

# Public Document Pack



Neuadd y Sir  
Y Rhadyr  
Brynbuga  
NP15 1GA

Dydd Llun, 15 Ionawr 2018

## Hysbysiad o gyfarfod

### Pwyllgor Craffu Oedolion

Dydd Mawrth, 23ain Ionawr, 2018 at 10.00 am  
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA

#### AGENDA

**BYDD CYFARFOD CYN I AELODAU'R PWYLLGOR 30 COFNODION CYN I'R  
CYCHWYN Y CYFARFOD**

| Eitem ddim | Eitem  | Tudalennau |
|------------|--|------------|
| 1.         | Ymddiheuriadau am absenoldeb   |            |
| 2.         | Datganiadau buddiant   |            |
| 3.         | Fforwm Agored i'r Cyhoedd  |            |
| 4.         | Diweddariad ar Gartrefi Gwag   | 1 - 40     |
| 5.         | Polisi Dyrannu Lleiniau Sipsiwn a Theithwyr  | 41 - 74    |
| 6.         | Perfformiad Diogelu  | 75 - 118   |
| 7.         | Cynllun Lesu Preifat Melin   | 119 - 156  |
| 8.         | Blaenraglen Waith Pwyllgor Dethol Oedolion   | 157 - 160  |
| 9.         | Cynllun Gwaith y Cyngor a'r Cabinet  | 161 - 166  |
| 10.        | Cadarnhau mai dyddiad y cyfarfod nesaf yw dydd Iau 8 Chwefror 2018 am 10.00am (Cyfarfod Arbennig) a dydd Mawrth 20 Mawrth 2018 am 10.00 a.m. |            |

**Paul Matthews**

**Prif Weithredwr**

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## CYNGOR SIR FYNWY

### MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

S. Howarth  
L.Brown  
L.Dymock  
M.Groucutt  
P.Pavia  
J.Pratt  
R. Harris  
R. Edwards  
S. Woodhouse

### **Gwybodaeth Gyhoeddus**

#### **Mynediad i gopiâu papur o agendâu ac adroddiadau**

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democrataidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

#### **Edrych ar y cyfarfod ar-lein**

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

#### **Y Gymraeg**

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

#### Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

#### Ein sir yn ffynnu

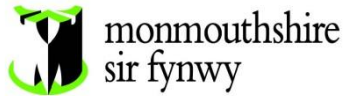
- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

### Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

### Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.



|                                 |                                     |
|---------------------------------|-------------------------------------|
| <b>SUBJECT:</b>                 | <b>Empty Homes Update</b>           |
| <b>MEETING:</b>                 | <b>Adult Select Committee</b>       |
| <b>DATE:</b>                    | <b>23<sup>rd</sup> January 2018</b> |
| <b>DIVISION/WARDS AFFECTED:</b> | <b>All</b>                          |

## 1.0 PURPOSE

- 1.1 The purpose of the report is to update members on the current position of empty properties in Monmouthshire and the approach being adopted to tackling this issue historically and for the future. Please refer to **Appendix 1**

## 2. RECOMMENDATIONS

- 2.1 Consider the extent and impact of Empty Homes on Monmouthshire and local communities and the current approach being taken to reduce Empty Homes.

## 3. KEY ISSUES

- 3.1 Tackling empty properties is an area of social policy prioritised by Welsh Government for a number of reasons, including:
- They could be a source of accommodation for people in housing need providing they are situated in the right areas and at the right price, either to buy or rent.
  - Also they are a source of accommodation that could alleviate issues of homelessness, another policy area prioritised by WG.
  - They can have a detrimental effect on the community in which they are situated if they have been left to deteriorate, for example, vandalism and vermin infestation.
  - Owners, as potential landlords can be regarded as small businesses and, if in receipt of a rental income, could be contributing to the local economy.
- 3.2 Although prioritised by the Welsh Government, the issue and problems associated with empty properties can vary from one local authority area to another. This is also true of the work undertaken by various local authorities in the work they undertake to bring their long term empties back in to use.
- 3.3 Work was undertaken by both Environmental Health and Housing on the condition of Monmouthshire's empty properties during 2013 – 15 and March 2017 through a programme of inspections. The conclusion of that work found that the issues associated with long term empty properties does not exist in any meaningful way in which their return would contribute to points highlighted in 3.1 above. The properties inspected were, particularly, not to be in a poor physical condition.
- 3.4 Informed by the Environmental Health condition inspections, the key conclusions are:
- 3.4.1 Monmouthshire does not have an empty property issue in the traditional sense as typified by headline news of rows of empty and dilapidated houses causing environmental issues.
- 3.4.2 A typical empty property found in Monmouthshire can be characterised as being:
- Owned by family members; refurbished for the owner to occupy; sound condition and having no negative impact on its immediate environment; often don't lend themselves for affordable housing for various reasons such as often being in rural areas or to be too large and would command a high rent value putting it far outside the parameters of what constitutes affordable housing.

#### **4. OPTIONS APPRAISAL:**

4.1 Option 1: Cease tackling empty homes. This option would be contradictory to the expectations of Welsh Government, particularly as the Council needs to report on Empty Homes through a National Performance Indicator.

Option 2: To increase the level of resource and/or staffing and nature of the work undertaken.

Option 3: To continue with the nature and scope of the work currently being undertaken by Housing & Communities

4.2 It is recommended to adopt option 3 as currently this offers a measured approach that is proportionate with the issue of empty properties in Monmouthshire.

#### **5. EVALUATION CRITERIA:**

5.1 A further review will be conducted in 12 months to evaluate the impact of empty properties continues to have within Monmouthshire and will feed into an update report to Select in January 2019. The review and update will inform the scope of the work Housing will carry out during 2019 – 20. To aid future reviews an evaluation assessment is attached (**Appendix 2**).

#### **6. REASONS:**

6.1 The Welsh Government has a long term objective to reduce the number of property throughout Wales.

#### **7. RESOURCE IMPLICATIONS:**

7.1. None

#### **8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):**

8.1 The significant equality impacts identified in the assessment are summarised below for members' consideration (Appendix 3):

- Properties that are brought back in to use will contribute to the overall availability of housing within Monmouthshire.
- Properties that are brought back in to use can contribute to the people, economy and the environment.

8.2 The actual impacts from this report's recommendations will be reviewed every year and the criteria for monitoring and review will include:

- The level of work undertaken and the number of properties being brought back into use

8.3 No negative implications have been identified in respect of this report. The Equalities Impact and Sustainable development assessments are attached (**Appendix 3**).

8.4 The policy supports the Council's Safeguarding policy. There are no implications identified (**Appendix 3**).

#### **9. CONSULTEES:**

10. **BACKGROUND PAPERS:** None

11. **AUTHOR:** Stephen Griffiths, Strategy & Policy Officer (Housing & Communities)

12. **CONTACT DETAILS:** E-mail: [stephengriffiths@monmouthshire.gov.uk](mailto:stephengriffiths@monmouthshire.gov.uk) Telephone: 01633 644455

## EMPTY HOMES UPDATE

### 1. Introduction:

- 1.1 This paper sets out the current issues of empty properties in Monmouthshire and recommends the level of priority that should be given to return properties back into use.

### 2. Definition of an Empty Property:

- 2.1 An empty property is one which is liable for council tax and which has been empty for over 6 months.

### 3. Background:

- 3.1 Bringing back in to use empty properties is a high priority of the Welsh Government because of the detrimental affect they have both socially and environmentally. This is particularly true when the issue of a shortage of affordable homes is raised and correlated to the number of empty properties available. Returning empty properties back into use is seen as one option in which to address a shortage of affordable housing.
- 3.2 This is particularly so in those local authority areas which are more urban than rural and have large towns and cities. Here, you are likely to find your more typical characteristic of an empty property of rows of empty properties in a poor state and having a detrimental impact on the street scene. These types of properties are also more likely to lend themselves suitable for affordable family homes.
- 3.3 Returning properties into use can be a resource intensive activity which requires officer participation from a number of departments within local authorities, such as:
- Revenue: for addresses of the empty properties and contact details of owners – Properties are verified as empty for council tax records.
  - Environmental Health: Property inspection are undertaken to determine whether the property is having a detrimental impact on its surroundings, for example, whether the property affects other properties or the health of other people, the condition of the garden, whether the property is verminous, whether the property has council tax debt. Properties are scored on a matrix, the higher the score the more serious the risk and consequently the level of enforcement required to address the risk, this includes
    - Enforced Sales - where a property is sold if the owner refuses to pay the local land charges registered against it.

- Empty Dwelling Management Orders - through which the Council takes over the management of the property for a period of up to seven years.
- Compulsory Purchase Orders - where the Council can evidence a case to purchase the property outright using legislation and then pass the property on to an RSL, or sell for owner occupation.
- Statutory Notices - where owners fail to maintain their properties to a minimum legal standard
- County Court action to recover outstanding debts.
- Legal: will be responsible for the legal work required to prosecute those owners who do not comply with enforcement orders or drafting Compulsory Purchase Orders (CPO's) or Empty Dwelling Management Orders (EDMO's).
- Housing: Developing and overseeing the administrative procedures of initial and follow up contact with empty property owners offering advice and assistance, for example:
  - To inform the owner that they have a responsibility to inspect and maintain the property;
  - Informing the owner of the lost potential of generating an income from the property
  - Advice on renovation loans
  - Advice on future use of the property, such as landlord information and Monmouthshire Lettings Service (MLS).
  - Voluntary acquisitions - where the owner is introduced to a prospective buyer, usually a Registered Social Landlord.

3.4 Many local authorities that have a high proactive approach to returning empty properties back into use do so because of extremely large numbers empty properties in their area and consequently employ a specialist Empty Property Officers.

3.5 However, the reality for many local authorities, especially in Wales is that empty property work forms only one aspect of an officer's remit and therefore is one of many priorities officers have to juggle. How much of a priority empty properties is given will depend upon the nature of the problem within a local context and the likely net result.

#### **4. Council Tax Records:**

4.1 When a property first becomes empty an owner will declare this to Council Tax in order to claim an exemption on their council tax liability. Empty properties in the exemptions classes at 4.2 below, are used to determine the total number of empty properties which will form the baseline data for contacting owners and for Welsh Government monitoring returns (the denominator).



## 4.2 Exemptions

| Exemption Class | Definition  |
|-----------------|---|
| A               | Unoccupied and unfurnished property undergoing repairs /renovation.   |
| C               | Unoccupied and unfurnished property   |
| F               | Unoccupied property which is awaiting probate.  |
| G               | Unoccupied property which is unoccupied because occupation is prohibited by law.                                |
| L               | Unoccupied property where a mortgagee is in possession  |
| Q               | Unoccupied property where the person who would normally pay the Council Tax is a bankrupt or insolvent trustee. |

## 5. Extent of Empty Properties in Monmouthshire 2012 - 2015

- 5.1 A research project was conducted by Environmental Health over a 3 year period 2012 - 2015 on empty properties in Monmouthshire. The project's remit was to inspect properties and to feed their findings into a property condition matrix that would rank them on their overall risk factor as either being low, medium or high. The inspections were carried out over three phases with a report drafted following phases one and two. No report was drafted for phase three.
- 5.2 Factors that were taken into consideration when assessing risk including the length of time the property has been vacant; whether the property affects other properties or the health of other people; the condition of the garden; whether the property is verminous and whether the property has council tax debt etc.
- 5.3 A property with a low risk score would require no action to be taken, while a property that was considered high to very high risk could have some form of enforcement action taken against the owner to remedy the risk.
- 5.4 Council tax records as at the 1<sup>st</sup> April 2012 were used to identify empty properties with those empty for the longest period chosen to inspect first (1000+ days). These were targeted for inspection with the presumption that these properties would probably be in the worst condition as they have been empty the longest. This assumption may be incorrect but in the absence of any previous proactive inspections of empty properties, resulting in little knowledge of our empty stock in Monmouthshire, this was deemed to be a starting point.
- 5.5 A summary of the findings is set out below, a more detailed account can be found in appendix i

- Phase 1: 104 properties were inspected based on the ones which have been empty the longest (1000+ days). Of the 104,
  - 20 were back in use. Of the remaining 84 properties,
  - 6 were low risk,
  - 75 were medium,
  - 1 was high and
  - 2 were very high (as per the scoring matrix).
  - None were found to be in Council Tax debt.
  - 8 of the highest scoring properties would be re-inspected in phase 2 and the options available would be low level enforcement (as per the enforcement table in the report) but all properties were found to be remote and not impacting on residential areas.
- Phase 2: A further 34 properties were inspected based on the next tranche that had been empty the longest. Of the 34
  - 12 were found to be back in use. Of the remaining 22,
  - 16 were found to be low risk (with a score under 5 of a possible 41) and
  - 6 to be medium risk (score of 5-15).
  - Only 2 of the low scoring properties were found to have Council Tax debt.
  - 6 out of the 8 properties from phase 1 were re-inspected with the same score as they had in phase 1. Five of them were considered as being suitable to attract low level enforcement options (see paragraph 7 on enforcement options) but because of their location (remoteness) they were not impacting on any residential areas so no further action was deemed the appropriate response.
  - One property had potential for the Environmental Health department to look into further but as of yet no action has been taken.
- Phase 3: For phase 3 the approach changed due to not finding any real issues with the properties empty the longest. Properties were identified based on their location with town centre properties being thought as a suitable target as these might be more suitable for affordable accommodation.
  - 23 properties were inspected in total, 19 properties in Chepstow and 4 in Monmouth. Of the 23 inspected:
    - 18 were found to be reoccupied or under renovation,
    - 2 could not be accessed and of the rest
    - 3 were low scoring so there was no action to be taken.

5.6 Although the project and its findings are historical there is a belief that similar outcomes would be found if the project was undertaken more recently. This belief is based around a

lack of evidence coming forward through complaints of empty properties and through a snapshot exercise of the current data base conducted in March 2017.

**6. Snapshot of Empty Properties in Monmouthshire March 2017:**

6.1 Council tax records showed that as at the 31<sup>st</sup> March 2017, 832 properties were classed as empty.

6.2 For our purposes only Class C properties (An unoccupied dwelling substantially unfurnished) were considered and from this group a further number of properties were also removed such as:

- i. Social housing (not required by WG)
- ii. Private retirement homes (usually difficult to sell on due to covenants, etc).
- iii. Properties where the owners contact address is not known.

6.3 This created a list of 462 properties which was further broken down by area (postal code). To this an analysis based on officer experience separated out the urban based properties from the rural ones. For this exercise postal codes NP15 (Usk), NP18 and NP4 were considered rural. This separation is based on the premise that the type of properties that would lend themselves more appropriate for affordable housing would be found in the urban areas. Also, if their physical condition was poor then it would have a greater impact on the surroundings. Figures 1 and 2 show the rural / urban spit by post code and county wide. Figure 3 represents a pictorial view of the extent of empty properties in Monmouthshire.

