladeshi, any other Asian Background		
(1.5%)	Black or Black British - Caribbean, African, any other Black background		
(0.7%)	Chinese or Other ethnic group		
(13.9%)	No religion / belief	(0.0%)	Jewish
(82.4%)	Christian (including Church of England, Catholic Protestant and all other Christian denominations)	(0.8%)	Muslim
(0.0%)	Buddhist	(0.0%)	Sikh
(0.2%)	Hindu	(2.7%)	Prefer not to say

The key points raised in consultation were as follows and a summary of the Local Authority's response follows each point. The full Local Authority response is available in the main report which is available here (ENTER WEB ADDRESS):

1. The proposed charge is too expensive / financially unfair.
The average cost to the Council of a pupil's seat on school transport is £750 per year so

on this basis the proposed charge of £300 is reasonable. For families with a low income or for students with a low income living independently, the Education Maintenance Allowance (EMA) is available to help with further education costs

2. Charging will be a disincentive to pupils staying on in sixth form.
EMA is available to support students from low income families. There are already students attending College paying transport costs at more than £200. The proposal will help towards keeping post 16 students in education (as opposed to a removal of support altogether).
3. The proposal discriminates against language and/or religious choice.
We recognise the possible greater impact on students attending faith and Welsh medium schools as they have less choice of establishments and therefore travel further. Currently the students of the Welsh medium and Catholic sixth forms receive free transport whereas students attending College are charged.
4. There is no evidence that the Authority has paid due attention to Clause 10 of the Measure to promote access to education and training through the medium of the Welsh Language.
When a Council is using its powers under Section 6 of the Measure to offer discretionary travel arrangements for learners not entitled to free transport provision, a charge can be made for these arrangements. The Council is promoting access to Welsh education by treating the Welsh medium and English medium post 16 pupils the same, i.e. they will all have to pay the same charge. The Council is proposing to continue to provide transport for Welsh Medium provision but a charge will be made.
5. This proposal adversely affects choice
With the new proposed charge, the cost will be equitable for all post 16 across the borough. Any student living more than three miles from the nearest provision will pay the same price
6. There needs to be concessions for those in receipt of certain benefits / low income families
The Education Maintenance Allowance remains available for these families and this provides up to £30 per week during term time for eligible students. The possibility of means testing pupils for entitlement has been considered, but this would involve considerable extra administration as there would need to be continual monitoring of entitlement as families incomes change
7. Will encourage greater student vehicle traffic, congestion and parking issues
There is no evidence to suggest this might be the case. If students elect to transport themselves, it is highly likely that the cost of personal transport will exceed the proposed cost per annum

Any actions required (to mitigate adverse impact or to address identified gaps in knowledge).

- If the proposal goes ahead, more detailed monitoring of NEETS (not in education, employment or training) would be necessary compared to previous years to assess if a higher number of the post 16 population have opted out of further education opportunities as a result of increased costs. This would also monitor against the protected characteristics.

Section 4 - Other Impacts:

Please consider how the initiative might address the following issues.

You could base this on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty

(Please see guidance for definitions on the above)

Please explain any possible impact on each of the above.

This proposal could result in inequality for post 16 students disadvantaged by poverty who will not be able to afford to pay the contribution in order to engage in further education opportunities. However, the proposal will mean that there will be the same charge for post 16 students accessing transport to school or college.

In addition, the proposal could impact upon social exclusion and inability to compete in the workplace at a later stage and therefore be a threat to individuals who are trying to break cycles of family poverty.

If the proposal goes ahead it could further increase the inequality gap in attainment, life chances, education opportunities, social mobility which contradicts the Council's priority to tackle poverty.

The only post 16 provision in Swansea East is at Morrision Comprehensive School, therefore there could be a disproportionate impact in this area.

What work have you already done to improve any of the above?

For students from families on a low income, the Education Maintenance Allowance is available to assist with these costs.

Is the initiative likely to impact on Community Cohesion (see the guidance for more information)?

The following issues are considered pertinent:

- not everybody has an equal chance to take part
- not everybody gets equal use of services
- people feeling left out or isolated
- poverty can lead to poor community cohesion
- potential for a higher demand on public services

How will the initiative treat the Welsh language in the same way as the English language?

All post 16 students will be affected regardless of whether they attend an English medium or Welsh medium or faith provision. Possible greater impact on students attending Welsh medium schools as they have less choice of establishments and therefore travel further.

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

- *Unfortunately, due to the nature of the proposal, no further action is possible to mitigate the potential impacts identified above.

Section 5 - Monitoring arrangements:

Please explain the arrangements in place (or those which will be put in place) to monitor this function, service, policy, procedure, strategy, plan or project:

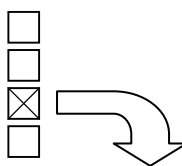
Monitoring arrangements: If Cabinet and Council approve the change to the policy there will be regular monitoring of the impact on post-16 student numbers and the number of youngsters who are NEET

Actions: Ongoing monitoring of post-16 numbers and NEETS

Section 6 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to guidance for further information on this section).

- Outcome 1: Continue the initiative...
- Outcome 2: Adjust the initiative...
- Outcome 3: Justify the initiative...
- Outcome 4: Stop and remove the initiative...



Should this be an Outcome 4?

Section 7 - Publication arrangements:

On completion, please follow this 3-step procedure:

7. Forward this EIA report and action plan to the Access to Services Team for feedback and approval – accesstoservices@swansea.gov.uk
8. Make any necessary amendments/additions.
9. Provide the final version of this report to the team for publication, including email approval of the EIA from your Head of Service. The EIA will be published on the Council's website - this is a legal requirement.

For outcome 3, detail the justification for proceeding here:

Whilst the potential impact on take up of post 16 education is uncertain and of concern, the potential saving is significant. The Education Maintenance Allowance will provide support to those students and families who are eligible to receive this support. There is no duty to provide transport or make transport arrangements for those over 16. Section 6 of the Learner Travel Measure allows for this discretionary service to be provided and for it not to be free of charge. In making any change, regard must be given to the 2009 Learner Travel Operational Guidance. However, the Measure (section 10) does require each local authority to promote access to education and training through the medium of Welsh when exercising their functions under the Measure. There is no further mitigation for young carers, disabled students without an SEN statement or those disproportionately affected i.e. Welsh Medium students and Faith students. .

Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
Source demographic data for those attending Gower College Swansea	Education Department	September 2014	Full breakdown available of the student' demographics	
Source geographical data for those attending 6 th Forms	Transport Department Education Department	July 2014	Full breakdown available of location students are currently travelling from	
If the proposal goes ahead, monitoring of NEETS (not in education, employment or training) would be necessary compared to previous years to assess if a higher number of the post 16 population have opted out of further education opportunities as a result of increased costs	Education Department	Annually	No increase in the number of NEETS 16-18 Action taken to reduce the number of NEETS 16-18 if an increase is evidenced	

* Please remember to be 'SMART' when completing your action plan (Specific, Measurable, Attainable, Relevant, Timely).

School Councils Responses**Terrace Road Primary**

20 children on school council (Years 2-6)

- We think that passenger assistance should stay for safety reasons. They are a reassuring link person especially for primary aged children. These assistants sometimes bring the children into school and collect them from the yard at the end of the school day and this is a good thing. They ensure that parents are less worried about their children's safety.
- We think that there should be free transport to all schools not just religious schools.
- We think that everyone should pay the same amount to go to any college. This would mean more choice of where and what to study. It must be fair for everyone.
- We think that every school should have their own mini bus. We should walk to school because it saves petrol, there would be less pollution and you wouldn't get fat. Cycle lanes to school would be a great idea too.

Ysgol Gynradd Gymraeg Bryniago

14 Children on school council.

- We strongly believe that passenger assistance should stay on every bus that is travelling to a school. For example what if the bus goes on fire? Or what if a child is ill on the bus? The bus driver can't ensure that everybody is safe and well. Pupils may not wear seatbelts. If there are a lot of buses, how will the pupils know that they are on the correct bus? What if someone opens the fire door? It could cause a huge accident.
- As we attend a Welsh school, there are no Welsh schools near to us so free school transport is a must. The City and County of Swansea should provide transport to all primary and secondary schools. A lot of parents work and are unable to take their children to school.
- We disagree with the proposal stopping free school transport for over 16's for college/sixth form because it is unfair. What if they don't have enough money? Then they would have to finish with their education. We believe that 3 miles is a long way to walk with all of your school stuff such as files and books etc.
- Finally without free school transport a lot of pupils would not be able to get to school which would mean no education.

Ysgol Pen-y-Bryn

12 children on school council.

- We think you should keep escorts for certain people. Some people rely on the escorts. Some escorts and drivers do not sit in the back or wear seatbelts. Some escorts ignore us and won't speak to us.
- We do not think we should pay for our transport. We would have to spend all our EMA money on transport. We would lose our independence. We use our EMA money to pay for our school trips and socialising with friends.
- Some further comments on school transport: they are either too late or too early, my driver smokes inside my taxi before I get in the taxi, I don't like some of the people I am in the taxi with, I am in the taxi for a long time because there are lots of people on the taxi.

St Joseph's Cathedral Primary

20 children on school council.

- 20 out of 20 disagree with the proposal to stop school passenger assistants for the reasons below. Because of the size of the bus some children may not behave well because there is no one to supervise them.
- Seatbelts might be taken off and the little ones might walk around the bus or if the seatbelt is jammed or doesn't work there is no one to help the children sort this problem out when seatbelts are the law.
- If it is noisy the driver may lose concentration and crash the bus. Children could get hurt and there is no one to help them. Also if the bus crashes by accident and the driver is hurt there is no one to calm the children down or get the children off the bus safely.
- If there are younger children they might open windows and stick their hands out and get hurt.
- The guides sometimes have to pass important messages onto our parents from the teachers or the school, for example if we are unwell or have been naughty.

We also disagree with the second proposal that free school transport will be stopped to Catholic schools because:

- My parents want me to have a Catholic education because this is our faith. We believe that it is unfair that we cannot go to a church school.
- The other schools close to where we live are not Catholic and this is very important to our family and the reason that they chose the school.
- I come to this school because my parents think that this is a safe, good school and teaches us the Catholic faith.
- It means that our school numbers will fall because everyone on the school council lives closer to another school and then the school will get smaller and smaller and some jobs might also have to be cut.
- If our parents are living in different houses how do they then agree on the school that we go to? It could cause arguments.
- It is discriminatory against our religion. Welsh schools are not more important than faith schools. Why should they have school buses and we don't?

Regarding the proposal to take away free transport to post 16 students we disagree and feel that you are making it unfair for poor families to attend college.

- They might have to go out and get a job instead of being able to stay in school to learn and have the chance to get better jobs and have better futures. You are taking peoples decisions and the right to have an education away.

Gwyrosydd Primary School

12 children on school council

- We think there should be passenger assistants on the bus because children might distract the driver – this could cause an accident.
- In regards to stopping free school transport to Catholic schools we think that you could ask for a small donation once a week.
- We believe regarding post 16 education that it will be fair to pay the same amount.

- Lastly we think that children have the right to an education and the council should help children get to school.

Dunvant Primary

24 children on school council

- We disagree with the proposal to stop passenger assistance on school buses because someone might feel ill and need help. We were shocked to hear that you would think about removing the assistants from the buses because we wouldn't feel safe without them.
- There may be trouble with bullying
- Some children may need a grown up to feel safe-somebody they know.
- We also need someone to check seatbelts.

We disagree with the 2nd proposal to stop free school transport to Catholic schools because:

- We think all schools should be treated the same because it's not fair for some to be paid for and not others.
- In regard to the 3rd proposal to stop post 16 education we think they should help because going to college is important.

Bishop Vaughan

Sixth Form Committee:

- We understand that cuts need to be made, however we believe that the financial cuts proposed would have dramatic and negative effects on the community as a whole.
- We see this as discrimination against the children who attend this school because they've chosen, with the legal rights they have, to attend a Catholic school which will support and nurture the faith they have chosen to follow.
- We would like to know why has the council decided to take away the funding to provide buses to the thousands of children (40%) of Bishop Vaughan pupils attending Catholic school while those in Welsh-medium schools have been allowed to keep the same service even if they have a closer school to attend.
- In taking away this service you are infringing on their rights, as parents, to decide which school they should send their children to. They may end up sending them to a school that they're less happy with in order to avoid the sum of up to £400 per child, per year.
- A lot of the schools population come from deprived background and 20% of the pupils at Bishop Vaughan qualify for free school meals so with this additional cost they may not have the funds for breakfast and dinner meals either.
- Dangers of global warming- there will be more cars on the road if parents are forced to take their children, which will lead to more emissions that the council are supposed to be working to reduce. Very few bus routes would be suitable and most would require multiple bus changes which is impractical, costly and unsafe.
- Also concerned about charging buses for all post 16 pupils. With this additional charge future generations will choose to not attend post 16 education in either a school or Catholic school community as many parents would expect them to pay.

Since the work in post 16 education is tough it is not always possible to work for long periods to earn enough to cover the bus fees-especially when most jobs are minimum wage.

- Carmarthenshire council have withdrawn from instating similar policies (which we also object to) which means that there are clearly some real concerns with the structure of plans and the local community would not benefit from the changes.

Townhill Community School

14 pupils on school council

- We think that it would be very difficult for the bus driver to keep an eye on all the children if some children are misbehaving. Also, children could take their seatbelts off and the driver wouldn't know.
- We feel that older children shouldn't need an assistant as they should be able to be sensible on a bus.
- In response to the proposal to stop free school transport to Catholic schools the children felt that there were lots of schools in our area so they would be able to walk to either Comprehensive school. However, they did say you could get a public bus to school instead if you went to a school further away from your home.
- Regarding the proposal to change post-16 education fees for colleges and sixth forms some of the children felt it was fair for both to pay. However, if the sixth form is chosen because it is closer to their house then they shouldn't have to pay.
- Most of the children felt that school transport should be free because children need to go to school and that there should be a bus provided for each school. They also said that for some of them, even though they go to our school they have moved out of the area but still travel back and forth every day because they don't want to move schools.

Bishop Vaughan

Number of pupils on school council not stated

- As individuals we have the basic right to practise our faith. If you remove free school transport from Bishop Vaughan School, one of our most fundamental principles as a Catholic school is endangered. Many Catholic families will not be able to afford to pay for school transport for their son/daughter. Our reputation consists of our catholic faith accepting all those who choose to come here and if this is changed, our faith's ethos is not as widely spread in the city and cannot serve its greater purpose. If free school transport is removed then our basic human right to practise a religion of our choice is undermined.
- Not providing free school transport will have a huge impact on all families who want to go to any catholic school. This will affect families of all sizes, big or small, as the cost of around £390 will all add up, depending on the number of children in the family. Sadly, not all families can afford this and this will then lead to the fragmentation of our Catholic community.
- Future generations of Catholic families will also be affected, and are likely to go to a closer non-Catholic school. Removal of the free transport will therefore also affect the future generations' opportunity to practise the Catholic faith and grow in a Christian

lifestyle. So if you take the free transport away now, it will not only effect the current youth but will leave a legacy for the Catholic Community of Swansea.

- We strongly feel that depriving Catholic Schools of free transport is an appalling act of discrimination. This will effect individuals dramatically. This will be stopping them from fully practising their faith. Do you really think this is right? Why should we be affected just because we are Catholic?
- We understand that you are only thinking of applying this rule to Catholic Schools and not to Welsh Schools. We believe that the current proposals are wholly unfair and on balance the financial savings are at a large social cost for the city of Swansea. We urge you to reconsider the current plan to remove free school transport.

St Joseph's Catholic Primary

Number of pupils on school council: 17

- We need to continue having a guide on the bus to help us on and off the bus. Also a person we can tell if we are feeling unwell or having problems that can be sorted without the driver having to stop and increasing our journey time.
- We are a Rights Respecting School and so fully believe that we have the Right to our own religion and have an education in our religion. We are a Christian Country and should be allowed free transport to those schools, just as we are Welsh and would have free transport to a Welsh Medium School.
- If the proposals go ahead to charge for post-16 transport to sixth forms then it will be an additional cost to parents who have chosen to keep their children in 6th form because they cannot afford to send their children to college. If there was a charge imposed there would be fewer children from deprived backgrounds being given the chance of Higher Education.
- Transport to our schools is vital important to ensure these schools that have been fought for, for many years continue to thrive and flourish.

Gowerton Comprehensive

Number on school council: 14

- In response to the first issues re passenger assistants. We believe that we need someone at all times for the following reasons: stop misbehaving, stop them opening windows, ensure seat belts are worn, prevent any other dangers.
- Regarding the proposal to remove free school transport to the Catholic and church of Wales schools we disapprove because Catholic religion is important in Wales as it is our national heritage. Therefore it is unfair to ask pupils to pay/find their own way, purely due to religious belief. Maybe they should co-ordinate one route to cover most pupils. It would reduce traffic and environmental problems.
- In response to the proposal to remove post-16 free transport to sixth form pupils who live more than 3 miles from their school we think that they are all in full time education and with the cost of university etc increasing-should allow them to save up! Also prevent them driving their own cars.
- We would like to add that buses are always breaking down and have inconsistent arrival times. Pupils who live 'closer' to school but outside of catchment have to pay very expensive travel expenses. Also we believe that there should be CCTV on comprehensive buses.

Ysgol Gyfun Gwyr

Number on school council: 14

- From the point of view of the younger pupils in the school we understand that passenger assistants are important in order to ensure confidence for the passenger. Despite this we understand that this costs a lot of money and on the assumption that most primary school pupils wouldn't travel without their parents then we do not consider this proposal to be unreasonable.
- In regards to the 2nd proposal- to stop providing free school transport we are completely against this proposal as we are a school with pupils coming from all parts of Swansea as we have a large catchment area. Therefore we believe that this will affect our brothers and sisters that will study here in the future.
- Regarding the proposal to stop post-16 education transport to sixth forms we do not believe that this is a good idea for us as pupils who will be attending the sixth form class in future. Most of the pupils at Ysgol Gyfun Gwyr live more than 3 miles from the school. Therefore we believe that if there was a charge to attend a Welsh sixth form then pupils would choose to attend an English sixth form within the 3 mile radius. This proposal is disadvantageous to Welsh schools and to some it shows a tendency to favour English medium schools.
- We believe that school transport is extremely important because of our choice of school which has a large catchment area and many pupils travel 3 miles or further. We have pupils travelling from as far as Pontarddulais or Oxwich. During these tough economic times we believe that it is unfair to ask parents and children to pay for transport. Primary and Secondary education is not for the elite and we need to ensure that this continues.

Pontarddulais Comprehensive

No on school council: 15

- Regarding the proposal to remove a passenger assistant we believe that if there are very young children then there needs to be an assistant on board. Pupils usually travel to primary with parents or walk. It seems ok but if something went wrong with say a 5 year old, it would be said: why was there no supervision?
- We believe that the proposal to stop free school transport seems sensible.
- We think that the proposal to remove post-16 education sounds fair, as college is the same as sixth form.
- We would like to add that the safety is compromised on secondary school transport as there is no assistant. Pupils can misbehave on the busses, getting out of seats, throwing things around. This makes it unsafe. One time, the driver had to stop on the hard shoulder.

Response to the Home to School Transport Policy Proposals

Bishop Vaughan School is most strongly opposed to these proposals for several reasons. These include:

- 1) the impact upon learner and parental choice and rights
- 2) the particularly significant impact upon learner and parental choice for those facing some measure of deprivation
- 3) the disparity between provision for Welsh-medium schools and that for denominational schools
- 4) our observations regarding the financial savings to be made
- 5) the potential effect upon NEETS in the Local Authority
- 6) further practical consequences for the Local Authority

1) The impact upon learner and parental choice and rights

The inevitable outcome of this proposal will be a reduction in parental choice, and in the long term, a possible reduction in the diversity of educational provision within the Local Authority. Neither national nor local elected members have a mandate from the electorate to do this.

It has been recognised since the debate on the 1944 Education Act, that schools with religious character will, in many instances, have a natural catchment area of much larger size than community schools. This is reflected in the provision of the Education Act 1944 which is still in the Statute Book.

The UN declaration on the Rights of the Child states:

Principle 7

The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which promotes his general culture and enables him on a basis of equal opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society. The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

The European Convention of Human Rights as incorporated in the Human Rights Act 1998 states:

Article 2

No person should be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

These instruments outline the concept that parents are foremost educators of their children and that the state should be a facilitator to ensure that all children as far as practicable can be educated in accordance with their parents' religious and philosophical convictions.

The proposal to discontinue discretionary provision of free transport for the VA sector places at risk the whole concept of parents being in a position to educate their children according to their beliefs and convictions.

2) The particularly significant impact upon learner and parental choice for those facing some measure of deprivation

VA schools serve some of the most deprived and disadvantaged communities, achieving good academic outcomes. It is a Welsh Government priority to reduce the impact of poverty on educational achievement. This proposal places significant and fundamental obstacles to some children attending schools which help them overcome the impact of deprivation. It means some parents will have to substitute personal household financial considerations for fundamental beliefs and convictions regarding their children's schooling.

Catholic schools were set up in partnership with Local Authorities as part of their provision to serve a particular community. The removal of dedicated transport loosens their partnership arrangement and the historical tradition on which it was based.

This tradition includes such tenets of the Catholic Church as:

Parents as well as those who take their place are obliged and enjoy the right to educate their offspring; Catholic parents also have the duty and the right to select those means and institutions through which they can provide more suitably for the Catholic education of the children according to local circumstances.

Parents also have the right to make use of those aids to be furnished by civil society which they need in order to obtain Catholic education for their children.

It is necessary that parents enjoy true freedom in selecting schools; the Christian faithful must therefore be concerned that civil society acknowledge this freedom for parents and also safeguard it with its resources in accord with distributive justice.

It is very important to remember that Catholic families paid to have Catholic schools built, often funding 25% or more of the building costs, and that Catholic parents currently have to find 15% of the capital costs of Catholic schools. In other words, Catholic schools already cost Catholic parents money, money which they were glad to contribute to ensure a Catholic education. This proposal means an extra financial burden on Catholic families - a burden that other families living less than three miles from their appropriate primary or secondary schools, would not have to find. Catholic parents have already paid tax to provide schools – Catholic, Welsh Medium, and other – and then had to find a further 25% and later 15% on top of that.

It is therefore the case that Catholic parents will be charged twice for a right enshrined in the 1944 Education Act and hitherto supported by the partnership in school provision between the Local Authority and the Diocese.

Plainly, learners facing economic disadvantage and deprivation will not be able to sustain the financial burdens imposed by these proposals and will not enjoy the same choices regarding faith education as their more affluent peers. This is unacceptable on every level and seriously contradicts the commitments made by the Welsh Government to reduce the impact of poverty.

3) The disparity between provision for Welsh-medium schools and that for denominational schools

We would draw your attention to page 51 of the 'Proposed Guidance on Learner Travel Statutory Provision and Operational Guidance' document. Here, in outlining the current measures in place, it states in paragraph 5.7 that:

If parents enact their parental preference and choose a learning establishment which is not the nearest suitable school or relevant place of learning for their child(ren), local authorities are not legally bound to provide transport although they do have power to make provision on a discretionary basis under section 6 of the Measure.

This reflects paragraph 1.26 of the Learner Travel Operational Guidance:

If the school is not the nearest suitable school, the pupil generally does not have a right to free school transport even if they live beyond walking distance. In such cases, parents are responsible for making their own transport arrangements, although an authority has discretion (using its

powers under section 6 of the Measure) to provide free or assisted transport for such pupils.

In clarifying what constitutes exercise of parental preference, paragraph 5.8 of the 'Proposed Guidance on Learner Travel Statutory Provision and Operational Guidance' document states:

If a parent chooses a school for their child on grounds of language or denominational preference and that school is not the nearest suitable school as agreed by the relevant local authority, then this constitutes the exercise of parental preference.

If it is conceded that choosing a school for either language or faith-based reasons constitute an exercise of parental preference, then the position where Local Authorities use their discretionary "power" to fund one set of parental preferences whilst removing provision for another set of parental preferences is most contentious and, we would argue, an indefensible position.

Paragraph 2.19 makes reference to the fact that:

The Welsh Assembly Government, like local authorities, recognise the value and role of faith based education and want local authorities to continue to use their discretionary powers to make transport arrangements which take account of parental preferences for schools with a religious character.

This consultation, sadly and tellingly, makes no reference to the contribution of faith schools being valued.

Paragraph 2.5 of the Learner Travel Operational Guidance clearly states that:

If a local authority does make use of the powers in section 6 of the Measure, it must ensure that any policies are fair, reasonable, and comply with relevant legislation including equality legislation and the Human Rights Act 1998. Local authorities must not discriminate unlawfully between learners when using their section 6 powers.

We would argue, therefore, that making financial provision for one set of parental preferences and removing provision for another is subject to legal challenge under the Equality Act 2010 and the Human Rights Act 1998.

4) Our observations regarding the financial savings to be made

While we contest the proposals for their infringements of the rights of learners, we must also point out at this early stage a number of practical considerations for the Local Authority. These proposals can not produce the desired outcomes

in terms of savings to the Local Authority, and will seriously impact upon the success achieved in areas of key importance to the Authority.

The proposals relating to provision for Voluntary Aided schools aim to achieve savings of the following sums, these having been projected by the LA and representing the maximum possible savings in each given year: £22.5k in 2015-16, £87.7k in 2016-17, £138.4k in 2017-18 and rising to a maximum of £683k in 2022-23. The phased introduction dictates that savings will be modest for a considerable period, yet costs associated with this proposal will be immediate and significant.