Figure 1

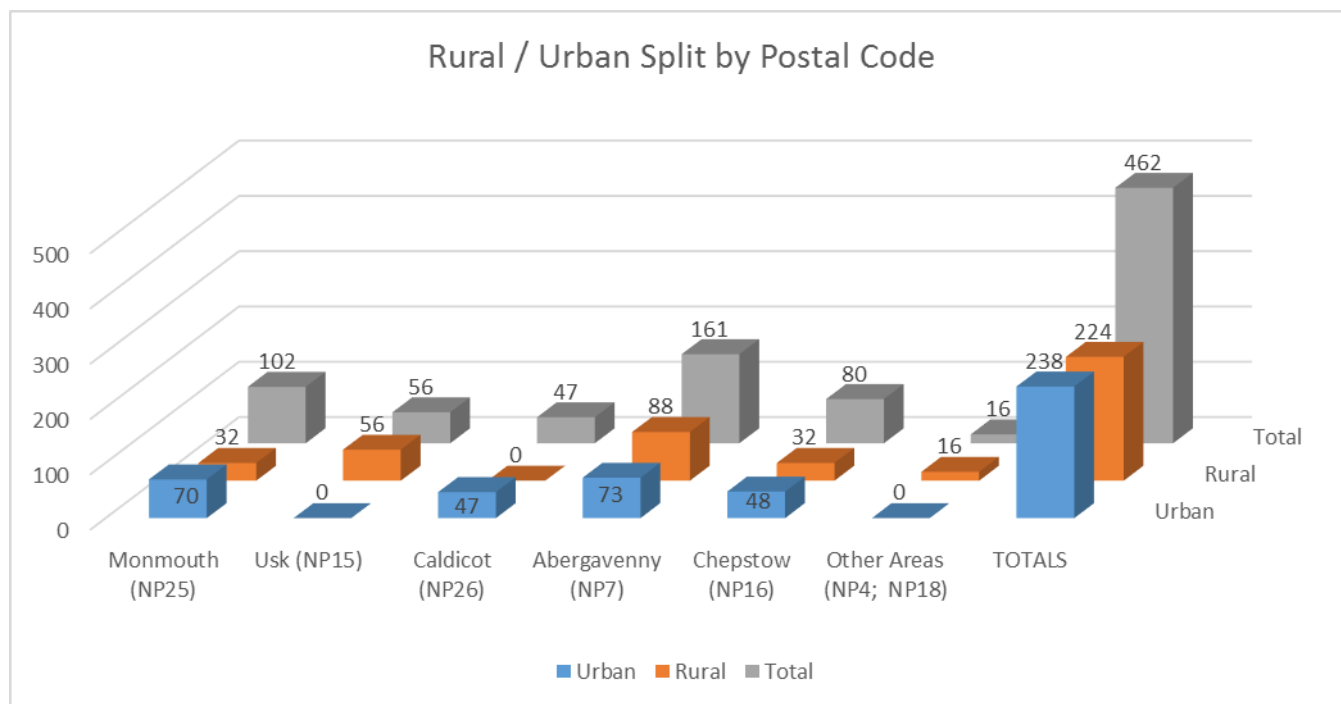


Figure 2

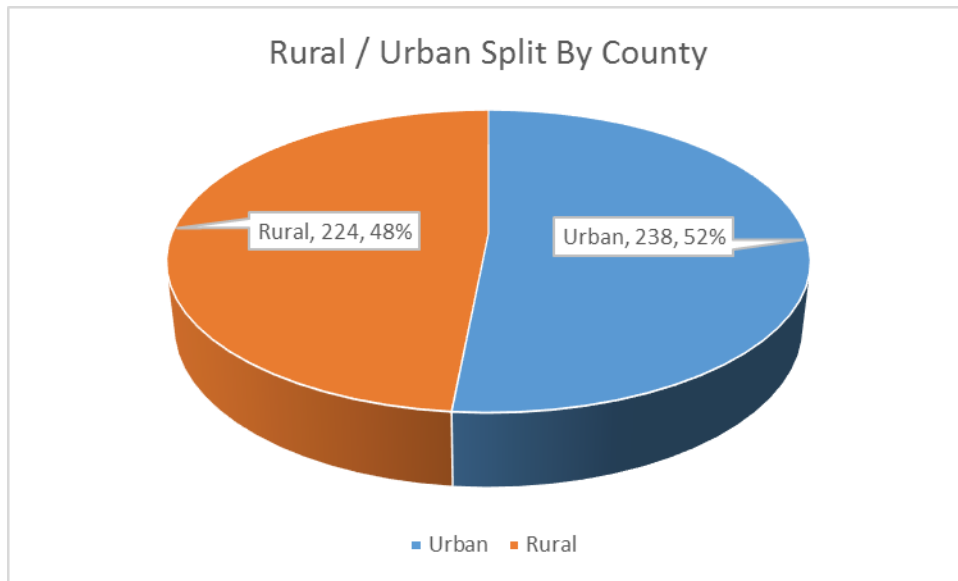
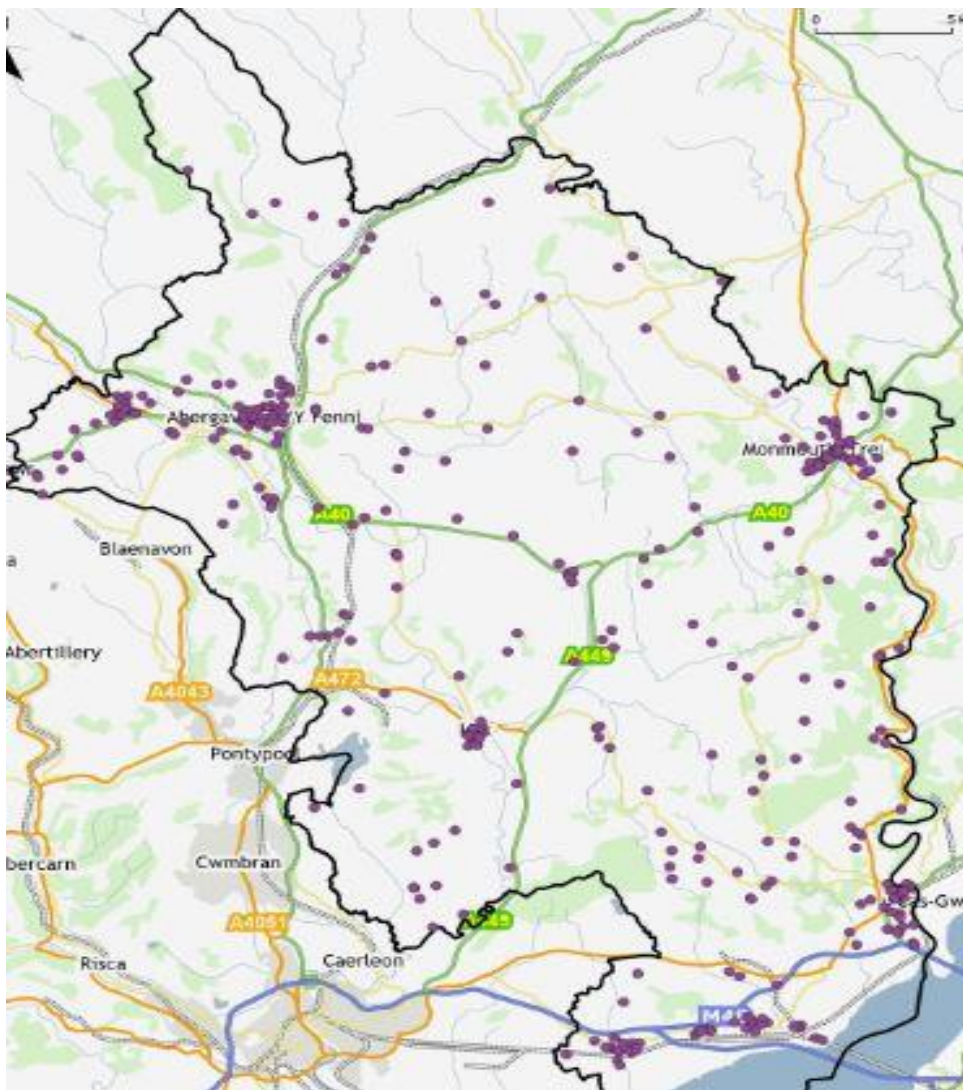
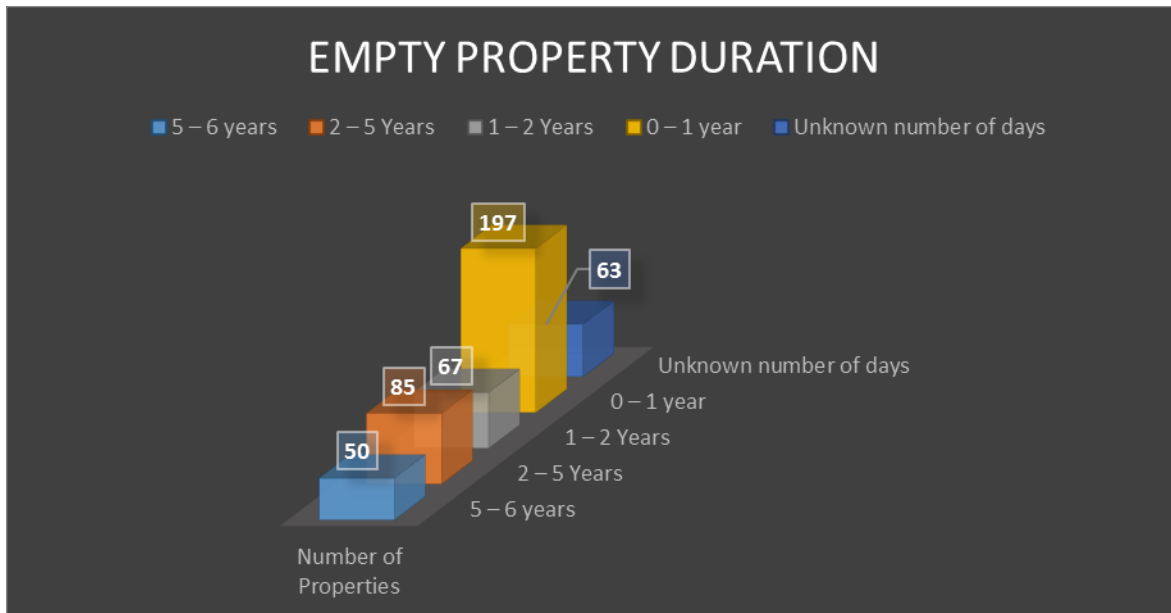


Figure 3



6.4 Figure 4 below, categorises the number of empty properties into the length of time they have been empty.

Figure 4



6.5

- 34.84% of all empty properties can be found in the Abergavenny area.
- The average number of days of a property is empty is 616
- The median length is 414 days.

6.6 A desk top exercise (Google Street View) coupled with property visits was undertaken on a selected number of empty properties using Council Tax records as at the end of March 2017. The reasons for the exercise was to determine roughly where the properties were located; whether they lent themselves suitable for affordable accommodation and their physical condition.

6.7 The exercise highlighted the following:

- A high proportion of properties visited were no longer empty.
- Almost all of them were in a good state of repair with those that weren't only required minimal work (some of which were already in the process of being refurbished).

6.8 Anecdotal information received from those owners who have contacted Housing in response to a mail drops that are conducted twice a year, suggest that owners are more of the accidental variety, ie, they have inherited the property or have bought the property to refurbish and move in themselves. There seems little evidence to suggest that empty property owners are speculative and accessing the "buy to leave" market whereby they acquire properties with the intention of keeping them unoccupied, to realise increase in capital values.

## **7. Dealing with the problem of empty properties:**

7.1 The Council has a number of remedies available to it in which to deal with empty properties. These can range from the softer approach of persuasion letters; the practical assistance of advice information and the availability of loans (see paragraph 7.4.1) to the more punitive measures that can be found in legislative acts, below.

- i. Section 215 Town and Country Planning Act 1990
- ii. Building Act 1984, Sections 77 and 78
- iii. Housing Act 2004, Section 5 and 7
- iv. Local Government (Miscellaneous Provisions) Act 1982, Section 29
- v. Local Government (Miscellaneous Provisions) Act 1976, Section 35
- vi. Building Act 1984, Section 59
- vii. Public Health Act 1961, Section 17
- viii. Public Health Act 1961, Section 34
- ix. Prevention of Damage by Pests Act 1949, Section 1
- x. Environmental Protection Act 1990, Section 80
- xi. Building Act 1984, Section 76
- xii. Public Health Act 1961, Section 34
- xiii. Town and Country Planning Act 1990, Section 215
- xiv. Environmental Protection Act 1990 section 80

## **8. Monmouthshire's Approach to dealing with its empty properties:**

8.1 Monmouthshire County Council use council data from which to contact property owners. A three stage procedure has been developed whereby owners are contacted on a regular basis through initial and follow up letters that advise them of the Council's wishes to see empty properties brought back into use and to raise awareness about the options available to them to tackling empty properties in Monmouthshire. The procedure promotes the 'softly softly' approach especially through the initial contact letter and the follow up letter (stages 1 and 2). Stage 3 however is more punitive in nature as it refers to the involvement of Environmental Health and the powers of enforcement available to them through the acts described in paragraph 5 above.

8.2 However as a result of the exercise carried out during 2012 – 15, stage 3 of the process, that is, the threat and use of enforcement has not been used to date. The snapshot exercise carried out during March this year suggests that the use of stage 3 will unlikely be used in the foreseeable future.

8.3 Other remedies promoted by the Council are the interest free empty property loans through the Houses to Homes Scheme (H2H) and the services of the recently developed Monmouthshire Lettings Service.

### 8.3.1 Houses to Homes (H2H) Loan Scheme.

The Welsh Government introduced the Houses into Homes scheme in 2012 to assist owners bring their vacant properties back into use. An interest free loan of up to £25k per property (up to a maximum £150K per applicant) can be borrowed over 2 or 3 years to help owners refurbish their properties.

### 8.3.2 Monmouthshire Lettings Service (MLS) – to be introduced May 2017

The lettings service will be similar in design to a high street lettings agency. The services provided will include legal advice, 'find a tenant' and tenant verification, inventories, sign ups, inspections, rent collection, tenancy agreement drafting and housing support. This will be offered initially as a free service to encourage landlords (and empty property owners to become landlords) to use the service.

## 9. **Empty property performance to date:**

9.1 There has been a steady increase over the years in the number of properties being brought back into use. Table 3 below shows the increase from April 2014 to end of March 2017.

Table 3

|                          | 2014 - 15 | 2015 - 16 | 2016 - 17 |
|--------------------------|-----------|-----------|-----------|
| Numerator                | 64        | 94        | ??        |
| Denominator              | 623       | 663       | ??        |
| % brought back intro use | 10.27     | 14.18     |           |
|                          |           |           |           |

9.2 We have made loans worth a total of £230,000 through the H2H scheme to the following projects:

- A conversion project of a commercial building in Abergavenny to 5 x 2 bed flats. The loan amount was £125k with the total cost of the project being around £300k.
- A renovation project of a 4 bed house in Clydach.
- A conversion project of 2 Flats in Chepstow.
- A renovation project of a 3 bed semi in Chepstow
- A renovation of a detached house In Abergavenny

## 10. **Empty Property Performance Indicator (brought into effect from the 1<sup>st</sup> April 2017):**

10.1 This is based the number of private sector dwellings that had been vacant for more than 6 months at 1 April that were returned to occupation during the year through direct action

by the local authority (numerator A), plus the number of additional units of accommodation created (the numerator B) .

10.2 This is represented as a percentage and is calculated by using the total number of properties identified as empty in classes A,C,F,G,L,Q (the denominator) through council tax records but excludes certain categories of properties, for example, social housing properties.

10.3 The proposed introduction of the new PI is likely to lead to a significant increase in the denominator due to the extended number of classes than previous years when class c only was used as the denominator. Consequently the percentage number of empty properties returned into use will fall.

## **11. Conclusion:**

11.1 What can be concluded from the exercise is that Monmouthshire does not have an empty property issue in the traditional sense as typified by headline news of rows of empty and dilapidated houses causing environmental issues as can be found within other local authority areas throughout Wales, especially those that have large towns. A typical empty property found in Monmouthshire can be characterised as

- Being owned by family members;
- Being refurbished for the owner to occupy;
- Being in sound condition and having no negative impact on its immediate environment;
- A property that did not lend itself for affordable housing for various reasons such as
  - It is likely to be in remote areas. or
  - It is likely to be too large and would command a high rent value putting it far outside the parameters of what constitutes affordable housing.

11.2 For those small number of properties in poor condition, these could be could be characterized as:

- A property having a slight impact on its immediate environment;
- A property that has limited enforcement remedies available;

11.3 For Monmouthshire the use of statutory enforcement powers are of little use in an empty property market where there are no serious issues of neglect and deprivation, coupled to this is the location as a result the Council has had limited success in its ability to return homes back into use.

## **12 Recommendations:**



- 12.1 The Council will continue to contact all empty property owners on a regular basis to offer advice and assistance and to promote the services we can offer owners to assist them return their properties back into use.
- 12.1 In particular the Council will target those empty properties that have been empty for longer than two years and are situated within urban areas.
- 12.2 The Council will continue respond to complaints in a timely manner and investigate them on a case by case basis.

## **Environmental Health Empty Homes Project**

### **Summary;**

Three phases of inspections. Report 1 following phase 1 and Report 2 following phase 2. There was not a report done for phase 3 inspections.

Project started in 2012.

- Phase 1: 104 empty properties based on the ones which have been empty the longest. Of the 104, 20 were back in use. Of the remaining 84 properties, 6 were low risk, 75 were medium, 1 was high and 2 were very high (as per the scoring matrix). None were found to be in Council Tax debt. We said we would re-inspect the 8 highest scoring properties and the options available would be low level enforcement (as per the enforcement table in the report) but all properties were found to be remote and not impacting on residential areas.
- Phase 2: consisted of a re-inspection of the 8 high scoring properties from phase 1. During Phase 2, 6 out of the 8 properties were re-inspected including the 3 with the higher scores. After re-inspection of these 6 the scores remained the same. 1 property had potential for the Environmental Health department to look into further and that is the property in Caerwent.

A further 34 empty properties were inspected based on the next tranche that had been empty the longest. 12 were found to be back in use. Of the remaining 22, 16 were found to be low risk (with a score under 5 of a possible 41) and 6 to be medium risk (score of 5-15). Only 2 of the low scoring properties were found to have Council Tax debt.

- Phase 3: The approach changed due to not finding any real issues with the properties empty the longest so we inspected 19 properties in Chepstow and 4 in Monmouth with the idea that we would tackle town based empties. Of the 23 inspected, 18 were found to be reoccupied or under renovation, 2 we couldn't access and the rest were low scoring so there was no action to be taken.

### **Conclusion –**

- Having inspected 161 properties 50 were no longer empty. Of the remaining 111 an external survey was carried out between 2012 and 2015 using a scoring matrix designed to highlight any properties which are significantly impacting on their local community.
- The vast majority of those surveyed were not found to be having a significant impact, many of which being in remote locations.
- Several properties were considered to be posing concern from a public health perspective and we are / will be looking at these on a case to case basis using the enforcement powers available to us.
- In view of the methodology of our investigation in appraising the empty properties most likely to be of highest concern (ie those that had been empty the longest, in town centre locations) and our findings, we do not feel there is merit in prioritising this area of work from a public health perspective at this time.
- We will continue to respond to any complaints regarding empty properties on a case by case basis.

## **Environmental Health Empty Homes Project**

**November 2012**

**Report No. 1**

### **Background**

There are 645 empty properties as of April 2012 that have been identified within Monmouthshire by the Housing Strategy department. These are split up into the following categories;

Houses – 462

RSL's and Sheltered Housing for the Elderly – 124

Flats – 51

Farms and Caravans - 8

Empty properties are a waste and they can cause nuisance and environmental problems. They can be the focus for increased levels of crime, including drug abuse and vandalism, and represent a significant loss of revenue for the Council. Empty properties are a growing concern for the public, especially in light of increasing media attention. As a result the Council has been receiving an increasing number of service requests regarding empty properties. In properly dealing with empty properties the Council can possibly help address Monmouthshire's housing needs by providing accommodation for owner occupation or renting.

Empty homes, as well as their detrimental impact on neighbourhoods and adjacent properties, represent a major financial loss to owners, both in terms of lost income and other expenses. Nationally, Royal Institute of Chartered Surveyors backed research has shown that it costs nearly £6,000 to keep a property empty for a year. The bulk of which is rent loss but nearly a third are the costs of dilapidation, security, insurance and the Council Tax liability.

### **Aim**

The Council's aim is to encourage property owners to bring their vacant properties back into use. To consider all the options available for tackling the problem of empty properties and to ensure that where vacant properties are identified every effort is made to bring them back to a good standard and into use if the need arises. The lead role in bringing empty properties back into use is being taken by the Housing Strategy Department. One of the options available to the Council is the possible use of enforcement action to bring properties into use and it is within the Environmental Health section's remit to explore this option.

### **Project Description**

Using the Empty Homes database 104 properties were identified as being empty for 1000+ days. These were targeted for inspection with the presumption that these properties would probably be in the worst condition as they have been empty the longest. This assumption may be incorrect but in the absence of any previous proactive inspections of empty properties, resulting in little knowledge of our empty stock in Monmouthshire, this was deemed to be a starting point.

The empty properties were identified by the Housing Strategy departments' database and the 104 to be inspected were cross referenced with the Council Tax departments' information. We also gathered information from council tax to determine whether there were any monies owing to the Council on any of the 104 properties appraised in this project.

The exteriors of the properties were inspected and risk assessed looking at factors such as time vacant, whether the property affects other properties or the health of other people, the condition of the garden, whether the property is verminous, whether the property has council tax debt etc. A copy of the scoring matrix which includes all the factors assessed can be found in **Appendix A**. As a result of this risk assessment, each property is scored. A list of all the scores can be found in **Appendix B**.

From the score list we were able to prioritise the top 8 properties for re-inspection and consideration of taking possible enforcement action. A list of the priority properties can be found in **Appendix C**.

### Enforcement Options

In all cases, informal action will be used initially to try and get the owner to do any works necessary to ensure the property is not causing a nuisance or prejudicial to public health in any way. If informal action proves unsuccessful then formal action options will be considered.

The first consideration in using enforcement powers will be to address minor issues created by the fact that the property is empty. These will generally be short-term solutions to problems being caused. These can often be resolved quickly and without major expenditure by the owner. The available powers are as follows:

**Table A**

| Problem  | Legislation  | Power Granted   | Section                   |
|--|--|---|---------------------------|
| Condition and appearance of property adversely affecting the amenity of the neighbourhood.               | Section 215 Town and Country Planning Act 1990                   | To require owner to take necessary steps to improve the condition and appearance of the property. Where the owner fails to take action the Council may undertake the work and an appropriate charge will be imposed on the owner. | Planning Control Section  |
| Dangerous Dilapidated Buildings or Structures  | Building Act 1984, Sections 77 and 78                            | To require the owner to make the property safe (Section 77) or enable the local authority to take emergency action to make the building safe (Section 78).  | Building Control Section  |
|  | Housing Act 2004, Section 5 and 7                                | To require the owner to carry out works where the local authority consider housing conditions to be unacceptable, on the basis of the impact of hazards on the health or safety of the most vulnerable potential occupant.        | Environmental Health Team |
| Unsecured properties (if it poses the risk that it may be entered or suffer vandalism, arson or similar) | Local Government (Miscellaneous Provisions) Act 1982, Section 29 | To require the owner to take steps to secure a property or allow the local authority to board it up in an emergency.  | Environmental Health Team |

|  |  |  |                           |
|--|--|--|---------------------------|
| Blocked or defective drainage or private sewers  | Local Government (Miscellaneous Provisions) Act 1976, Section 35 | To require the owner to remove obstructions from private sewers  | Environmental Health Team |
|  | Building Act 1984, Section 59                                    | To require the owner to address blocked or defective drainage  | Environmental Health Team |
|  | Public Health Act 1961, Section 17                               | To require the owner to address defective drainage or private sewers   | Environmental Health Team |
| Vermin (If it is either present or there is a risk of attracting vermin that may detrimentally affect people's health) | Public Health Act 1961, Section 34                               | To require the owner to remove waste so that vermin is not attracted to the site (relates to accumulation of rubbish).<br><br>Obligation of occupier of land to notify local authority of rats and mice. | Environmental Health Team |
|  | Prevention of Damage by Pests Act 1949, Section 4                |  |                           |
|  | Environmental Protection Act 1990, Section 80                    |  |                           |
|  | Building Act 1984, Section 76                                    |  |                           |
| Unightly land and property affecting the amenity of an area  | Public Health Act 1961, Section 34                               | See above  | Environmental Health Team |
|  | Town and Country Planning Act 1990, Section 215                  | To require the owner to address unightly land or the external appearance of a property.  | Planning Control Section  |
| Statutory Nuisances  | Environmental Protection Act 1990 section 80                     | To require owner to abate statutory nuisance e.g. Penetrating damp   | Environmental Health Team |

The second consideration, given the nature of problems being caused, is to consider whether it is appropriate to use more direct enforcement legislation to bring the property back into use. These powers are seen very much as a last resort. These enforcement options are as follows;

**Table B**

| <b>Problem</b>   | <b>Legislation</b>                                       | <b>Power Granted</b>   | <b>Section</b>                             |
|--|--|--|--|
| Condition and appearance of property adversely affecting the amenity of the neighbourhood. | Enforced Sale:<br><br>Law of Property Act 1925           | If the Council carry out works as above, the Council can ensure that the costs of the work can be recovered for example through a charge on the property. If the monies remain unpaid, the Council may force the sale of the property.   | Environmental Health Team & Legal Services |
|  | Compulsory Purchase:<br><br>Housing Act 1985, section 17 | Where all available avenues of action have been explored and have been unsuccessful, as a last resort the Council can use compulsory purchase orders. These orders have to be approved by the Government Office and may be subject to public inquiry. The Council's intention to use these powers will be communicated with owners who would be given the opportunity to voluntarily take the necessary remedial action to resolve the situation.<br><br>Disposal by the Council of a property subject to a compulsory purchase order, would normally mean that the property would be transferred for use as Affordable Housing. However, if this proves not to be possible, it will be disposed of on the open market to an owner who makes an undertaking to bring the property back into use as a home. | Environmental Health Team & Legal Services |
|  | Empty Dwelling Management Orders:<br>Housing Act 2004    | In specific circumstances for properties which have been unoccupied for a period of 6 months or more enables an authority, once approved by a residential property tribunal, to issue an EDMO which results in an empty property becoming re-occupied.   | Environmental Health Team                  |
|  | Demolition Order:<br>Housing Act 1985, Section 265       | In certain circumstances the condition of the empty property will not warrant bringing it back into use will not be feasible and the most satisfactory course of action will be to serve a demolition order.   | Environmental Health Team                  |

## Summary of Results

1. The maximum score a property can incur is 41.
2. Scores of the 104 properties assessed have been banded into the priority levels in the table below. These bands have been used by neighbouring Local Authorities.
3. The majority of scores fall into Low-Med priority levels attracting voluntary intervention or use of lower scale enforcement powers provided in table A
4. Top 8 scores are provided in appendix 3. These properties will be revisited, their scores re-appraised and consideration given to any necessary action to ensure the properties are not causing a nuisance or prejudicial to public health.

| Priority Score | Level     | Actions  | No. Of Properties inspected within each level |
|----------------|-----------|--|---|
| <5             | LOW       | No Action. Likely to be short term vacant.   | 6   |
| 5-15           | MEDIUM    | Voluntary intervention and consideration of alternative options <ul style="list-style-type: none"> <li>• Sell</li> <li>• Rent</li> <li>• Compulsory leasing</li> <li>• Voluntary investment by owner</li> </ul> Enforcement Action under table A | 75  |
| 15-20          | HIGH      | Enforcement Action Necessary using table A<br><br>Consideration to enforcement action under table B.   | 1   |
| 20+            | VERY HIGH | Enforcement Action necessary under tables A & B.<br><br>Consideration of EDMO.   | 2   |
|                |           | <b>TOTAL</b>   | 84  |

N.B The other 20 properties inspected were found to be occupied or under renovation

## Conclusion

1. The worst properties found during the inspection programme were found to be remote and not impacting on residential areas.
2. Some properties are undergoing renovation, some are farm buildings being used as storage or are properties that have now become reoccupied.
3. None of the 104 empty properties inspected are in Council Tax debt, which has been a key factor in action taken by other Local Authorities in progressing with the more direct enforcement route such as enforced sale.

4. For the 8 properties that have scored the highest, any of the actions to be taken are likely to fall in the lower enforcement Table A options.

### **Further Initiatives**

1. Re-inspect top 8 and report in detail on findings by 1<sup>st</sup> February 2013.
2. Inspect next band of 40 properties by 1<sup>st</sup> March 2013 (ie those empty the longest on database)
3. Housing Strategy may wish to consider further voluntary initiatives for the properties that fall in the low to middle priority bands e.g one to ones, leaflets, providing guidance to empty home owners.



**Empty Property Inspection Sheet**

Property: \_\_\_\_\_

Date of Inspection \_\_\_\_\_ Officer \_\_\_\_\_

Property Description \_\_\_\_\_

| Question        |   | Score Awarded   | Comments     |             |   |            |   |           |   |            |   |           |   |  |  |
|-----------------|---|-----------------|--------------|-------------|---|------------|---|-----------|---|------------|---|-----------|---|--|--|
| 1               | <p>How long has the property been vacant</p> <table border="0"> <tr> <td><u>Duration</u></td> <td><u>Score</u></td> </tr> <tr> <td>6-12 months</td> <td>1</td> </tr> <tr> <td>1 –3 years</td> <td>2</td> </tr> <tr> <td>4-6 years</td> <td>3</td> </tr> <tr> <td>7-10 years</td> <td>4</td> </tr> <tr> <td>10+ years</td> <td>5</td> </tr> </table> | <u>Duration</u> | <u>Score</u> | 6-12 months | 1 | 1 –3 years | 2 | 4-6 years | 3 | 7-10 years | 4 | 10+ years | 5 |  |  |
| <u>Duration</u> | <u>Score</u>  |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 6-12 months     | 1   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 1 –3 years      | 2   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 4-6 years       | 3   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 7-10 years      | 4   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 10+ years       | 5   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 2               | <p>Is there a current problem that affects other property?</p> <p>No = 0      Minor=1      Medium      =2<br/>Major = 3</p>   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 3               | <p>Is there a current problem which affects other people and potentially their health?</p> <p>No = 0      Minor=1      Medium      =2<br/>Major = 3</p>   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 4               | <p>Is the property a source of uncontrolled invasion from weeds?</p> <p>No = 0      Minor=1      Medium      =2<br/>Major = 3</p>   |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 5               | <p>Is the property a source of verminous pests?</p> <p>No = 0      Minor=1      Medium      =2<br/>Major = 3</p>  |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |
| 6               | <p>Does the property have gardens that are untended and unsightly?</p>  |                 |              |             |   |            |   |           |   |            |   |           |   |  |  |

|                        |  |  |  |
|------------------------|--|--|--|
|                        | No = 0      Minor=1      Medium      =2<br>Major = 3   |  |  |
| 7                      | Are there problems with accumulations of rubbish or fly tipping?<br><br>No = 0      Minor=1      Medium      =2<br>Major = 3     |  |  |
| 8                      | Are the walls and fences effective, and suitable for purpose?<br><br>No = 0      Minor=1      Medium      =2<br>Major = 3        |  |  |
| 9                      | Does the house itself impact negatively on the general street scene?<br><br>No = 0      Minor=1      Medium      =2<br>Major = 3 |  |  |
| 10                     | How many complaints have been received about the property?<br><br>None = 0      <5 =1      5-10 = 2      10+<br>= 3              |  |  |
| 11                     | How many statutory notices have been served concerning this property?<br><br>None = 0      <3 =1      3-6 = 2      6+ = 3        |  |  |
| 12                     | What value of debt is owed to the Council?<br><br>£0 = 0      £<500 = 1      £500-1000 = 2      £1000+ = 3                       |  |  |
| 13                     | Has an owner been traced?<br><br>No = 0, Possibly = 1, Probably = 2, Yes = 3.  |  |  |
| <b>TOTAL EPS SCORE</b> |  |  |  |

Priority Score \_\_\_\_\_

Appendix B

|    | Empty Property Postal Code | Property Score |
|----|----------------------------|----------------|
| 1  | NP15 1LS                   | 10             |
| 2  | NP7 0PN                    | 14             |
| 3  | NP16 5PS                   | 10             |
| 4  | NP26 5DB                   | 5              |
| 5  | NP7 0NY                    | 10             |
| 6  | NP16 5PJ                   | 6              |
| 7  | NP16 6ST                   | 6              |
| 8  | NP25 3EF                   | 5              |
| 9  | NP4 0AW                    | 8              |
| 10 | NP7 7DA                    | 8              |
| 11 | NP7 0EW                    | 8              |
| 12 | NP26 4BS                   | 5              |
| 13 | NP7 9AE                    | 11             |
| 14 | NP4 0AD                    | 5              |
| 15 | NP25 3LD                   | 7              |
| 16 | NP7 5UW                    | 11             |
| 17 | NP25 5QB                   | 8              |
| 18 | NP16 5LL                   | 6              |
| 19 | NP26 5AX                   | 23             |
| 20 | NP7 8RD                    | 7              |
| 21 | NP26 5AH                   | 7              |
| 22 | NP25 5SR                   | 10             |
| 23 | NP15 1BQ                   | 8              |
| 24 | NP26 5TQ                   | Occupied       |
| 25 | NP7 5AD                    | Not found      |
| 26 | NP7 9LF                    | 6              |

|    |          |           |    |
|----|----------|-----------|----|
| 27 | NP7 8EE  |           | 5  |
| 28 | NP4 0AA  |           | 6  |
| 29 | NP16 5DJ |           | 19 |
| 30 | NP16 5DJ |           | 21 |
| 31 | NP4 8RG  |           | 7  |
| 32 | NP7 8ER  |           | 8  |
| 33 | NP16 6NT |           | 4  |
| 34 | NP16 6SN | Occupied  |    |
| 35 | NP26 3SY |           | 13 |
| 36 | NP7 8BB  |           | 7  |
| 37 | NP7 8DW  |           | 5  |
| 38 | NP25 3NG |           | 8  |
| 39 | NP25 4TL |           | 9  |
| 40 | NP25 5HG | Not found |    |
| 41 | NP26 4AF | Occupied  |    |
| 42 | NP7 9SD  |           | 7  |
| 43 | NP15 1AE |           | 12 |
| 44 | NP16 5LJ |           | 7  |
| 45 | NP7 6EU  |           | 7  |
| 46 | NP7 8AW  |           | 4  |
| 47 | NP7 0LH  |           | 10 |
| 48 | NP15 1BN |           | 7  |
| 49 | NP7 0LR  |           | 7  |
| 50 | NP7 8PD  |           | 7  |
| 51 | NP15 1DZ | Occupied  |    |
| 52 | NP7 5ER  |           | 9  |
| 53 | NP25 4BU |           | 7  |
| 54 | NP7 5LX  |           | 9  |
| 55 | NP7 8LW  |           | 6  |

|    |          |            |    |
|----|----------|------------|----|
| 56 | NP25 3LH |            | 8  |
| 57 | NP25 3EE |            | 6  |
| 58 | NP7 9PN  |            | 11 |
| 59 | NP25 3EF |            | 4  |
| 60 | NP4 0HR  |            | 9  |
| 61 | NP18 1HU |            | 13 |
| 62 | NP15 1LJ |            | 6  |
| 63 | NP25 3EE |            | 6  |
| 64 | NP16 6SE |            | 13 |
| 65 | NP16 5FB | Occupied   |    |
| 66 | NP15 1HG |            | 14 |
| 67 | NP25 3EA |            | 4  |
| 68 | NP15 1TF | Occupied   |    |
| 69 | NP25 3UZ | Occupied   |    |
| 70 | NP7 5RG  |            | 9  |
| 71 | NP16 6TZ |            | 7  |
| 72 | NP26 5BB | Occupied   |    |
| 73 | NP25 3LR | Occupied   |    |
| 74 | NP25 4DT | Occupied   |    |
| 75 | NP7 6HE  | Occupied   |    |
| 76 | NP25 3UZ |            | 7  |
| 77 | NP26 4HE |            | 6  |
| 78 | NP15 1LR |            | 6  |
| 79 | NP16 6AG | Not Found  |    |
| 80 | NP15 2JQ |            | 6  |
| 81 | NP26 3EQ |            | 9  |
| 82 | NP7 0ET  |            | 6  |
| 83 | NP16 5JZ |            | 5  |
| 84 | NP16 6RA | Renovation |    |

|     |          |          |    |
|-----|----------|----------|----|
| 85  | NP26 3BX |          | 6  |
| 86  | NP25 4BR | Occupied |    |
| 87  | NP7 5DA  | Occupied |    |
| 88  | NP26 5SN |          | 12 |
| 89  | NP15 2EL |          | 4  |
| 90  | NP7 0LW  |          | 10 |
| 91  | NP25 4AJ |          | 7  |
| 92  | NP7 0BA  |          | 6  |
| 93  | NP7 9FL  |          | 5  |
| 94  | NP25 3NG | Occupied |    |
| 95  | NP25 3HE |          | 8  |
| 96  | NP26 4EN |          | 6  |
| 97  | NP26 3PY |          | 12 |
| 98  | NP25 3UZ | Occupied |    |
| 99  | NP15 1HA |          | 5  |
| 100 | NP7 5JT  | Occupied |    |
| 101 | NP25 5QZ |          | 12 |
| 102 | NP25 4BD |          | 5  |
| 103 | NP25 4BD |          | 5  |
| 104 | NP26 4AB |          | 3  |

## Appendix C

### Properties with highest scores

|    |          |    |
|----|----------|----|
| 19 | NP26 5AX | 23 |
| 30 | NP16 5DJ | 21 |
| 29 | NP16 5DJ | 19 |
| 2  | NP7 0PN  | 14 |
| 66 | NP15 1HG | 14 |
| 35 | NP26 3SY | 13 |
| 61 | NP18 1HU | 13 |
| 64 | NP16 6SE | 13 |

## **Environmental Health Empty Homes Project**

**April 2014**

### **Report No. 2**

#### **Background**

After the initial inspection programme detailed in report 1, phase 2 of the project involved a further inspection of another 34 empty properties. These properties were gathered together by the Housing Strategy department and passed to the Environmental Health Team. They were next tranche of properties pulled from their database as being identified empty the longest. These properties were inspected using the same scoring matrix as described in report 1.

Empty properties are a waste and they can cause nuisance and environmental problems. They can be the focus for increased levels of crime, including drug abuse and vandalism, and represent a significant loss of revenue for the Council. Empty properties are a growing concern for the public, especially in light of increasing media attention. As a result the Council has been receiving an increasing number of service requests regarding empty properties. In properly dealing with empty properties the Council can possibly help address Monmouthshire's housing needs by providing accommodation for owner occupation or renting.

Empty homes, as well as their detrimental impact on neighbourhoods and adjacent properties, represent a major financial loss to owners, both in terms of lost income and other expenses. Nationally, Royal Institute of Chartered Surveyors backed research has shown that it costs nearly £6,000 to keep a property empty for a year. The bulk of which is rent loss but nearly a third are the costs of dilapidation, security, insurance and the Council Tax liability.

#### **Aim**

The Council's aim is to encourage property owners to bring their vacant properties back into use. To consider all the options available for tackling the problem of empty properties and to ensure that where vacant properties are identified every effort is made to bring them back to a good standard and into use if the need arises. The lead role in bringing empty properties back into use is being taken by the Housing Strategy Department. One of the options available to the Council is the possible use of enforcement action to bring properties into use and it is within the Environmental Health section's remit to explore this option.

#### **Project Description**

Following Report 1 we had identified 8 properties that prioritised for re-inspection by the Housing specialist Environmental Health Officer and the Principal Environmental Health Officer. 3 of these properties were scored moderately high, however the other 5 remained at a low score. 6 out of the 8 properties have been re-inspected thus far including the 3 with the higher scores. After re-inspection of these 6 the scores remained the same. 1 property has potential for the Environmental Health department to look into further and that is; The Steps, Caerwent. This property will be further investigated in Phase 3 of the project and the owner contacted.

Along with these 6 inspections the Environmental Health department inspected all 34 properties chosen by the Housing Strategy dept. A list of all the scores from phase 2 of the project can be found in **Appendix D**

The exteriors of the properties were inspected and risk assessed looking at factors such as time vacant, whether the property affects other properties or the health of other people, the condition of the garden, whether the property is verminous, whether the property has council tax debt etc. A copy of the scoring



matrix which includes all the factors assessed can be found in Report 1. As a result of this risk assessment, each property is scored.

### Summary of results

Out of the 34 new properties inspected 12 were found to be occupied or under renovation. Of the remaining 22 properties, all of them scored extremely low with a top score of 14 for one property and all the others being under 9 with the majority scoring 3 and 4. As the scores were so low and these properties have little or no impact on the area/neighbours around them, the Environmental Health department will not be taking action with regards to these properties. We will however investigate any future complaints should any arise.

- 1 The maximum score a property can incur is 41.
- 2 Scores of the 22 properties assessed have been banded into the priority levels in the table below. These bands have been used by neighbouring Local Authorities.
- 3 The majority of scores fall into Low priority levels attracting voluntary intervention or use of lower scale enforcement powers.

| Priority Score | Level     | Actions   | No. Of Properties inspected within each level |
|----------------|-----------|---|---|
| <5             | LOW       | No Action. Likely to be short term vacant.  | 16  |
| 5-15           | MEDIUM    | Voluntary intervention and consideration of alternative options <ul style="list-style-type: none"> <li>• Sell</li> <li>• Rent</li> <li>• Compulsory leasing</li> <li>• Voluntary investment by owner</li> </ul> Enforcement Action under table A (see report 1) | 6   |
| 15-20          | HIGH      | Enforcement Action Necessary using table A (see report 1)<br><br>Consideration to enforcement action under table B.   | 0   |
| 20+            | VERY HIGH | Enforcement Action necessary under tables A & B (see report 1).<br><br>Consideration of EDMO.   | 0   |
|                |           | <b>TOTAL</b>  | 22  |

- 1 6 out of the 8 worst properties found during phase 1 of the project have been re-inspected and the Environmental Health dept have got involved with 2 to address issues such as overgrown gardens etc. The worst property will get further investigated in phase 3 of the project.
- 2 Once again the properties within the inspection programme were found to be remote and not impacting on residential areas. As a result of this we have asked the Housing Strategy dept to send us a third list of properties based on area and housing need rather than on how long the property has been empty.
- 3 Many properties were found to be undergoing renovation or were occupied which suggests that the information held is out of date.
- 4 Only 2 properties were found to have Council Tax debt. One property owed £900 and another £4000. Still both these properties only scored 4 and would not be suitable for enforcement action. Council Tax debt has been a key factor in action taken by other Local Authorities in progressing with the more direct enforcement route such as enforced sale.