It was agreed at a recent meeting of the working group called to consider these proposals that removal of transport provision, with its associated requirement that families pay up to £400 p.a. for each seat will require the employment of two administrative assistants to manage the payment system, allocations, contracts, etc. The salaries, on-costs, etc., will be in excess of £40k p.a., thus resulting in a loss in the first year, and the rather indefensible position for several years to come of money being diverted from where it is truly needed and can justifiably be spent to be spent instead on administration.

5) The potential effect upon NEETS in the Local Authority

The great successes that the Authority has been able to report with reducing NEETS figures, increasing learner choice and the Swansea Guarantee are jeopardised by the threats to post-16 transport provision. Here it is absolutely inevitable that a proportion of learners will not continue to post-16 education if faced with the need to pay £300 p.a. (although at the working group the figure was actually calculated as being up to £400 p.a.) for transport costs alone to access it. The burden of this goes beyond the proportion of pupils in receipt of EMA, the families of whom already find the additional costs associated with remaining in education difficult to bear. We are often faced with the very real concerns of families about their inability to pay the one-off UCAS fee of £26 in order to make applications to universities. It has been a success on the Authority's part and on that of post-16 schools to keep such students in education in order to allow them to fulfil their potential and make a meaningful contribution to society as they progress. We have no doubt whatsoever that the number of NEETS post-16 will rise if transport provision is removed.

Linking to point 4 above, we would ask what the cost to the Authority of each NEET pupil is; we are aware that the cumulative costs of identifying, tracking and engaging them are extremely high. These costs, added to those of the administration posts, make these proposals impractical. We also suggest that this undermines the work of the Swansea Guarantee which, while costly, has been effective. The inevitable effects upon learners in Swansea mean not only unnecessary spending on increased levels of NEETS in the years ahead, but also that the spending on this project to date has been, at least to some degree, wasted, as the NEETS figures will go on to demonstrate negative trends.

We urge you to look also at the consequences for learner choice: fewer learners remaining in post-16 education will mean smaller numbers in options classes. With the significant budgetary cuts facing schools, this of course means that these subjects will not be offered. Effective partnership working between the schools and colleges across Swansea means that staffing and resources are currently being used to optimum effect. Removing subjects, therefore, in any one of these schools narrows learner choice not only within the school itself but for learners across Swansea, who benefit from being able to access these courses. In our own case, for example, we work closely in partnership with Morriston Comprehensive. Should Sixth Form classes in certain subjects be cut because of a falling roll post-16, Bishop Vaughan learners will have a narrower choice of pathways, and this will also limit the choices for Morriston students. It will not be straightforwardly the case that these learners will instead apply to the colleges. Transport costs will be prohibitive there also, whilst most students accessing Bishop Vaughan courses from our partner school are within walking distance or make use of their own school's minibus service. Certain groups of learners, therefore, whom we have been able to keep in education due to the accessibility of their post-16 education, and due to the continuity offered by the school overcoming many of their concerns regarding their ability to continue in education, will no longer find it possible to continue their learning post-16. With no institutions offering funded transport, many will choose to leave education at this level; it is fair to say that a percentage of these young people will be unable to find employment or training opportunities and will therefore become NEET.

6) Further practical consequences for the Local Authority

We further contend that these proposals do not consider the inevitable consequent effects. It is the case that over 20% of Bishop Vaughan's pupils qualify for free school meals. Plainly, those families, and indeed many who are perhaps just above the threshold for qualifying for these, will be unable to pay up to £400 p.a. for transport for each child using it. With over 40% of pupils currently using the school transport, there is the potential for up to 40% of those currently on roll having to transfer to what is described in the proposals as the 'nearest mainstream school'. We are aware that there is not the scope for large numbers of learners being accommodated elsewhere - quite apart from the concerns that this raises about learner choice and the position that this sets up with families only being able to access education at a faith school if they are sufficiently affluent to pay for it.

While there is not scope, then, to accommodate these learners in other Swansea schools, this school, with the staffing and provision already in place, will face making staff cuts when numbers inevitably fall, and narrowing provision, a concern highlighted in section 5, above. Further, it is likely that due to the smaller numbers of pupils using even those transport services that they will then have to

pay for, some private hire companies and/or service routes will either not be able to provide transport due to the losses that they will incur or will set higher charges for doing so. This further limits access and choice for all learners, not only those unable to pay for the transport.

We would add that those pupils able to remain at Bishop Vaughan but denied transport will in some cases make use of private transport, where able to do so, with the consequent environmental and resourcing concerns that are associated with this. The environmental implications of this proposal need to be considered carefully, especially in the context of carbon reduction targets.

We ask therefore that a detailed costing of the actual savings that might be made is undertaken; we ask for a realistic projection of the costs of the administration that will be required if current provision is removed; we ask that the likely expenditure for increased numbers of NEETS is assessed. With the potential savings balanced against these costs, we believe that it will be deemed as not being in the Authority's interest to further consider these proposals, particularly when considered within the context of the negative impact upon learner choice and the additional concerns outlined above.

We feel that the savings to be made cannot possibly be used as justification for narrowing provision, as justification for discrimination against one set of parental preferences whilst funding another and as justification for increasing – contrary to the Welsh Government's priorities – the barriers presented by poverty.

In light of the above concerns we contest the proposals wholeheartedly.

**TRANSPORT
AND POST-16 WELSH MEDIUM EDUCATION**

**A review of the effect of charging for transport for pupils to attend
post-16 Welsh medium education in Swansea**



Hafan Language Consultancy

Parents for Welsh Medium Education (RhAG)



With the assistance of Ysgol Gyfun Gymraeg Gŵyr and YGG Bryn Tawe

April 2014

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Heini Gruffudd, Secretary of Swansea RhAG

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CONCLUSIONS

1. An annual charge of £300 for transporting post-16 pupils to Gŵyr and Bryn Tawe will probably mean the end of viable post-16 education at these schools.
2. Charging for transport will disproportionately affect those receiving post-16 education through the medium of Welsh in the county. This will affect 8 out of 10 pupils attending Gŵyr and Bryn Tawe.
3. Charging for school transport will penalise those from less affluent backgrounds more than anyone else, and mean that pupils from poorer backgrounds will be unable to continue in Welsh medium education.
4. Post-16 English medium education is much more accessible for the majority of pupils, therefore a charge of £300 puts Welsh medium education at a clear disadvantage.
5. The county has not investigated the effect charging for school transport will have on post-16 Welsh medium education, on post-16 education in general or on less affluent families.
6. The Learner Travel Measure (Wales) 2008 places a duty on local authorities to arrange transport to schools whose aim is to promote Welsh medium education. The proposal currently being discussed would have the opposite effect, and be very harmful to Welsh medium education.

Findings

1. There is a very strong desire among Gŵyr and Bryn Tawe pupils to continue their post-16 education at these schools.
2. If their parents had to pay £300 a year for transport to a post-16 Welsh medium setting, only 19% would definitely send their children to these schools, with a further 19% saying they would probably choose this option.
3. Effective transport is vital for ensuring equality for Welsh medium education, as the majority of pupils who choose this option live at some distance from the provision.
4. A higher percentage of pupils travel by bus to Welsh medium schools than to English medium schools, therefore the effect of charging £300 for transport costs would be more detrimental to Welsh medium education than to English medium education.
5. Parents are generally concerned that their children's education would suffer.
6. Parents are worried that their financial circumstances would mean they could not afford the school bus.
7. A number of pupils live within walking distance from English medium post-16 provision and requiring them to pay £300 to attend a Welsh medium establishment would put Welsh medium education at a significant disadvantage.
8. 81% of survey respondents said their children depended on the bus to travel to Gŵyr and Bryn Tawe, with three quarters of pupils living more than 3 miles from their school.

9. There is no convenient public bus service to Gŵyr and Bryn Tawe, therefore the vast majority of pupils depend on school buses provided by the authority.

1. Background

In February 2013, Swansea County Council launched a public consultation on transport to school or college for post-16 pupils. The proposal under discussion is to charge £300 a year for transport to post-16 education in the county.

It is apparent that the authority has not investigated the effect charging for school buses to post-16 education would have on:

- Welsh medium education
- Low income families
- Remaining in post-16 education in general.

The Learner Travel Measure (Wales) 2008 allows local authorities to pay travel costs in full or partially for pupils where there is no statutory obligation to provide free travel. Part of the authority's duty is to provide transport which does not cause unreasonable levels of long-term stress for pupils which would prevent them from taking advantage of the education provided.

Clause 10 of the Measure states:

Promoting access to education and training through the medium of the Welsh language
Each local authority and the Welsh Ministers must promote access to education and training through the medium of the Welsh language when exercising functions under this Measure.

There is no evidence that the authority has paid due attention to this clause, and no consideration has been given to how the present proposal would promote education through the medium of Welsh.

2. Geography

The county of Swansea is fairly compact compared with some other counties in Wales. The distance from west to east is about 15 miles and about 9 miles from north to south.

The population is concentrated in the urban area of Swansea with its extremely busy roads and traffic, which has a bearing on ease of walking to an educational establishment.

The county has some more remote areas, including the Gower peninsula and some parts of the north.

Ysgol Gŵyr takes pupils from primary schools within 3 miles, such as Pontybrenin and Login Fach and others which are further away such as Bryn-y-môr, Llwynderw and Bryn Iago.

Ysgol Bryn Tawe pupils come from primary schools within 3 miles, such as Tirdeunaw and Felindre, as well as others which are further than 3 miles such as Gellionnen and Lôn-las.

Consequently, a considerable proportion of pupils of both schools live more than 3 miles from the school.

3. Survey method

We decided to carry out a survey which would seek the following information from respondents:

1. School year of the pupil
2. Place of residence
3. Approximate distance from school
4. Method of travel to school

5. Desire to receive post-16 education at the school
6. The sum the parent would be willing to pay for school transport
7. The pupil's right to free school meals
8. The likelihood of returning for post-16 education at the schools if a charge of £300 were levied.

Parents were also asked how they felt about the idea of charging £300 a year for school transport.

We are grateful for the co-operation of Ysgol Gyfun Gŵyr and Ysgol Gyfun Gymraeg Bryn Tawe in conducting the survey. The completed questionnaires were processed using SPSS software which enabled us to compare different variables.

The following report outlines the main findings which arose from the questionnaires and includes additional comments from 98 parents.

4. Responses

Responses were received from 62 parents of Ysgol Gyfun Gŵyr pupils and 71 responses from parents of pupils at Ysgol Gyfun Gymraeg Bryn Tawe. The parents' responses reflected the location of their homes, with a higher number received from those who live further from the school.

It could be that the response rate was greater from those who already have an interest in the subject, which is a common occurrence with such questionnaires. This may mean that there is some degree of bias in the responses towards those who wish to continue post-16 education through the medium of Welsh or those who are generally interested in Welsh medium education. Having said that, the clear patterns which emerged from the responses demonstrate that there is a keen interest in the issue and considerations which must be taken on board.

5. Place of residence and method of travel to school

5.1 Ysgol Gyfun Gŵyr

Respondents' children attended the following schools:

	Percentage	Number
Pontybrenin	13%	8
Bryn Iago	29%	18
Logan Fach	5%	3
Llwynderw	18%	11
Bryn-y-môr	34%	21

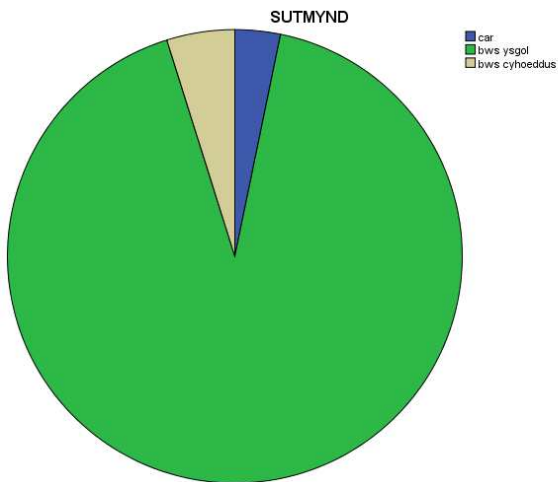
The comparatively high response from Bryn Iago, Llwynderw and Bryn-y-môr reflects the concern of parents who live more than 3 miles from their child's school.

The majority of respondents said their child travelled to school by bus:

	Percentage	Number
Car	3%	2
School bus	92%	57
Service bus	5%	3

58 respondents said their child was entitled to free school transport. This is one more than the number who travel by bus but it would be fair to conclude that free school bus travel is essential for most pupils to get to school.

Graph 1 How Gŵyr pupils travel to school



Method of Transport [translator's note – unable to edit graph key. Green represents school bus, beige service bus and blue car]

5.2 Ysgol Gyfun Gymraeg Bryn Tawe

Respondents' children attended the following schools:

	Percentage	Number
Tirdeunaw	13%	9
Lôn-las	61%	43
Gellionnen	21%	15

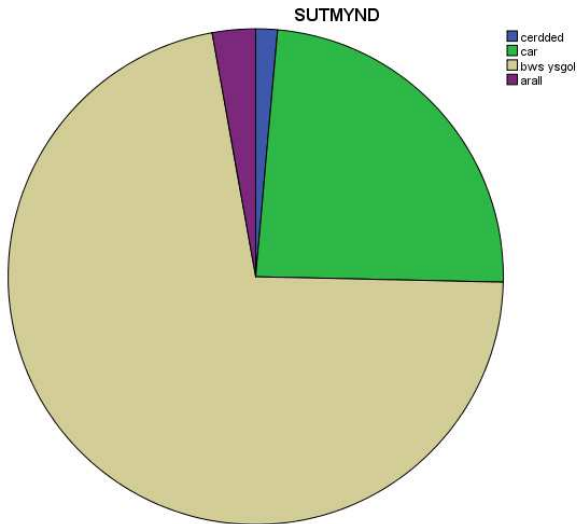
The comparatively high response from Lôn-las reflects the concern of parents who live more than 3 miles from Ysgol Gyfun Gymraeg Bryn Tawe.

The majority of respondents said their child travelled to school by bus:

	Percentage	Number
Car	24%	17
School bus	72%	51

The percentage who travel by car is greater than for Ysgol Gyfun Gŵyr, probably because a higher percentage live within 3 miles of the school. 51 (72%) respondents said that their child was entitled to free school transport. It is fair to conclude that free school transport is essential for the majority to travel to school.

Graph 2 How Bryn Tawe pupils travel to school



[Beige represents school bus, green car, purple other and blue walking]

Conclusion:

Welsh medium education at Ysgol Gyfun Gŵyr and Ysgol Gyfun Gymraeg Bryn Tawe depends, to a great extent, on the provision of a school bus.

6 Distance from school

6.2 Ysgol Gyfun Gŵyr

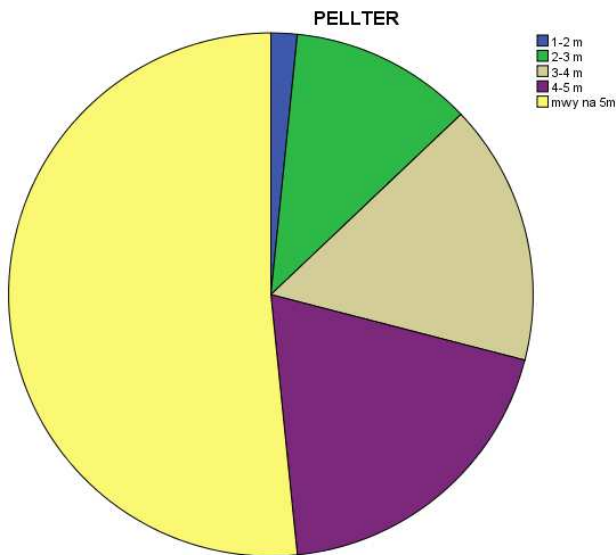
77% of respondents live more than 3 miles from the school:

	Percentage	Number
Less than 2 miles	1.6%	1
2-3 miles	11%	7
3-4 miles	16%	10
4-5 miles	19%	12
More than 5 miles	52%	32

Distance patterns are very different from overall patterns in the county; in general, the vast majority of pupils in English medium education live within 3 miles of their comprehensive school.

To ensure that access to Welsh medium education is as convenient as access to English medium education, there needs to be easy access to transport.

Graph 3 Ysgol Gŵyr pupils' distance from school



Distance [Yellow represents more than 5 miles; purple 4-5 miles; beige 3-4 miles; green 2-3 miles; blue 1-2 miles]

6.3 Ysgol Gyfun Gymraeg Bryn Tawe

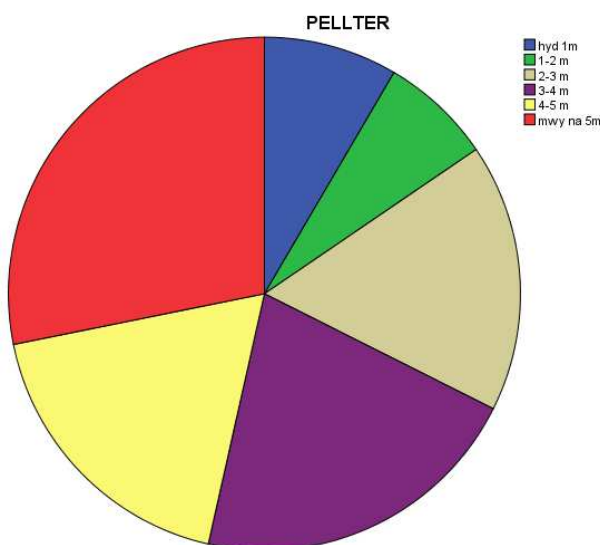
68% of respondents live more than 3 miles from the school:

Distance Category	Percentage	Number
Less than 2 miles	15.56%	11
2-3 miles	17%	12
3-4 miles	21%	15
4-5 miles	18%	13
More than 5 miles	28%	20

Distance patterns are very different from overall patterns in the county; in general, the vast majority of pupils in English medium education live within 3 miles of their comprehensive school.

To ensure that access to Welsh medium education is as convenient as access to English medium education, there needs to be easy access to transport.

Graph 4 Ysgol Gyfun Gymraeg Bryn Tawe pupils' distance from school



Distance [Red represents more than 5 miles; purple 3-4 miles; yellow 4-5 miles; beige 2-3 miles; blue one mile or less; green 1-2 miles]

Conclusion:

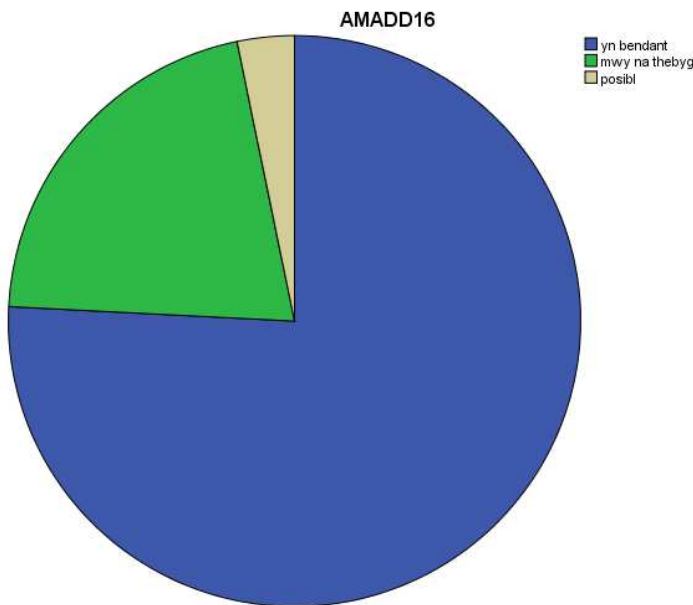
Among the respondents, a high percentage of pupils at Welsh medium comprehensive schools in Swansea live more than 3 miles from their school and are eligible for free transport to statutory education. Taking both schools into account, 77% of pupils live more than 3 miles away. Approximately three quarters of pupils at both schools will be affected by the authority's decision to charge for transport to post-16 education.

7 Desire to receive post-16 Welsh medium education

7.1 Ysgol Gyfun Gŵyr

There was a very positive response to the question enquiring about the desire to receive post-16 education through the medium of Welsh. 76% said yes, definitely, and 21% said they would probably wish to receive Welsh medium education.

Graph 5 Desire to receive post-16 education at Ysgol Gŵyr

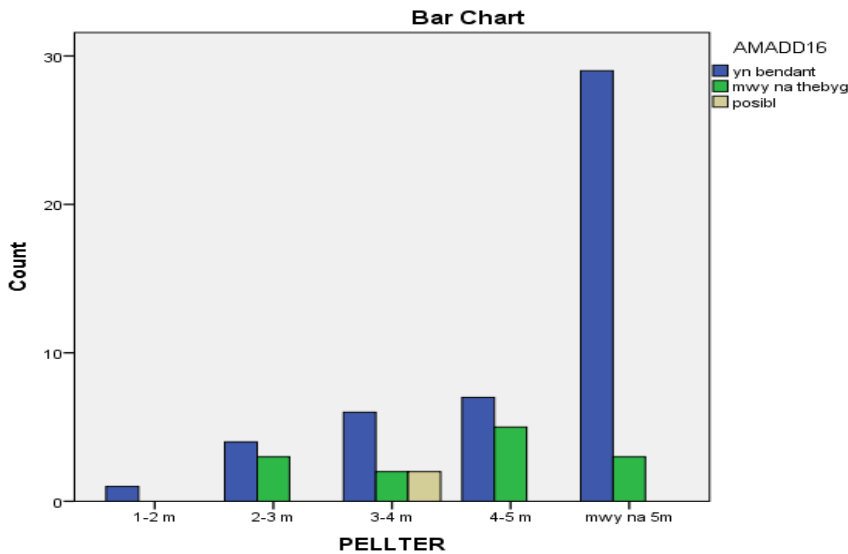


[Blue represents definitely; green probably; beige possibly]

As will be shown further on, this positive pattern will be wiped out by the introduction of a charge for school transport.

It can be seen that the desire to receive post-16 education at Gŵyr does not diminish according to distance between home and school. Of the 32 who live more than 5 miles away, 29 said they would definitely wish to receive post-16 education at the school.

Chart 1 Distance from school and desire to receive post-16 education at the school

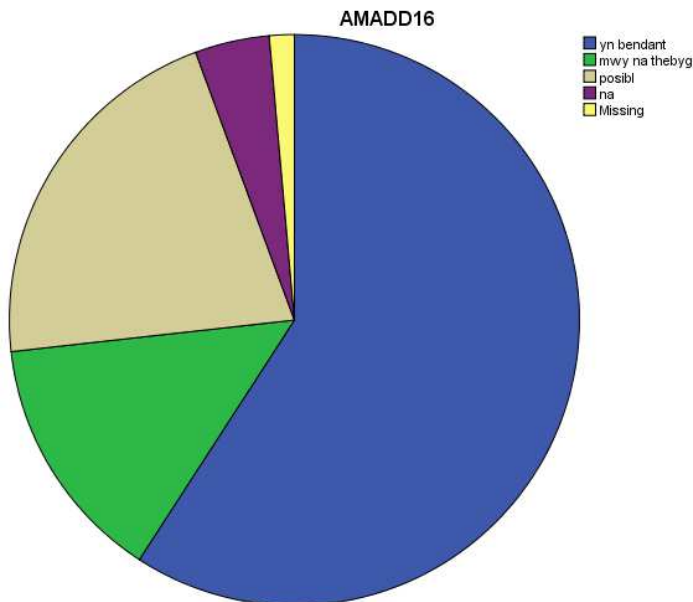


[Blue equals definitely; green probably; beige possibly]

7.2 Ysgol Gyfun Gymraeg Bryn Tawe

There was a very positive response to the question enquiring about the desire to receive post-16 education through the medium of Welsh. 60% said yes, definitely, and 14% said they would probably wish to receive Welsh medium education. A further 21% said they would possibly want to receive Welsh medium education.

Graph 6 Desire to receive post-16 education at Ysgol Gyfun Gymraeg Bryn Tawe

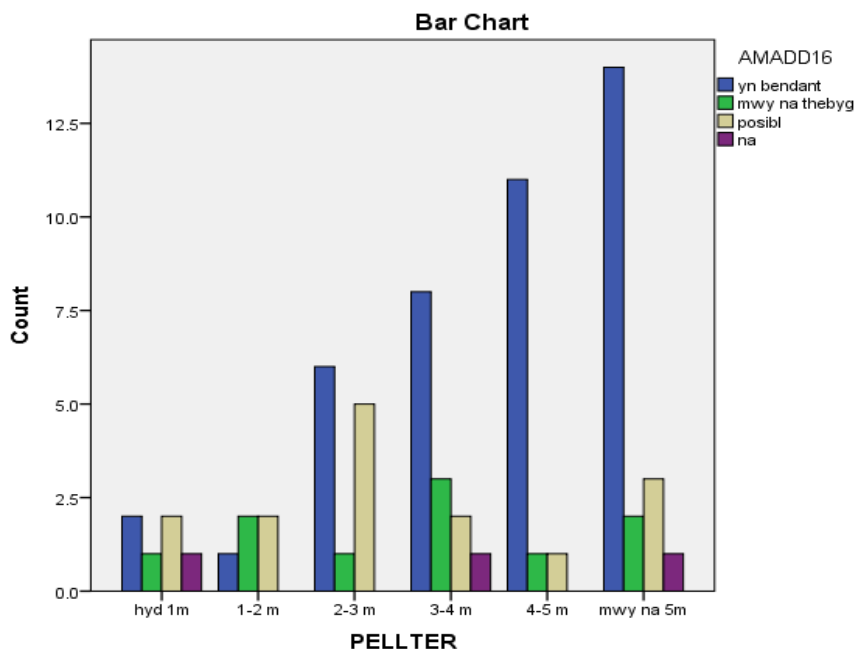


[Blue equals definitely; green probably; beige possibly; purple no; yellow missing]

As will be shown further on, this positive pattern will be wiped out by the introduction of a charge for school transport.