### **Further Initiatives**

- 1 Re-inspect top other 2 properties prioritised in Phase 1 and look into an action needed with regards to empty property in Caerwent.
- 2 Inspect next band of 40 properties sent to Environmental Health by Housing Strategy based on area and not time spent empty.
- 3 Housing Strategy may wish to consider further voluntary initiatives for the properties that fall in the low to middle priority bands e.g one to ones, leaflets, providing guidance to empty home owners.

Appendix D

|    | Empty Property Postal Code | Inspection Score |
|----|----------------------------|------------------|
| 1  | NP4 0HL                    | 9                |
| 2  | NP15 1AJ                   | 4                |
| 3  | NP4 0HT                    | 3                |
| 4  | NP16 5DF                   | 3                |
| 5  | NP26 5RS                   | 3                |
| 6  | NP7 7DH                    | 3                |
| 7  | NP26 4HW                   | 3                |
| 8  | NP7 5UN                    | 3                |
| 9  | NP15 1AL                   | 4                |
| 10 | NP25 4PH                   | 4                |
| 11 | NP26 4HF                   | occupied         |
| 12 | NP26 5DB                   | n/a              |
| 13 | NP25 5AN                   | n/a              |
| 14 | NP26 4NE                   | 3                |
| 15 | NP7 5DH                    | occupied         |
| 16 | NP26 5DF                   | n/a              |
| 17 | NP4 0HE                    | n/a              |
| 18 | NP25 4PU                   | n/a              |
| 19 | NP15 1PE                   | 6                |
| 20 | NP15 1QA                   | occupied         |
| 21 | NP15 1LP                   | 3                |
| 22 | NP7 8NU                    | occupied         |
| 23 | NP25 4TU                   | occupied         |
| 24 | NP16 6NY                   | 11               |
| 25 | NP16 6BU                   | 5                |
| 26 | NP26 3DD                   | 4                |
| 27 | NP26 3AT                   | 3                |
| 28 | NP25 3LX                   | 14               |
| 29 | NP7 8SF                    | 8                |
| 30 | NP15 1DN                   | occupied         |
| 31 | NP7 5UP                    | 3                |
| 32 | NP16 6QG                   | 4                |
| 33 | NP25 4AN                   | occupied         |
| 34 | NP16 6SE                   | 3                |

Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

|                                |                                     |
|--------------------------------|-------------------------------------|
| <b>Title of Report:</b>        | <b>Empty Property Update</b>        |
| <b>Date decision was made:</b> | <b>23<sup>rd</sup> January 2018</b> |
| <b>Report Author:</b>          | <b>Stephen Griffiths</b>            |

|  |  |
|--|--|
| <b>What will happen as a result of this decision being approved by Cabinet or Council?</b> |  |
| <p>Decision<br/>2018</p>   | <p>In the short term the Status Quo is maintained in terms of the number of empty properties being brought back into use. However in the long term it is the benchmark upon which the nature and scope of future work to be undertaken will be assessed.</p> |
|  | <p>12 month appraisal</p>  |

|  |   |
|--|---|
| <b>What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?</b> |   |
|  | <p>the following will be monitored:</p> <ul style="list-style-type: none"> <li>• Number of property owners lettered</li> <li>• Number of property owners engaged</li> <li>• Number of properties brought back into use</li> </ul> |

- Number of Empty property Loans taken up

**What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?**

There are no costs or saving associated with the update

12 month appraisal

Any other comments



## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

|   |  |
|---|--|
| <p><b>Name of the Officer</b> completing the evaluation<br/>Stephen Griffiths</p> <p><b>Phone no:</b> 01633 644455<br/><b>E-mail:</b> stephengriffiths@monmouthshire.gov.uk</p> | <p><b>Please give a brief description of the aims of the proposal</b></p> <p>Empty Property Update</p> |
| <p><b>Name of Service</b></p> <p>Housing &amp; Community Services</p>   | <p><b>Date Future Generations Evaluation</b> form completed</p> <p>3<sup>rd</sup> January 2018</p>     |





**14. Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

| Well Being Goal  | How does the proposal contribute to this goal? (positive and negative) | What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts? |
|--|--|---|
| <p><b>A prosperous Wales</b><br/>Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>                                 | A neutral contribution.  |   |
| <p><b>A resilient Wales</b><br/>Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p> | A neutral contribution   |   |


| Well Being Goal   | How does the proposal contribute to this goal? (positive and negative) | What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts? |
|---|--|---|
| <b>A healthier Wales</b><br>People's physical and mental wellbeing is maximized and health impacts are understood   | Neutral contribution   |   |
| <b>A Wales of cohesive communities</b><br>Communities are attractive, viable, safe and well connected   | Neutral contribution   |   |
| <b>A globally responsible Wales</b><br>Taking account of impact on global well-being when considering local social, economic and environmental wellbeing                                | Neutral contribution.  |   |
| <b>A Wales of vibrant culture and thriving Welsh language</b><br>Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation | Neutral contribution   |   |

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**2. How has your proposal embedded and prioritised the sustainable governance principles in its development?**

| Sustainable Development Principle   | How does your proposal demonstrate you have met this principle?  | What has been done to better to meet this principle? |
|---|--|--|
|  <p>Long-term<br/>Balancing short term need with long term and planning for the future</p>     | <p>Properties that are brought back in to use will contribute to the overall availability of housing within Monmouthshire.</p> | <p>Engagement with empty property owners</p>         |
|  <p>Collaboration<br/>Working together with other partners to deliver objectives</p>           | <p>Appropriate empty properties can be referred on to RSL's for purchase and refurbishment.</p>                                |  |
|  <p>Involvement<br/>Involving those with an interest and seeking their views</p>               |  |  |
|  <p>Prevention<br/>Putting resources into preventing problems occurring or getting worse</p> | <p>Not applicable</p>  |  |



| Sustainable Development Principle   | How does your proposal demonstrate you have met this principle?   | What has been done to better to meet this principle? |
|---|---|--|
|  <p data-bbox="152 384 309 416">Integration</p> <p data-bbox="331 252 524 496">Positively impacting on people, economy and environment and trying to benefit all three</p> | <p data-bbox="546 252 1301 347">Bringing empty properties back into use can involve refurbishment work that can be undertaken by local businesses and materials sourced from local suppliers.</p> |  |

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

| <b>Protected Characteristics</b> | <b>Describe any positive impacts your proposal has on the protected characteristic</b> | <b>Describe any negative impacts your proposal has on the protected characteristic</b> | <b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b> |
|----------------------------------|--|--|--|
| Age                              | None   | None   |  |
| Disability                       | None   | None.  |  |
| Gender reassignment              | None   | None   |  |
| Marriage or civil partnership    | None   | None   |  |
| Race                             | none   | None   |  |
| Religion or Belief               | None   | None   |  |
| Sex                              | None   | None   |  |
| Sexual Orientation               | None   | None   |  |
| Welsh Language                   | None   | None   |  |

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

|                     | Describe any positive impacts your proposal has on safeguarding and corporate parenting | Describe any negative impacts your proposal has on safeguarding and corporate parenting | What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts? |
|---------------------|---|---|--|
| Safeguarding        | None  | <i>No negative impacts</i>  |  |
| Corporate Parenting | None  | No negative impacts   |  |

5. What evidence and data has informed the development of your proposal?

Empty Property records from Council Tax  
 Desk top exercises and property visits

6. **SUMMARY:** As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

The main positive benefits of this update are: it forms the benchmark upon which all future activity is based upon.  
 The main negative impacts are: neutral in terms of it negative impact

**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable. Yes**

| <b>What are you going to do</b> | <b>When are you going to do it?</b> | <b>Who is responsible</b> | <b>Progress</b> |
|---------------------------------|-------------------------------------|---------------------------|-----------------|
| Submit a update to Select       | November / December 2018            | Stephen Griffiths         |                 |
|                                 |                                     |                           |                 |
|                                 |                                     |                           |                 |

**8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review. –**

|   |               |
|---|---------------|
| <b>The impacts of this proposal will be evaluated on:</b> | December 2018 |
|---|---------------|



|                                 |  |
|---------------------------------|--|
| <b>SUBJECT:</b>                 | <b>Gypsy &amp; Traveller Pitch Allocation Policy</b> |
| <b>MEETING:</b>                 | <b>Adult Select</b>                                  |
| <b>DATE:</b>                    | <b>23<sup>rd</sup> January 2018</b>                  |
| <b>DIVISION/WARDS AFFECTED:</b> | <b>All</b>   |

**1. PURPOSE:**

- 1.1 To seek approval for the introduction of the Gypsy and Traveller Pitch Allocation Policy for any future Council owned Gypsy and Traveller Site in Monmouthshire (Appendix 1).

**2. RECOMMENDATIONS:**

- 2.1 To recommend to Cabinet that the Council adopt the proposed policy with immediate effect.

**3. KEY ISSUES:**

- 3.1 An initial draft of the report was considered by the Committee on the 25<sup>th</sup> October 2017 for initial consideration and comment prior to it going out for consultation.
- 3.2 The Committee requested that the report be reconsidered after the consultation period ended.
- 3.3 Consultation was undertaken with members of the Gypsy and Traveller Accommodation Assessment Project Group that was formed specifically to oversee the drafting of the Council's Gypsy and Traveller Accommodation Assessment (GTAA) (See Appendix 2)
- 3.5 The consultation ended on the 15<sup>th</sup> December with one comment received (See Appendix 3).

**4. OPTIONS**

- 4.1 Option 1: To not to adopt this option would be contradictory to the expectations of Welsh Government and will leave the Council without a robust, transparent and equitable mechanism of allocating pitches in the future
- 4.2 Option 2 – the recommended option: By adopting the policy it provides the framework in which to allocate pitches based on the need and it will align as much as it can with the Council's bricks and mortar policy (Homesearch) thereby conferring equality while meeting the distinct needs of Gypsy and Traveller community. In addition the guidance considers a Waiting List Policy is one means of providing a positive and pro-active mechanism to engage with the Gypsy & Traveller Community.

**5. EVALUATION CRITERIA:**

- 5.1 There will be a review of the policy within 12 months of the decision date to determine whether the policy has been successfully implemented. To aid future reviews an evaluation assessment is attached (Appendix 4).

**6. REASONS:**

- 6.1 The development of the policy formed part of the action plan arising from the undertaking of the Gypsy & Traveller Assessment undertaken in 2015 and subsequently agreed by the Cabinet
- 6.2 Without a robust policy in place Monmouthshire County Council could be acting in a way contrary to its agreed policies and/or stated objectives and failing to do what it is required in law or alternatively acting in a way that is contrary to the Council's legal duties.

6.3 Section 103 of the Housing (Wales) Act 2014 places a duty on a local authority to exercise its powers under Part 5 of the Mobile Homes (Wales) Act 2013 to provide sites on which mobile homes can be stationed. Section 104 of the Housing (Wales) Act 2014 confers powers on Welsh Ministers to compel an authority to exercise its power under s103 if they are satisfied that authority has failed to do so.

**7. RESOURCE IMPLICATIONS:**

7.1. There are currently no financial or resource implications at this stage.

**8. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

8.1 The Future Generations Evaluation has been completed and no negative implications were identified (See appendix 5)

**9. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

9.1 The policy supports and contributes positively to these priorities (Appendix 5)

**10. CONSULTEES:**

10.1 Gypsy and Traveller Accommodation Assessment Project Group

**11. BACKGROUND PAPERS:**

**12. AUTHOR:** Stephen Griffiths, Strategy & Policy Officer

**13. CONTACT DETAILS:**

**Tel:** 01633 644455

**E-mail:** [stephengriffiths@monmouthshire.gov.uk](mailto:stephengriffiths@monmouthshire.gov.uk)

**Gypsy and Traveller Pitch Allocation Policy****1.0 INTRODUCTION:**

- 1.1 This policy precedes the availability of Gypsy and Traveller pitches in Monmouthshire. The policy has been adopted to positively engage with the Gypsy & Traveller Community prior to the establishment of pitches, as required by the Housing (Wales) Act 2014.
- 1.1 This document explains how Monmouthshire County Council allocate their Gypsy and Traveller pitches.
- 1.2 Where relevant effort has been made to align or match the Policy with the Monmouthshire Common Allocation Policy and Procedure 2013 to ensure uniformity of the selection process when allocating accommodation, whether pitches or bricks and mortar.
- 1.3 The Council understands that the accommodation needs for Gypsy and Traveller communities may differ from those communities that choose to live in bricks and mortar. This is seen in their semi nomadic life style and patterns of extended family support, which is an essential part of their cultural beliefs, so although the Gypsy and Traveller Allocation Policy is framed within the parameters of the Common Allocation Policy additional factors have been taken into consideration when determining household need that support and compliment their cultural beliefs.

**2.0 THE LEGAL FRAMEWORK:**

- 2.1 In drafting this Policy Monmouthshire County Council has had regard to the following legislative and guidance provisions:
  - Housing (Wales) Act 2014
  - Part VI Housing Act 1996, as amended by Homelessness Act 2002 and Housing (Wales) Act 2014, sets out the legal framework for the allocation of accommodation by local authorities and registered social landlords
  - WAG Circular 30/2007 –
  - Managing Gypsy and Traveller Sites in Wales Guidance 2015:
  - Equality Act 2010
  - The Human Right Act 1998
  - The Freedom of Information Act 2000 (s.19)
  - The Data Protection Act 1998

### **3.0 POLICY STATEMENT:**

3.1 Monmouthshire County Council is committed:-

- To the development of balanced and sustainable communities
- To providing a fair and comprehensive service to all persons eligible for having a need, including those registering for a caravan pitch under this policy;
- To providing affordable caravan pitches for rent for people in housing need
- To seek to promote social inclusion;
- To acknowledge that Gypsy and Traveller families are a recognised ethnic group;

### **4.0 THE AIMS OF THE ALLOCATION SCHEME ARE:**

- To ensure that the allocation of pitches is clear, fair and consistent;
- To ensure that pitches are allocated on the basis of priority need.
- To adhere to relevant legislative and regulatory framework.
- To assist Monmouthshire County Council in meeting its statutory and corporate responsibilities towards Monmouthshire citizens.

4.1 A 'pitch' is an area designed to accommodate one household and typically includes an amenity block, a mobile home and spaces for parking and touring caravan.

### **5.0 THE ALLOCATION WAITING LIST:**

5.1 Monmouthshire County Council will operate a waiting list based on bands (levels) of need to assist the allocation of pitches (Appendix i).

5.2 To apply to join the waiting list and be assessed for a pitch allocation applicants will be asked to complete an application form and provide supporting evidence of proof of identity and address.

### **6.0 WHO CAN APPLY?**

6.1 The waiting list is open only to Gypsy and Traveller households aged 18 and over.

6.2 The policy uses the definition contained within Managing Gypsy and Traveller Sites in Wales Guidance 2015:

*(a) Persons of a nomadic habit of life, whatever their race or origin, including –*

*(i) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and*



*(ii) Members of an organized group of travelling show people or circus people (whether or not travelling together as such); and*

*(b) All other persons with a cultural tradition of nomadism or of living in a mobile home.*

## **7.0 WHO CANNOT APPLY?**

7.1 Applicants who are subject to immigration control. The Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014 informs the eligibility of persons for allocation of social housing and the eligibility of homeless applicants for housing assistance under Parts 6 and 7 of the Housing Act 1996. By law the Council cannot allocate housing accommodation to anyone who is subject to immigration control within the meaning of prevailing immigration law. The Council reserve the right to seek independent advice to resolve the issue of eligibility.

## **8.0 HOW 'NEEDS' ARE ASSESSED AND PRIORITISED.**

8.1 The Gypsy and Traveller allocation policy aligns as much as is practicable to the bricks and mortar housing allocations scheme, therefore to ensure that pitches are allocated to those families most in need a banding system based on the level of priority will be adopted by the Council.

8.2 Households with the greatest need will be placed in the highest priority band (see paragraph 11, below).

8.3 An applicant may be bypassed for an allocation as per the Bypassing Policy and Procedure (see Appendix ii).

## **9.0 LOCAL CONNECTION:**

9.1 The policy will prioritise households who have a local connection to the county over those who do not.

## **10.0 OVERCROWDING:**

10.1 Overcrowding is defined as when there are more vans on a pitch than is permitted and permission has to be sought from the landlord to be staying there from your landlord. For houses, the definition contained within the Common Housing Register (Homeseach) Policy document will apply.

## **11.0 THE BANDING SCHEME:**

11.1 Applicants will be placed into 1 of 5 bands depending on their level of need as follows (See Appendix 1 for a more details):

### **Band 1 - Exceptional Need**

- You have a caravan or access to a caravan, which is your principal home, but nowhere to locate it (for at least six months). You may need to provide evidence of this and a home visit will be required to verify this (see 12.1)

### **Band 2 - High Need**

- You are living on a MCC site which is overcrowded (with permission).
- You are living on a private site situated within Monmouthshire which is overcrowded.
- You are living in a house situated in Monmouthshire which is overcrowded.

### **Band 3 - Medium Need**

- You are living on a MCC owned site which is not over-crowded
- You are living in a house that is not overcrowded.
- You are living on a private site within Monmouthshire that is not overcrowded

### **Band 4 - Low Need**

- You have a caravan or access but nowhere to locate it and have lived like this for less than six months.
- You have no local connection but are overcrowded.

### **Band 5 - No Need**

- You have no local connection and are adequately housed either in a house or on another site

## **12. EXCEPTIONAL CIRCUMSTANCES (See appendix iii):**

- 12.1 We may, in exceptional circumstances, take other needs into account when prioritising applicants; an assessment of need will be made based on the information included on the application and any other supporting information. Written evidence from a professional is required in these cases.

## **13 ALLOCATION OF PITCHES:**

### **13.1 Verification**

- 13.1.1 Applicants who are offered a pitch will be verified for their suitability and if accepted will be offered a pitch agreement regulated by the Mobile Homes (Wales) Act 2013 to sign. The agreement sets out the terms and conditions for taking a pitch.

13.1.2 In response to changes in welfare benefits and legislation, all new applicants will be required to complete an affordability assessment to ensure the pitch is affordable. Where the pitch is considered to be unaffordable, an applicant will be bypassed for an allocation.

13.1.3 If the visit identifies new information, their application will be re-assessed, which could affect an application. This may result in an offer being withdrawn, the applicant changing bands, being removed from the housing register or being excluded from the register (See Appendix iv for exclusion policy).

13.1.4 An application will be deferred until the applicant provides proof of their change of circumstances. If there is a delay, this may result in an offer being withdrawn.

## 13.2 Allocation

13.2.1 Vacant pitches will be offered to applicants in the highest band with the earliest entry date, that is, the date in which they were placed into the band.

13.2.2 Applicants who are offered a pitch will be verified for their suitability and if accepted will be offered a pitch agreement regulated by the Mobile Homes (Wales) Act 2013 to sign. The agreement sets out the terms and conditions for taking a pitch.

13.2.3 Should more than one applicant in the same band with the same effective date bid for a property, the following selection process will be used to determine the successful applicant:

- 1st choice – The applicant who can demonstrate cumulative (multiple) need
- 2nd choice - The applicant who can best use the property (i.e. size)
- 3rd choice - The applicant who applied to the register first
- 4th choice – The applicant who submitted their bid first

13.2.4 Applicants may be bypassed in line with the Bypassing Policy and Procedure. Applicants have the right to review this decision.

## 13.3 Allocations between Priority Groups

13.3.1 When a pitch becomes vacant consideration will in the first instance be given to applications in priority band 1. If there is no one in priority band 1 applicants in priority band 2 will be considered. If there is no one in either priority band 1 or 2 consideration will be given to applicants in priority groups 3 then 4 and lastly 5.

## 14 APPEALS / REVIEW; COMPLAINTS and SAFEGUARDING PROCEDURE:

14.1 Applicants have a right to request a review if they believe that a decision is wrong if:

- Their application has been refused or they have been removed from the register, on the grounds of eligibility.
- Their application has been excluded from the register on the grounds of serious unacceptable behaviour.
- If they feel all details have not been considered and as a result they have been demoted to a lower band.

14.1.2 Applicants must request review in writing within 7 days of receiving the original decision.

14.1.3 Reviews will be conducted by the Housing & Communities Manager.

14.1.4 All complaints will be investigated in accordance with the organisation's internal complaints procedure.

## Appendix i

|  |
|--|
| <p><b>BAND 1</b><br/> <b>Urgent Housing Need</b><br/> <b>Priority within this Band will be by date of entry into Band 1 not original date of application</b></p>   |
| <ul style="list-style-type: none"> <li>• You have a caravan or access to a caravan, which is your principal home, but nowhere to locate it (for at least six months).</li> <li>• Your current living circumstances are having a seriously adverse effect on the physical or mental health of either yourselves or a member of your household.</li> <li>• Your current accommodation is unsanitary or unfit to occupy.</li> <li>• You are experiencing harassment.</li> <li>• You have exceptional medical need where an urgent and immediate move is necessary because current living arrangements present an immediate or substantial risk to life.</li> <li>• You have an exceptional welfare need</li> </ul>  |
| <p><b>BAND 2</b><br/> <b>High Housing Need</b><br/> <b>Priority within this Band will be by date of entry into Band 2 not original date of application</b></p>   |
| <ul style="list-style-type: none"> <li>• You are living on a MCC site with permission which is seriously overcrowded – you require 2 or more than the permitted number of caravans or trailers on your current pitch in order to accommodate household members.</li> <li>• You are living on a private site situated in Monmouthshire which is seriously overcrowded. - You require 2 or more than the permitted number of caravans or trailers on their current pitch in order to accommodate household members.</li> <li>• You are living in a house which is overcrowded.</li> <li>• You are a homeless household and you are owed Section 75 Duty</li> <li>• You have children regularly attending school within Monmouthshire.</li> <li>• Your current accommodation is lacking basic amenities</li> <li>• You have a high medical need</li> <li>• You have a high welfare need</li> </ul>          |
| <p><b>BAND 3</b><br/> <b>Medium Housing Need</b><br/> <b>Priority within this Band will be by date of entry into Band 3 not original date of application</b></p>   |
| <ul style="list-style-type: none"> <li>• You are living on a MCC council owned site which is not over-crowded</li> <li>• You are living in a house that is not overcrowded.</li> <li>• You are living on a MCC private site that is not overcrowded</li> <li>• You are a homeless household and owed Section 66 or 73 Duty</li> <li>• You are Intentionally Homeless</li> <li>• You have medium medical need</li> <li>• You have medium welfare need</li> <li>• You are living on a council site with permission which is overcrowded – you require 1 or more than the permitted number of caravans or trailers on your current pitch in order to accommodate household members.</li> <li>• You are living on a private site which is overcrowded. - You require 1 or more than the permitted number of caravans or trailers on their current pitch in order to accommodate household members</li> </ul> |
| <p><b>BAND 4</b><br/> <b>Low Housing Need</b><br/> <b>Priority within this Band will be by date of entry into Band 4 not original date of application</b></p>  |
| <ul style="list-style-type: none"> <li>• You have a caravan or access to caravan but nowhere to locate it and have lived like this for less than six months.</li> <li>• You have no local connection but are overcrowded.</li> <li>• You have low medical need</li> <li>• You have low welfare need</li> <li>• You have reduced preference due to two refusals.</li> </ul>   |
| <p><b>BAND 5</b><br/> <b>No Housing Need</b><br/> <b>Priority within this Band will be by date of entry into Band 5 not original date of application</b></p>   |
| <ul style="list-style-type: none"> <li>• You have no local connection and are adequately housed either in a house or on another site</li> </ul>  |

## Bypassing Policy and Procedure

### 1. Policy Principles:

- Blanket bans will not be used.
- A decision to bypass an applicant will only be taken according to the criteria set out in this document.

2. It is not possible to describe every situation where an applicant may be bypassed. The following checklist describes the most common:

|  |   |
|--|---|
| <b>The property is not suitable for a disabled applicant's long term needs</b>   | When considering an offer of accommodation to applicants with a disability, their current and long term   |
| <b>Applicant not suitable for social housing allocation with communal entrances/facilities</b>                                     | Applicants who are vulnerable or pose a risk to themselves or others can be bypassed.   |
| <b>Applicants who are vulnerable and have high support needs or applicants who require a sensitive letting such as MAPPA cases</b> | <p>This may be where:</p> <ul style="list-style-type: none"> <li>• An applicant may be too vulnerable/lack capacity and considered not able to sustain a tenancy.</li> <li>• There may be a risk to the applicant or others, where for example, a MAPPA case needs to be housed.</li> </ul>   |
| <b>Current arrears/former tenancy related debt</b>   | <p>Where information on former tenant arrears only emerges after an offer is made, that offer may be withdrawn. This would be where the arrears are above 19 weeks' net rent or £500 (A payment plan would also need to be in place and paid for at least 13 weeks.) Applicants with a housing related debt up to £500 or 19 weeks net rent (whichever is lower), could be considered for housing, providing that they had agreed to a repayment plan and there is evidence that they are actively following the plan. Adherence with the plan would be checked prior to an offer of accommodation being made by the landlord concerned and would be at their discretion.</p> <p>Where information of pending or outstanding charges only emerges after an offer has been made, that offer may be withdrawn by that housing association. This would apply to charges for repairs with a total value of over £500.</p> |

|                                  |  |
|----------------------------------|--|
|                                  | needs will be assessed with regards to the suitability of the property.  |
| <b>Medical needs</b>             | Where the property does not meet the medical needs of the applicant.   |
| <b>Pending information</b>       | Where an applicant will not provide relevant information.  |
| <b>Wrong banding</b>             | Where the applicant's circumstances may have changed, which alters their band and means that they no longer qualify for the offer.   |
| <b>Pre void inspection</b>       | Where a pre-void inspection is carried out and a property has been damaged/neglected.  |
| <b>Affordability</b>             | Where it cannot be proved that welfare benefits will be paid to an applicant to sustain a tenancy or a person hasn't been employed for a minimum of three months (with an income sufficient to sustain a tenancy) or does not have sufficient enough savings to sustain a tenancy for at least 12 months, an applicant will be bypassed. |
| <b>Senior Officer Discretion</b> | Exceptional circumstances not listed in this table.  |

Where there are applicants who are extremely vulnerable or considered to pose a risk to themselves or to others, the Verifying Officer will decide whether they are ready to sustain a tenancy and what support package is required, so that an offer can be made.

The following bullet points illustrate the type of information the Verifying Officer can consider in determining whether an offer can be made and what support packages should be in place to help sustain the tenancy:

- Details of any long-term illness, health problems or disability that requires specific or specialist housing, care or support.
- Details of other care and support needs, for example because of vulnerability due to learning difficulties.
- Details of proposed, existing and previous packages of care provision provided by statutory or other bodies where known.
- Relevant and reasonable information with regard to previous history of anti-social behaviour that might impact on the safety of the community.
- Type of accommodation moving from and any additional available accommodation history.

## Exceptional Circumstances

### 1.0 Medical Priority

- 1.1. Applicants who have a medical need will be required to complete a Medical Assessment Form and to provide evidence to support the medical application.
- 1.2 Applicants will only be offered additional priority if their medical condition or that of a member of their household, necessitates a move. The medical assessment is not based on the seriousness of an applicant's condition, but is solely based on the impact of their current housing or in exceptional circumstances the location.
- 1.3 Additional priority will only be given to homeowners for a social housing allocation, where they can prove that they do not have financial resources or equity in a property, to purchase another suitable property.
- 1.4 Priority given due to unsatisfactory or unfit housing will be considered on a case by case basis in conjunction with Environmental Health. Some discretion will be needed, it will depend on how urgent the matter is before banding is decided.
- 1.5 The Verifying Officer will decide whether to award priority or not, on the basis of an assessment of the information provided in the Medical Assessment Form and any additional information provided by the GP, hospital or consultant or via suitable supporting evidence.
- 1.6 Applicants may be placed into one of the following bands following an assessment of their medical need:
  - **Band 1 – Exceptional Medical Need**, where applicants are unable to continue to occupy their current accommodation. Or the applicant is unable to leave hospital due to their current permanent housing being unsuitable. An applicant's circumstances will be reviewed after 3 months.
  - **Band 2 – High Medical Need**, where the medical condition and or disability, is having a significant detrimental effect on the ability to live independently.
  - **Band 3 – Medium Medical Need**, where a move to suitable alternative accommodation would significantly improve their health, or upon the recommendation of Monmouthshire County Council's Social Services, to enable them to live independently.



- **Band 4 – Low Medical Need**, where there is a low medical condition or disability and a move would improve their health.
- **Band 5 – No Medical Need.** Where there is no medical need or moving accommodation would not address the medical need. Or there is no evidence to suggest a move would produce a significant impact.

1.7 The medical assessment decision will not result in an applicant losing priority if they would otherwise have been placed in a higher band due to other circumstances.

1.8 Applicants can only re-apply for medical assessment or request that any medical priority already awarded is re-assessed, if there has been a change in their circumstances.

## 2 Welfare (Social) Priority

2.1 Applicants who demonstrate that they need to move for welfare or social reasons will be asked to complete a Welfare Assessment Form, to provide evidence to support.

2.2 Applicants will only be offered additional priority if their social wellbeing or that of a member of their household, is significantly affected by remaining in their current accommodation. This will normally relate to the location of the property but can occasionally be caused by the physical condition of the property.

2.3 Additional priority will only be given to homeowners, where they can prove that they do not have financial resources, or equity in a property, to purchase another suitable property.

2.4 The assessment is based solely on the impact of their current housing, on social well-being and whether a move to alternative housing would improve their welfare.

2.5 Applicants may be placed into one of the following bands:

- **Band 1 – Exceptional Welfare Need**, where applicants are unable to continue to occupy their current accommodation. Where failure to address this would cause exceptional hardship to themselves or others. The applicant's circumstances will be reviewed after 3 months.
- **Band 2 – High Welfare Need**, applicants needing to move urgently on welfare grounds or who need to move to a particular locality. Where failure to meet that need would cause serious hardship to themselves or others. This band will be reviewed after six months.

- **Band 3 – Medium Welfare Need**, where applicants are identified as having a medium need to move on welfare grounds. Where failure to meet that need would result in significant hardship to their social well-being.
- **Band 4 – Low Welfare Need**, applicants assessed as having a low welfare need and moving to alternative accommodation would improve their well-being.
- **Band 5 No Welfare Need** – This is where the applicant is assessed as having no welfare need or moving accommodation would not address the need. Or there is no evidence to suggest a move would produce a significant impact.

2.6 The outcome of a welfare assessment will not result in the applicant losing priority if they would otherwise be placed in a higher band due to other circumstances.

### **3 Effective Date for Applicants with a Medical/Welfare Need**

3.1 Where an application indicates a medical or welfare need, following assessment, the effective date will be the date of their housing application. This will only apply to those applicants who have made us aware of this need at the time of their application.

### **4 Change of Circumstances for Medical and Welfare Cases**

4.1 Applicants who have been awarded medical or welfare priority who subsequently submit a change in circumstances will have their medical or welfare priority removed. They will need to re-apply for medical or welfare priority.

## EXCLUSIONS POLICY

Where relevant effort has been made to align or match the policy to that operated under the Monmouthshire Homeseach Allocations Policy 2013.

### 1. INTRODUCTION:

- 1.1 This document is a sub-policy and procedure of the Gypsy and Traveller Waiting List Policy (GTWL). It describes the circumstances in which an applicant can be excluded from the GTWL and also describes how long we will exclude and what an applicant needs to do to have the exclusion removed. We are committed to minimising the number of exclusions we make, however, there will be certain circumstances when it will be necessary.
- 1.2 The policy applies to all applications on the GTWL including existing tenants who wish to transfer and other applicants who are not currently our tenants.

### 2. WHAT IS AN EXCLUSION?

#### 2.1. Exclusions.

- 2.1.1 Exclusion occurs when an applicant has been assessed and but for their behaviour would have been accepted onto the waiting list. They will remain excluded until certain conditions have been met, for example, a certain period has elapsed, their conduct has changed; or there has been a change in circumstances. Generally the applicant will be expected to take prescribed action to address their untenable behaviour, such as making payments to reduce rent arrears. We will seek to avoid using prescribed actions that are likely to be unreasonable for an applicant to meet.
- 2.1.2 In addition, a joint allocation will not be made where one applicant is excluded from the register.

#### 2.2 Inclusion.

- 2.2.1 When an applicant has satisfied the prescribed measures to address the behaviour which has resulted in their being excluded they will then be assessed on their housing need. The onus will be on the applicant to prove that his/her behaviour has improved sufficiently and been sustained, before consideration will be given to accepting the applicant onto the GTWL.

### 3. LEGAL FRAMEWORK:

- 3.1 This Policy is framed and governed by relevant legislation and code of guidance, the following acts and provisions;

- Part VI Housing Act 1996, as amended by Homelessness Act 2002 and Housing (Wales) Act 2014, sets out the legal framework for the allocation of accommodation by local authorities and registered social landlords.
- Anti-social Behaviour, Crime and Policing Act 2014)
- The Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness 2015.

### 3.2 In particular the following provisions Under the Housing Act 1996

- S.160A (7) of the 1996 Act a local authority may, where it is satisfied that an applicant (or household member) is guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant at the time their application is considered, decide to treat the applicant as ineligible for an allocation.
- S160A (8) provides that the only behaviour which can be regarded as unacceptable for the above purposes is behaviour by the applicant (or household member) that would, if the applicant had been a secure tenant of the local authority at the time, have entitled the authority to a possession order under s.84 of the Housing Act 1985 in relation to any of the discretionary grounds in Part 1 of Schedule 2, other than Ground 8. These are fault grounds and include behaviour such as non-payment of rent, breach of tenancy conditions, conduct likely to cause nuisance or annoyance, and the use of property for immoral or illegal purposes. Under s.84 of the Housing Act 1985, the court can only make a possession order if satisfied in all the circumstances that it is reasonable to do so.
- S160A (3) provides that a person subject to immigration control, within the meaning of the Asylum and Immigration Act 1996, is ineligible for accommodation unless prescribed in the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014.
- S167 (4A)(d) provides that an applicant has the right to request a review in relation to eligibility or loss of preference and the right to be informed of this right. They must also be informed of the ground(s) for any decision affecting eligibility or resulting in reduced preference.

3.3 And under the Anti-social Behaviour, Crime and Policing Act 2014, if an applicant's conduct entitles possession under the act, a landlord is entitled to decide that the applicants is ineligible for an allocation.

## 4. **POLICY AIM:**

4.1 The aim of the policy is

- To ensure fair and equal treatment for all applicants.
- To efficiently manage access to accommodation where applicants have breached the terms of their tenancy agreement.
- To minimise exclusions.
- To recognise individual circumstances and acute housing need.
- To ensure that the applicants excluded are formally monitored.
- To reinstate applicants to the GTWL at the earliest opportunity once they have addressed the reason that has led to their exclusion.
- To be accountable through an open and transparent appeals process.
- To ensure that applicants for housing are given fair and equal treatment regardless of disability, gender, age, race, culture, sexual orientation, marital status or religion in line with the partner landlord's equalities policies.
- To be sensitive to applicants' individual needs and tailor our services and approach, where practical to do so.
- To ensure that all applications are processed within the legal framework as detailed in the Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness 2015.
- To ensure that vulnerable applicants are not disproportionately affected by this Policy.

## **5. POLICY CONTENT:**

### **5.1 Implementation of the Policy**

5.1.1 Applicants subject to MAPPA Level 3 are exempt from this policy due to the need to manage these applicants and the statutory duty placed on the Authority as a partner to MAPPA and the RSL's as a duty to co-operate body.

5.1.2 Each application will be assessed on an individual basis, with relevant and available information taken into account.

5.1.3 We will work collaboratively with the police and probation services and other agencies to share information as appropriate.

### **5.2 Reasons for Exclusion**

5.2.1 Applicants can be excluded for unacceptable behaviour - the following reasons (not exhaustive) can constitute unreasonable behaviour:

- Outstanding current and /or former tenancy debt (social or private)
- Anti-social behaviour/ASB Injunction
- Tenants who have had their tenancy demoted due to ASB.

- Other breach of tenancy conditions (social or private)
- Refusals (after 3rd refusal)
- Use of property for immoral or illegal purposes
- Immigration status/ineligible person from abroad
- Criminal convictions
- Being violent towards a partner or members of the family (potentially without conviction).
- Obtaining a tenancy by deception, for example, by giving untrue information or by withholding information.
- Paying money to illegally obtain a tenancy.
- Allowing the condition of a property to deteriorate beyond a level deemed reasonable by the Verifying Officer
- Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

5.2.2 Unacceptable behaviour is defined as behaviour which would, if an applicant or member of their household was a secure tenant, entitle MCC to possession under Grounds 1-7 in, Schedule 2 of the Housing Act 1985. To be reasonably classed as unacceptable behaviour there must be a belief that the court would be prepared to grant a possession order based on the behaviour (normally an outright order should be expected). The circumstances at the time of the application must also still mean the applicant is unsuitable. Previous unacceptable behaviour or even an outright possession order, may not justify a decision to treat the applicant as ineligible where that behaviour can be shown by the applicant to have improved.

5.2.3 When determining unacceptable behaviour a three stage test will be applied as laid down by paragraphs 2.32 – 2.44 of 2015 Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness.

5.2.4 It is not necessary for the applicant to have actually been a tenant of the local authority or RSL when the unacceptable behaviour occurred.

5.2.5 When considering cases of rent arrears for exclusion, consideration should be given as to whether the rent arrears are caused by Welfare Benefit Reform or directly attributable to the actions of the applicant. Consideration should also be given to arrears prior to Welfare Benefit Reform. Also, any pre-tenancy advice given to tenants concerning financial capability.

### 5.3 **Applying and Removing an Exclusion**

### 5.3.1 Property Related Debt:

For the purpose of this policy, when an assessment is carried out all property related debt will be taken into consideration, associated with either a current or former tenancy with any private or social housing provider in the UK. Only debts that are both recoverable and not statute barred will be taken into consideration. These include (but are not limited to) any:

- Current or former tenancy rent arrears;
- Outstanding re-chargeable repairs;
- Current and former housing related service charge arrears;
- Bed and breakfast charge arrears
- Housing benefit or universal credit housing element over-payments;
- Associated court costs.

5.3.2 Property related debts apply to both the applicant, spouse, joint applicant and partner of their prospective household.

5.3.3 Where the property related debt is over £500 or the equivalent of 19 weeks net rent (whichever is lower), the application for housing would be automatically excluded. The applicant would not be actively considered for a pitch until such time as they have:

- Entered into a repayment plan with the former and current landlord;
- Made a minimum of 13 consecutive weekly payments, at an agreed level; and
- Repaid a minimum of 25% of the debt.