It can be seen that the desire to receive post-16 education at Bryn Tawe does not diminish according to distance between home and school. Of the 33 who live more than 4 miles away, 24 said they would definitely wish to receive post-16 education at the school.

Chart 2 Distance from school and desire to receive post-16 education at the school



[Blue equals definitely; green equals probably; beige equals possibly; purple equals no]

Conclusion:

Desire to receive post-16 education is as great among pupils who live some distance from the schools as it is among pupils who live nearby, if not greater. The authority's decision to introduce a charge for pupils in post-16 education will affect those who live further away from the schools.

8 Willingness to pay

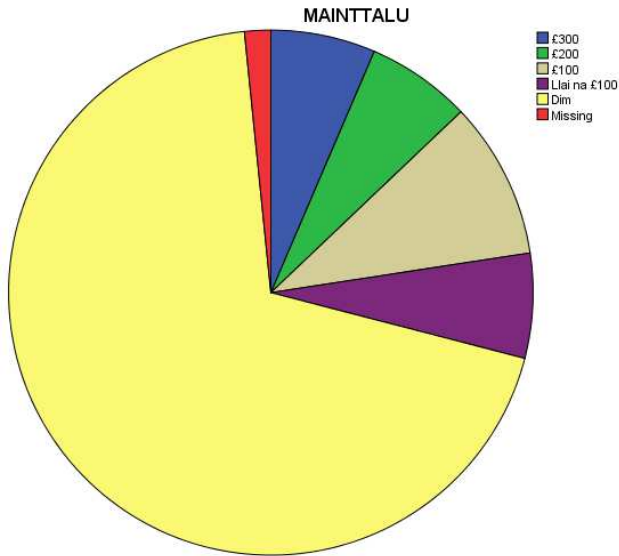
8.1 Ysgol Gyfun Gŵyr

It was evident that asking parents who have always received free transport to pay £300 for transport to post-16 education has provoked a very negative reaction. The survey enquired about their willingness to pay other sums, including less than £100, £100, £200 or £300.

69% said they were unwilling or unable to pay at all.

	Percentage	Number
Willing to pay £300	6.5%	4
Willing to pay £200	6.5%	4
Willing to pay £100	10%	6
Willing to pay less than £100	6.5%	4
Unwilling to pay anything	69%	43

Graph 7 Willingness to pay for transport for post-16 education at Ysgol Gyfun Gŵyr



Willingness to pay [yellow equals nothing; purple equals less than £100; beige equals £100; green equals £200; blue equals £300; red equals answer missing]

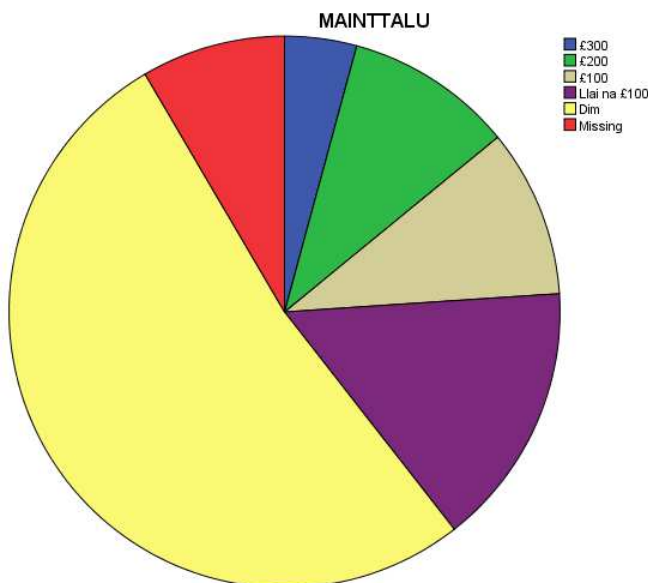
8.2 Ysgol Gyfun Gymraeg Bryn Tawe

It was evident that asking parents who have always received free transport for post-16 education to pay £300 for transport to post-16 education has provoked a very negative reaction. The survey enquired about their willingness to pay other sums, including less than £100, £100, £200 or £300.

57% said they were unwilling or unable to pay at all.

	Percentage	Number
Willing to pay £300	4.5%	3
Willing to pay £200	11%	7
Willing to pay £100	11%	7
Willing to pay less than £100	17%	11
Unwilling to pay anything	57%	37

Graph 8 Willingness to pay for transport for post-16 education at Ysgol Gyfun Gymraeg Bryn Tawe



Willingness to pay [yellow equals nothing; purple equals less than £100; beige equals £100; green equals £200; blue equals £300; red equals answer missing]

Conclusion:

Of 100 respondents with children at both schools who live more than 3 miles at the school, 70 were unwilling or unable to pay anything.

The authority might wish to discuss to what extent asking parents to pay a substantial sum for a service which has always been free has provoked a negative reaction which could have been avoided with a more gradual introduction. It is clear that parents are strongly opposed to the idea, with more than 6 out of 10 refusing to pay or unable to pay and 7 out of 10 who live more than 3 miles from the school giving the same response.

9 Desire to receive post-16 Welsh medium education and willingness to pay for school transport

There was a steep drop in the desire to receive post-16 education through the medium of Welsh when faced with the sums required to pay.

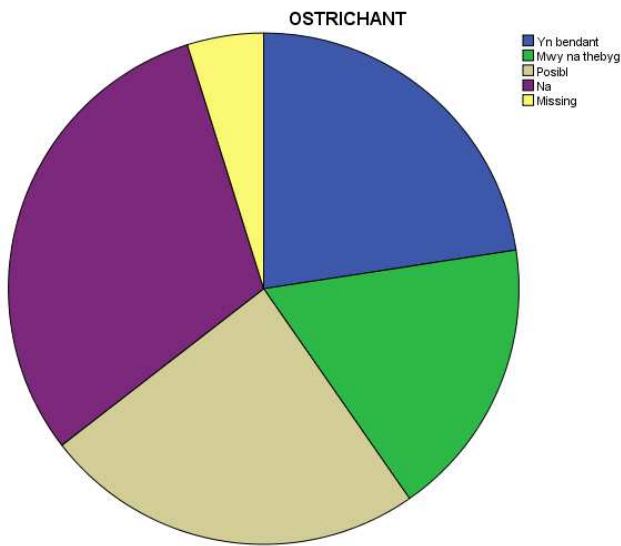
10.1 Ysgol Gyfun Gŵyr

There is a clear reduction in the desire to receive post-16 education through the medium of Welsh when faced with the requirement to pay £300 for transport. The percentage who would definitely choose this has changed from 76% to 23%. The other 18% say that they would probably continue. We can predict that the number who choose to continue will be reduced by half at best. It appears that it would be difficult to sustain viable post-16 provision through the medium of Welsh at Bryn Tawe without free school transport.

The table below shows the number of parents who would choose to send their children to Ysgol Gyfun Gŵyr if they had to pay £300 for school transport.

	Percentage	Number
Would definitely continue	23%	14
Probably	18%	11
Possibly	15%	24
Would not continue	31%	19

Graph 9 Desire to continue in post-16 Welsh medium education and willingness to pay for school transport, Ysgol Gyfun Gŵyr



[Blue equals definitely; purple equals no; green equals probably; beige equals possibly; yellow equals answer missing]

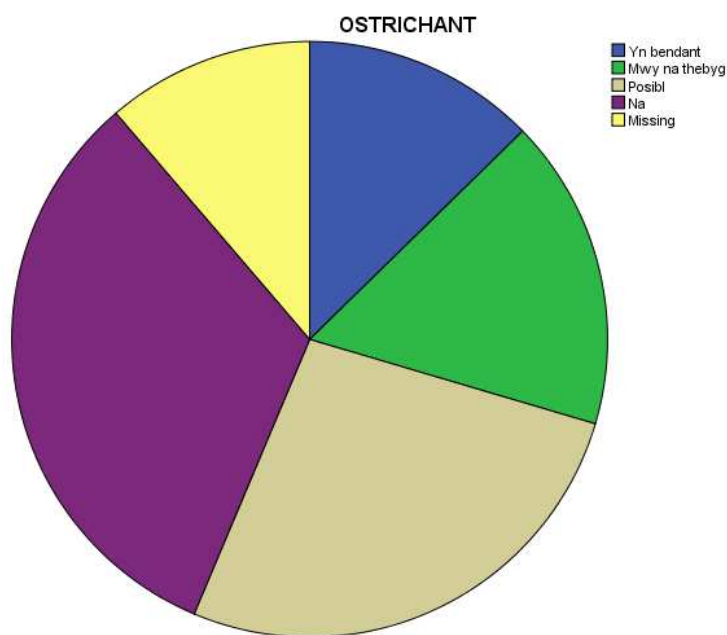
10.2 Ysgol Gyfun Gymraeg Bryn Tawe

There is a clear reduction in the desire to receive post-16 education through the medium of Welsh when faced with the requirement to pay £300 for transport. The percentage who would definitely choose this option has changed from 60% to 14%. The other 19% say that they would probably continue. We can predict that the number who choose to continue will be reduced by half at best. It appears that it would be difficult to sustain viable post-16 provision through the medium of Welsh at Bryn Tawe without free school transport.

The table below shows the number of parents who would choose to send their children to Ysgol Gyfun Gymraeg Bryn Tawe if they had to pay £300 for school transport.

	Percentage	Number
Would definitely continue	14%	9
Probably	19%	12
Possibly	30%	19
Would not continue	36%	23

Graph 10 Desire to continue in post-16 Welsh medium education and willingness to pay £300 for school bus transport to Ysgol Gyfun Gymraeg Bryn Tawe



[purple equals no; beige equals possibly; green equals probably; blue equals definitely; yellow equals answer missing]

Conclusion:

Taking both schools into account, 19% said they would definitely want their child to receive post-16 education at the school if they had to pay and another 19% said they would probably choose this option. We can predict that the number who would be able to continue with their post-16 education through the medium of Welsh would be halved and the provision would be at risk in Swansea.

11 Post-16 English medium establishments and other establishments

There is ample provision of post-16 education through the medium of English in Swansea, particularly in the west of the city. This means that a comparatively low percentage of pupils in west Swansea would pay for transport to post-16 education as there are post-16 educational establishments within reasonable walking distance.

On the other hand, pupils in east Swansea are more likely to need to travel by bus to post-16 education. East Swansea is a more deprived area than west Swansea and the requirement to pay £300 for transport is likely to have a detrimental effect on pupils in that area. This would reinforce disadvantages already existing in east Swansea.

12 Parents' comments and social deprivation

Parents' comments centred on 4 main themes:

1. Disadvantage to Welsh medium education
2. Impact on those from less affluent backgrounds
3. The harmful effect on education

4. Lack of savings

Parents mentioned the personal difficulties they would face in paying for transport in the current economic recession. These parents are not necessarily unemployed, but are earning a comparatively low income and an additional charge, where there are cheaper options available, would mean they would be unable to send their children to Welsh medium schools.

Parents are very aware of the effect this will have on the Welsh language and on the promotion of education in general.

Parents' comments raised issues which are regarded as social deprivation. This includes income deprivation but also involves work, health and education deprivation. Distance from education facilities is one of the factors used to measure social deprivation. The authority appears not to have considered these factors in proposing to charge for educational transport. It is possible to predict that the present plan will increase social deprivation in remote areas of the county, particularly among those already considered to be suffering from income and work deprivation.

Parents' comments can be read in **Appendix A**.

APPENDIX A

This outlines parents' responses to the proposal to charge £300 for transport to post-16 education.

COMMENTS OF PARENTS WHOSE CHILDREN ATTEND YSGOL GYFUN GŴYR

Disadvantage to Welsh medium education

1. Unfortunately there are only two Welsh medium schools in Swansea and therefore travel is essential.
2. We have 5 children who are all in Welsh medium education. It would cost us £10000 to put them through 6th form in Gŵyr. This would be a reason to reconsider whether they should remain in Welsh schools.
3. We live within walking distance of Tycoch college and my daughter could attend education provision for free. This would be disappointing as we would prefer her to have education through the medium of Welsh.
4. This is very unfair as it is impossible to walk to any Welsh medium secondary school from Uplands.
5. This will affect our decision on the next stage.
6. 10% Council tax rise this year... my salary is only rising by 1%. College might be an option to consider instead.
7. There will clearly be a reduction in the number of pupils in Welsh medium secondary education. Lack of equal opportunities
8. A £300 charge would be very discouraging. We have Gower College on our doorstep.
9. Where is equal opportunities?
10. This will mean big losses for Welsh medium education as people choose English schools which are closer to home.
11. Distance from school should not disadvantage the pupil.

Impact on the less affluent

1. We only have one wage coming to our household. Money is tight enough.
2. The current climate is causing concern for everyone, charging will only cause more stress and hardship.
3. We have two children that this would affect (£600 p.a.).. will have a detrimental affect on our family – ultimately their education.
4. I will be retired with a reduced income by then. Charging will place pressure on my reduced income.
5. Honestly would not be able to afford it, he would have to go to somewhere else where that is cheaper/free. I am a single parent and can't afford the extra expense.
6. I'm barely surviving financially as it is. To pay for school bus on top of that would be impossible.
7. The extra charge would be too much for many people to afford.
8. The charge could have a real impact on low incomes and may put some parents off sending their children to sixth form.
9. This charge would definitely put a financial strain on me.
10. We are a low income family, this is too much as we have 1 other child who we will also have to pay for.
11. There is only one salary coming into the house so I feel that this is a high cost for me to pay each year.
12. I won't be able to afford more.
13. Prohibitively expensive for some.

14. The result of the £300 charge would mean that my son would be unlikely to be taking the bus to school.
15. I have twins in this year and it would cost us £600 which we cannot afford
16. It will most likely discourage lower income households' pupils from attending sixth form. Do you really believe this will benefit the education system?
17. It gives the impression that only those who can afford to pay for transport will be able to continue with post-16 education.
18. We are encouraging young people to continue with education but also placing hurdles for some who will find this charge for transport unacceptable.
19. I could not afford it.
20. A lot of families will not be able to pay this and it will no doubt deter some pupils from going to 6th form.
21. Prohibitively expensive for some families, especially if more than one young person.
22. This would have a huge effect.. any pay rise that I have will completely disappear.

Harmful effect on education

1. I do feel that the council has a moral obligation to support the choice of education we have made for our children.
2. I strongly believe that children are entitled to free post-16 education.
3. Is likely to stop children from entering the 6th form.
4. The charge would have a significant impact on my son going to 6th form. I am being held to ransom to educate my child.
5. Would be disappointed due to zero encouragement to continue in education... it's hard enough for the age group to find their place in society now.
6. I disagree with the principle of charging for education, which is basically what this charge amounts to.
7. Education is paramount. The cost would adversely affect education.
8. We do not feel that even a nominal cost for school transport is justified for a state school.
9. Feels as though the child is being punished for wanting to stay on in school.
10. Education should be free.

Lack of savings

1. The bus is running anyway.
2. If there is going to be a free bus supplied for the younger pupils of the school, I don't see why 6th form pupils should be singled out and discriminated against.
3. Why should parents have to pay for a seat on a school bus that is already transporting children to Gŵyr in the lower school?

COMMENTS OF PARENTS WHOSE CHILDREN ATTEND YSGOL GYFUN GYMRAEG BRYN TAW

Disadvantage to Welsh medium education

1. I have two boys who will overlap in post-16 education, paying £600 will significantly influence our decision as to where
2. Charging for transport will have a detrimental affect on post-16 Welsh medium education in this area.
3. Unfair as she attends the nearest Welsh medium school.
4. This move jeopardizes 6th form Welsh medium education.
5. It would certainly be a struggle to find £300 each year and we would have to consider other options i.e. college etc.
6. Not everyone will be able to afford to pay, so will remove their children from Welsh medium education.
7. Just can't afford it, I have to take a massive pay cut Alternative option to attend Neath College if we have

to pay.

- 8 I would have to consider a different 6th form.
- 9 Not having to pay for the bus was a major factor in our choice of secondary school.
- 10 I could not afford to pay and would have no choice to change to a closer school.

Impact on the less affluent

- 1 Financially difficult.
- 2 I have 2 children at Bryn Tawe at the moment. I cannot afford to pay for them to travel on the school bus... to add another cost ... would mean cutbacks at home with food or heating.
- 3 I am a single parent with the added cost of school Transport will cost a small fortune to keep J... in further education in 6th form.
- 4 It's a bit expensive. £200 would be more reasonable.
- 5 The £300 yearly fee would have a great impact on our household budget. I'm afraid we simply could not afford it.
- 6 My husband and I wouldn't be able to afford to send him.
- 7 This could be a problem, particularly with more than one child in the sixth form.
- 8 I feel the charge is discriminating sixth formers who are still in full timed education.. why isn't this the same as Neath Port Talbot - £100
- 9 We would not be able to afford to pay £300.
- 10 I will not be able to afford £300 a year for a school bus.
- 11 I'm not in a financial position to pay for school Transport at the moment as it is.. [it] would mean less money for food or heating at home.
- 12 I would envisage that this amount would cause financial hardship to some families especially where they have more than one child in 6th form.
- 13 I will have 2 children in post 16 education at the school and £600 is beyond my budget.
- 14 I am in a bracket whereby our disposable income is rapidly sinking.. by the economic restraints placed upon most working people.
- 15 Not all people can afford it, people are penalised if they can't afford it.
- 16 As a single parent I would find paying this amount out of income would not be ideal.
- 17 Excessive.
- 18 Can't afford it.

Harmful effect on education

- 1 I would love my child to continue till the very end, but would not be able to afford to pay £300 a year to get her there.
- 2 Would not be able to afford £300/year so my child would go without further education.
- 3 Would think twice about going to 6th form.
- 4 There should not be a charge on educating children.
- 5 It makes 6th form education impossible for my household budget.
- 6 These children should be encouraged to attend further education - some will see this sum as a barrier for their children and there's a risk that they won't attend college or the sixth form as a result.
- 7 With the cost of living going up, we as many others are, will find it very difficult to find an extra £300 on top of our outgoings which may result in my child not being able to carry on with his education.

Lack of savings

- 1 By continuing to create larger and larger schools where all other costs can be reduced, except transport, therefore transport costs should be seen as a necessary consequence.

Agenda Item 10.c

Report of the Cabinet Member for Learning and Skills

Cabinet – 1 July 2014

LOCAL AUTHORITY GOVERNOR APPOINTMENTS

Purpose of Report:	To approve the nominations submitted to fill L. A. Governor vacancies in School Governing Bodies.
Policy Framework:	Policy and Procedure for Appointment of L. A. Governors as amended by Council on 23 October 2008.
Reason for Decision:	To ensure vacancies are to be filled expeditiously.
Consultation:	Education, Legal, Finance.
Recommendation:	It is recommended that: - 1) The nominations be approved, as recommended by the LA Governor Appointment Panel.
Report Author:	Allison Gough
Finance Officer:	Ben Smith
Legal Officer:	Stephanie Williams
Access to Services Officer:	Sherill Hopkins

1.0 The nominations referred for approval

1.1 At the meeting of the L.A. Governor Appointment Panel held on 12th June 2014, nominations were recommended for approval as follows:

1(a) PEN Y FRO PRIMARY SCHOOL	Cllr. John Newbury – re-appointed
1(b) ST THOMAS COMMUNITY PRIMARY SCHOOL	Ge Gao

1(c) SEAVIEW PRIMARY SCHOOL	Mrs Janette Gail Bayliss
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1(d) BIRCHGROVE COMPREHENSIVE SCHOOL	Councillor Bob Clay
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2.0 Financial Implications

2.1 There are no financial implications for the appointments; all costs will be met from existing budgets.

3.0 Legal Implications

3.1 There are no legal implications associated with this report.

4.0 Equality and Engagement implications

4.1 There are no equality and engagement implications associated with this report.

Background papers: None

Appendices: None

Agenda Item 11.a

Report of the Cabinet Member for Place

Cabinet – 1 July 2014

CONSULTATION RESPONSE: REFORM OF THE HOUSING REVENUE ACCOUNT SUBSIDY SYSTEM (HRAS)

Purpose:	To consider and agree a response to the Welsh Government's consultation on the reform of the Housing Revenue Account Subsidy System
Policy Framework:	Local Housing Strategy
Reason for Decision:	For Cabinet to endorse a response by the deadline of the 10 th July 2014.
Consultation:	Legal, Finance & Access to Services
Recommendation(s):	It is recommended that: 1) The proposed responses to the individual questions as detailed in the report are forwarded to the Welsh Government by the due date.
Report Author:	David Evans
Finance Officer:	Kim Lawrence
Legal Officer:	Sandie Richards
Access to Services Officer	Phil Couch

1.0 Introduction

1.1 The Welsh Government (WG) has published its formal consultation on dismantling the Housing Revenue Account subsidy system (HRAS) and replacing it with a Local Housing Authority self-financing system. A copy of the full consultation paper is at appendix 1. The consultation is taking place with the 11 stock owning Local Authorities in Wales and the deadline for a response is the 10th July 2014.

1.2 The WG is seeking responses in the form of answers to specific questions set out in the consultation paper and the purpose of this report is to consider each one and to put forward a proposed response for endorsement.

2.0 The Current System and the Changes

- 2.1 The HRAS is an extremely complex and bureaucratic system which currently results in the 11 Welsh Councils with a housing stock paying a combined total of around £73m in negative subsidy payments each year to the Government. The reforms aim to replace this with a system of 'self – financing' which would allow each individual Local Authority (LA) the freedom to retain the rent income in full and use it to fund their priorities for the existing Council housing stock and the provision of new housing.
- 2.2 In July 2013, the WG and the UK Treasury reached agreement on a 'buy out' figure that will allow LA's to exit the HRAS by March 2015. The key elements of the agreement for the 11 Welsh Councils as a whole are that:
- Local Authorities will need to buy themselves out of the HRAS.
 - The £73m of annual negative subsidy payments will be replaced by interest payments of approximately £40m. Councils are also likely to have to provide for repayment of the extra debt, which at the current rate of 2% per year will equate to £18.4m per annum.
 - The £40m annual interest payments will be converted to a lump sum settlement value shortly before the agreed implementation date (the current estimate of this is £919m).
 - The Treasury will require LA's to borrow from the Public Works Loan Board (PWLB).
 - The Treasury requires a housing related borrowing cap to be imposed on each LA in order to control public sector borrowing.
- 2.3 The Treasury also agreed that as the timescales for the necessary UK legislation to enable the reforms to take place are unclear, they could be implemented with the voluntary agreement of each LA. If a LA exceeded the voluntary borrowing cap there would be a resulting penalty via a deduction from RSG.
- 2.4 It is essential that all eleven stock owning LA's agree and sign the voluntary agreement as failure to do so will result in the HRAS remaining in place until the appropriate UK legislation is passed. This means that the £73m paid to the Treasury will continue.
- 2.5 The consultation paper sets out the various options for distributing the required additional debt for the settlement and for the distribution of the borrowing cap. The outcome of the consultation will then inform the terms of the voluntary agreement.
- 2.6 The consultation requires a response to specific questions posed by the WG, all of which are considered in detail in this report together with a proposed response.

3. **Question 1: ‘Do you agree with the proposal to distribute the settlement value based on negative subsidy amounts?’**

3.1 Two options have been modelled by the WG. The first is based on distributing the settlement value according to the current HRAS negative subsidy payments. A guiding principle underpinning the reforms has been that each LA would be better off as a result and under this option, the interest payments for the settlement figure for each LA would be 45.12% less than the current negative subsidy payments.

3.2 The alternative model was based on stock numbers and resulted in two LA’s (one of which was Swansea) paying more in interest payments than the amount of negative subsidy.

3.3 Therefore, the preferred option would be for the distribution to be proportionate to the current negative subsidy payments. This would be a good outcome for Swansea as the current subsidy payment is relatively low compared to other Councils and if stock numbers were used as the basis, Swansea’s share of the debt would be almost double to that being proposed. For Swansea, this would mean interest payments of £3.18m each year instead of the current negative subsidy amount of £5.79m (i.e. a difference of £2.61m each year). However, after taking into account potential debt repayments of around £1.4m per year, the net benefit would reduce to £1.2m per year.

Proposed Response to Question 1:

The Council agrees with the proposal to distribute the settlement value based on the current negative subsidy payments.

4. **Question 2: ‘Do you agree with the proposal to distribute the borrowing cap based on option 3 to allow for new build commitments whilst providing potential headroom for new build to every local authority?’**

4.1 The total borrowing cap agreed with the Treasury is £1.85bn but after taking into account the required borrowing to fund the settlement and existing HRA borrowing, this leaves ‘headroom’ of £471m.

4.2 The priority of the Welsh Government is funding the achievement of Welsh Housing Quality Standard (WHQS) by 2020 especially as this deadline will become a statutory duty as part of the Housing Bill. Therefore, after deducting the all Wales borrowing figure for WHQS of £358.1m, this leaves £107.4m of available ‘headroom’ (after allowing for a retained contingency by the WG) and three options as to how this could be distributed have been put forward.

4.3 It should be noted however, that the cap is a limit on total borrowing and not a distribution of cash. Whether the borrowing can be actually afforded and supported by HRA Business Plans is a matter for each LA. In the immediate term, Swansea’s current HRA Business Plan can only support the £74m of borrowing which is needed to fund WHQS and additional revenue would need to be found to support any borrowing above this. Generally, those Welsh LA’s that have already improved their stock up to the WHQS are able to support new

borrowing for items such as new build. However, for Swansea, whilst there isn't an immediate opportunity to increase borrowing, the HRA will be generating surpluses in the medium to long term allowing funds for more borrowing at that time.