5.3.4 This process can only be circumvented where the debt is repaid in full. Or where highly exceptional and significant circumstances exist, and the need to move is considered urgent. Although, this does not mean recovery of the debt will not be pursued by the relevant landlord.

5.3.5 Applicants with a housing related debt of below £500 or up to and including 18 weeks net rent, could be considered for housing immediately providing that they had agreed and were actively following a repayment plan. Adherence with the plan would be checked prior to an offer of accommodation being made by the landlord concerned and would be at their discretion.

5.3.6 Where the applicant or a member of their prospective household has entered into a repayment plan to clear a property related debt before the application for housing was made, the criteria set out in paragraphs 5.3.5 would still apply.

- 5.3.7 Once accepted on the waiting list, regular agreed payments should be maintained up to the point of an offer of accommodation. If this is not the case, the applicant will be given 48 hours to make up the missed payments otherwise the offer will be withdrawn.
- 5.3.8 The review process and the circumstances when the exclusion will be removed are to be decided on a case by case basis.
- 5.3.9 Sanctions under this policy will be implemented at the point the application is registered save for those cases where information has come to light during the course of the 'live' application. This is to ensure that the applicant is made aware at the earliest stage of the application and is able to address their behaviour.
- 5.3.10 For applicants who are referred under this policy during their live application or at the 'offer' stage, because information has come to light, it will be for the RSL to show that this information was not available at the time of registration or would not have come to light under normal investigative procedures. Failure to show this may result in the applicant not being excluded.
- 5.3.11 An exclusion can be removed at an applicant's request. In most cases a review will be reconsidered when there is clear evidence that:
- The applicant (or a member of their prospective household) has addressed their behaviour to the satisfaction of the Reviewing Officer.
  - There has been no cause for complaint against the applicant (or members of their prospective household) for a continuous period of 12 months (depending on the severity of the behaviour) from the point where action has been agreed with the applicant to address their behaviour or other identified problems. The onus is on the applicant to inform Monmouthshire County Council's Housing Strategy that any condition imposed has been met to resolve the exclusion. Applicants that are considered vulnerable, will, however, still be contacted by Housing Strategy to discuss their prescribed actions and enquire if they are able be restored to the housing register.
- 5.3.12 Excluded applicants will be eligible to join or re-join the GTWL once their unacceptable behaviour has been addressed. Their effective date will be the date that their exclusion was lifted.
- 5.4 Notifying Applicants of the Exclusion**
- 5.4.1 Applicants will be notified in writing if their application for housing is subject to the sanction. Applicants will be told why they have been excluded, how long it is for, what they need to do to address the behaviour, and how to inform the Housing Strategy that their behaviour has



been addressed. They will also be advised of the appeals procedure. If considered necessary this information will also be given verbally and/or translated.

## **5.5 Appealing an Exclusion**

- 5.5.1 Applicants can exercise this right to review verbally or in writing. In the first instance any additional information should be sent to the Verifying Officer to enable them to informally reassess their decision. Known circumstances at the time of the review will be taken into consideration. Applicants will be given at least 5 working days to provide further information. If the Verifying Officer is satisfied that the decision to exclude is correct they will forward the case to the Reviewing Officer who will undertake a formal review of the original decision. The Reviewing Officer will request any additional information within 28 days of the papers being received from Housing Strategy Officer and will make a decision after 28 days.
- 5.5.2 Applicants will be notified of the outcome of the appeal within 21 days from the date of receipt of the appeal letter.

The Reviewing Officer will consider:

- Whether the application would result in the applicant being awarded reasonable preference under the Council's allocation scheme. If so, whether the applicant's circumstances (or those of a member of the applicant's household) are so exceptional that the exclusion decision should be overturned.
- Will assess the case using guidance criteria and will record all decisions reached with full reasons on that decision. The applicant will receive a written decision with the full reasons set out.
- Please note that the council cannot waive the eligibility exclusion rules for applicant's who are legally not allowed to access social housing under the eligibility rules set by Welsh Government and such cases will not be referred to Reviewing Officer.

## **6. STAFF TRAINING AND DEVELOPMENT:**

- 6.1 The Council will provide detailed training for staff of the MHR landlords who implement this policy and procedures. This ensures that we meet our legal duties and follow good practice guidance.

## **7. MONITORING AND REPORTING:**

- 7.1 Monitoring is essential to evaluate how effectively we meet our legal requirements and the policy and procedural guidance.
- 7.2 The following indicators will be monitored by the Council:

- No. of exclusions and a breakdown of the reasons;
- The average length of time applicants are excluded by reason;
- The number of excluded applicants as a percentage of the total number of applicants on the GTWL;
- The number of appeals of exclusion;
- The number of appeals upheld and decisions over-turned by reason;
- The length of time between receipt of the appeal letter and notification of the appeal outcome.

**8. REVIEW:**

- 8.1 The Council will review this policy 3 years, or earlier if required in light of changes in the law or good practice guidance.

Members of the group comprised of the following organisations:

- MCC Elected Members
- SE Wales Regional Equality Council including the Gypsy & Traveller Liaison Officer
- Equalities Officer (MCC)
- Adult Social Services (MCC)
- Rural Programmes Manager (MCC)
- Specialist Environmental Health Officer (MCC)
- Monmouthshire Housing Association
- Melin Homes
- Planning Policy Department (MCC)
- Housing Options Team (MCC)
- Children's Services - Safe Guarding in Education
- Principal Officer Inclusion Officer - Children and Young People (MCC)
- Deputy Head of Gwent Education Minority Ethnic Service (GEMS)
- Senior Commissioning Officer, Supporting People (MCC)
- Housing & Communities Manager (MCC)
- Members of the G & T Community

### Consultation Comments / Queries

Arising out of the consultation one comment was received:

#### Comment

“I think your draft is far too early as you’ve told me that you haven’t even identified anywhere for a site to be built in Monmouthshire. So currently there are no pitches to allocate and this feels like putting the cart before the horse”

#### Reply

There is a Welsh Government expectation that local authorities produce an allocation policy even those authorities that do not currently have sites. This is seen as a positive step for engagement with the Gypsy and Traveller community and will form part of the evidence base that will inform any Gypsy and Traveller Accommodation Assessments in the future.

**Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council**

|                                |   |
|--------------------------------|---|
| <b>Title of Report:</b>        | Gypsy & Traveller Pitch Allocation Policy |
| <b>Date decision was made:</b> | 23 <sup>rd</sup> January 2018             |
| <b>Report Author:</b>          | Stephen Griffiths                         |

| <b>What will happen as a result of this decision being approved by Cabinet or Council?</b> |   |
|--|---|
| Page 65  | <ul style="list-style-type: none"> <li>• Members of the Gypsy &amp; Traveller community will be able to register for appropriate future accommodation.</li> <li>• Its adoption will also contribute to the evidence base for future Gypsy and Traveller Accommodation Assessments.</li> <li>• It also serves as a means of engaging with Gypsy and Traveller Community</li> </ul> |
| 12 month appraisal   |   |

| <b>What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?</b>                                |
|---|
| <p>the following will be monitored:</p> <ul style="list-style-type: none"> <li>• Number of applicants from the Gypsy and Traveller Community</li> </ul> |

|  |
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|  |

**What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?**

There are no costs or saving associated with the update

12 month appraisal

Any other comments

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## Future Generations Evaluation

(includes Equalities and Sustainability Impact Assessments)

|   |   |
|---|---|
| <p><b>Name of the Officer</b> completing the evaluation<br/>Stephen Griffiths</p> <p><b>Phone no:</b> 01633 644455<br/><b>E-mail:</b> stephengriffiths@monmouthshire.gov.uk</p> | <p><b>Please give a brief description of the aims of the proposal</b></p> <p><b>Gypsy and Traveller Pitch Allocation Policy.</b></p> <p>The proposed policy sets out the criteria that will be used to establish eligibility to register for a pitch in Monmouthshire and the criteria that will be used to assess accommodation need..</p> |
| <p><b>Name of Service</b></p> <p>Housing &amp; Community Services</p>   | <p><b>Date Future Generations Evaluation form completed</b></p> <p>12<sup>th</sup> January 2018</p>   |

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.




| Well Being Goal  | How does the proposal contribute to this goal? (positive and negative) | What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts? |
|--|--|---|
| <p><b>A prosperous Wales</b><br/>Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p> | <p>A neutral contribution.</p>   |   |
| <p><b>A resilient Wales</b><br/>Maintain and enhance biodiversity and ecosystems that support resilience and</p>           | <p>A neutral contribution</p>  |   |



| <b>Well Being Goal</b>   | <b>How does the proposal contribute to this goal? (positive and negative)</b>   | <b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b> |
|--|---|--|
| can adapt to change (e.g. climate change)  |   |  |
| <b>A healthier Wales</b><br>People's physical and mental wellbeing is maximized and health impacts are understood  | It positively contributes to the health of Gypsy and travellers through the provision of good quality site accommodation.   |  |
| <b>A Wales of cohesive communities</b><br>Communities are attractive, viable, safe and well connected  | It positively contributes by helping the Gypsy and Traveller community settle in the area while at the same time acknowledge their tradition of being mobile. This will decrease the need for the Gypsy and Traveller community to set up unlawful encampments in unsuitable areas. | Through the provision of official sites both transit and permanent sites.  |
| <b>A globally responsible Wales</b><br>Taking account of impact on global well-being when considering local social, economic and environmental wellbeing | The Gypsy and Traveller Community will have better facilities that will contribute to better physical wellbeing and will offer the Community the opportunity to better integrated into the general community as a whole.  |  |
| <b>A Wales of vibrant culture and thriving Welsh language</b><br>Culture, heritage and Welsh language are promoted and protected. People                 | A neutral contribution  |  |



| Well Being Goal                                | How does the proposal contribute to this goal? (positive and negative) | What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts? |
|--|--|---|
| are encouraged to do sport, art and recreation |  |   |

**2. How has your proposal embedded and prioritised the sustainable governance principles in its development?**

| Sustainable Development Principle   | How does your proposal demonstrate you have met this principle?  | What has been done to better to meet this principle? |
|---|--|--|
|  <p>Balancing short term need with long term and planning for the future</p> | <p>The Policy has taken an evidenced based approach in determining the accommodation needs of the Gypsy and Traveller Community and offers a robust mechanism of allocating pitches based on levels of need both in the short term and for longer term planning.</p>   |  |
|  <p>Working together with other partners to deliver objectives</p>          | <p>A steering group was set up comprising of important key stakeholders and members of the Gypsy and Traveller community for the purpose of overseeing and taking ownership of the GTAA. The introduction of the policy was a recommendation of the GTAA. Further consultation will be sought from the group after the paper has gone to Select.</p> |  |
|  <p>Involving those with an interest and seeking their views</p>           | <p>As above.</p>   |  |

| Sustainable Development Principle   | How does your proposal demonstrate you have met this principle? | What has been done to better to meet this principle? |
|---|---|--|
|  <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>                    | Not applicable  |  |
|  <p>Integration</p> <p>Positively impacting on people, economy and environment and trying to benefit all three</p> | This requires further consideration.                            |  |

**3. Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

| <b>Protected Characteristics</b> | <b>Describe any positive impacts your proposal has on the protected characteristic</b>                             | <b>Describe any negative impacts your proposal has on the protected characteristic</b> | <b>What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?</b> |
|----------------------------------|--|--|--|
| Age                              | None   | None   |  |
| Disability                       | None   | None.  |  |
| Gender reassignment              | None   | None   |  |
| Marriage or civil partnership    | None   | None   |  |
| Race                             | The assessment will have a positive impact on the Gypsy and Traveller community by the provision of suitable sites | None   |  |
| Religion or Belief               | None   | None   |  |
| Sex                              | None   | None   |  |
| Sexual Orientation               | None   | None   |  |
| Welsh Language                   | None   | None   |  |

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4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

|                     | Describe any positive impacts your proposal has on safeguarding and corporate parenting | Describe any negative impacts your proposal has on safeguarding and corporate parenting | What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts? |
|---------------------|---|---|--|
| Safeguarding        | None  | <i>No negative impacts</i>  |  |
| Corporate Parenting | None  | No negative impacts   |  |

5. What evidence and data has informed the development of your proposal?

D  
S  
E  
P  
2

Census Data  
Housing Register data

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

The main positive benefits of this policy are:

- Additional accommodation options for Gypsy and Traveller households
- The Council is better able to meet its statutory duties under the Part 3 Housing (Wales) Act 2014
- The reduction in unlawful encampments within the County

The main negative impacts are: None identified to date

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**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable. Yes**

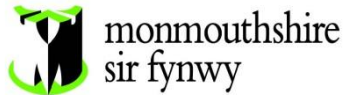
| <b>What are you going to do</b>                                | <b>When are you going to do it?</b> | <b>Who is responsible</b> | <b>Progress</b> |
|--|-------------------------------------|---------------------------|-----------------|
| Convening the steering Group to further consult on the policy. | November / December                 | Stephen Griffiths         | completed       |
| Re - submit to Select after consultation.                      | December / January 2018             | Stephen Griffiths         |                 |
| Submit to Cabinet  | February 2018                       | Stephen Griffiths         |                 |
| Review the Policy and submit to Select                         | February 2019                       | Stephen Griffiths         |                 |

**8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

|   |   |
|---|---|
| <b>The impacts of this proposal will be evaluated on:</b> | During December 2018 - January 2019 and submitted to Select |
|---|---|

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**SUBJECT: SAFEGUARDING EVALUATIVE REPORT APRIL – OCTOBER 2017**

**MEETING: Adult Select Committee**

**DATE: 23<sup>rd</sup> January 2018**

**DIVISION/WARDS AFFECTED: ALL**

## **1. PURPOSE:**

This purpose of this report is:

- To evaluate the progress of Monmouthshire County Council's key safeguarding priorities, in the period April – October 2017, using identified measures to highlight progress, identify risks and set out clear improvement actions and priorities for further development.
- To inform Members about the effectiveness of safeguarding in Monmouthshire and the work that is in progress to support the Council's aims in protecting children and adults at risk from harm and abuse.
- To inform Members about the progress made towards meeting the standards in the Council's Corporate Safeguarding Policy approved by Council in July 2017.

Members received this report at Council on 14<sup>th</sup> December 2017 however there had not been the opportunity for the report to be scrutinised by Adult Select Committee prior to Cabinet and Council. The report was scrutinised by CYP Select on 13<sup>th</sup> November 2017.

## **2. RECOMMENDATIONS:**

Members are requested to:

- Note the key safeguarding risks and approve the priority improvement actions as set out at Appendix 2 to this report.
- Endorse the evaluation of safeguarding progress set out in Appendix 5 to this report.

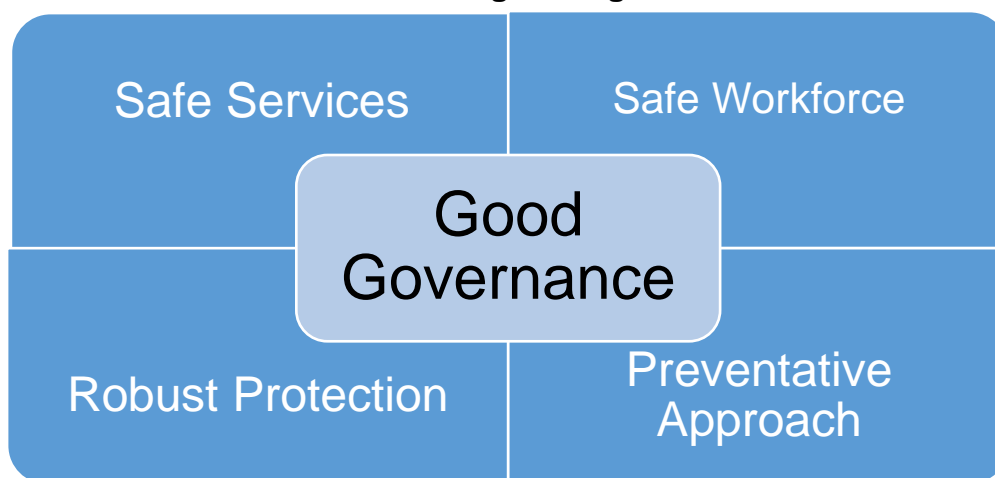
## **3. KEY ISSUES:**

- 3.1 This safeguarding evaluation is based on activity and information from April 2017 – October 2017. It builds upon the previous progress review reported in

March 2017. The timing of this report reflects a biannual reporting cycle to Select Committees, Cabinet and Council. This reporting period saw the approval of Monmouthshire County Council’s Corporate Safeguarding Policy which extended the policy scope to cover statutory duties for both children and adults at risk in line with the Social Services and Well Being (Wales) Act (2014). The analysis within this report reflects current legislation and policy and draws on data and information concerning both groups.

- 3.2 The evaluation reflects the 5 cornerstones of safeguarding within the Corporate Safeguarding Policy (Table 1).

**Table 1: The Cornerstones of a safeguarding in Monmouthshire**



- 3.3 Embedding and sustaining the highest standards of safeguarding is a continuous endeavor. This evaluative report forms an integral part of the improvement of safeguarding practice across the Council. It asks critical questions about what are we trying to achieve, how well we are doing, what is the evidence to support our analysis, do we understand, manage and mitigate risks and how can we improve and develop. This is fundamental to an open and transparent approach to the evaluative task. The report tries, wherever possible, to balance qualitative and quantitative data as well as drawing in other sources of information to support triangulation of the assertions around progress.
- 3.4 The self-assessment score has been developed by the Whole Authority Safeguarding Group (WASG) on the basis of evidence review and critical challenge. It uses the corporate scoring framework (Appendix 1) to provide an overall judgement of effectiveness. The current self-assessment is at Table 2.



**Table 2: Self-assessment scores as at October 2017**

| <b>Safeguarding Cornerstone</b> | <b>March 2017</b> | <b>Oct 2017</b> | <b>March 2018</b> |
|---------------------------------|-------------------|-----------------|-------------------|
| 1. GOOD GOVERNANCE              | 3                 | 4               |                   |
| 2. SAFE WORKFORCE               | 3                 | 3               |                   |
| 3. PREVENTATIVE APPROACH        | 5                 | 3               |                   |
| 4. ROBUST PROTECTION            | 3                 | 4               |                   |
| 5. SAFE SERVICES                | 2                 | 2               |                   |

3.5 Of note, is the differential score in the self-assessment of the ‘preventative approach’ standard. The evaluation in March 2017 focused on highlighting various preventative activities and developments that were in progress across the Council. Whilst the range of activity is positive, within our current evaluation we challenged ourselves to consider *impact* through a more critical lens. The challenges this presented in evidencing impact is reflected in the lower score. Steady progress continues in ‘good governance’ and ‘robust protection’, whilst the static scores within ‘safe workforce’ and ‘safe services’ is representative of the ambitious scope within these areas and the time that is required to implement improvement activities. It particularly reflects the challenge around information system in the critical areas of training and volunteer management.

3.6 Arising from the assessment the key risks have been extracted and incorporated into the Safeguarding Risk Register (Appendix 2). The most significant risks also feature in the Council’s Corporate Risk Register Priority improvement actions have been extracted from the Evaluative Report and are attached at Appendix 3.