- 4.4 Although the consultation paper focuses on the arrangements for the initial move to self-financing, a key aim of the reforms is to provide sustainable funding for the longer term and it is likely that there will always be headroom available for distribution in the future as debt is repaid.
- 4.5 For example, Swansea will create additional headroom of approx. £3m per year up to 2020 and then £4.5m per year if debt continues to be repaid at 2% per year. So by 2025 there could be additional headroom created of over £35m. There is also the possibility of the overall level of the cap being increased in future. In England, the cap was increased after 18 months, but only by £300m which is 1% of the total HRA debt. A 1% increase in Wales would equate to £18.5m, equivalent to £1.5m for each council. There is likely to be continued lobbying for further increases.
- 4.6 The figures used to model the options were taken from the most up to date HRA Business Plans which are submitted each year as part of the application process for Major Repairs Allowance (a capital grant from the Welsh Government which for Swansea, amounts to £9.1m each year). For authorities which have achieved WHQS, even though MRA can only be used to maintain and improve the existing stock, their Business Plans included provision for new build.
- 4.7 Therefore a key aspect of the options to distribute the headroom is the extent to which they allow all LA's to achieve WHQS and new build. The three options put forward are as follows.

Option 1

- 4.8 This option proposes that the distribution should mirror the Business Plan submissions. This would allow Swansea sufficient headroom within its cap to borrow the amount needed for WHQS, but no more than this in the immediate term. Although this option would allow the four authorities who are able to support additional borrowing for new build to proceed with their plans in full, there would be no capacity in the immediate term for the other 7 LA's to do so.
- 4.9 Therefore, as this option does no more than allow Swansea to meet its WHQS commitments it should not be the preferred option.

Option 2

- 4.10 This option prioritises the borrowing needed for WHQS and distributes the remainder of the headroom using a modified Social Housing Grant formula which includes affordability indicators and housing need.

- 4.11 This formula based option allows Swansea to meet its WHQS commitments and provides an increased cap to allow additional borrowing of £13.5m. However, even if it was made available it is unlikely to be used in the immediate term as the HRA could not support additional borrowing at this time unless additional revenue to repay the debt could be identified. The allocation would also be made at the expense of those other LA's with new build plans, not being able to proceed to the extent that they are able.
- 4.12 However, as this option allows the highest level of cap, this should be Swansea's preferred option.

Option 3

- 4.13 This is a compromise between options 1 and 2. It prioritises borrowing for WHQS and provides 50% of the new build plans submitted by 4 of the 11 authorities. The remainder is then divided across all 11 authorities using the formula approach of option 2.
- 4.14 This would provide Swansea with sufficient cap to meet WHQS commitments and provide some additional headroom of just under £7m to support an initial new build programme. Whilst the same issue about being able to support the additional debt repayments occur in this option, the cap is significantly less. New build plans would also take time to develop and the additional cap at this level, without significant detriment to those with specific new build plans already in place, provides a level of certainty to start the development of new build plans in Swansea.
- 4.15 Whilst option 2 should be Swansea's preferred option, option 3 is an acceptable alternative.
- 4.16 As mentioned previously, for the reforms to go ahead by April 2015, the voluntary agreement of each of the 11 Welsh LA's with a housing stock is required. For those that have already achieved WHQS, option 1 is likely to be their preference and for the remainder, the preference is likely to be option 2. On this basis, the voluntary agreement of all 11 will not be reached. However, it is likely that all will see option 3 as an acceptable alternative.

Proposed Response to Question 2:

Whilst the preference would be for option 2 since it is based on a transparent formula and provides a higher proportion of the headroom than the others, Option 3 is an acceptable alternative as it will provide for the borrowing needed to fulfil the Council's commitments to improve the stock up to the WHQS by 2020 and provide scope to commit the development of new build Council housing.

5. **Question 3: ‘Do you agree that the Welsh Government should retain a small proportion of the borrowing headroom as a contingency?’**

5.1 The WG is proposing to hold back approximately £5m of the estimated headroom as a contingency. This equates to just less than 5% of the borrowing headroom available for distribution.

5.2 Given the relatively small amount of additional borrowing available and the urgent need to increase the supply of affordable homes, there is an argument that all of the available headroom should be distributed to Authorities.

5.3 On the other hand, self-financing will be a new regime to operate within and as plans develop (particularly for new build), a contingency could be of use in the short term to an authority who finds it requires more headroom to meet its commitments.

Proposed Response to Question 3:

Whilst there is an urgent need to increase the supply of affordable housing and therefore the available headroom should be fully used to help meet this need, it is accepted that until the move to self-financing is fully embedded, a contingency may be of use to an authority which requires more headroom to meet its commitments (whether for new build or WHQS) than initially allocated.

6.0 **Question 4: ‘What are your views on how we allocate any unallocated borrowing headroom now or in the future?’**

6.1 As previously mentioned, the distribution options are based on indicative data provided as part of the HRA Business Plan submissions and the consultation paper puts forward a process for finalising the actual allocation of the headroom. Each LA would need to state whether they are able to take up their indicative allocation and whether the debt would be affordable within their Business Plans.

6.2 The paper suggests that where a LA is not able or does not wish to utilise their indicative allocation for new build, it could be redistributed to those who are able and wish to increase their borrowing capacity.

6.3 The paper proposes that this redistribution could either be achieved by allocation to those that could deliver more units or to all remaining LA’s using the modified SHG formula.

6.4 There is currently a mixed picture across Wales with some LA’s having well developed new build plans which can be afforded within their Business Plans and others only starting to consider this opportunity. Therefore, there is an argument that the initial re allocation should be on the basis of who is best placed to deliver rather than a general redistribution, especially if an increased debt cap may not be affordable.

6.5 The paper also proposes a planned review which is dealt with in the next question and there is an argument that at that time, when plans have matured,

WHQS is increasingly achieved and the prime focus of HRA investment shifts to new build, the allocation should then be on a formula basis that reflects local affordability and housing need.

Proposed Response to Question 4:

Given that it will take time to develop new build plans, any initial allocation should be on the basis of who is best placed to afford and utilise the allocation. However, as the self-financing becomes embedded and WHQS becomes increasingly achieved, redistribution should be on a transparent formula basis that reflects local affordability and housing need.

7.0 Question 5: ‘Do you agree that the borrowing cap should be reviewed every three years with the 1st review in 2018/19’.

7.1 Although the initial distribution aims to make full use of the borrowing up to the cap, it is likely that self-financing will generate additional headroom year on year as a result of rent increases and writing down debt. Also, the progress of each LA in terms of using their allocation may change with some requiring more than their cap and others less. A future review of the cap level by the Treasury is also possible.

7.2 As such, a review of the distribution is welcome and as to what period this should take, it needs to balance the need to enable individual LA’s to plan for the long term but also maximise the opportunities across Wales. A review within three years would appear to strike the right balance for the initial period to ensure those with firm proposals can make progress and to allow time for others to develop their plans. However, for subsequent reviews, as the new regime becomes embedded, a longer cycle of review (e.g. 5 years) should be considered.

Proposed Response to Question 5:

A review of the borrowing cap and the initial distribution of the headroom should take place within the first three years. However, for subsequent reviews, as the reforms become embedded and spending plans become firmer, consideration should be given to a longer review cycle (e.g. 5 years) to allow authorities to plan over the long term with a degree of certainty. Distribution and redistribution of headroom must be based on long term business plans and not solely around timing issues. Any redistribution between Councils should be consensual and facilitated under the auspices of the WLGA.

8.0 Question 6: ‘What action should the Welsh Government take on a LHA who has not delivered on their ability to utilise their borrowing cap?’

8.1 The consultation sets out a process for LA’s to confirm whether or not they intend to take up their indicative allocation and to submit details of any proposals. Those unable or unwilling to use their allocation will be invited to confirm this and their share of the headroom would be then be made available for redistribution.

- 8.2 From an all Wales perspective, it is vital that the headroom is fully utilised in order to maximise the opportunities that self-financing brings. However, it would be unfortunate if those Authorities with the ability to use additional headroom were denied this opportunity by the inability of others to use their allocation. However, whether ‘sanctions’ are the best way to ensure that such a situation doesn’t arise is questionable.
- 8.3 Whether the allocation is fully used can be down to a number of factors one of which could be actual costs being lower than estimated. Also, new build plans will take time to develop and can be subject to delay by factors outside the Authority’s direct control. The threat of sanctions could also disincentivise the creation of additional borrowing headroom by some authorities and introduce the perverse incentive of spending for the sake of avoiding a penalty.
- 8.4 The consultation does not indicate what sort of sanction would or could be applied but the rhetoric is counter to the ethos of the changes which is about creating long term sustainable investment and independent self-financing of an Authority’s HRA.
- 8.5 As such, efforts should focus on a mechanism to facilitate co-operation between authorities, possibly under the auspices of the WLGA, rather than one based on sanctions which could undermine the core advantages of the reforms.

Proposed response to question 6:

Whilst it is acknowledged that the opportunities arising from the available headroom should be maximised, the introduction of a sanction based approach may provide disincentives to fully take up an allocation. Whether the allocation is fully used can be down to a number of factors. For example, new build plans could be the subject of delay by factors outside the authority’s direct control. The threat of penalties may also undermine confidence in the long term sustainability of spending plans and run counter to the core advantage of the reforms. As such, this approach should be avoided and efforts to facilitate a more co-operative mechanism to future redistribution through the auspices of the WLGA should be considered.

9.0 Question 7: ‘Do you have any further comments to make?’

- 9.1 Whilst there are issues surrounding the distribution of the settlement arrangements, future flexibility and the need for a co-operative approach, the reforms will provide the opportunity for Authorities to plan with certainty and for the first time in a generation, to develop a strategic vision for Council housing with access to resources over the longer term to increase supply. At a time when investment in public services is in decline, the self-financing of the HRA provides a real opportunity for investment in jobs, training and the regeneration of the local economy.
- 9.2 As such, details over the initial implementation of the changes need to be put into a longer term context and in overall terms, the reforms should be welcomed.

Draft response to question 7:

There are important issues concerning the initial implementation of the reforms which have yet to be clarified including the distribution of the headroom, flexibility, trading of headroom between LA's, Minimum Revenue Provision (Debt repayment), how the transaction is to be accounted for, how the revised self-financing is to be charged to the HRA and ongoing monitoring of the buyout finance. All are important and could have a material impact on the outcome of the reforms and the impact on the HRA. However, these need to be viewed in the context of the opportunities afforded by the reforms in terms of sustainable investment in the local economy and the ability to develop a strategic plan for Council housing with access to resources to increase supply. As such, the reforms are welcome and supported by this Authority.

10.0 Equality and Engagement Implications

10.1 A screening process has been undertaken and there are no equality and engagement issues in relation to this response to the consultation paper.

11.0 Financial Implications

11.1 Where applicable, the anticipated financial implications of the proposed reforms are set out in the report'

12.0 Legal Implications

12.1 The Housing (Wales) Bill will allow the Welsh Government to repeal the relevant sections of the primary legislation that sets the framework for the HRAS system in Wales. However, the Bill has not yet received Royal Assent.

12.2 As an interim measure the provisions of Section 80B of the Local Government and Housing Act 1989 will be used for a voluntary agreement to be made between the Welsh Ministers and Local Housing Authorities.

12.3 Separate legal advice will be required in relation to the terms of the voluntary agreement to be entered into.

Background Papers: Equality Impact Assessment Screening Form

Appendices: Welsh Government Consultation Paper – 'New Local Housing Authority Self Financing System (HRAS Reform). The distribution of the settlement value of HRAS buy-out and the Housing Related Borrowing Cap for individual Stock Retaining Local Housing Authorities'

Consultation Paper

New Local Housing Authority Self-Financing System (HRAS Reform)

The distribution of the Settlement Value of HRAS buy-out and the Housing Related Borrowing Cap for individual Stock Retaining Local Housing Authorities

Background

The Welsh Government has been in discussions with HM Treasury since 2010 with a view to agreeing a financial settlement that would enable the eleven stock retaining local housing authorities (LHAs) to exit from the Housing Revenue Account Subsidy (HRAS) system.

The Welsh Ministers were pleased to announce in June 2013 that an agreement had been reached with HM Treasury, which together with the introduction of new self-financing arrangements is expected to generate revenue savings for the eleven LHAs each year. This will allow LHAs to increase their investment in their existing stock and, where possible, support the delivery of additional housing supply. Some LHAs could bring forward improvement works to their properties to meet the Welsh Housing Quality Standard (WHQS) which will bring real and tangible benefits to their tenants.

Key elements of the agreement are that:

- LHAs are required to buy themselves out of the HRAS;
- The £73m of annual negative subsidy payments will be replaced by interest payments of approximately £40m. This will satisfy HM Treasury's requirement that the agreement is fiscally neutral over the longer term;
- The £40m annual interest payments will be converted to a lump sum settlement value a short period before the agreed implementation date. This will enable LHAs to consider their borrowing requirements in accordance with their local Treasury Management Strategy, to meet current business plan commitments and provide flexibility for LHAs to determine the type and period of loan.
- In order to fund the buy-out, Treasury require LHAs to borrow from the Public Works Loans Board (PWLB). Failure to comply with this will result in sanctions by Treasury. This will mean the Welsh Budget will be reduced and the reduction passed on to each LHA as appropriate. Interest payments made to the PWLB are effectively received by the exchequer;
- HM Treasury requires a housing related borrowing cap to be imposed on each LHA in order to control public sector borrowing.

The Welsh Government has worked closely with HM Treasury to identify timescales for implementation and the appropriate legislative mechanism for the setting of housing related borrowing cap. HM Treasury has advised that the borrowing cap requires UK legislation and is bringing forward provisions within an appropriate UK

Bill. If provisions within the UK primary legislation is not in place HM, Treasury have agreed that Wales can exit from the HRAS system in March 2015 on condition that Welsh Government secures and manages the borrowing cap as part of a voluntary agreement with all eleven LHAs.

Legislative Background

Housing (Wales) Bill

The Minister for Housing and Regeneration introduced the Housing (Wales) Bill to the National Assembly for Wales in November 2013. The Bill is currently at Stage 2 of the scrutiny process during which the Communities, Equality and Local Government (CELG) Committee will consider, and vote upon, both Government and non-Government amendments to the Bill.

The provisions in Part 5, Housing Finance will, subject to scrutiny, provide:

- for the Welsh Ministers to make a determination providing for the calculation of the settlement payment that each LHA will be required to pay in order to exit HRAS.
- for the determination to be revised only in the event that there has been an error or change in any matter that was taken into account in the original calculation or determination.
- for the Welsh Ministers to determine the timescales and processes that LHAs will need to follow in order to exit HRAS;
- for LHAs to be required to respond to requests for information; and
- for the existing legislation which supports HRAS system to be repealed.

The provisions in Part 5 may be amended

The provisions in Part 4, Standards for Social Housing will, subject to scrutiny, provide for the Welsh Ministers to:

- set standards to be met by LHAs in connection with the quality of accommodation provided by LHAs and the rent and service charges for such accommodation.
- to issue guidance that relates to, and amplifies, the standard.
- consult with bodies representing the interests of LHAs, tenants and other persons Welsh Ministers consider appropriate when setting, revising, or withdrawing standards and related guidance; and
- have powers of intervention where a LHA has failed, or is likely to fail, to meet the quality of accommodation standard.

The provisions in Part 4 may be amended

The Housing (Wales) Bill, explanatory memorandum and the record of passage through the National Assembly for Wales can be found at:

<http://www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?Ild=8220>

Wales Bill

The Secretary of State for Wales published a draft Wales Bill in December 2013. The draft Bill was subject to pre introduction scrutiny by the Welsh Affairs Committee. The Committee reported in March 2014. The UK Government introduced the Wales Bill (along with explanatory notes and the Financial Empowerment and Accountability Command Paper) on 20 March 2014. The provisions in clause 23, provide:

- for UK Ministers to set the maximum amount of housing debt that can be held, in aggregate, by LHAs in Wales;
- for Welsh Ministers to determine the amount of housing debt that is to be treated as held by each LHA, and the maximum amount of housing debt that each LHA may hold;
- powers for Welsh Ministers to obtain such information as Welsh Ministers may specify either generally, or in a particular case, from LHAs to enable them to exercise their functions above.

The Wales Bill, explanatory notes and details of progress of the Bill through Parliament can be found at:

<http://services.parliament.uk/bills/2013-14/wales.html>

Voluntary Agreement

As the timescales for UK Legislation were unclear, HM Treasury agreed that the 11 Welsh LHAs could exit the HRAS system in March 2015, subject to the Welsh Government securing and managing a borrowing cap through a voluntary agreement between each of the eleven LHAs and Welsh Ministers.

The powers for Welsh Ministers and a LHA to enter into a voluntary agreement are provided in section 80B of the Local Government and Housing Act 1989.

It is essential that all eleven LHAs agree and sign the voluntary agreement. Failure to do so will result in the HRAS remaining in place in Wales until appropriate UK legislation is passed.. This means that at least £73 million will continue to be paid back to HM Treasury each year.

The voluntary agreement will act as an interim arrangement until the Wales Bill comes into force and as a fall-back position should the Wales Bill fall for whatever reason. Once the Wales Bill receives Royal Assent and the appropriate provisions are commenced Treasury will need to issue a determination to the Welsh Ministers which will set the macro borrowing cap for Wales. This will enable the Welsh Ministers, subject to consultation, to issue a determination to LHAs which will set the borrowing cap for each LA. There is the potential for the legislative process to replace the need for a voluntary agreement.

Welsh Government Priorities

The Welsh Government believes that everyone in Wales should have the opportunity to live in a good quality home within a safe and secure community.

The Welsh Government is committed to ensuring that all LHAs meet the WHQS by 2020 and has worked closely with LHAs to ensure that their business plans demonstrate that they will meet this target date. LHAs must be able to have access to sufficient borrowing to enable them to meet WHQS by 2020.

The Housing (Wales) Bill will, subject to scrutiny, will enable the existing WHQS guidance to be issued as guidance to the quality of accommodation standard for existing properties. Therefore the Bill will place the requirement for LHAs to meet and maintain the WHQS on a statutory basis for the first time.

The Welsh Government is also committed to increasing housing supply and supporting LHAs that wish to undertake new council house building. However, this should not be to the detriment of meeting WHQS

Governance Arrangements

The Welsh Government has put in place robust governance arrangements to manage and oversee the reforms. This comprises a steering group and four technical work-streams. One of the key responsibilities of the steering group is to make recommendations to the Minister for Housing and Regeneration on the methodology to be used for the distribution of the settlement value and the borrowing cap. The steering group includes representatives from LHAs, WLGA, Welsh Tenants, Wales Audit Office and Welsh Government.

The WLGA and LHA representatives on the steering group support and agree the inclusion of all the options within this consultation paper but have differing views on whether a preferred option should be identified.

In the interests of both landlords and tenants it is essential that agreement is reached on the distribution methodologies. This is necessary as the finally agreed methodologies will form the basis of the voluntary agreement that will need to be signed by all 11 LHAs. In light of this, the Welsh Government considers that Borrowing Cap Option 3 provides a compromise between those LHAs that have firm plans for new build while enabling the remaining LHAs the opportunity to consider their capacity for new build.

The Welsh Government therefore considers that the Settlement Value Option 1 and the Borrowing Cap Option 3 are the preferred options. The final distribution methodologies will be subject to consultation and agreement by the Minister for Housing and Regeneration.

Background

Welsh Government officials have worked closely with appropriate officials from LHA's since June to consider the principles that might underpin the distribution of a settlement figure and a borrowing cap.

There was clear consensus that “**every stock retaining authority should be better off than the current position**”. This includes not only the financial benefits from exiting HRAS but also the benefits of becoming self-financing. The Welsh Government and the steering group are committed to maintaining this as a key principle in the distribution arrangements.

The Directors of Housing and Chief Treasurers of the eleven stock retention authorities met and considered options for the distribution of both the settlement value and borrowing limits. They agreed that, although not perfect, the distribution of the settlement value based on negative subsidy values appeared to be the most pragmatic and transparent way forward.

Members of the steering group have worked closely together to model and consider a wide range of options for distribution of the borrowing cap. The group identified those options which were most suitable for further consideration and narrowed these down to those that should be subject to consultation.

When considering the options which are set out in the following part of this consultation paper, it should be noted that the accounting work-stream, the transaction and debt work-stream and the capacity building work-stream will jointly be considering a range of financial and accounting matters and related guidance which will inform the development of financially sustainable business plans following the buy-out and implementation of the new self-financing arrangements. These matters include, but are not limited to, depreciation, minimum revenue provision, treatment of capital receipts and loan pooling arrangements. The work-streams will also be developing new business plan guidance and parameters and these will be made available to LHAs in due course.

It should be noted that all figures contained within the options and the statistics within this consultation paper are illustrative and remain subject to change for a number of reasons before the final settlement date.

The final figures and methodology will be subject to agreement by the Minister for Housing and Regeneration.

Exiting from the HRAS system: The Agreement with HM Treasury

The agreement with HM Treasury, which will allow authorities to exit from the HRAS system and become self financing from April 2015 consists of two parts.

Firstly, the eleven stock retaining authorities are required to buy themselves out of the existing HRAS. The agreement is based on £40m interest payments which will replace the existing negative subsidy payment of £73m. The £40m interest will be converted to a buy-out lump-sum (settlement value) a short period before an agreed settlement date and authorities will be required to take out loans with the PWLB to fund the buy-out. This will result in all authorities being better off under self financing.

The second part of the agreement is that HM Treasury require a housing borrowing cap to be set for each of the eleven authorities.

A borrowing cap of £1.85 billion was agreed with HM Treasury in June 2013. The cap includes the estimated Housing Revenue Account capital finance requirement (HRA CFR) and the estimated settlement value. This leaves potential borrowing headroom of £471 million for authorities to meet their business plan commitments. All estimated figures are subject to change as the HRA CFR will need to be updated¹ and the settlement value will be based on prevailing interest rates when the £40 million is converted to a settlement buy-out value.

Should the figures change significantly it is possible that the headroom will be reduced below £471 million. In the event that the borrowing required by LHAs exceeds the headroom, in order to protect investment in WHQS, the first call will be to reduce the borrowing available for new build.

This consultation considers how the settlement value and the potential borrowing headroom should be distributed given that LHAs need to be able to access sufficient borrowing to enable them to meet WHQS by 2020.

Key Information

The information in Table 1 below has been obtained from each LHA as part of their application for Major Repairs Allowance for 2014/15 and from their Housing Revenue Account (HRA) Business Plan which was submitted to Welsh Government in December 2013. The Welsh Government carried out a further exercise to obtain confirmation from each LHA on the accuracy of the figures below.

Table 1: Stock numbers, WHQS status and estimated borrowing requirement:

Local Housing Authority	Stock at Dec ² 2013	Met WHQS	Expected to achieve WHQS		Estimated Borrowing Requirement			
			Month	Year	To meet WHQS	For New Build	Total	
					£m	£m	£m	
Cardiff	13,730	Yes				40.0	40.0	
Anglesey	3,802	Yes				21.4	21.4	
Pembrokeshire	5,663	Yes				26.0	26.0	
Denbighshire	3,454		December	2014	19.6		19.6	
Carmarthenshire	9,009		March	2015	14.4		14.4	
Vale of Glamorgan	3,940		March	2017	33.9		33.9	
Powys	5,419		March	2018	18.2		18.2	
Caerphilly	10,900		March	2020	55.0		55.0	
Wrexham	11,292		December	2020	118.0		118.0	
Swansea	13,590		December	2020	74.0		74.0	
Flintshire	7,236		December	2020	25.0	20.0	45.0	
All Wales Borrowing Requirement						358.1	107.4	465.5

¹ The proposed date of the HRA CFR will be considered by the accounting work-stream, be subject to discussion with Wales Audit Office and approved by the Minister for Housing and Regeneration .

² Stock numbers for tenanted properties obtained from HRA Business Plan submitted December 2013

The Settlement Value and its Distribution

In order to allow Wales to exit the HRAS system, HM Treasury required LHAs to “buy-out” of the system at a settlement figure that is fiscally neutral to the UK Government. The agreement is based on £40m interest payments which will be converted to a lump-sum (settlement value) a short period before an agreed settlement date. The estimated settlement value is considered to be in the region of £919.5 million, which has been used for modelling purposes. HM Treasury requires local authorities to fund the “buy-out” by borrowing from the Public Works Loans Board (PWLB).

Options for distribution of the Settlement Value

Settlement Value Option 1 - To distribute the settlement value based on negative HRA subsidy amounts

Local Housing Authority	HRAS settlement amounts (1)	Share of annual interest (2)	Reduction	Reduction	Share of estimated settlement value (3)
	£	£	£	%	£
Isle of Anglesey	1,695,873	930,779	765,094	45.12	21,396,292
Caerphilly	5,978,361	3,281,222	2,697,139	45.12	75,427,087
Cardiff	15,095,807	8,285,330	6,810,477	45.12	190,459,015
Carmarthenshire	6,234,522	3,421,816	2,812,706	45.12	78,658,989
Denbighshire	3,105,081	1,704,223	1,400,858	45.12	39,175,823
Flintshire	6,324,826	3,471,379	2,853,447	45.12	79,798,326
Pembrokeshire	6,373,758	3,498,235	2,875,523	45.12	80,415,686
Powys	5,660,823	3,106,941	2,553,882	45.12	71,420,811
Swansea	5,789,100	3,177,346	2,611,754	45.12	73,039,241
The Vale Of Glamorgan	5,011,706	2,750,673	2,261,033	45.12	63,231,107
Wrexham	11,609,836	6,372,055	5,237,781	45.12	146,477,623
	72,879,693	40,000,000	32,879,693		919,500,000

Notes:

- (1) HRAS settlement amounts obtained from 2013/14 HRAS 2nd estimate claims HRAS 13-02(W)
(2) Interest payments of circa. £40m required as part of the agreement with Treasury
(3) Estimated settlement value based on PWLB 30 year Maturity rate at 12 March 2013 of 4.35%

Advantages

- Every LHA would be better off in revenue terms when compared to the existing HRAS subsidy payments
- The method is as transparent and simple as possible given the inherent complexities of the existing HRAS system
- Each LHA has the same percentage reduction when comparing their existing HRAS amount to their share of the £40m
- Would be relatively straightforward to explain to tenants and members
- Would not replace one complex formula with another

Disadvantages

- Reflects the current and complex HRA subsidy system but some might argue that the current system is not fair
- There is no link to the current condition of the housing stock
- There is no link to the resources required to meet and maintain WHQS
- There is no link to housing supply or demand

Other Options Considered

The other option considered for the distribution of the settlement value was to base it on the stock numbers for each LHA. While this appeared to be a simple and transparent methodology, the results of the modelling showed that two authorities would be expected to pay more in annual interest payments than they currently pay in negative subsidy payments. This option was therefore disregarded on the basis it did not result in every stock retaining authority being better off than within the subsidy system.