### 3.7 Good Governance

The last 6 months has seen positive progress to ensure that safeguarding is a fundamental feature in the governance arrangements for officers and Members. The Corporate safeguarding policy sets out clearly roles, responsibilities and governance arrangements. WASG has an important role, bringing together Chief Officers/ Heads of Service from each directorate to lead safeguarding activity in the Council. To reflect the need to improve systems for identification, management and mitigation of risk, a new system of SBARs (Situation Background Analysis Review) has been introduced to support WASG in identifying risks, overseeing action plans arising from significant event analyses in respect of compliance with the Council's safeguarding policy. There is further work needed to really embed risk management for safeguarding through strengthening the relationships between risk registers at every level and priority improvements.

There are arrangements in place for self-evaluation in all directorates via the SAFE process. Self-evaluation is triangulated in a number of ways including via an internal audit programme. Further activity is needed to ensure that the SAFE process is quality assured and embedded operationally and supports a programme of continual improvement within every directorate. This further work recognises that in the reporting period the SAFE process, which was originally developed as a tool in childcare settings, and related to safeguarding children, has been rolled out across all parts of the Council and covers adults at risk as well as children.

At a regional level, the South East Wales Safeguarding Children Board and Safeguarding Adults Boards fulfil the statutory responsibilities set out in the Social Services and Wellbeing (Wales) Act. Monmouthshire County Council is fully represented on both the Children and Adult Safeguarding Boards, and their subgroups. It is acknowledged that more work is required to strengthen the links between national, regional and local safeguarding activity and ensure the learning from through the regional boards and sub-groups is embedded in practice and operations in Monmouthshire. The 2016/17 annual report from the regional boards is available at: <http://www.gwasb.org.uk/index.php?id=34>.

### 3.8 Safe Workforce

Safe recruitment of the whole workforce is a fundamental test of safeguarding in a local authority. Regular reporting over a number of years shows a very high level of compliance with safe recruitment of the employed workforce and the small number of cases where the safe recruitment process has not been followed an analysis using the SBAR process has been undertaken to ensure

risks are immediately managed and lessons learned. Safe recruitment, and effective management, of the volunteer workforce has been a major focus in the last reporting period supported by the leading volunteer training and extensive involvement of volunteers and managers in the development of the Volunteering Policy approved by Cabinet in November 2014. Following the Wales Audit Office (February 2017) report into the Kerbcraft scheme, and an internal audit report which highlighted deficiencies in a number of parts of the Council a full review of compliance of volunteers has taken place with to achieve 100% compliance with all aspects of the standards for a safe workforce in advance of the implementation of the central volunteer information management system.

Strengthening policy, systems and process in the safety of the workforce has been a major focus during the last reporting period. There are considerable strengths in the levels of training within schools and child care settings which were the standards set within the previous safeguarding policy. The training standards set in the July 2016 Corporate Safeguarding Policy cover the whole Council workforce duty to report and safeguard children and adults at risk in line with the Social Services and Wellbeing (Wales) Act. This means that significant training needs have been identified across the whole authority. Basic awareness training covering adults and children is now available and each area of the Council has undertaken an in-depth review, team by team, to understand training needs and gaps. Plans are in place to co-ordinate training resources to ensure training needs are being met. Digital whole authority systems are also being implemented to enable reporting on training compliance across the paid and volunteer workforce. Plans to test out whole workforce understanding of their responsibilities are in place. Other improvements have been made, including the development of trainer's forum. Training will remain a significant priority for the next period.

There is a well-established process for managing professional allegations within Children's Services. We are working in context of regional and national developments to ensure there is alignment across children and adults in respect the management of professional allegations.

### 3.9 Preventative Approach

Understanding the issues which cumulatively mean people are at risk of requiring protection is at the heart of a preventative approach to safeguarding. The preventative agenda is developing within community well-being hubs, and local groups and communities are supported to create, maintain and sustain activities where needs are identified within the community itself. The WASG challenges all parts of the Council to consider how they contribute to

preventative activities. In some areas this is well developed – the examples in public protection cited above are clear examples of how safeguarding is at the heart of the work that is undertaken. The WASG provides a more joined up approach to some of the targeted work taking place within the Council around areas such as CSE, development of dementia friendly communities and PREVENT.

As a priority action, WASG is considering how it can better develop effective ways of measuring and evaluating the impact of preventative activity to ensure that activity leads to better safeguards being in place for both children and adults at risk, and makes the best use of limited council resources to target vulnerability.

### 3.10 Robust Protection

Working to All-Wales protection procedures is embedded in the work of adult and child protection practitioners. The Children’s Services Improvement Programme has created a drive to improve the quality child protection practice, application processes and procedures, and ensure staff understand the requirements and expectations of their role and task. Critical to this has been recruitment of a permanent workforce. Safe practice is now supported by a clear infrastructure of risk management frameworks, clear procedures, models and tools.

The creation and development of the Adult and Children’s Safeguarding Unit presents opportunities to consider how best to identify opportunities for “joined up” work and joint implementation of the revised All Wales guidance for children and adults at risk. Effective quality assurance is a prerequisite in ensuring that the quality of safeguarding practice is understood and to drive improvement actions. This is better developed in children’s than adult services, but again the development of the joint unit provides the basis for aligning practice and systems.

### 3.11 Safe Services

This is the first time information regarding commissioned services has been reported and there is an emphasis on social services commissioning in this report. Social care commissioning capacity in Monmouthshire had for many years been focussed on adult commissioning. The Social Care and Health Commissioning Team is developing its operating model to provide a comprehensive approach for all social care commissioning for children and adults. A Commissioning Lead is in place and has developed productive relationships with commissioned providers have been addressed alongside the

social worker review of placements which have met all statutory timescales. A robust, risk-based, contract management and quality assurance process across all providers from January 2018.

Initial review of the evidence from schools, and other parts of the Council that contract for services for children/ adults at risk indicate there are robust arrangements in place (individual school contracts, transport, leisure services). However, the evaluative score recognises the need for an in-depth understanding of the baseline position across the whole of the Council in respect of commissioning. It has been agreed that internal audit will undertake work in this area during their 2017/18 audit programme.

#### **4. OPTIONS APPRAISAL**

Not applicable to this report

#### **5. EVALUATION CRITERIA**

An evaluation assessment has been included at Appendix 5 to support the analysis in this report. This includes clear descriptors of 'what good looks like' against the standards for safeguarding in Monmouthshire. This provides the basis of measurement which can be monitored over time. Safeguarding progress will be reported on a 6 monthly basis to CYP and Adult Select Committees, Cabinet and Council.

#### **6. REASONS:**

- 6.1 This evaluation report is completed within the context of Monmouthshire County Council's recent background and history in respect of safeguarding as set out in brief below and represents a further opportunity for Members to consider the distance travelled by the Local Authority in improving safeguarding performance.
- 6.2 Council Members will be aware that in November 2012 the Local Authority was found to have inadequate safeguarding arrangements in place. Shortcomings was clearly articulated by Estyn and included a lack of safeguarding policy and procedures as well as operational weaknesses particularly within a schools based context.
- 6.3 The Safeguarding and Quality Assurance Unit was established within Children's Services in 2012 and quickly extended its role in supporting the Authority's improvement journey around child's safeguarding.
- 6.4 In February 2014 an Estyn monitoring visit recognised that the council had appropriately prioritised safeguarding and 'set the foundations well for recovery'

particularly at service and practitioner. However, the authority still did not have 'effective enough management information systems and processes to enable it to receive appropriate and evaluative management information about safeguarding'. This criticism was echoed by a subsequent Welsh Audit Office review of safeguarding in March 2014.

- 6.5 In response to this the council established the Whole Authority Safeguarding Group (WASG) initially chaired by the Chief Executive with a focus specifically on children. The inaugural meeting took place in July 2014.
- 6.6 The Local Authority came out of Special Measures in November 2015 when strong progress in safeguarding was recognised.
- 6.7 A recommendation was subsequently made to Cabinet and endorsed in July 2016 allowing the work of the WASG to incorporate safeguarding for adults at risk, so that good practice and learning could be mutually shared and also to recognise the statutory basis of safeguarding adults at risk as a consequence of the Social Services and Wellbeing (Wales) Act 2014. The focus of WASG reflected developments in the national legislative framework and guidance around integration and all-age citizen / family centred approaches.
- 6.8 Council Members will also be aware that Wales Audit Office issued statutory recommendations in respect of safeguarding in respect of the Council's Kerbcraft service in January 2017.
- 6.9 A new Corporate Safeguarding Policy was approved by Council in July 2017.
- 6.10 Officers are currently preparing for a further inspection of whole authority safeguarding across which is planned for January 2018. This will be led by the Welsh Audit Office working together with Estyn and CCSIW.

## **7. RESOURCE IMPLICATIONS:**

There are no resource implications to this report.

## **8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):**

This report is not seeking any change in policy and therefore a future generation's assessment has not been completed. This report is clearly critically concerned with the effectiveness of safeguarding in Monmouthshire County Council.

## 9. CONSULTEES:

- Children and Young People's Select Committee – the committee considered a draft of the evaluation report at its meeting on 13 November 2017. The select committee

Recommendations:

- Members who have not undertaken their Safeguarding Training should be pursued for completion of the training
- The completed document with the evaluative scores be brought back to the next meeting

The overall judgement of the committee was 'the report demonstrates that continued improvement is being made in safeguarding and this is clearly evidenced when comparing the position the Council was in a number of years ago to the position outlined in this report.'

- The Senior Leadership Team (SLT) considered a draft of the report at its meeting on 14 November 2017. SLT recommended

Recommendations:

- Training records should be kept on My View in the short term until a Learning Resource Management system can be implemented

- Cabinet considered the draft of the report at its meeting in December 2017 and resolved to note the key safeguarding risks and approve the priority improvement actions as set out at Appendix 2 of the report and endorse the evaluation of safeguarding progress set out in Appendix 5 to the report.

- County Council considered the draft of the report at its meeting In response to questions we heard that the DBS exception report has been moved from quarterly to periodic due to the importance of the check in terms of the safer recruitment process and it being not appropriate to wait for a quarterly check, and to ensure immediate risks are managed.

In terms of addressing issues surrounding loneliness in adult social care, this would come under the preventative approach to safeguarding and the wellbeing workforce has been introduced who work with people who are lonely and isolated to connect them to certain services and social opportunities.

Councillor Batrouni sought assurance that the framework would identify weaknesses or breaches. The Chief Officer responded that the report aims to be an honest appraisal of where we are. A review report is expected April 2018

Councillor Pratt thanked the social services team, specifically for the work being undertaken in Llanelly Hill.

The External Reference Group had provided helpful point, the minutes could be forwarded to Members.

In response to a question regarding the Faithful and Gould asset survey of Chepstow School, The Chief Officer for Social Care, Safeguarding and Health advised that she would ask the Chief Officer for Children and Young People to provide a response.

There was concern that the Council had been commissioning services without a risk based management and quality assurance process across all providers. In response we heard that the majority of placements made in Children's Services go through the 'Four Cs', a commissioning consortium across South Wales here providers come onto a framework, and accreditation, quality and safeguarding checks are undertaken in Children's Services a contracts officer does some of that work for the off contract provider. This is being moved in to the commissioning function in Social Care and Health.

In terms of the assessment of safe services having important weaknesses, it is recognised there are a vast array of services around safeguarding and analysis is showing that safeguarding is built in but we do not have a full picture as a Council. There is to be an internal audit of the whole programme to be undertaken in the New Year.

**Council resolved to agree the recommendation:**

To note the key safeguarding risks and approve the priority improvement actions as set out at Appendix 2 to this report.

To endorse the evaluation of safeguarding progress set out in Appendix 5 to the report

Comments have been incorporated into the report.

**10. BACKGROUND PAPERS:**

Evaluative Progress Report April – September 2017  
[Corporate Safeguarding Policy July 2017](#)

**11. AUTHOR:**

Whole Authority Safeguarding Group

**12. CONTACT DETAILS:**

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## Appendix 1

### The Corporate Evaluation Framework

| <b>The evaluation score from 1-6</b> | <b>The evaluative context</b>                              |
|--------------------------------------|--|
| <b>Level 6<br/>Excellent</b>         | <b>Excellent or outstanding</b>                            |
| <b>Level 5<br/>Very Good</b>         | <b>Good Major strengths</b>                                |
| <b>Level 4<br/>Good</b>              | <b>Important strengths with some areas for improvement</b> |
| <b>Level 3<br/>Adequate</b>          | <b>Strengths just outweigh weaknesses</b>                  |
| <b>Level 2 Weak</b>                  | <b>Important weaknesses</b>                                |
| <b>Level 1<br/>Unsatisfactory</b>    | <b>Major weakness</b>                                      |

**Appendix 2**

| Ref | Risk  | Reason why identified   | Risk Level (Pre – mitigation) |            |             |  | Mitigating actions  | Timescale and responsibility holder      | Mitigation action progress  | Risk Level (Post – mitigation)  |  |   |            | Risk owner & Cabinet member responsible                               |
|-----|---|---|-------------------------------|------------|-------------|--|---|--|---|---|--|---|------------|---|
|     |   |   | Year                          | Likelihood | Impact      | Risk Level   |   |  |   | Year  | Likelihood                               | Impact  | Risk Level |   |
| 1a  | Potential for significant harm to vulnerable children or adults due to factors outside our control. (escalated to corporate register)   | - The likelihood of this occurring in a given year is low. However the significant harm that can occur due to factors that are outside our control mean that this will always be a risk.            | 2017/18                       | Possible   | Major       | Med  | <ul style="list-style-type: none"> <li>Continually monitor and evaluate process and practice and review accountability for safeguarding</li> </ul>  | Claire Marchant<br>Chief Officer,<br>SCH | Latest evaluation is being presented to Cabinet in December 2017  | 2017/18   | Possible                                 | Major   | Med        | Will Mclean & Claire Marchant<br>Cllr Penny Jones & Cllr Richard John |
| 1b  | Potential for significant harm to vulnerable children or adults due to failure of services and/or partners to act accountably for safeguarding (escalated to corporate register)          | - Volunteering is increasingly part of meeting community needs and it is important to have consistency across the LA in the use of volunteers particularly in respect of HR practices and training. | 2018/19                       | Possible   | Major       | Med  | <ul style="list-style-type: none"> <li>Ensure that robust systems are in place within the authority to respond to any concerns arising from allegations or organised abuse</li> </ul>   | Claire Marchant<br>Chief Officer,<br>SCH |   | 2018/19   | Possible                                 | Major   | Med        |   |
|     |   |   | 2019/20                       | Possible   | Major       | Med  |   |  |   | <ul style="list-style-type: none"> <li>Drive the strategic agenda and the associated programme of activities for safeguarding through the Whole Authority Safeguarding Group including undertaking a second review of safeguarding policy and continuing to promote and review safe recruitment practices.</li> </ul> | Claire Marchant<br>Chief Officer,<br>SCH | Service Improvement Plan have a safeguarding section. These are not being routinely evaluated | 2019/20    |   |
|     |   |   |                               |            |             |  | <ul style="list-style-type: none"> <li>Continue to implement the Children's services improvement programme and related Workforce and Practice Development Action Plan and Commissioning strategy for Children, Young People and their Families</li> </ul> |  |   |   |  |   |            |   |
|     |   |   |                               |            |             | <ul style="list-style-type: none"> <li>Ensure safeguarding is reflected in all council service improvement plans and in roles / responsibilities as appropriate</li> </ul> |   |  |   |   |  |   |            |   |
| 2   | Potential that the Council does not make sufficient progress in areas of weakness in safeguarding identified by regulators leading to under-performance (escalated to corporate register) | In February 2017 Wales Audit Office issued Statutory recommendations for improvement in the Safeguarding arrangements – Kerbcraft scheme report   | 2017/18                       | Possible   | Substantial | Med  | <ul style="list-style-type: none"> <li>To implement the Action Plan established in response to the Safeguarding arrangements – Kerbcraft scheme report approved by Council in March 2017</li> </ul>   | Roger Hoggins,<br>Head of Operations     | Audit Committee received a report on the implementation of the Action Plan (Nov 2017). A further report on implementation | 2017/18   | Possible                                 | Substantial   | Med        | Roger Hoggins<br>Cllr Bryan Jones                                     |
|     |   |   | 2018/19                       | Possible   | Substantial | Low  |   |  |   | 2018/19   | Unlikely                                 | Substantial   | Low        |   |
|     |   |   | 2019/20                       | Unlikely   | Substantial |  |   |  |   | 2019/20   | Unlikely                                 | Substantial   |            |   |

|   |  |  |                               |                            |                                  |                   |   |   |   |  |                                |                                  |                   |  |
|---|--|--|-------------------------------|----------------------------|----------------------------------|-------------------|---|---|---|--|--------------------------------|----------------------------------|-------------------|--|
|   |  |  |                               |                            |                                  |                   |   |   |   | of the Action Plan will be presented to CYP Select Committee along with the performance data which will thereafter form the basis of annual performance reports to the committee |                                |                                  |                   |  |
| 3 | Potential that staff and volunteers are not recruited safely and begin their appointment without DBS checks having been completed resulted in increased risk of harm to vulnerable people  | Within a large organisation with devolved responsibility for recruitment and selection there is opportunity for deviation from agreed processes      | 2017/18<br>2018/19<br>2019/20 | Likely<br>Likely<br>Likely | Moderate<br>Moderate<br>Moderate | Med<br>Med<br>Med | <ul style="list-style-type: none"> <li>Ensure that all managers receive SAFE recruitment training.</li> <li>Ensure the SBAR system of significant event analysis is understood and being used positively</li> <li>In the event of any deviation from process ensure that an SBAR is completed and analysed by the next meeting of the Whole Authority Safeguarding Group</li> </ul>   | Peter Davies. Chief Officer, Resources<br><br>Claire Marchant Chief Officer Social Care & Health    | To date 4 SBAR forms have been received in 2017-18.   | 2017/18<br>2018/19<br>2019/20  | Likely<br>Unlikely<br>Unlikely | Moderate<br>Moderate<br>Moderate | Med<br>Low<br>Low | Peter Davies. Cllr Phil Murphy<br><br>Claire Marchant Cllr Penny Jones |
| 4 | Potential that the workforce may not be aware of their duty to report concerns due to do not have up-to-date safeguarding training reducing the opportunities for successful preventative work and early intervention across the whole authority | The National Study of Safeguarding published by WAO in 2015 reported that 84 per cent of employees nationally had not received safeguarding training | 2017/18<br>2018/19<br>2019/20 | Likely<br>Likely<br>Likely | Moderate<br>Moderate<br>Moderate | Med<br>Med<br>Med | <ul style="list-style-type: none"> <li>Ensure robust information systems in place to support accurate reporting of whole workforce training levels</li> <li>Safeguarding is a standard item on the council's induction programme for all new starters</li> <li>Full implementation of volunteering policy</li> <li>Implement the safeguarding training plan to address any gaps in safeguarding training for children and adults at risk through the SAFE self-evaluations</li> </ul> | Peter Davies, Chief Officer, Resources<br><br>Claire Marchant Chief Officer, Social Care and Health | Data is in place for the majority of teams providing up-to-date information about safeguarding training | 2017/18<br>2018/19<br>2019/20  | Likely<br>Unlikely<br>Unlikely | Moderate<br>Moderate<br>Moderate | Med<br>Low<br>Low | Peter Davies Cllr Phil Murphy<br><br>Claire Marchant                   |

|   |  |  |         |          |             |     |   |   |  |         |          |             |     |                  |
|---|--|--|---------|----------|-------------|-----|---|---|--|---------|----------|-------------|-----|------------------|
| 5 | Potential that the council and its partners are not doing everything they can to keep vulnerable people safe | Improved outcomes for vulnerable people children can only be achieved and sustained when people and organisations work together to design and deliver more integrated services around people's needs | 2017/18 | Possible | Substantial | Med | <ul style="list-style-type: none"> <li>• Wide range of services represented on the whole authority safeguarding group to ensure it is seen as everyone's responsibility and give appropriate priority</li> <li>• Increase the connections and partners who are working as part of place-based working together</li> </ul> | Claire Marchant. Chief Officer Social Care and Health |  | 2017/18 | Possible | Substantial | Med | Cllr Penny Jones |
|   |  |  | 2018/19 | Possible | Substantial | Med |   |   |  | 2018/19 | Unlikely | Substantial | Low |                  |
|   |  |  | 2019/20 | Possible | Substantial |     |   |   |  | 2019/20 | Unlikely | Substantial | Low |                  |



## **Appendix 3**

### **Good Governance - Action Plan**

- Strengthen and evidence links between the work of the national and regional Safeguarding Boards and practice within Monmouthshire.
- Strengthen alignment of safeguarding risk management systems at every level of the organisation through:
  - reviewing the quality of SAFE self- evaluation across all directorates to ensure that resulting action plans address the critical safeguarding issues for each service area and priority actions are reflected in SIPs;
  - ensuring the SBAR system of significant event analysis is understood, being used positively and risks highlighted are reflected in risk registers at directorate level as well as whole authority and WASG
  - testing out the effectiveness of arrangements in the 2018/19 internal audit work programme.