Summary

The Welsh Government considers that Settlement Value Option 1 is the preferred option. The final decision will be subject to consultation and agreement by the Minister for Housing and Regeneration.

Options for distributing the Borrowing Cap

Borrowing Cap Option 1 - To distribute the borrowing headroom based on information submitted by each LHA to the Welsh Government in support of their HRA Business Plan for their 2014/15 application for MRA

	Borrowing Cap Allocation			% share of Borrowing
	WHQS	New Build	Total borrowing allocation	
Authority	£	£	£	%
Anglesey	0	21,400,000	21,400,000	4.5
Caerphilly	55,000,000	0	55,000,000	11.7
Cardiff	0	40,000,000	40,000,000	8.5
Carmarthenshire	14,400,000	0	14,400,000	3.1
Denbighshire	19,600,000	0	19,600,000	4.2
Flintshire	25,000,000	20,000,000	45,000,000	9.6
Pembrokeshire	0	26,000,000	26,000,000	5.5
Powys	18,200,000	0	18,200,000	3.9
Swansea	74,000,000	0	74,000,000	15.7
Vale Of Glamorgan	33,900,000	0	33,900,000	7.2
Wrexham	118,000,000	0	118,000,000	25.0
	358,100,000	107,400,000	465,500,000	
Contingency to be retained by Welsh Government	5,585,263		5,585,263	1.2
All Wales	363,685,263	107,400,000	471,085,263	100.0

It is assumed that the information submitted by each LHA reflects what each can “afford” to borrow.

It is further proposed that any balance, between the borrowing requirement identified by authorities and the total borrowing cap, should be retained by the Welsh Government as a contingency (see section on Flexibility below).

Advantages

- Prioritises WHQS by ensuring that LHAs have access to sufficient borrowing to enable them to meet WHQS by 2020.
- Provides access to sufficient borrowing to those LHAs that have included proposals for new build within their existing business plans.

Disadvantages

- Does not reflect housing need or demand.
- Does not allocate any borrowing headroom to the 7 authorities who have not included new build proposals in their latest business plan.

Borrowing Cap Option 2 - To base the distribution of the borrowing headroom on prioritising WHQS and applying a modified Social Housing Grant (SHG) formula using household projections and affordability index

The illustrative figures are broken down into borrowing required to meet WHQS and borrowing available for new build. This approach uses official Welsh Government statistics and utilises the most recent data for median incomes and median house prices to create an affordability ratio and combines it with household projections. This data is used to calculate the housing need element of the formula that is used by Welsh Government to distribute SHG to Local Authorities.

	Borrowing Cap Allocation			% share of Borrowing
	WHQS	Allocation based on modified SHG ³	Total borrowing allocation	
Authority	£	£	£	
Anglesey	0	4,696,259	4,696,259	1.0
Caerphilly	55,000,000	8,569,648	63,569,648	13.5
Cardiff	0	22,245,524	22,245,524	4.7
Carmarthenshire	14,400,000	9,924,527	24,324,527	5.2
Denbighshire	19,600,000	5,711,302	25,311,302	5.4
Flintshire	25,000,000	8,609,555	33,609,555	7.1
Pembrokeshire	0	8,350,797	8,350,797	1.8
Powys	18,200,000	10,655,999	28,855,999	6.1
Swansea	74,000,000	13,514,579	87,514,579	18.6
Vale Of Glamorgan	33,900,000	8,214,191	42,114,191	8.9
Wrexham	118,000,000	7,492,881	125,492,881	26.6
Total	358,100,000	107,985,263	466,085,263	
Contingency to be retained by Welsh Government	5,000,000		5,000,000	1.1
All Wales	363,100,000	107,985,263	471,085,263	100.0

³ Based on:
 2011 Household Projections published by the Welsh Government
 Median Gross Weekly Pay 2013 Resident Analysis published by ONS and
 Median House Prices 2011 published by HM Land Registry

Advantages

- Prioritises WHQS by ensuring that LHAs have access to sufficient borrowing to enable them to meet WHQS by 2020.
- Provides all LHAs with “notional borrowing headroom” to enable them to consider proposals for new build, if affordable within their business plans.
- Distributes borrowing cap headroom after WHQS by an objective measure that is a reasonable proxy for housing need.
- This formula could be applied as and when Treasury agree an uplift to the macro borrowing cap for Wales.

Disadvantages

- Does not provide for the level of new build that is currently included within the business plans for four LHAs.
- Could be perceived to disadvantage those that have met WHQS.
- LHA may not be able to use full borrowing capacity to build by 2018.

Borrowing Cap Option 3 - To base the distribution of the borrowing headroom on prioritising WHQS, 4 LHAs receiving 50% of their new build request with balance allocated to 11 LHAs on an indicative basis using the modified SHG formula.

The illustrative figures are broken down into borrowing required to meet WHQS and borrowing available for new build based on 50% of the figures 4 LHAs requested for new build with the balance being distributed across all 11 LHAs. The latter distribution uses official Welsh Government statistics and utilises the most recent data for median incomes and median house prices to create an affordability ratio and combines it with household projections. This data is used to calculate the housing need element of the formula that is used by Welsh Government to distribute SHG to Local Authorities.

	Borrowing Cap Allocation				
	WHQS	50% of new build requested	Allocation based on modified SHG ⁴	Total borrowing allocation	% share of Borrowing
Authority	£	£		£	
Anglesey	0	10,700,000	2,360,856	13,060,856	2.8
Caerphilly	55,000,000		4,308,047	59,308,047	12.6
Cardiff	0	20,000,000	11,183,046	31,183,046	6.6
Carmarthenshire	14,400,000		4,989,158	19,389,158	4.1
Denbighshire	19,600,000		2,871,128	22,471,128	4.8
Flintshire	25,000,000	10,000,000	4,328,108	39,328,108	8.3
Pembrokeshire	0	13,000,000	4,198,028	17,198,028	3.7
Powys	18,200,000		5,356,877	23,556,877	5.
Swansea	74,000,000		6,793,913	80,793,913	17.2
Vale Of Glamorgan	33,900,000		4,129,355	38,029,355	8.1
Wrexham	118,000,000		3,766,746	121,766,746	25.8
Total	358,100,000	53,700,000	54,285,263	466,085,263	
Contingency to be retained by Welsh Government	5,000,000			5,000,000	1.1
All Wales	358,100,000	107,985,263		471,085,263	100.0

Advantages

- Prioritises WHQS by ensuring that LHAs have access to sufficient borrowing to enable them to meet WHQS by 2020.
- Provides those LHAs with a percentage share of the borrowing capacity they requested for new build to ensure part of their new build plans are deliverable.
- Provides all LHAs with an “indicative allocation” of borrowing headroom for new build, if affordable within their business plans.
- Distributes remaining borrowing cap headroom after WHQS and initial proportion for new build by an objective measure that is a reasonable proxy for housing need.
- This latter formula could be applied as and when Treasury agree to uplift to the macro borrowing cap for Wales.

⁴ Based on:
2011 Household Projections published by the Welsh Government
Median Gross Weekly Pay 2013 Resident Analysis published by ONS and
Median House Prices 2011 published by HM Land Registry

Disadvantages

- Does not provide for the level of new build that is currently included within the business plans for four LHAs.
- Could be perceived to disadvantage those that have met WHQS.
- LHA may not be able to use full borrowing capacity to build by 2018.

Summary

A summary of the borrowing capacity that each LHA would obtain from each of the options and the difference between the borrowing capacity each LHA requested and the outcome of options 2 and 3 are shown below:

	Outcome Option 1	Outcome Option 2	Difference between Options 1 and 2	Outcome Option 3	Difference between Options 1 and 3
Authority	£	£	£	£	£
Anglesey	21,400,000	4,696,259	-16,703,741	13,060,856	-8,339,144
Caerphilly	55,000,000	63,569,648	8,569,648	59,308,047	4,308,047
Cardiff	40,000,000	22,245,524	-17,754,476	31,183,046	-8,816,954
Carmarthenshire	14,400,000	24,324,527	9,924,527	19,389,158	4,989,158
Denbighshire	19,600,000	25,311,302	5,711,302	22,471,128	2,871,128
Flintshire	45,000,000	33,609,555	-11,390,445	39,328,108	-5,671,892
Pembrokeshire	26,000,000	8,350,797	-17,649,203	17,198,028	-8,801,972
Powys	18,200,000	28,855,999	10,655,999	23,556,877	5,356,877
Swansea	74,000,000	87,514,579	13,514,579	80,793,913	6,793,913
Vale Of Glamorgan	33,900,000	42,114,191	8,214,191	38,029,355	4,129,355
Wrexham	118,000,000	125,492,881	7,492,881	121,766,746	3,766,746
Total	465,500,000	466,085,263		466,085,263	
Held by WG for future distribution	5,585,263	5,000,000		5,000,000	
All Wales	471,085,263	471,085,263		471,085,263	

Option 1 should be regarded as the baseline as this is what each LHA identified as the borrowing capacity they each required to meet their business plan commitments at a certain point in time. Earlier versions of this data were used to form the basis for the calculation of the borrowing cap and for agreement with Treasury.

Steering group members noted that, for a range of reasons, not all LHAs had included plans for new build in the data submitted to Welsh Government and there were also concerns about whether the data was based on consistent assumptions. Therefore some members of the steering group felt that option 1 would not be considered fair and equitable to all LHAs.

Option 2 prioritises the borrowing each LHA requires to meet WHQS in the first instance. The balance of the borrowing capacity is then distributed using the modified SHG statistical formula and provides borrowing capacity to all 11 LHAs. As can be seen, this creates significant differences, particularly for the 4 LHAs that have consistently requested capacity for new build and have developed firm plans for new homes to be built or to demolish and re-develop some of their existing stock. Steering group members recognise that developing plans for new build is a lengthy process and will depend on for example housing need, the availability of land, planning consents and appointment of contractors etc.

It is also possible that some LHAs may not wish to consider new build within the next few years. Alternatively the borrowing capacity under this option may not be “affordable” within the business plan for a LHA.

Some members of the steering group felt that there was a need to match the distribution of the borrowing cap with outcomes and deliverability. Option 2 would not provide 4 LHAs with sufficient borrowing capacity to meet their existing plans for development. It was also noted that the borrowing capacity may not be maximised as some LHAs may not wish or be able to utilise their allocated borrowing cap.

It was therefore considered necessary to develop an option that would provide a compromise that could be supported by all 11 LHAs which appear to fall within two groups, those with firm plans for new build and those that only submitted figures for WHQS for various reasons.

The steering group members were keen to strike a balance between ensuring that the distribution methodology for the borrowing cap could be regarded as fair and equitable to all LHAs whilst ensuring the deliverability of new build plans.

Option 3 again prioritises borrowing for WHQS. It then provides a percentage share of the borrowing 4 LHAs identified as required for new build and distributes the balance to all 11 LHAs on an indicative basis using the modified SHG statistical formula which was used for option 2. The modelling for this option is based on the 4 LHAs receiving a 50% share of the new build capacity they require.

There has been significant discussion as to the potential for future flexibility in the distribution of the borrowing cap as it is considered important that borrowing capability should be fully utilised where possible. However it is also recognised that this should not negate the enormous benefit of self-financing and moving away from annual announcements which will provide LHAs the ability to plan over the medium to longer term and deliver and measure key outcomes and outputs. It is expected that any change to a LHA’s borrowing cap, whether temporary or permanent, would need to be accounted for within “a Limit on Indebtedness Determination”, subject to the Wales Bill coming into force.

The steering group noted that the flexible approach would need to be taken during both the initial setting of the borrowing cap and during any future reviews and recommended that a review of the borrowing cap should be undertaken every 3 years, starting in 2018. This periodic review would apply regardless of what option is taken forward.

The Welsh Government are seeking to ensure that the methodology to be applied to the borrowing cap will distribute borrowing capacity to where it can be fully utilised by achieving WHQS and maximising the delivery of new housing supply. It is therefore important that each LHA is realistic about its ability to use their “indicative allocation” by 2018 which will be reflected in its submission to the Welsh Government in October 2014.

One of the consultation questions is seeking views on what sanctions could be used by Welsh Government in the event that there is a significant difference between the LHA’s borrowing capacity and what it has utilised. However, if sanctions were to be applied then provision will need to allow for further flexibility during the period prior to the 2018/19 review. This should be on an “exceptional basis” but would enable a LHA to advise the Welsh Government where it is unable to use their borrowing capacity for whatever reason. This surplus borrowing capacity could then be re-distributed to a LHA e.g. those with shovel ready schemes. It is expected that this type of flexibility which would result in the transfer of borrowing capacity from one LHA to another would require a revised “Limit on Indebtedness Determination” to be issued.

The Welsh Government considers that Borrowing Cap Option 3 is the preferred option. The final decision will be subject to consultation and agreement by the Minister for Housing and Regeneration. Option 3 is supported by the following process:

- Each LHA will be allocated an “indicative allocation” of the borrowing headroom” under the methodology set out in option 3.
- Each LHA will need to advise the Welsh Government by end of October 2014 on whether they will take up their “indicative allocation” for new build up until March 2018.
- If a LHA wishes to take up their “indicative allocation ”, the LHA will need to submit proposals to the Welsh Government by end of October 2014 which sets out how and when they could utilise this for new build and whether this together with their allocation for WHQS and % share for new build was "affordable" within the business plan.
- The LHA’s submission will need to set out whether land has been identified, an assessment of housing need, the number and type of properties to be developed, timescales for development (up to 2018) and any potential barriers to deliverability.
- As part of the submission, each LHA to advise if they could afford to, and wish to, take on any further borrowing capacity over and above their “indicative allocation” and, if agreed, what additional units could be delivered and whether these would be shovel ready.
- Where a LHA is not able, or does not wish, to utilise their “indicative allocation” for new build, this could be re-distributed to those LHAs that wished to take on further borrowing capacity. This could either be re-distributed to those LHAs that have

indicated they could deliver more units or to all remaining LHAs using the modified SHG formula.

- Exceptional arrangements will be introduced to enable a LHA that is not able to fully utilise its “actual allocation” of the borrowing cap before March 2018 to notify the Welsh Government and the surplus borrowing capacity will be re-allocated to LHAs.
- New systems and processes need to be developed to allow for the annual monitoring of compliance with the borrowing cap. This work will be undertaken by one of the work-streams and will consider the data that will need to be gathered by, and collected from, LHAs on what has been delivered in terms of all key outcomes and outputs. This is expected to cover all aspects including achievement and ongoing maintenance of WHQS, re-modelling of existing schemes, regeneration and the development of new properties etc. The work-stream will also be looking at ways of collecting data on the community benefits that are achieved and can be evidenced by LHAs in respect of tackling poverty, jobs and growth, apprenticeships, workless households (LIFT project) etc.
- The borrowing cap will be subject to review every three years with the first review being undertaken during 2018/19. Where a LHA makes a decision not to take up their “indicative allocation of the borrowing cap” for new build under this first distribution, this period of review will enable them to develop new build proposals to feed into the 2018/19 review. LHAs may also be able to develop new build from existing resources or any revenue savings arising from exiting the HRAS system.

Other options considered and reasons for being disregarded

Members of the steering group carried out extensive modelling, and considered the outputs, for the distribution of the borrowing cap which reflected both prioritising and not prioritising the borrowing each LHA requires enabling them to meet WHQS. Where borrowing for WHQS was not prioritised within the modelling, in each case, there were between 3 and 6 LHAs that would not receive enough borrowing capacity to enable them to achieve WHQS by 2020. Since this is a shared Welsh Government and Local Government priority and is to be made a statutory obligation, all options where the borrowing required for WHQS was not prioritised were disregarded.

The options that were considered and which prioritised borrowing capacity for WHQS together with the reason why each option was disregarded are set out in the table below:

Modelled by:	Reason for being disregarded
Data provided by LHAs in response to the Welsh Government's request in July 2013	This data was no longer current as LHAs recently submitted updated data to the Welsh Government (see Option 1)
Existing housing stock /dwelling numbers	Since the borrowing capacity required to achieve WHQS has been prioritised then the existing stock numbers has no bearing on the borrowing capacity required for future new build plans
Housing projection figures for 2020 (published 2011)	The outputs were very similar to the outputs from the modified SHG formula which the steering group considered was a more objective measure and a reasonable proxy for housing need and affordability (see Option 2)
Housing projection figures by the change in housing projections from 2013 to 2020	While this was based on the change in household projections over time, the time period involved was considered too small to be a robust measure of the typical change over a 30 year business planning period.
Each LHA receiving the same percentage headroom over and above the sum of their existing debt plus the settlement figure	This did not reflect future housing need and may also amplify any issues with the distribution of the settlement amount
Each LA receiving the same value headroom (an equal share)	This does not reflect the differences between authorities in terms of size and housing need
Distributing based on current negative subsidy settlement value	This does not reflect future housing need and may also continue any inequalities inherent within the current subsidy system.
Allocating a percentage share to those LHAs that identified a requirement for new build with the balance being distributed to the 7 remaining LHAs using the modified SHG formula	The further modification of the SHG formula to only allocate borrowing capacity to 7 out of the 11 LHAs could impact upon weighting and was not considered to be equitable and fair to all. The setting aside of a percentage for the 4 LHAs for new build and distributing the balance to all 11 LHAs was considered an appropriate compromise option which could be supported by all LHAs (see Option 3)

Contingency and Future Distribution of the Borrowing Cap

The setting of a housing related borrowing cap for each LHA is a Treasury requirement and is new to Wales. As part of the agreement for LHAs to exit the HRAS system Treasury has advised that any breach of the borrowing cap would be supported by sanctions. This means that, in the event that the borrowing cap is breached, Treasury would make a compensatory reduction to the Welsh Government Budget which would be passed on to LHA(s) accordingly. Therefore it is in all of our interest to ensure that the borrowing cap is maintained.

The Welsh Government propose the setting aside of a small part of the borrowing cap as a contingency in the first instance. The amount included in the options is approximately £5 million. This contingency will help to safeguard Welsh Budgets whilst the Welsh Government and LHAs adjust to the new borrowing cap arrangements. Whilst this contingency could provide LHAs with access to additional borrowing in the event of an emergency or a change in circumstances it is expected that LHAs will have prudent plans in place to enable them to act in the event of an emergency

The Welsh Government are currently in discussion with Treasury to ensure that there is equity between LHAs in England and Wales in that any increase to the borrowing cap in England should be replicated in Wales.

This consultation is aiming to identify the methodology that will be used in the setting of the initial borrowing cap for each LHA. Subject to the analysis of consultation responses, and Ministerial agreement, it is the expectation that a defined methodology will be identified.

In the event that Treasury does agree to uplift the borrowing cap, it may be possible for such an amount to be distributed using the defined methodology that arises from this consultation process.

Consultation Questions:

- 1 Do you agree with the proposal to distribute the settlement value based on negative subsidy amounts?
- 2 Do you agree with the proposal to distribute the borrowing cap based upon option 3 to allow for new build commitments whilst also providing potential headroom for new build to every local authority?
- 3 Do you agree that the Welsh Government should retain a small proportion of the borrowing headroom as a contingency?
- 4 What are your views on how we allocate any unallocated borrowing headroom now or in the future?
- 5 Do you agree that the borrowing cap should be reviewed every three years with the 1st review in 2018/19?
- 6 What action should the Welsh Government take on a LHA who has not delivered on their ability to utilise their borrowing cap?
- 7 Do you have any further comments to make?

Consultation Responses

This consultation is only relevant to the eleven stock retaining local housing authorities in Wales who are currently part of the existing Housing Revenue Account Subsidy system.

It would be appreciated if these eleven LHAs could respond to the questions as set out above and email the response to:

Jen Welsby at: Jen.welsby@wales.gsi.gov.uk

Anshu Verma at: Anshumail.verma@wales.gsi.gov.uk and

Michelle Herneman at: Michelle.herneman@wales.gis.gov.uk

by close of business Thursday 10 July 2014

If you have any queries please contact Jen Welsby on 0300 062 8161 or at jen.welsby@wales.gsi.gov.uk

Agenda Item 12.a

Report of the Cabinet Member for Wellbeing

Cabinet – 1 July 2014

INTEGRATION OF HEALTH AND SOCIAL CARE SERVICES

Purpose:	This report sets out in greater detail some of the plans to achieve further integration of Health and Social Care Services for Older People and disabled people
Policy Framework:	Fulfilled Lives, Supportive Communities Sustainable Social Services: A framework for Action
Reason for Decision:	To gain approval for further development of plans for integration
Consultation:	Legal, Finance.
Recommendation(s):	It is recommended that: <ol style="list-style-type: none">1. The report is approved2. The Western Bay Statement of Intent is endorsed3. The City & County of Swansea statement of intent is endorsed
Report Author:	Deborah Driffield
Finance Officer:	Mikes Hawes
Legal Officer:	Janet Hooper
Access to Services Officer	Catherine Window

1. Introduction

- 1.1 A number of documents have been prepared within the City and County of Swansea/ABMU Locality and also at Western Bay level which describes and explains some of the ambitions and the rationale for seeking to integrate Health and Social Care Services.
- 1.2 This report attempts to draw together the salient features of the other reports (as referenced in the appendices attached) and explain what proposals for integration will mean in terms of the services delivered to the people of Swansea.

1.3 The report focusses primarily on services for older people, but also seeks to encompass physically disabled adults within arrangements for the future.

2. **Background**

2.1 Members and Officers will generally be aware of the well-rehearsed arguments about older peoples services – demographic increases; financial constraints; changing expectations.

2.2 This requires us to ensure that sustainability is a key component of any future model of provision

2.3 The view of UK and Welsh Government is that integration of Health and Social Care will offer opportunities for improved efficiencies, especially from patient/service user perspective, leading to a more ‘seamless’ experience of appropriate support.

2.3 The Western Bay Health and Social Care Programme (WBHSC) was established in 2012. Its core purpose was to deliver integrated care models across older people, mental health and learning disability services in response to the challenges facing public services including demographics and public finances.

2.4 Cabinet has previously endorsed the Western Bay Health and Social Care Programme Board approach to regionalisation. Further reports have been agreed in Cabinet relating to the Community Services project, a regional Adoption Service, management of a regional Youth Offending Service, the development of a regional Substance Misuse Area Planning Board, as well as the overall governance of the WBHSC Programme.

2.5 A Statement of Intent on Integration has been sought from all Health Boards and LA's by Welsh Government, who requires this to be done at an ‘accelerated pace’.

2.6 Proposals for integration should be based on a number of ‘principles’ outlined in the statement of intent.

2.6 The Western Bay Statement of Intent has been prepared and Cabinet is asked to endorse that statement (Appendix 1).

2.7 A Local Statement of Intent for Swansea has also been produced which should be read in conjunction with the overarching statement from Western Bay (Appendix 2).

2.8 The intention to integrate services, as outlined in the statements, is extremely ambitious and will require significant changes in the ways services are organised and delivered.

- 2.9 Integration plans will need to be closely aligned with other internal and external strategies, plans and drivers, such as the Transformation of Adults Services program, the Integrated Assessment Framework, Western Bay program on regionalisation.
- 2.10 It is important that we do not integrate for its own sake. If integration will not deliver benefits for people, then it shouldn't be done.
- 2.11 Research indicates that integration can be a mechanism for achieving cost containment, but is unlikely to deliver cost reductions. This is likely to be of some significance when considering more detailed plans for integration.
- 2.12 There is a local governance structure in place, with a joint Integration Board already established as well as a Steering Group overseeing the work of various workstreams which are underway.
- 2.13 Whilst the initial plans for integration will focus on Older Peoples services, we will also need to take into account services provided for disabled people in this initial phase. This will be necessary because there is significant overlap in health and social care provision, especially around intermediate care which will be a primary focus locally and across Western Bay
- 2.14 Later phases of integration will need to take into account services for children and families as well as alignment with plans for Mental Health and Learning Disability services, where a greater degree of integration is already established.

3. Current Situation

- 3.1 Ambitions for integration are closely linked with developments in Intermediate care across Western Bay.
- 3.2 Welsh Government has made available substantial grant assistance – the Intermediate Care Fund – and this will support some components of integration.
- 3.3 Some local initiatives aimed at improving integration at service level are already under development such as:
 - a. Integrated Gower Team – combining Health and Social care domiciliary resources to provide a single team response in a hard to reach area has produced significant efficiencies and will act as a model for redevelopment of our reablement services
 - b. We have a local Joint Community Resource Team (CRT) Manager, who has been in post for the past two years in anticipation of integration of services
 - c. We have co-located the Local Authority Occupational Therapy team with the Health Community Resource Team (CRT) as another step towards integration. This has already improved communication and enables closer joint working and

understanding. We anticipate further integration into one service which will become the 'Welfare Authority' for the purposes of the relevant housing regulations

- d. We have developed a single job specification for an integrated Occupational Therapist role which is currently being trialled
- e. Development of an integrated Care Homes Quality Team with Health and Social Care staff all sharing in a similar set of aims and objectives for supporting people in care homes is under way
- f. Jointly funded Medications Management service for provision of appropriate advice and support to domiciliary care providers across Swansea, has been piloted in one area over the past 18 months and is now being rolled out across Swansea

3.4 Future proposals include:

- a. Development of Integrated 'hubs' based on Community GP Networks incorporating health and social care staff under integrated management arrangements
- b. Common Access Point building on our Intake Service for Older people and including all community health referrals
- c. An integrated manager for all health and social care services for older people and disabled adults
- d. Integration of our reablement teams (DCAS) with health reablement (CRT) teams
- e. development of our residential assessment units at Bonymaen and Ty Waunarwydd to enhance the support required to help people to return to their own homes following a period of support in those units
- f. Development of extended hours working – covering the hours of 8:00am to 8:00pm on a seven day basis

4. Next Steps

- 4.1 We will need to undertake a number of developments around integration whilst funding is available through the Intermediate Care Fund.
- 4.2 It will be necessary to jointly appoint an Integrated Services Manager to oversee the overall development of integration plans across Older peoples Services and to manage the new integrated services
- 4.3 A more detailed business case will need to be developed to encompass all the components required to achieve the elements of integration jointly agreed by the partners.
- 4.4 The development of this business case will be overseen by the Integration Board and reported back to Cabinet for further endorsement.
- 4.5 Work will need to be undertaken to develop joint commissioning arrangements with Health colleagues. Some of this work will be

undertaken within existing workstreams already meeting to progress the developments identified above, but there will be a requirement for a specific workstream to focus on how we achieve consistent joint commissioning arrangements across Swansea.

- 4.6 The role of the third sector is also integral to plans, especially around ensuring that sustainability of future models of operation and delivery are achieved. Each developmental workstream will need to ensure third sector involvement and engagement in developments.
- 4.7 The timescale for achieving these changes is extremely challenging because of the dependence on Welsh Government funding which is only available for 2014/15 financial year. It will be necessary to ensure that the infrastructure changes are completed during this year.

5. Staffing Implications

- 5.1 There will be no overall reduction in staffing as a result of these changes
- 5.2 In some areas, there will be an increase in staffing requirements, which will be initially funded via the Intermediate Care Fund referred to earlier.
- 5.3 There will be a requirement to fund some developments beyond the initial funding phase provided by the Intermediate Care Fund. Details of this will be included in the business case to be developed.
- 5.4 There will be staff relocations as integration plans develop Work expectations will also change, with increased reliance on mobile and agile working becoming the normal expectation.

6. Financial implications

- 6.1 The underlying assumption that supports the Western Bay business case is that without changes to the intermediate tier services, demographic changes will result in continuing and increasing cost pressures for both Local Authorities and Health. The ICF investment aims to go some way to address this pressure.
- 6.2 Within the Swansea locality (Local Authority and Health) the business case estimated that by 2016/17 the costs for frail older people will increase by some £1.787m. The current estimate for the City and County of Swansea is £1.2m. Reports to Cabinet setting out the business case for the intermediate tier and the Intermediate Care Fund application (8 April 2014) and approval to include the Western Bay Intermediate Care Fund capital schemes in the Capital Programme (Cabinet 3 June 2014) highlighted the costs being fully funded by WG grant in 2014-15 only. However, the grant is only available for 2014/15 so the expenditure must be incurred and claimed within this financial year.

- 6.3 Ongoing funding for the investment in staff beyond the grant will have to be met from savings arising as a result of the business case and from , at least in 2015-16 additional investment from both the Local Authority and Health as highlighted in the previous report to Cabinet.
- 6.4 The business case is currently being updated to take account of the financial and activity data available for more recent years. This will be used to better predict the eventual savings made from the investments in the Intermediate Care tier and the impact of integration. It will be necessary for both Health and Social Care organisations to identify sources of bridging funding to ensure continuation of developments after March 2015.
- 6.3 The major issues associated with this programme include the ability to spend the grant within the limited time period. Also, the governance and oversight of the funding across the 4 partner organisations engaged in the Western Bay Health and Social Care Collaborative, as well as local partner organisations assisting in the delivery of the service (i.e. including third sector organisations such as Care and Repair). The recruitment of the staff necessary to deliver the enhanced service is a further issue (time taken to recruit and the availability of specialist staff to deliver the service). This has the potential to impact on the capital element of programme delivery.

7. Legal implications

- 7.1 There are no specific implications at this stage but detailed legal advice will be required when taking this further including the development of an Agreement under section 33 of the National Health Service Wales Act 2006 (a S33 Agreement) to provide for joint arrangements between Health and the Local Authority. .

8. Equalities and Engagement Implications

- 8.1 The Equality Impact Assessment process has commenced for the Western Bay Community Services project which is delivering against the Statement of Intent and the initial screening has been completed. The outcome of the screening was that a full EIA needs to be completed. The full EIA has been completed in draft and requires further work, which will be completed once a replacement Western Bay Project Manager is in post.

Background Papers:

Cabinet Reports –

“Western Bay Intermediate Care Fund” – 3rd June 2014

“Western Bay Health and Social Care Programme: Delivering Improved Community Services – Business Case for Intermediate Tier” – 8th April 2014

“Western Bay Overview Report” – 8th April 2014

“Western Bay Health and Social Care Programme Update” – 17th September 2013

Appendices:

Appendix 1 Western Bay Statement of Intent on Integration

Appendix 2 City & County of Swansea/Swansea Locality Statement of Intent



**Caring Together
Western Bay**

Health and Social Care Programme

**Gofalu Gyda'n Gilydd
Bae'r Gorllewin**

Rhaglen Gofal Iechyd a Chymdeithasol

Delivering Integrated Health and Social Care for Older People with Complex Needs across Western Bay

Statement of Intent

March 2014

1. Introduction

This document sets out our commitment to deliver integrated health and social care for older people with complex needs across Swansea, Neath Port Talbot and Bridgend. The document has been developed through a process of discussion and collaboration with partners in health and local government, through the *Western Bay Health and Social Care Programme* which was initiated in 2012.

The Western Bay Programme was established to deliver integrated care models across older people, mental health and learning disability services. Significant progress towards this goal has already been made, and our organisations have agreed to work together progress the development of joined up care for older people signalling our intent in a document agreed by ABMU Board and Cabinets within each of the three Local Authorities during the Autumn of 2013.

Multi agency and multidisciplinary community teams will continue to be the mainstay of mental health services with work carried out to develop integrated teams within older people's mental health services across the three local authority areas. A third element of the overall Western Bay Programme is focussing on learning disability services. Increasingly it is recognised that having age appropriate models of care will be an important issue for learning disability services.

This document reaffirms our commitment across the Western Bay to transforming care provision, particularly in terms of moving the delivery of care from institutionalised models to independent living and community based care. ***Delivering Improved Community Services*** which was endorsed by our organisations in the Autumn of 2013, brings together two strategic programmes, ABMU's *Changing for the Better* and Western Bay in order to build a collaborative approach to service transformation from the beginning. It is based on extensive public engagement and dialogue with the third sector and primary care in addressing local health and social care issues.

The overarching aim of the Western Bay programme is to deliver integrated health and social care services that will ensure:

- Support for people to remain independent and keep well
- More people cared for at home, with shorter stays in hospital if they are unwell
- A change in the pathway away from institutional care to community care
- Less people being asked to consider long term residential or nursing home care, particularly in a crisis
- More people living with the support of technology and appropriate support services
- Services that are more joined up around the needs of the individual with less duplication and hand-offs between health and social care agencies
- More treatment being provided at home, as an alternative to hospital admission
- Services available on a 7 day basis
- Earlier diagnosis of dementia and quicker access to specialist support
- Ensure that the needs of carer's are included in the development of new service models.

Delivering Improved Community Services sets out three key priorities over the next three which are:

1. **Wellbeing and keeping healthy** – making sure older people who are frail and those with long term conditions are given the opportunities and support to take care of themselves and be independent, for example through innovative community resilience initiatives
2. **Strengthen community teams** – making sure people default to the community for assessment and if necessary care rather than hospitals and institutional care, for example by investing more in CRTs, community networks, older people’s mental health services, etc.
3. **Sustainable services** – ensuring the enablers are in place to allow community services to be the best they can be for the long term future, for example through better technology, better workforce planning, etc

The aims of the programme are in line with the key principles underpinning the proposed Social Services and Well Being (Wales) Bill particularly in terms of:

- Moving to a ‘strengths based’ approach – focussing on helping people to live independent lives
- Shifting the emphasis towards prevention and working with third sector and other partners on innovative approaches such as Local Area Coordination to help people to be supported in different ways, within their own communities
- Developing consistent services available across the 7 day period across our Health Board area
- Using technology to support people more effectively.

2. Policy context

The Welsh Government policy framework is set out within ***Together for Health (2011)***, and confirms its commitment to improve the health of people in Wales, and to take tough action on health inequalities over the next 5 years by creating a 21st century healthcare system.

The key challenges are:

- Demographic changes leading to more older people and increasing frailty
- Rising number of people with chronic ill health and long term conditions
- Lifestyle choices that are worsening population health
- Widening health inequality between rich and poor
- Difficulties in recruitment in a number of key areas including, but not restricted to medical manpower several groups of clinical staff, particularly some doctors
- Falling real terms revenue available each year to the NHS and Local Authorities in Wales.

Shared Purpose – Shared Delivery (Single Integrated Partnership Plans (SIPP)) is the guidance issued by Welsh Government in June 2012 that states each local authority area, through its Local Service Board, will produce a single integrated plan that replace the following:

- Community Strategy
- Children & Young People's Plan
- Health, Social Care & Wellbeing Strategy
- Community Safety Partnership Plan.

SIPPs are 5 year plans and are a statutory requirement. Local Service Boards are not statutory bodies so the duty lies with the Local Authorities to implement these important plans with support and sign up from partner organisations.

Setting the Direction, the vision for primary and community services, issued in 2010, paved the way for the development of locality working and was seen as the cornerstone of the new model for primary and community care. A particular focus is on those individuals who are frail, vulnerable and who have complex care needs, with key themes as follows:

- Confidence to self manage
- Sharing information
- Health and social care alignment
- Local clinical leadership and engagement
- Flexible working
- Principles of public health
- Joined-up and easily navigated services
- Seamless between in and out of hours services
- Service excellence & accessibility

Sustainable Social Services: A Framework for Action sets out the action needed to ensure care and support services respond to rising levels of demand and changing expectations, bringing consistency, for example in standard contracts for care homes. Frail older people are one of three priority areas for greater integration of delivery:

- Placing reablement at the heart of the approach
- Maximising recovery for people with long term care needs
- Addressing the needs of people with dementia
- Using technology effectively
- Ensuring a confident and competent workforce.

Designed to Add Value (2008) outlines the key role the Third Sector plays in supporting health and social care to make a real difference to the health of individuals and the community ensuring:

- That the right services are delivered at the right time and in the right place, to the right person across the care pathway.
- The integration of the contribution of volunteers, Carers and the third sector in better health.
- Engagement of the public, including vulnerable groups, in identifying needs and determining how best they can be met.
- Volunteers also bring considerable value to the daily lives of people and to health and social care services in a variety of ways. They support and enhance services to patients provided by statutory services with little or no cost but significant gains for people, patients and professionals.

The Social Services and Wellbeing (Wales) Bill, currently awaiting Royal Assent, will provide the legal framework to support the transformation of care and support in Wales.

The *Bill* focuses on three key themes:

- Identifying those in need of support;
- Promoting wellbeing;
- Earlier targeted support (aimed at reducing demand for long term care).

The new legal powers will include:

- Strengthened powers for safe-guarding;
- Increasing services covered by direct payments;
- National eligibility criteria and portable assessments;
- Equivalent rights for carers.
- Strengthening duties on Health Boards and Local Authorities to work together to develop integrated services.

The Bill provides the legislative framework for implementing the vision set out in *Sustainable Social Services*. It focuses on empowering people and recognises that Social Services need to move from crisis management and deliver earlier intervention to be sustainable. The Bill, therefore, requires local government and partners in the NHS to understand the dimensions and shape of the population in need in their areas, to make this public and to use its powers to make arrangements to provide a range of services to meet these needs.

Some people will require an intensive and comprehensive range of services. The Bill makes it clear that local authorities have a duty to provide, or commission, social care services and will bring forward a definition of these types of services that will draw on the existing definitions and take account of proposals put forward by the Law Commission. This will include the development of social enterprise and co-operatives as delivery agents. The legislation will also provide individuals with a stronger voice and real control. The starting point is enabling individuals to understand fully how care and support may help them. The proposals give individuals a right of access to an assessment of their needs and will require those assessments to be carried out in a way that focuses on the outcomes that people.

In the summer of 2013, two further policy documents reinforced the need for urgent and transformational change. The first of these – *Delivering Local Health Care* – required Health Boards, working with partners, to focus on the development of community (locality) networks as a means of securing a different approach that brings together primary, community and social care services, in geographical networks serving 30-50,000 population. This policy ‘refreshed’ the vision set out within *Setting the Direction*. The Bevan Commission also provided advice to the Minister on the development of health and social care services during the autumn of 2013. A policy document published in mid 2013 set out *A Framework for Delivering Integrated Health and Social Care for Older People with Complex Needs* which required partners to accelerate the development of integrated services. Partners were also required to publish this ‘statement of intent’ setting out how they would respond to the key requirements by the end of January 2014.

The development of the new ***Integrated Assessment, Planning and Review*** framework provides a timely opportunity to review existing systems and processes to streamline access into services and ensure that assessments are proportionate to need.

3. **Where are we now?**

In response to both national policy frameworks and strategic and operational pressures at a local level, ABMU and the three Local Authorities have worked hard over recent years to build local community services. These include:

Community Resource Teams (CRTs)

The aim of CRTs was to provide integrated and co-ordinated care management including specific admission avoidance and supportive discharge schemes, chronic condition case management, enhanced preparation for scheduled care, enhanced medicines management and advanced access to diagnostics.

In the Western Bay area, CRTs have been established in Swansea, Neath Port Talbot and Bridgend to provide specialist care to people in the community. As well as other services in the community, the teams include nurses, therapists and social workers with advanced skills in assessment and management of complex needs. These teams provide a strong, multidisciplinary approach focused on the maintenance of more complex cases in the community.

A recent baseline assessment of the three CRTs highlighted the lack of pace in implementing these specialist community services. The following were key findings from the analysis:

- Each CRT has been established differently in response to local pressures and historical ways of working within each Locality.
- Service provision differs in each area due to differences in population size, resource allocation and strategic priorities, making it difficult to provide a comparative analysis of the three teams.
- Integration between health and social care is at varying stages of development in each area.

- **Bridgend**
 - 3 community network health and social care teams bringing together social workers, district nurses and occupational therapists are co-located in community hubs working within an integrated management structure
 - A single point of access to intermediate care and adult social work through the development of an Integrated Referral Management Centre (IRMC) providing a gateway to services
 - An integrated Community Resource Team with a full range of intermediate and reablement services together with rapid response nursing service, and an innovative mobile response team which enhances the telecare service
 - A joint residential reablement service is in place to provide step down beds for patients who require additional support before being able to return home from hospital.

- **Swansea**
 - A joint Community Resource Team is in place with a single manager
 - Integration of Occupational Therapy services has begun to be integrated with the CRT therapy services.
 - The next phase of work will move to using a single IT system for referral, work allocation and as a single record.
 - The role of Gorseinon Hospital as a 'step down' facility operating as part of the CRT is in place. There are step down beds available in Local Authority homes across Swansea. Innovative approaches being tested to bring together reablement, domiciliary care and health care support workers into an integrated team in Gower to overcome issues of hard to reach areas that were impacting on the recruitment of domiciliary care staff.

- **Neath Port Talbot**
 - The CRT is a joint team with a single management structure for all health and council employees in place.
 - The NPT Community Gateway provides a common access point for the CRT and Adult Social Care. A multidisciplinary team of staff work within the Gateway to ensure that referrals are managed in the most appropriate way. Allocation of work from the Gateway to the CRT is all managed electronically.
 - Residential Reablement and Step up/down beds are currently being developed.
 - The Reablement and Acute Clinical Team in NPT CRT were already using a single paper based client record and work is well advanced to move all of this onto a IT system.
 - The CRT are co-located on the same site (Cimla Hospital) and this is proving to be highly supportive in terms of integrating work practices and pathways for service users.

There are however recognised issues and limitations cross the Western Bay area that have been identified through the local review work undertaken. These include:

- The majority of services operate on a 5 day basis (with notable exceptions in the Neath Port Talbot area)
- ABMU is unique in Wales in that there are 4 information systems in use across the ABMU footprint: Draig in Bridgend, a bespoke system in NPT, PARIS in Swansea and the Health Board has adopted Myrddin as its patient administration system. The evidence base is clear in that a key success factor in developing integrating services is the ability to access a single record so the current infrastructure presents significant barriers, and pragmatic solutions are needed to overcome the lack of a single integrated system being in place
- The medical model differs across ABMU with differing levels of input being provided across the Health Board area
- Telecare has developed differently - Bridgend has the strongest model with an innovative and flexible mobile response service, with a high uptake of telecare because of its history of being developed as a core function within the CRT.
- Core community service models have emerged differently in each of the three areas, with Swansea having a strong chronic conditions management model in place that complements the delivering of primary, community and intermediate care services.

Community Mental Health Teams

The Older People's Mental Health Teams within ABMU include staff from both health and social care. There are good examples of joint working between the health and social care teams, including joint visits, assessments, care and treatment plans and joint team meetings to discuss cases and allocation. However, this is not standardised and improvements need to be made. There is a commitment from all services to achieve full integration of these teams to deliver responsive and equitable service for older people with mental health needs and to develop systems for monitoring performance.

The success of integration will be measured against its achievement of improved outcomes for people and carers who need care and support including:

- Improved support in the community, reducing unplanned admissions to hospital and enhancing discharge planning following admission
- Reduced duplication between health and social care services by removing the need for multiple assessments which recommend the same outcome;
- Delivery of ongoing services in a more timely manner by reducing the number of assessments that need to be undertaken to access health or social care services;
- Improved outcomes of Carers Assessments that are undertaken and individual support plans specifically for Carers;
- Engagement at an earlier stage with Service Users and Carers to offer more timely advice and support to reduce admissions to residential or nursing care homes;
- Agreed contingency plans to reduce crises in the community and avoidable hospital and care home admissions.

Community Networks

Based on GP Practice populations of between 30,000 and 60,000, eleven community networks have been established across ABMU to plan, co-ordinate and ensure delivery of services that meet the needs of people living in the local community. Three networks have been established each in NPT (discussions underway about reshaping the networks into two) and Bridgend and five in Swansea (due to the population size).

The networks have a diverse membership ranging from GPs, community nurses and health visitors to social workers and third sector representatives. The teams have clinical leadership in the main and are supported by dedicated resources provided by ABMU Health Board staff, including management support, administration and business planning functions. Since their inception, networks have identified service development priorities that are important to the practices in meeting local health needs and challenges. Each network meets regularly, with educational sessions provided and the opportunity to share information. Regular newsletters are produced and this is supported by dedicated websites for the local community to access information on the work of each of the networks.

Since their inception, community networks have done a considerable amount of work to address local needs. During the autumn of 2013, the Health Board has engaged widely with partners and community networks to discuss proposals to strengthen their role.

The Health Board has committed to strengthening the role of community networks and has identified a number of functions that networks could undertake in future, including:

- Improving population health and tackling health inequalities
- Developing and expanding primary care services
- Managing community health services
- Shaping service integration with social care
- Developing pathways between primary and secondary care

In principle, the Board have agreed to explore more innovative organisational arrangements that maximise the autonomy and flexibility of networks to carry out these functions. At this stage, it is recognised that further discussion with partners will be required to look at the balance of service delivery across networks and more specialist services, including the CRT. A detailed plan is being developed for 2014/15.

All partners have committed to a service model that integrates health and social care services using community networks as a footprint to integrate primary, community health and social care services.

Local Authorities

In the three Local Authority areas there has been considerable innovation in tackling the pressures on long term care services and meeting need in ways which maximise independence and reduce dependency. All three areas have reviewed or are reviewing care home provision with a view to delivering a clear and sustainable future for current or former Local Authority care home provision, to improve the quality and provision of independent sector care home provision, particularly for people with dementia, and to continue a move

to care for people in their own homes, where appropriate in extra care settings in the community.

All three Authorities are also reviewing strategically their long term domiciliary provision and particularly the balance between directly provided services and services commissioned from the independent sector. Key questions in this approach include the balance between specialist, for example for people with dementia, and more general domiciliary support, how to commission for outcomes, rather than inputs, and the balance between quality, sustainability and cost of service.

Third Sector

There are over 2000 third sector organisations operating across the Western Bay area. The services offered range from, for example, befriending and mental health services through to prevention, carers and bereavement services. They offer flexible and professional services that also aim to complement those provided by the statutory agencies, which together ensure that there is choice and diversity for a host of service users.

The third sector operate a health and social care network in the Western Bay area where organisations come together to share information and discuss local health and social care developments. The network continuously identify areas where they can add value and provide services that prevent ill health, ways they can bolster health, social care and well being services and support for carers' and local communities.

Third sector brokerage models are in place within each Local Authority area which are a significant step towards helping to support people within their own communities, by identifying and matching the needs of individuals with potential support systems or organisations locally. During the early part of 2014, more formal arrangements around Local Area Coordination are being explored. A feasibility study into tier zero services has been commissioned, and investment will be made into this area during 2014. Both Local Area Coordination and Tier zero (as well as a complementary Health Board programme focussing on 'Staying Healthy') will help to drive new service models and approaches that are intended to strengthen the preventative agenda and deliver services in line with the Social Services and Well Being Bill.

There is a strong relationship with Care & Repair across Western Bay who provide flexible, timely support to enable people to remain independent within their own homes, and also in supporting hospital discharge schemes.

Current Pooled Budget Arrangements

The following table highlights the current pooled budget arrangements active for the financial year 2012/13.

Table

1

Type	Service Area	Parties	Parties
Pooled Budget	Community Equipment	ABMU Health Board (Swansea & Neath Port Talbot localities)	City and County of Swansea/Neath Port Talbot County Borough Council
Pooled Budget	Assisted Recovery in the Community (ARC)	ABMU Health Board (Mental Health Directorate)	Bridgend County Borough Council
Pooled budget	Community Equipment	ABMU Health Board (Bridgend locality)	Cwm Taf Health Board, Merthyr & RCT Local Authorities, Bridgend County Borough Council

Although the number of pooled budget arrangements is limited, there are broader arrangements for joint working that include:

- Joint management arrangements – in Bridgend and Neath Port Talbot, with plans in place to integrate management arrangements in Swansea well advanced
- A number of pre-existing financial arrangements and grant funding between health and social care.

Through the Western Bay Programme, all partners have committed to a full and detailed review of existing financial arrangements and a pooled budget for the intermediate tier of service will be in place by April 2015.

4. Transforming our services: what we intend to do next

At the beginning of this document we set out the three key priorities for the Delivering Improved Community Services programme, they were:

- Wellbeing and keeping healthy
- Strengthening Community teams
- Making services sustainable.

Since September 2013, the main focus has been on strengthening community teams through development of the Intermediate care function. This was as a result of the Western Bay Programme Board approving a Strategic Outline Business Case in June 2013 for a Transformation Programme to develop services to support frail older population across Western Bay. Following the submission of a strategic outline case, it was agreed to proceed to the development of a detailed business case which was agreed by the Programme Board in February 2014. The business case focusses on developing the intermediate tier of services because this is seen as a vital building block for wider whole system change.

The intermediate tier consists of short term interventions that address needs at a time of crisis or when people's needs change, with the aim of maximizing recovery and on-going independence. It is linked, but is not the same as on-going support in either health or social care. Developing the Intermediate Tier is a 'first step'. The further development of wellbeing services to reduce future needs from escalating, together with services to support those with complex and high levels of need for ongoing care remain as critical next steps for the Delivering Improved Community Services Programme.

An integrated intermediate tier of services provides a number of functions. These are illustrated in Figure 2. The intermediate tier of services needs to make a significant contribution to what the wider health and social care community wish to see at a whole system level and as a result of the joint commitment *Delivering Improved Community Services*, i.e.

Support for people to remain independent and keep well;

More people cared for at home, with shorter stays in hospital if they are unwell;

A change in the pathway away from institutional care to community care;

Less people being asked to consider long term residential or nursing home care, particularly in a crisis;

More people living with the support of technology and appropriate support services;

Services that are more joined up around the needs of the individual with less duplication and hand-offs between health and social care agencies;

More treatment being provided at home, as an alternative to hospital admission;

Services available on a 7 day basis;

Earlier diagnosis of dementia and quicker access to specialist support for those who need it.

This means that we need:

Services that support people to remain confident independent and safe in their own homes for as long as possible and in accordance with their dignity and choice.

Services that are coordinated to reduce the number of unplanned admissions into hospital and long term care and support timely discharge when a hospital admission is appropriate.

A realignment of capacity, and a shift of resources, into community services to enable more people to receive the right assessment and service in the setting most able to meet their needs.

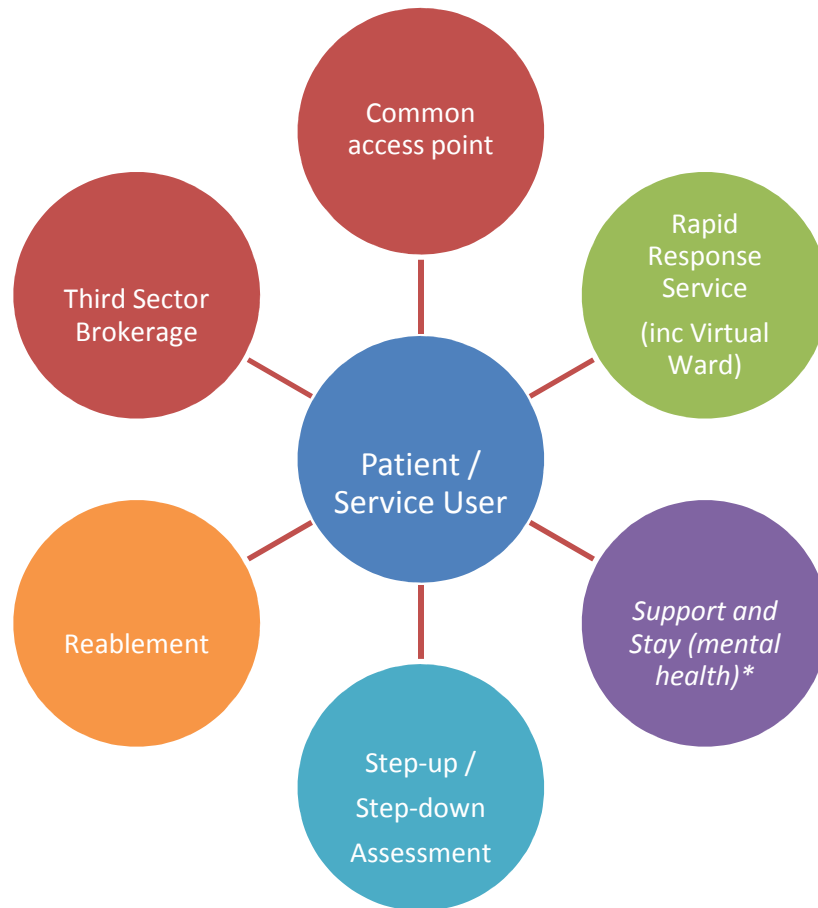


Figure 1 Functions undertaken by the Intermediate Tier

Together, this service model will help us to achieve significant improvements for services users, including:

The person, their choice and preferences will be at the centre of every intervention, where appropriate.

More people remaining independent confident and safe in their own homes for longer.

Appropriate assessment and intervention carried out in a person's home and realignment of capacity to enable this to happen.

A suite of support care services are available so less people are asked to consider long term residential or nursing home care, particularly in a crisis.

Whilst the main focus has been on developing the business case for intermediate care there has been work ongoing to ensure the other priorities are developing. In particular:

Wellbeing and keeping healthy

The programme team has been working with Welsh Government and Third sector partners with regards an innovative model for community resilience linked to issues of social isolation and loneliness amongst older people. A proposal is currently being developed using the principles of co-production and linked to the concept of social finance. A series of scoping sessions have taken place to plan this innovative approach to service provision.

Sustainable services

A comprehensive bid to the Health Technologies Fund has been developed over several months and is detailed more in the 'Enabling' section below.

Assessing Need

One of the main, and quantifiable, pressures on current services arises from the growth in the number of people who are frail. People who are frail are also typically, though not exclusively, old and many will therefore have dementia. Identifying the potential impact on services, and resource use, from this group of people, and then focussing our efforts on meeting these needs differently through an enhanced intermediate tier is therefore vital.

The modelling work undertaken has included the development of projections for the change in the older population over a 5 year period. These have been used to gain an understanding of the increases in demand that might be expected, were there to be no change in services or in people's access to and expectations from these services.

The projections developed are based on existing research on the prevalence of physical frailty, plus assessments of the varying impact of local health status and local population changes. The headline projected changes in the numbers of older people as a whole, and in older frail people are identified in Table 2 and Figure 2. Differences in the expected level of change between the >65s and the frail older population are due to different age distribution in each locality, for example Neath Port Talbot has a 'younger old' population whilst Bridgend will have a higher proportion of its older population in the 'old old' age bands.

	Total >65s			Est. of frail population			Frail per 1,000 >65
	2012	2018	Change	2012	2018	Change	
Bridgend	25,880	29,980	+15.8%	2,582	3,001	+16.2%	100
NPT	27,450	31,214	+13.7%	2,837	3,198	+12.7%	103
Swansea	44,290	49,396	+11.5%	4,687	5,226	+11.5%	106

Table 2 Future needs based on demographic projections¹, healthy life expectancy and expected prevalence of frailty

¹ Based on 2008 ONS demographic projections in IPC/ WG Daffodil database: projections derived from the 2011 census will be used to update modelling data once available through this source.

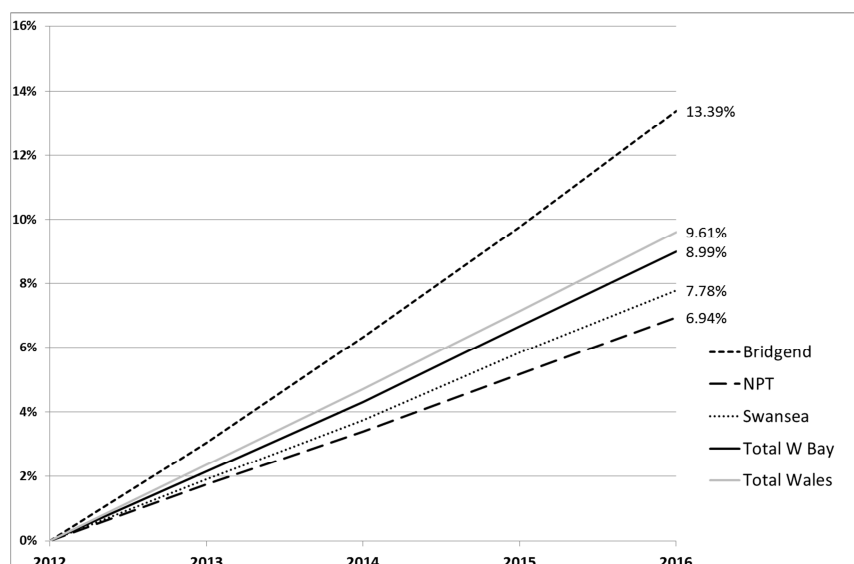


Figure 2 Projected change in frail population, 2013-2016, compared to 2012 baseline

Changes in the population with dementia

The modelling work has also looked at the number of people with dementia, because evidence indicates that people with a range of conditions are twice as likely to be admitted to hospital if they also have dementia. Using the same demographic profiles as above, and applying appropriate incidence and prevalence rates, it has been estimated that by 2016 there will be a total of 2,098 new cases of dementia a year across the Western Bay area – many of whom may go undiagnosed until later in the disease progression. The total number of people expected to have dementia by 2016 across Western Bay will be c 7,590, with just under 3,000 of these having a severe dementia. Table 2 shows the change from a baseline of 2012.

Locality	Expected prevalence in 2018	Change from 2012
Bridgend	2,074	+18.2%
Neath Port Talbot	2,239	+13.6%
Swansea	3,696	+13.0%

Table 3 Expected change in the prevalence of dementia

Combining physical frailty and dementia

People with both dementia and frailty have particular needs that can be complex and that therefore require particular attention in our planning and delivery of services. An indication of the levels of co-morbidity also informs where, and to what extent, services would benefit from closer alignment or integration. In summary, it suggests that across Western Bay:

- 8,050 people who will be frail without having any form of dementia;
- 4,580 people who will have dementia but will not be frail;
- 2,410 people who will have both dementia and who will be frail.

This means that about 16% (1 in 6) of people with either dementia or frailty will experience both. However, when a similar estimate of cost is made across Western Bay we have

estimated that £54M out of £110M (i.e. c 49%) is spent on the group who have both dementia and frailty.

Development of a Frailty Model

The Community Services Project has made a commitment to develop a Frailty Model as part of the implementation of *Delivering Local Care*. This will be a key piece of planning work during 2014/15 in order to be in a position to implement by March 2015 in line with the timescales set out by Welsh Government.

Western Bay has already made significant progress in articulating the frailty model, with the detailed service model and business case produced for intermediate care. The work in 2014/15 will focus on aligning this work with the development of community networks and core community services. It will also include core primary care and hospital services, ensuring frailty is addressed as a system of care and all are working to a common set of principles with regards the management of this complex group.

Work on the model will begin with a Frailty Symposium in the Spring 2014, which will invite a wealth of experienced specialists and academics in the care and research of frail older people. The conference will set the scene for the development of the model and to ground the work in a foundation of best practice and innovation.

Summary of Next Steps

During 2014/15 we intend to:

- Use the Intermediate Care Fund to strengthen intermediate care services in line with the business case outlined to provide a core and consistent set of services across ABMU, moving towards those services being available on a 7 day in line with the year 1 investment plan
- Develop a detailed implementation plan to support community networks having more responsibility for shaping and delivering care within their areas, and using networks as the key organising platform for a range of health, social and third sector services
- Develop a 'frailty model' ensuring this is system-wide design of services in line with Welsh Government directives
- Align / pool resources across health and social care to deliver integrated care
- Develop a common performance management framework with a suite of whole system measures that operate across health and social care
- Agree how we will formally evaluate the transformation programme of change
- By implementing the business case, begin to shift the delivery of care from institutional models (eg hospital beds and care home placements) to community models by extending rapid response and re-ablement services that will support people to live within their own homes and allow the health and social care system to deal with the impact of an ageing population
- Develop a broader approach to consider how we can influence and support people to live independently including tackling broader issues of social isolation, loneliness and developing community resilience by taking forward the principles of co-production and prudent health care.
- Develop joint market position statements and progress the development of joint commissioning functions within each of the three areas, aligned to the overall Western Bay commissioning and contracting project.
- Begin implementation of the 'Integrated Information in Integrated Care' agenda as part of the Health Technologies (once approved by WG)
- Agree a consistent model of 'support and stay' as part of a comprehensive review/strategy for Older People's Mental Health Services
- Consider how to better integrate housing and other support plans into the development of integrated health and social care models for the future and progress other initiatives that maximise the ability of people to live within their own communities (for example, progressing 'Dementia Friendly' communities).

5. Our approach to Integration

An option appraisal for determining the nature of the transformation programme for frail older people was included in the Outline Business Case. It considered a short list of options from 'do nothing more' through to a substantial transformation programme that sought to deliver a fully optimised system of care.

However, to support this Investment Plan a further formal options appraisal has been undertaken by members of the Western Bay Community Services Project Board. This has been focussed on determining the future arrangements for the implementation of proposed service changes with a particular emphasis on the nature and extent of integration, including the presence of pooled budget arrangements.

The options considered were built up using four components as indicated below:

- The service functions to which integration might apply – Demand management, intermediate tier, ongoing community support;
- What part of the system will be integrated, i.e. community health services, social care professionals and mental health staff;
- The footprint for a Section 33 pooled budget Agreement i.e. None, by locality or across Western Bay;
- The extent of any pooled budget agreement i.e. transformation programme only or also including 'business as usual'.

These components can be combined in a variety of ways to create a wide range of options. However, eight options were identified and assessed in the option appraisal as being representative of this wider range of possibilities.

A key focus of the option appraisal was to determine whether the service functions detailed should be integrated, and if so to what extent. Integration can be across health and social care older peoples services or across health and social care including mental health. For the purposes of the option appraisal an integrated service was taken to mean:

- A multi professional team with specialist and generic staff appropriate to meet the needs of the client;
- Co-location with single management, joint training and a single budget;
- Joint care planning and coordinated assessments of care needs;
- Named care co-ordinators acting as navigators;
- Recording on single clinical record.

In total, 8 options were appraised with criteria identified in a workshop session at one of the Changing for the Better events that included service users, carers, representatives from third sector as well as statutory partners.

The preferred option that emerged from this process was:

Delivering transformation through integration of health, social care and mental health services for all three components of community services using local pooled budget arrangements for transformation funding and ongoing business. (The 3 components being common access point, intermediate tier and ongoing community support.)

Partners also agreed that the extent of mental health integration under this option is that there will be co-location and alignment of mental health teams within the intermediate tier, in the first instance, building from a point of having link posts within each of the 3 CRTs. The term 'local' indicates a preference towards subsidiarity, ie. doing things at the most local level consistent with delivering value for money and improved outcomes.

In line with this agreement, detailed discussions on financial and governance models required. Partners have agreed to begin discussions on pooling/aligning budgets in each of the three local areas across the Western Bay area. The pool could apply to the transformation funding only or also include 'business as usual' funding. Further discussion on the range of budgets that could be considered as part of this pooling arrangement will be considered as part of the finalisation of the business case.

Commissioning

There has been recent agreement to establish a formal contracting and procurement workstream under the auspices of the Western Bay Programme. Some initial preparatory work has already been taken forward, and a number of commissioning leads have been appointed to take forward the next phase of work.

Each of the Western Bay projects has commissioning as a priority and are developing common service models that will be delivered in each Authority area. For older people, work is progressing to develop a common vision and service model for frailty and also one for dementia, recognising there is a significant number of older people who will experience frailty and dementia.

An integrated contracting and procurement project has been established and work has progressed to develop a common quality framework for care homes and a market position statement and costing model for domiciliary care. Dedicated capacity is now in place for this project and the principle of a regional contracting and procurement hub agreed.

6. Supporting people to live in their home of choice

People want a home that they can afford, that is safe, warm and secure, that meets their needs whether that be owned or rented and is in an area where they want to live and are supported to do so. Housing has a huge impact on a person's quality of life, wellbeing, health and life chances. People's homes are the focus for the delivery of many services including health and social care.

The aspirations and expressed preference of people with care and support needs is that placement in a care home is the least preferred care option.

It is critically important that where a care home is the preferred option of an individual that this is a positive choice, planned for and not made at a time of crisis, and that the care home is of a high quality in terms of the care provision, the homeliness of the environment and integration with the community. People in residential and nursing care can feel part of the community and retain as much independence as possible in well designed and sensitively managed care homes.

Supported housing is able to meet particular needs including 'own front door' options like sheltered and extra care (for older people) and independent or supported housing to meet other needs. Increasingly, there are people who in the past would almost certainly have been in residential care but who can now retain a large degree of independence if they are in well designed and supported accommodation housing is outcome focused, based on the needs and abilities of the individual, and people are not 'over supported' in an alternative setting.

People may need at certain times of their life accommodation based support in their own homes, wherever they live, which may be funded through the Supporting People Grant programme. They also may require aids or adaptations to enable them to remain in their home of choice. People who are becoming progressively frailer as they get older can stay at home much longer if that home has no stairs (or can take a stair-lift), has a bathroom big enough for a wheelchair to turn in, wide doors and appropriate equipment to live at home safely. Assistive technology provides huge potential for supporting people with complex needs within the community, including younger people with learning disabilities, and older people with mental health difficulties or dementia. Developing 'dementia friendly' communities is a priority across the Western Bay area. The Western Bay Supporting People Regional Collaborative Committee will take forward a review of older person's services in 2014/15.

Each Local Authority, working with the Health Board, will ensure that housing remains integral to the development of services that maximise people's independence and ability to live within their own community, preferably in their own home, for as long as possible.

7. Governance

A governance structure to ensure delivery of the Intermediate Tier developments and identified benefits detailed in this business case will be put in place, building on existing Western Bay arrangements.

A Community Services Board currently oversees and is responsible for the delivery of the *Delivering Improved Community Services* Programme of which the Intermediate Tier developments are one key element. It is accountable to the Western Bay Programme Board.

The current Board has membership from ABMU (Localities and Mental Health Directorate), the three Local Authorities and the third sector. To ensure it is fit for purpose in its enhanced role, membership will be reviewed both in terms of seniority and size for effective decision making. Local governance arrangements (at an individual local authority level) will be shaped as required. Formal partnership boards are being established in each area to oversee developments at a local level and ensure that there are appropriate governance and scrutiny arrangement in place.

8. Learning and Development

There is a growing evidence base within the UK which identifies the critical success factors required to deliver integrated care, and these present opportunities to identify learning from elsewhere.

As part of the development of the business case, we will be commissioning a formal evaluation of the development of intermediate care locally to supplement the local performance management. We will also be building in patient experience measures locally to ensure that we are making progress towards delivering high quality, patient centred care.

Partners locally have benefited from the shared learning opportunities provided through the re-ablement learning network, and would be keen to see the establishment of a similar network having a broader remit around integrated care. This is an area that has been flagged as an issue to the Integrated Care workstream reporting to the Unscheduled Care Board as an opportunity.

9. Performance Management

Partners within the Western Bay Programme have committed to the development of an integrated performance management approach, using a set of joint measures and metrics that look at performance across the health and social care system. It is recognised that the business case for intermediate care will require very tight performance management to ensure that the benefits realisation framework is delivered. This will need to operate at both a Western Bay and local level and will be developed further as part of the work with Swansea University to develop an evaluation framework for the programme as a whole.

10. Other Enablers

Health Technologies Fund

The vision set out in *Delivering Improved Community Services* is ambitious but recognises that community teams cannot achieve these aims without transforming the way they work. Community services will need to adapt quickly and effectively ensuring they are fit for purpose, safe and sustainable, with the following technology priorities:

- Information and new technology is used to its maximum affect and acts as the enabler for coordinated care, shared records and innovative solutions to care and support in the community

- Widespread use of telecare, assistive technology and telehealth, where appropriate, to support frail and older people to be independent in their own homes and to provide additional confidence and support for carers
- Community teams will have access to the electronic equipment needed to make their work more efficient and effective, such as hand held devices and remote capability for working away from their team base.

The bid to the Health Technologies fund seeks to address the availability and use of new technologies within community care settings in order to improve efficiency and safety and increase productivity. It also seeks to increase the quality of services in the community and provides a bridging effect to enable these services to embrace future technological changes as part of national ICT programmes.

The technology will include:

- Digital pen and tablet technology for staff in the community to enable point of care recording of information, digital care documentation and the piloting of information sharing between community and secondary care.
- Telecare and telehealth technologies for patients and service users to feel safe and for their care to remain in their own homes. This will include the development of an out of hours service across Western Bay following the successful evaluation in the Bridgend locality.
- Remote clinical management capability for staff in the community using the same digital pen and tablet technology, along with state of the art telehealth to monitor patients with long-term conditions, including care home 'Skyping' to replace traditional clinical consultations.
- Simplified access to citizens' health and social care information by utilising existing integration software within the Health Board to bring together data from disparate systems in partner organisations

Information Sharing

The provision of integrated health and social care services will rely on an ability to share information. In fact, without the ability to do this the programme of integration will only be realised in a limited and clumsy manner. IT systems can make this process of sharing information more efficient and opportunities to develop this should be taken. Information sharing will allow for:

- Improved health and social care outcomes
- Improved wellbeing
- More effective and efficient service provision
- More effective and efficient service planning

The legislative framework with Wales supports information sharing across statutory and non statutory providers. Work to develop Information Sharing Protocols across the Western Bay community will need to be undertaken to advance this across the Western Bay area.

Information System Development

A joint forum bringing together the ICT Heads from each of the local authorities and the Health Board meets regularly. There is a reporting mechanism to the Western Bay Programme Team. The initial focus of the work has been on discussing practical arrangements to facilitate joint working at a locality level (for example, access to respective IT systems for health and social care staff who are co-located). Work has also shaped a proposal submitted under the Health Technologies Fund. The potential options to develop a more strategic approach to ICT are being explored, and the potential benefits of procuring the Community Care Information Solution (CCIS) across Western Bay needs to be considered in this context.

Workforce Planning & Development

Similarly the respective Heads of Workforce across Western Bay also now meet to consider both practical and strategic workforce issues. There are opportunities to explore innovative workforce models, as well as opportunities to look at more sustainable workforce solutions in key areas – for example, development and skilling up of the non qualified support worker role – an area where both health and social care struggle to recruit.

Regulatory Issues

Current organisational models govern the regulation of health and social care separately and this can be a barrier to progress. Whilst pragmatic and flexible solutions have been put in place to try and address individual service issues, it would be helpful for Welsh Government to assist in ensuring that regulatory arrangements reflect the need to support new care models.

11. Measuring Success

As part of the development of the business case for intermediate care, a range of performance indicators will be used to judge the success of the integration programme. These are currently being refined. In addition a clear programme of research and evaluation will be agreed to support the wider transformation programme

12. Conclusion

ABMU Health Board and the City and County of Swansea, Neath Port Talbot County Borough Council and Bridgend County Borough Council are committed to the development of integrated health and social care services. A major transformation programme is underway across Western Bay to realise our ambitions and deliver joined up care for older people with complex needs.

Examples of Integrated Services developed within the ABMU Area

Swansea: Integrated Gower Team

In August 2013, there was little way of provision in community domiciliary care for the rural Gower area of Swansea. This problem was leading to delays in hospital discharge for patients requiring packages of care within the home setting. There were also difficulties in establishing packages of domiciliary care for those people at home requiring extra support in care, this included, palliative care, continuing care, rehabilitation and long term care.

The rural nature of the Gower area necessitates long driving distances between patient calls and therefore, there has been a long standing problem of maintaining domiciliary care services in this area. There were 4 different health and social domiciliary care teams working within the area. These teams were criss-crossing one another when visiting patients and there was an obvious waste of resources and an inefficient way of working. Something different had to be done with the winter season looming.

Working in a collaborative and efficient way with the local authority, a small Integrated Gower Team was formed with a selection of health and social care staff from all four existing teams.

The team which is comprised of health care support workers (HCSW), nursing and team leaders, is based with the Gower community nursing team and they deliver highly skilled care to all people living in the Gower area. Duplication and driving times have been significantly reduced and capacity has been created to allow domiciliary care provision to all residents requiring support in this rural area.

In the three months since the creation of the Integrated Gower Team has:

- There is currently no waiting list for any care within the Gower Area
- No patients are waiting unnecessarily in an acute hospital bed for care provision
- Patients within the hospital and home setting now have access to a responsive domiciliary care service
- Response times are range from 2 hrs to 2 working days.
- There is continuity, quality and safety in care provision.
- Patients requiring palliative care and wishing to die at home can do so without delay.

The importance of following a change process has been key to the success of the new integrated team. Involving all stakeholders early on in any key change was also important in gathering support.

The key lesson learnt was that not all problems can be solved at the outset; many issues follow a PLAN, DO, STUDY, ACT (PDSA) cycle of change. All members of the team are still learning and implementing changes as the service evolves over time.

Bridgend: Integrated Community Resource Team

The following client case study illustrates a complex programme of intervention from CRT services.

We received a referral for a young man living with his partner and young family who was independent with all aspects of his personal care and family life. He was admitted to hospital following a CVA with a dense left sided weakness and spent 14 weeks at hospital. He experienced low moods as he coped with major life changes and adjustments; he was discharged home with Reablement. His support on discharge consisted of 4 double handling calls 7 days per week.

All personal reablement goals were achieved and his ongoing support needs drastically reduced.

Incontinence was an issue initially, but with the provision and optimal siting of the appropriate equipment this ceased to such a problem.

Once home, his mood improved, he received intense Social Work support and his partner was offered and accepted a carers assessment. There were access issue to the first floor in the privately rented house rendering access the toilet and bathroom as challenging. The Social Worker was able to refer the family to housing services to facilitate the identification of more suitable housing through the Accessible Housing scheme.

He had also developed problems with his eyesight following the CVA for which he received support from the Sensory Impairment Team within the CRT. The Team made applications for support to the RNIB and Servicemen Associations.

Skin problems that were affecting both his and his partners' sleep were reviewed by a CRT Nurse and the advice and intervention resolved the acute symptoms.

Telecare service and Mobile Response Team support was arranged to enable his partner to feel more confident about returning to work, knowing that help would available should it be needed in her absence.

As the Reablement intervention progressed the service linked in with the Hospital Physiotherapist to consider the most appropriate on-going Therapy following Reablement and a referral for Outpatient Neuro physiotherapy was arranged.

The Stroke Association offered excellent support and the family were planning to join the local groups. He was definitely feeling more positive about the future.

At the end of CRT intervention, the feedback from the young man was *“The service was fantastic and an enormous support for my partner. I was originally sceptical but the service was inspiring, motivating and gave my confidence back that there is light at the end of the tunnel.”*

Neath Port Talbot : Integrated Community Resource Service

A 76 year old lady who suffered a stroke about 25 years ago, which had left her with weakness down her right side though she lived independently in England until a few years ago when her general health started failing and she came to live closer to her family.

During this period she had a prolonged admission to a community hospital . She returned home but due to her increasing frailty she had to have a large package of care to maintain her at home. She was coping reasonably well which in part was due to the excellent family support that she received. She became unwell October 2012 and was taken to the Emergency Department at Morriston Hospital. It was felt that she had a urine infection and she was discharged with antibiotics. These proved unsuccessful and she was admitted to a Community Hospital where she spent about 6 months. Due to her general condition and dependency it was felt that she needed to be looked after in a nursing home (NH). In addition to her above problems she also suffered from poor swallow, a mood disorder, diabetes, and had some cognitive problems.

She became unwell in the NH and was seen by her GP who thought it was a urine infection and treated her with antibiotics. She was subsequently seen by 2 on call GPs and given more antibiotics with no improvement, eventually the out of hours GP asked the staff to admit the patient her to hospital. Nursing home staff asked the GP to refer to the on call nurse practitioner (NP) from the Acute Care Team (ACT) who provide in-reach services into care homes.

He did this and the patient was examined by the NP who undertook an assessment. It was 4.30pm by the time the NP had a good picture of the patient and following liaison with the consultant, family and nursing home it was agreed that we could look after the lady in the community.

Regular and frequent care and treatment from Nurse Practitioner, District Nurses and Consultant Physician was provided into the care home. This included intravenous fluids and antibiotics. End of life care was discussed with the family and the Consultant and a do not resuscitate agreement was made. Through discussion with the family it was felt that the most appropriate way forward was to keep her in the NH and not to proceed with artificial feeding. There was a feeling that she may require end of life care including a syringe driver (to give drugs for symptom control) district nurses were happy to support as nursing home staff felt that they would not be able to manage it.

This was a frail lady who was comfortable and well looked after in a NH and who with the support of the CRT was able to remain at her home with appropriate levels of skilled and caring staff. Without the intervention of the CRT she would have most likely been put through the whole process of an unscheduled admission to a hospital.

City & County of Swansea/ABMU Health Board, Swansea Locality

Statement of Intent on Integration of services

Summary

This paper sets out the City and County of Swansea and Swansea Locality of ABMU Health Board statement of intent to integrate Health and Social Care services for older people with complex needs and seeks to capture some of the issues under consideration in the area. Whilst it is written from a specific Older Peoples Services perspective, there will be some inevitable linkage with health and social care services for adults with physical and sensory disabilities, learning disabilities and for people with mental ill-health.

It builds on the Western Bay Statement of intent which provides an overarching statement for ABMU and the three Local Authorities within the ABMU footprint and identifies the local work underway to achieve that integration. It is therefore important that it is considered in conjunction with that document which is appended. It does not seek to repeat the content contained in that document, but focusses on how we intend to develop local services which are integrated. In this context we will ensure that the Third Sector is also an integral part of current and future proposals

Background

Following the examination of key pressures on services in the Health, Social Care and the third sector in Swansea, it was clear that many were shared as far as older people were concerned.

As the ageing population grows, so too does the number of people with long-term conditions and multiple health and social care requirements. This can lead to unplanned admissions into hospital, regular presentation at the GP surgery and in many cases premature admission into long term care.

In Swansea we believe that these largely “normal” presentations of ageing should not limit an individual’s ability to continue to live independently at home for as long as possible.

This will not be achievable with the current system which consists largely of disparate and reactive, out dated service models. We know that these services are not adequately meeting the demands of this changing demographic profile because of the additional pressure on primary, secondary, social care, and third sector organisations. By default this means that collectively as two statutory organisations we are unable to meet the fundamental needs and desires of older people who live in Swansea.

We are committed to changing our service models to those that support the expectations consistently articulated by older people. This will involve radical transformation of our current provision of services and greater integration of services between partner organisations.

It will also involve a better understanding, by communities, of the role that the community can play in assisting everyone to maintain their independence, supporting them to remain safe and including individuals in those communities.

At both Western Bay and Swansea Council/Locality level it is recognised that the Intermediate Tier of Service will be the primary area of focus for the first phase of this transformation. This will include component areas, suitable for integration such as

- a Common Access Point;
- a comprehensive Rapid Response service;
- a range of community reablement services available to ensure that individuals can remain as independent as possible within their own homes;
- 'step up' and 'step down' facilities to assess and re-able individuals who cannot initially benefit from reablement facilities in the community;
- third sector brokerage to ensure the wealth of voluntary sector support can be efficiently accessed and appropriately utilised by individuals or professionals on their behalf;
- Investment in and development of other third sector services which will enhance the responsiveness of services
- more effective use of Telecare and other technologies to complement and enhance other services and to make the work of those providing services more efficient and effective
- Expanded medical workforce to better support people in the community

Future intent and Issues for consideration

The components required to achieve this first phase of integration will be:

Robust Governance arrangements

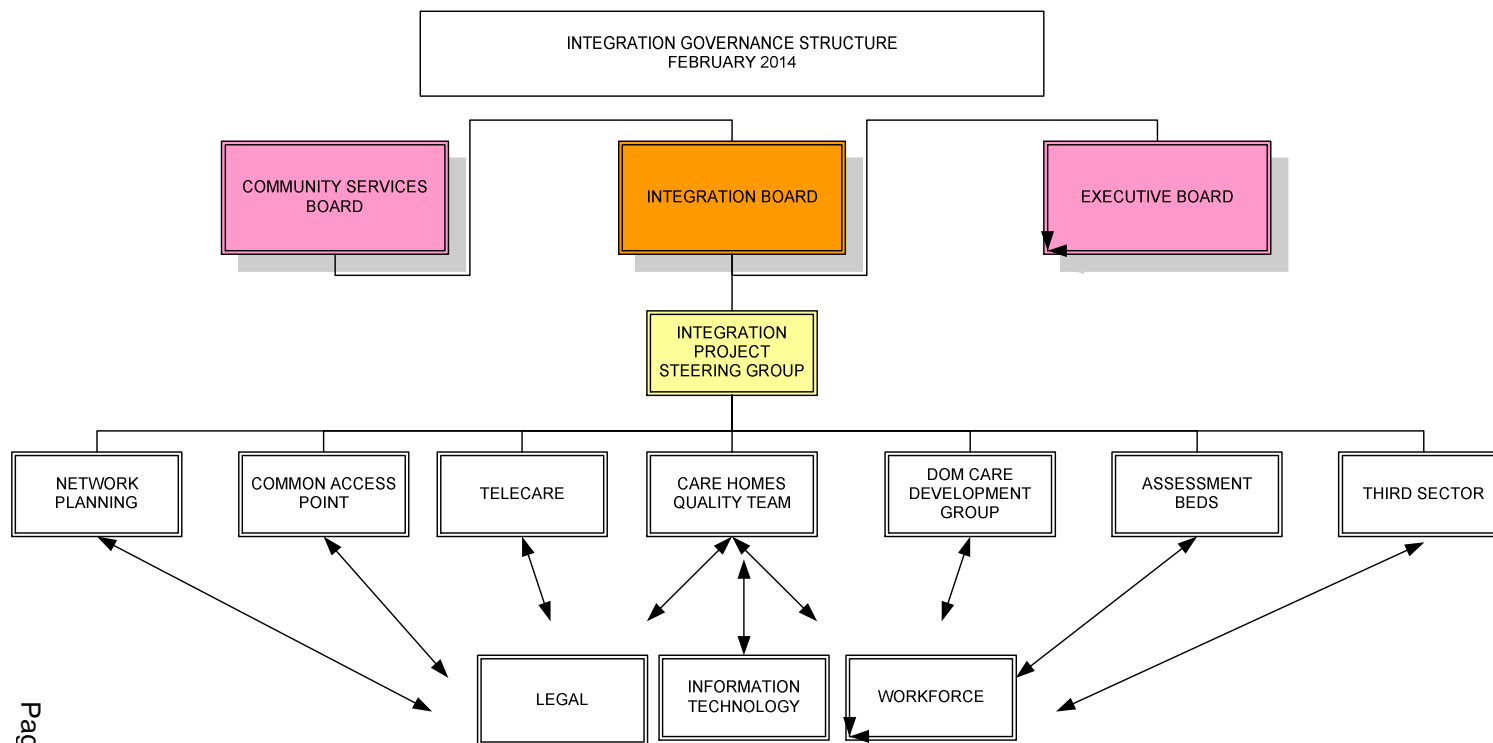
An Integration Board has already been set up comprising the Swansea Locality Director, the Chief Social Services Officer and the Director of the Swansea Council for Voluntary Service. This board will report to the respective Executive bodies of the partner organisations and will also need to develop linkage with the Western Bay Programme Board. Terms of reference for the board are currently being refined

Beneath this Board there will be an Integration Steering Group, answerable to the Integration Board and comprising appropriate representatives of the partner organisations. The Steering Group's primary function will be to ensure that the various work streams already in existence are progressing with the agreed implementation plans to the identified timescales. The Steering Group will also identify further work streams required to deliver the integration intentions

Further work will need to be carried out to ensure that there is effective engagement and meaningful partnership with service users, staff, staff side/ trade unions, patients, carers and citizens in the governance, design and delivery of our ambition

The Work streams already in existence are:

1. Common Access Point – this group has commenced work on developing the plan to channel all community based Health and Social Care enquiries through a single unified team using a single process. It is also working to expand provision of this service to one that operates on a 7 day 8:00am to 8:00pm basis.
2. Integrated Assessment Framework – this group is developing the local approach to implementing the Integrated Assessment Framework in Swansea, which will have some co dependencies with the other workstreams
3. Care Home Quality Team Integration – this group has met once to initially scope out the model of integration
4. Reablement – this is work being undertaken via the Domiciliary Care Development group which was established in 2013 to address a range of issues including capacity in the market, development of reablement services, rapid response, integrated Health and Social care teams and future commissioning arrangements including development of assessment beds (step up and step down)
5. Telecare – This group has been established to consider the development of Telecare, but will also include development of a dedicated responder service



The workstreams will be underpinned by specific task and finish groups to address the Legal, IT and workforce issues arising.

A further range of workstreams will need to be set up including Voluntary Sector Brokerage and planned community support, development of Care and Repair Services, integrated management structures, development of Community Network Hubs and integration of CRT/OT services

Issues to be addressed

The issues which will need to be considered – as identified in the Welsh Government paper on Integration – are as follows:

1: our common cause – why we are doing this

Increasing numbers of older members of the population coupled with increased longevity will result in increases in demand. Additional pressures on health and social care services – evidenced by increased unscheduled care or domiciliary care capacity issues – will continue to grow unless we change what we do

2: our shared narrative - why integrated care matters

The revenue Settlement for Local Government over the next three years, coupled with financial constraints in the health service will require innovative solutions. We have already seen some evidence, albeit on a small scale, of the benefits of integration in the Integrated Gower Care Team pilot. Further templates for integration across services and management will also need to be developed

3: our persuasive vision – what it will achieve

There is a challenge presented by the organisational structures within respective organisations. Corporate pressures on internal hierarchies within Social Care has significantly reduced managerial capacity. Health Services struggle with ensuring effective local delivery whilst remaining part of a massive organisation seeking corporate economies and efficiencies

4: shared leadership – how we are going to do this

The commitment to achieving integration is already well rehearsed at organisational levels within ABMU and CCoS. At Locality and Departmental Level there is strategic managerial commitment to the governance structures: The Locality Integration Board which reports to the Local Authority Executive Board and to the ABMU Management Board respectively. As stated above, a Steering Group has been set up to oversee the workstreams already in play and under development which will report to the Integration Board

5: how to build true partnership

This will require significant investment in the development of mutual trust between partner organisations and staff. Whilst good working relationships exist at a variety of levels within the Locality and Adult Services these can often be based on individual relationships rather than organisational relationships. A move towards shared integrated posts will assist in making such relationships more robust.

6: what services and user groups offer the biggest benefits

Our respective organisations are also organised distinctly and differently. For Adult Services, the various responsibilities, managed within one hierarchical structure are not mirrored within Health, where Learning Disability Services and Mental Health Services are distinct Directorates, delivered across the ABMU footprint. It is clear that initially the most significant early benefits to be realised will be in terms of services to older people and disabled adults

7: how to build from the bottom up and the top down

There are already a number of workstreams which have been built from 'mid-level' initiatives aimed at improving responsiveness, making efficiencies or addressing increased demand. Engagement with operational staff has been key to taking some of the current initiatives forward quickly. There is also commitment at higher level to achieve the alignment required for integration to work based around the development of the Community GP Networks and the organisational requirements of Older peoples Social Care Services.

8: how to pool resources

Integration of any aspect of two complex structures will inevitably identify system differences. Differences between IT systems, protocols on Data sharing, charging for services, VAT treatment etc. all conspires to make a difficult process even more challenging. However, they are not insurmountable and are part of the infrastructure developments that will be worked through

9: how to use commissioning, contracting, money and the independent sector to create integration

Discussion is underway around how the integrated model being proposed will be based around commissioning 'hubs' which will have a degree of delegated responsibility for the commissioning of services within an overall locality/Local Authority framework. Delegation of financial resources will present a significant challenge, as overall responsibility is likely to remain at Departmental level for the Local Authority to maintain consistency and equity across the LA. However, notional delegation of domiciliary hours and residential placements along with dedicated staffing budgets to Integrated Team Managers will be explored

10: how to avoid the wrong sort of integration

There is a distinct and different ethos in the respective organisations, which have different responsibilities and obligations. This will inevitably lead to some tensions when seeking to determine the 'best' form of integration to pursue. It will be difficult to balance differing pressures and competing priorities and there will be a temptation to regard high level integration as a possible solution to this. Equally, it may be tempting to avoid this level of complication and tension by integrating operational services and leaving separate managerial structures. It is likely that the better solution in the immediate future would be to pursue integration at a sufficiently senior level to achieve some strategic synergy, whilst retaining distinct and separate organisational accountability

It will also be important to ensure that the rationale for integration remains as a true desire to improve service delivery for patients/service users. The danger of being attracted to integration of services as a cost saving or 'cost shunting' mechanism will need to be resisted at all costs if true integration is to be achieved.

11: how to support and empower users to take more control

There will be a need to build on current engagement and consultation initiatives to realise true cooperative input to governance, design and delivery of all elements of this programme. This will present real challenges to both Health and Social Care partners who will need to be able to release and transfer elements of control over the direction of travel to patients, service users, carers and citizens

12: how to share information safely

Protocols for Information sharing already in existence will need to be robustly maintained. Initiatives to move towards shared IT systems will take some time to develop, but bids for Health Technology funding to improve the mechanisms for capture of data may be a stepping stone towards this

13: how to use the workforce effectively

Engagement with the Health and Social Care workforce will need to emphasise the sustainability of the integration approach, especially at a time of LA and NHS financial pressures. Where there are similar functions provided by the LA and Health e.g. (domiciliary and Reablement) those workforces will inevitably become integrated as it would make sense to do so.

14: how to set objectives and measure progress

It will be necessary for the Integration Board to set the goals and milestones for progress and for the Steering group to ensure that these are achieved. Whilst failure to achieve integration will not be an option, it is important to understand that the level and extent of eventual integration will be a negotiated outcome, dependant on a shared level of understanding of respective responsibilities and constraints. Integration will happen where it makes sense to integrate. The organisations will not integrate for the sake of integration if the outcomes for people will not necessarily improve.

Local objective setting at Network levels will be considered for the population within those geographical patches.

15: how to avoid being unrealistic about the costs

It is already evident that some of the issues around differentials in salary and pay grades, degree to which resources can be delegated, different legal requirements around issues such as charging etc will require careful consideration. The temptation to seek the cheapest option to achieve integration may lead to other unforeseen consequences, but will inevitably create challenges in terms of quality and capacity

16: how to build this into a strategy

The following represents the first phase of such a strategy

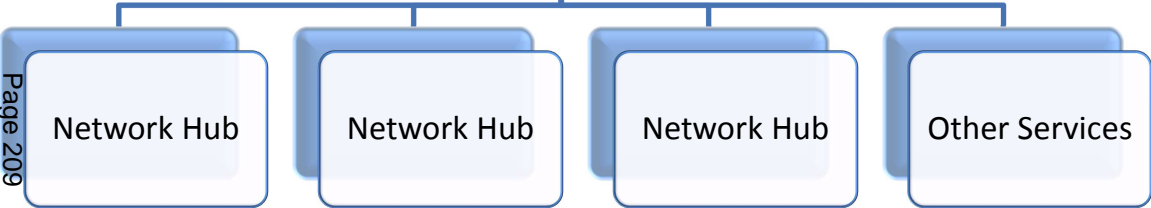
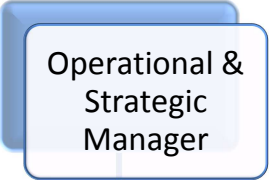
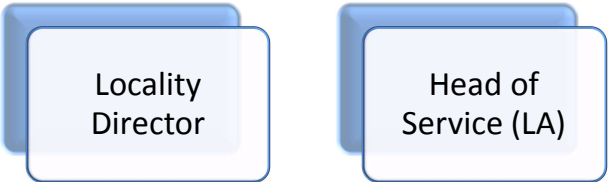
First Phases Proposal and rationale

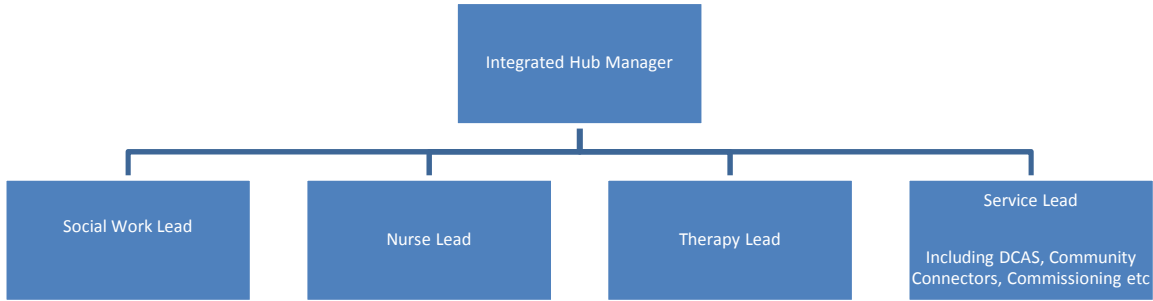
Given some of the issues raised above it may be sensible to consider the appropriate level of integration to which we aspire. To avoid the 'wrong' sort of integration requires some careful consideration. Current integration initiatives are aimed at operational and first line management integration around a number of discrete initiatives (as outlined in the attached action plan). Whilst there is good evidence being gathered of the effectiveness of some of these initiatives, it is too early to say whether they will all provide effective working models of integration to build on across the ABMU Swansea locality.

We also need to bear in mind the organisational responsibilities of the respective Health and Social Care Services. Organisational governance arrangements will require senior managerial oversight of respective bodies and this will need to remain within the organisational constraints of the Council and the Health Board.

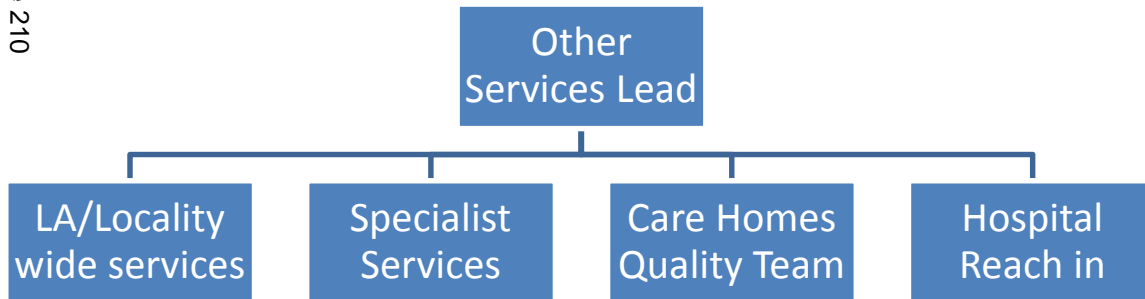
This all seems to suggest a clear coalescence of integration at a strategic level which 'fits' beneath current Locality Director/Head of Service level. This should offer sufficiently senior operational and strategic integration, whilst retaining distinct and appropriate organisational governance.

This proposed senior structure is therefore based on an outline model as below





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Some careful consideration needs to be given to how this proposal will fit into current organisational structures and also in terms of what staff and services will be placed within each 'hub' and equally importantly what will remain outside the hub. It is also important to recognise that the concept of the Network 'Hub' in the Locality is not currently officially a part of any LA or Health structure. The unit of management within the Locality for

health community services is the Community Network, but this does not easily reflect social care demand and service provision arrangements for Older Peoples services. The creation of the Network Hub, amalgamating some networks is a compromise which enables a better 'fit' with LA arrangements whilst still delivering and organising services in units which are more locally determined and responsive.

Even within this arrangement there will be some Health and Social Care services which are likely to sit outside these hubs. They are identified above as 'other services'. Further work is required to determine exactly which services will sit within the hub and which will sit outside in the other services category. These are likely to be those services and professionals who provide particularly specialised forms of support, to relatively small numbers of residents/patients, or where a service may be physically located in one place and for reasons of economic or professional efficiency cannot be broken down into smaller units.

The current proposal for the management of each hub is to have an integrated manager responsible for all services and staff within the hub, answerable to an integrated service manager, which will again be an integrated post.

Current status of Integration

The Welsh Government has usefully provided a Maturity Matrix which enables us to gauge not only the current status of our integration with Health but also to map our ambition. The matrix is reproduced below with colour coded areas representing where we are (blue arrow) and where we aspire to be (red arrow).

A Maturity Matrix to Support Health and Social Care Integrated Care Partnerships

Using the matrix: Identify the level you believe your partnership has reached for each key element (blue) and then draw an arrow to the level you intend to reach within the next 12 months (red). Review the partnership's maturity matrix position on a frequent basis.



Progress Levels	0	1	2	3	4	5
Key Elements	No	Basic level Principle accepted and commitment to action	Early progress Early progress in development	Results Initial achievements evident	Maturity Comprehensive assurance in place	Exemplar Others learning from our consistent achievements
Purpose and vision		Purpose debated and agreed. Values and priorities agreed, and documented. Political agreement to integration confirmed and documented across Health, Social Care, Third Sector and Partners. 'Health and Social Care Integration Partnership' (H&SCIP*) understands its role	Priorities and stretch goals have been agreed with stakeholders. Robust mechanism for adding and removing services and/or care settings agreed. Plans rooted in local population needs	Evidence priorities are being met, with progress towards stretch goals in some areas. Evidence of citizen engagement and public accountability testing purpose and vision. Existing partnership work considered	Systematically match how purpose dovetails with population needs. Evidence that integrated care is enhancing the quality of services and experience for the citizen	Confidence in achieving purpose and vision as population health benefitting in accordance with plans. Local health planning, local authority commissioners, third sector and other partners have been influenced. Evidence of reduction of waste and duplication through tackling duplication and fragmentation
Strategy		All stakeholder strategies relevant to work gathered and timetable set for developing integrated strategy. Base for all 'H&SCIP' strategic decisions. Political sign-off of strategy by all partners	Strategy development underway. Arrangements in place for areas of joint planning/commissioning and investment opportunities	H&SCIP has a current published strategy, which includes improvement milestones and how they will be measured and monitored	Strategy refined in light of successful achievement of milestones, and new intelligence and aspirations	Strategy has benefited other health and social care economies, as well as influencing the strategic direction of all local partner organisations
Leadership of the local health and social care integration economy		H&SCIP leadership agreed and appointed. Key stakeholders aware of leaders and how to contact. Relevant stakeholders identified and invited to participate. Local health, social care, third sector and partner resources understood	Leadership development for 'H&SCIP' discussed and agreed. Development plans initiated. Stakeholders understand leadership issues. Relevant stakeholders regularly attend and provide input into work programme	Results of partnership working systematically reviewed. Relationships with partners are positive and ongoing dialogue about planning, commissioning, contracting decisions and joint investment opportunities. Public Health voice is evident in decisions	Review of success of leadership approach. Ongoing succession plans in place. Benefits of partnership working have enabled the majority of stakeholders to meet their improvement objectives and resource allocation	Benefits of partnership working have enabled majority of stakeholders to exceed their improvement objectives. Outcomes improved and this is traceable back to initiatives from the 'H&SCIP'
Governance		Membership and terms of reference for the 'H&SCIP' Board drafted and shared	'H&SCIP' Board set up and first annual cycle of business agreed. Relationships with relevant local organisations being developed	Local stakeholders have clearly incorporated 'H&SCIP' Board accountabilities into their own governance arrangements	'H&SCIP' Board has reviewed its first year of working through a structured annual review process and made improvements to structure and organisation	Good governance benefits identified and the 'H&SCIP' Board know better governance practice has influenced local partner organisations
Information and intelligence		Information requirements identified and format of initial dashboard agreed	Developed a dashboard of key information and information improvement continues. KPIs reflect shared performance objectives across health, social care and partners	'H&SCIP' report confidence with levels of intelligence they receive, and that information systems are reliable and working. H&SCIP receiving evidence of performance improvement against KPIs	'H&SCIP' informed by real-time intelligence, demonstrating improved outcomes, quality and efficiency across health and social care	A single information system established and utilised across the partners. Outcomes and performance benchmark against best performers
Expertise and skills		Skills and expertise for 'H&SCIP' have been identified and agreed	Induction and development plans for 'H&SCIP' partners and staff are up and running	The 'H&SCIP' influencing skills are evident by success in positive change to local planning and the pattern of local service provision	The 'H&SCIP' supports LHDs, Local Authorities, Third Sector and partners by valuing key planning/skills. The H&SCIP Board acts as a forum to bring in specialist skills and expertise to support planning/commissioning	

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Agenda Item 13.

Report of the Head of Legal, Democratic Services & Procurement

Cabinet – 1 July 2014

EXCLUSION OF THE PUBLIC

Purpose:	To consider whether the Public should be excluded from the following items of business.	
Policy Framework:	None.	
Reason for Decision:	To comply with legislation.	
Consultation:	Legal.	
Recommendation(s):	It is recommended that:	
1)	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	Item No.	Relevant Paragraphs in Schedule 12A
	14a	13 and 14
	14b	14 and 16
Report Author:	Democratic Services	
Finance Officer:	Not Applicable	
Legal Officer:	Patrick Arran – Head of Legal, Democratic Services and Procurement (Monitoring Officer)	

1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as

set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

- 3.1 There are no financial implications associated with this report.

4. Legal Implications

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
 - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
 - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
 - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. His view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
13	Information which is likely to reveal the identity of an individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. His view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. His view on the public interest test was that:</p> <p>a) Whilst he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</p> <p>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</p> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. His view on the public interest test was that whilst he is mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them he was satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>
	<p>No public interest test.</p>
17	<p>Information which reveals that the authority proposes: (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) To make an order or direction under any enactment.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

Agenda Item 14.a

By virtue of paragraph(s) 13, 14 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

Document is Restricted

Agenda Item 14.b

By virtue of paragraph(s) 14, 16 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

Document is Restricted