### **Safe Workforce - Action Plan**

- Implementation of safeguarding training plan to address the gaps in safeguarding training for children and adults at risk through the SAFE self-evaluations
- Full implementation of volunteering policy
- Implementation of information systems to support accurate reporting of whole workforce
- Professional allegations processes to align across adult and children's services.

### **Preventative Approach - Action Plan**

- Implement fully the early support and referral pathway
- Continue to build on the strengths of place based working by increasing the connections and partners who are working together to support individual and community well-being.
- Develop evaluative measures that enable better reporting of the impact of preventative work

### **Robust Protection - Action Plan**

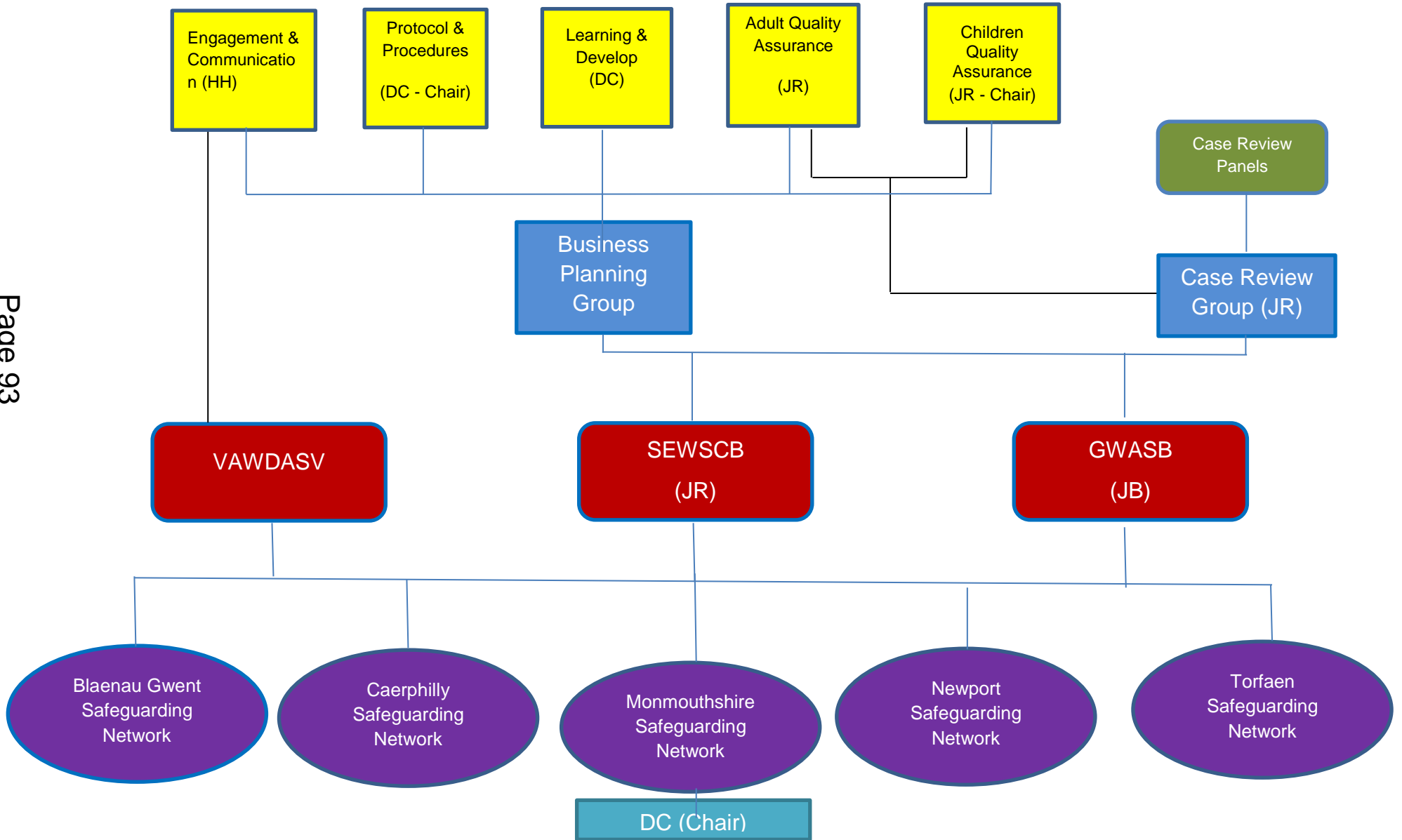
- Children and adult Safeguarding and Quality Assurance Unit to develop an operating model which builds on strengths in both parts of the service
- Continue to improve outcomes in children's services through the children's services improvement programme, including improving systems, processes and practice which contribute to timescales for completion of assessments.
- Implementation, and quality assurance of, risk framework in children's services.
- Further develop quality assurance mechanisms, and data analysis, in adult protection, to support improvement.

### **Safe Services - Action Plan:**

- Internal audit to undertake review to baseline position across the authority in terms of commissioning and partnership
- Integrated Social Care and Health Commissioning Service to implement operating model covering adult and children's services
- Implement internal audit action plans for children's services placements and volunteering.



**Regional Strategic Safeguarding Structure Appendix 4**



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## Evaluative Progress Report April – September 2017

This report evaluates the progress of Monmouthshire County Council’s against its safeguarding priorities. The priorities reflect the cornerstones for keeping people safe in Monmouthshire set out in the Council’s Corporate Safeguarding Policy approved by Council in July 2017. The evaluative report uses quantitative and qualitative measures, and case studies where appropriate, to highlight progress, areas for improvement and further development. It is based on our commitment that adults at risk and children will be supported, and protected from harm and abuse. The report acknowledges that safeguarding is always ‘work in progress’. Constant vigilance is needed at all levels of leadership and operational delivery to ensure the right culture, policy, practice and measurement systems are in place to keep people safe.

The cornerstones for keeping people safe in Monmouthshire are set out in **Figure 1**:

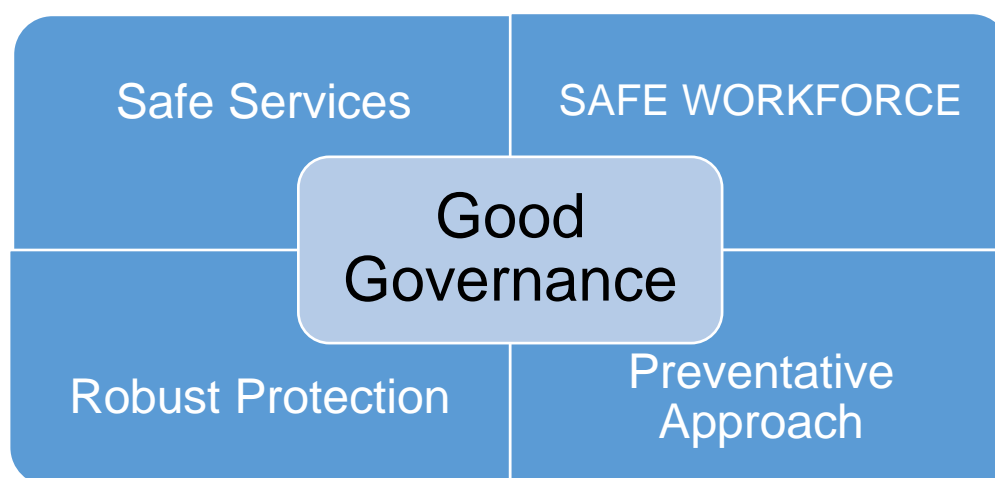


Figure 1

These cornerstones form the basis of Monmouthshire County Council’s Safeguarding Policy. The judgement on performance against measures has been agreed by the Whole Authority Safeguarding Group (WASG). WASG has considered analysis of evidence drawn from a range of sources set out in **Table 1** which together enable a view to be formed as to the effectiveness of the Council’s safeguarding arrangements.

**Table 1**

| External Regulatory Reports   | Quality Assurance & Internal Audit Reports   | Engagement and Stakeholder Feedback   |
|---|--|---|
| <ul style="list-style-type: none"> <li>*CSSIW - Review of Front Door of Children’s Services (2016)</li> <li>* CSSIW Annual Performance Letter (2017)</li> <li>* Estyn Monitoring Visits (Quarterly)</li> <li>* Estyn Inspections of Individual Schools</li> </ul> | <ul style="list-style-type: none"> <li>*Safeguarding Assurance Framework Evaluations (SAFEs)</li> <li>*Performance Management Information</li> <li>*Case Review and Audit Reports undertaken in accordance with the Social Services Quality Improvement and Performance Framework</li> </ul> | <ul style="list-style-type: none"> <li>*Young People’s Safeguarding Survey (2016)</li> <li>* Regional Safeguarding Board meetings and sub-groups</li> <li>*Monmouthshire safeguarding network</li> <li>* Complaints and compliments</li> <li>* Formal and informal feedback from people who experience</li> </ul> |

| External Regulatory Reports   | Quality Assurance & Internal Audit Reports   | Engagement and Stakeholder Feedback  |
|---|--|--|
| <p>* Wales Audit Office Review of Corporate Safeguarding in Monmouthshire (2015)</p> <p>* Wales Audit Office Review of Safeguarding Arrangements in the Kerbcraft Scheme (2017)</p> | <p>*Internal Audit Reports of Safeguarding (2016) Volunteering (2017) and Children’s Service Placements (2017)</p> <p>* Institute of Public Care reports into Children’s Social Services Improvement Programme (2016 and 2017)</p> | <p>Monmouthshire’s safeguarding services</p> <p>*Stakeholder events into Children’s Service Improvement Programmes</p> |

### 1). Good Governance

**What does good look like?** In Monmouthshire County Council we ensure that safeguarding for children and adults at risk is understood as “everyone’s responsibility”. We work effectively with regional structures including the South East Wales Safeguarding Adults Board and the South East Wales Safeguarding Children’s Board. There is continuous focus – and aligned systems and activities – to ensure safeguarding is being culturally embedded across the Council at a “hearts and minds” level. Safeguarding is supported by policies and operating procedures which are embedded within all settings and services.

| Contributing Areas of Activity and Questions for Self – Assessment                          | Progress  | Evidence   |
|---|---|--|
| Is there a strategic steer for the whole authority Safeguarding Adults and Children Policy? | Policy approved by Council in July 2017   | The policy, reflecting legislative changes, and reflecting the statutory basis of safeguarding adults at risk and children, was approved by Council in July 2017. The policy is reviewed on a 3 year basis unless there is a significant change required or changes to legislation.  |
| Is there clarity of roles and responsibility for safeguarding?                              | Policy approved by Council in July 2017<br><br>Role profiles for key positions such as Statutory Director for Social Services (Chief Officer for Social Care & Health), Lead Officer for Children and Young People (Chief Officer for Children, | The policy approved by Council sets out the responsibilities for key officers and Members. It also articulates the roles of Designated Lead Managers, all Managers for safeguarding within each directorate. The policy also clarifies the relationship between the Safeguarding and Quality Assurance Unit (policy, advice, guidance, supporting self-evaluation) and internal audit (independent review and specific investigations when indicated). |

| Contributing Areas of Activity and Questions for Self – Assessment   | Progress  | Evidence  |
|--|---|---|
|  | <p>Young People and Education)</p> <p>Portfolio responsibilities for Cabinet Member for Social Care, Safeguarding and Health</p>  |   |
| <p>Is there senior management representation on the Whole Authority Safeguarding Group (WASG) to ensure clear accountability lines for safeguarding?</p>           | <p>The role of WASG is set out in the Council's Safeguarding Policy</p>   | <p>WASG is held monthly and is chaired by the Statutory Director of Social Services.</p> <p>Membership of WASG is at a senior level from each directorate.</p> <p>Each directorate representative is required to ensure effective reporting lines with their Directorate Management Team.</p>   |
| <p>Are the risks associated with safeguarding considered at a corporate and service level in developing and agreeing risk management plans across the Council?</p> | <p>Safeguarding is reflected in the Corporate Risk Management Policy</p>  | <p>Safeguarding is a whole authority risk reflected in the Corporate Risk Management Plan. Individual Service Improvement Plans (SIPs) reflect</p> <p>The last period has seen the roll out of the Safeguarding Assessment Framework for Evaluation (SAFE) and significant event analyses (see below) which mean significant risks are now overseen at WASG.</p> <p><b>Appendix 1</b> shows pictorially the relationship between different levels of risk management for safeguarding in Monmouthshire County Council.</p> <p>Strengthening alignment of risk management systems is a priority for improvement in the next reporting period with a view to testing out effectiveness in the 2018/19 internal audit programme.</p> |
| <p>Are all directorates monitoring and reporting on safeguarding using the SAFE process?</p>   | <p>A revised SAFE which reflects the cornerstones within the policy is being implemented. The deadline for completion of SAFEs across all Council services was 31<sup>st</sup> July 2017.</p> | <p>Within the timescale set, SAFE returns are as follows:<br/> 100% returns from schools and CYP<br/> 100% returns from Social Care and Health<br/> 7/8 in Operations – 100% compliant by December 17<br/> 16 /17 Enterprise - 100% compliant by December 17<br/> 4 /5 Resources - 100% compliant by December 17</p>  |

| Contributing Areas of Activity and Questions for Self – Assessment  | Progress   | Evidence  |
|---|--|---|
|   | <p>The deadline for early year's settings submission is 31<sup>st</sup> December 2017.</p>   | <p>Safeguarding and Quality Assurance Unit leads have been identified to support Directorate Lead's in completion of SAFEs, analysis and action planning.</p> <p>A programme of SAFE analysis reporting to WASG has commenced-</p> <ul style="list-style-type: none"> <li>• CYP update to WASG - September 2017</li> <li>• Operations update to WASG - November 2017</li> <li>• Social Care and Health – December 2017</li> <li>• Enterprise – January 2017</li> <li>• Resources – February 2017</li> </ul> <p>A priority for improvement is to quality assure the SAFEs and each directorate to ensure the action plans identified within SAFEs are appropriately reflected in Service Improvement Plans (SIPs).</p> |
| <p>Is there an effective system of significant event analysis to ensure there is management and mitigation of risks and learning and review arising from breaches in compliance with safeguarding policy and procedure?</p> | <p>A system of significant event analysis using the SBAR (Situation Background Analysis Review) has been introduced and is being overseen by WASG.</p> | <p>8 SBARs have been completed since the introduction of the system</p> <p>WASG will only close down its monitoring of an SBAR action plan once the loop has been closed and there is assurance that risks have been managed in a sustainable way.</p> <p>A priority for improvement is to ensure that the SBAR system is understood and being used positively across the Council.</p>  |
| <p>Are safeguarding implications set out in all reports to Cabinet and Council?</p>   | <p>Continuous Progress</p>   | <p>Safeguarding implications is a standard consideration in all reports.</p>  |
| <p>Is safeguarding reported in Chief Officer annual reports?</p>  | <p>Continuous Progress</p>   | <p>Safeguarding is a key element in the annual report of the Chief Officer for Social Care and Health and the Chief Officer for Children, Young People and Education.</p>   |
| <p>Is Monmouthshire effectively contributing to regional partnerships to promote robust safeguarding practices and drive forward regional work streams,</p>   | <p>Continuous Progress</p>   | <p>Heads of Adult and Children's Services, Housing Services Manager and Safeguarding Unit members are full members of all the South East Wales Adult and Children's Safeguarding Boards, subgroups, and business planning groups. At a strategic and operational level there is also strong engagement in Multi-Agency Sexual Exploitation meeting (MASE) Child Sex Exploitation (CSE), Violence</p>  |

| <b>Contributing Areas of Activity and Questions for Self – Assessment</b>                                  | <b>Progress</b> | <b>Evidence</b>   |
|--|-----------------|---|
| particularly the South East Wales Safeguarding Children Board and the Gwent Wide Adult Safeguarding Board? |                 | <p>Against Women Domestic Abuse and Sexual Violence (VAWDASV) and Contest (PREVENT anti radicalisation).</p> <p>The regional safeguarding structure is included as <b>Appendix 2</b>.</p> <p>Work undertaken by regional structures is shared and devolved locally via the Local Safeguarding Network to 3<sup>rd</sup> Sector and statutory partners. This is chaired by Monmouthshire’s Safeguarding Service Manager</p> <p>A priority for improvement is to strengthen the governance between national, regional and local safeguarding arrangements. Reporting of the regional boards’ annual reports as part of this report is an important step in strengthening these connections.</p> |

**Case Study:** Tourism Leisure Culture & Youth (TLCY) managers had different levels of focus, training, recruitment and competency regarding safeguarding responsibilities. The SAFE process and safeguarding policy was used positively to give more formal structure and ability of services to monitor and evaluate progress of all areas of their business. This has resulted in review of governance, structure and roles and responsibilities within the senior team of TLCY. A dedicated safeguarding lead officer ensures there is a true ‘real-time’ overview of all service areas. This also enables central monitoring and challenge with support provided when appropriate. TLCY have an action plan for Safeguarding that is monitored regularly for progress indicators; discussed at Directorate Management Team and team meetings and shared with the safeguarding team directorate lead. Safeguarding frameworks are embedded across TLCY and will be firmly engaged in any future planned service delivery.

The work has dovetailed into further work which is underway to consider options for delivering these services as an Alternative Delivery Model (ADM). Safeguarding frameworks are now embedded and will be monitored and reviewed as the ADM continues to be developed. Consideration of ability to sustain safeguarding performance will be a key issue in taking a final decision on whether to progress to an ADM.

TLYC provides a model for effective use of the SAFE self-evaluation to operationally and strategically improve safeguarding practice and evaluate future options for service delivery.

### **Analysis**

The last 6 months has seen good progress to ensure that safeguarding is a priority within the Council, and is a fundamental feature in the governance arrangements for officers and Members. The new safeguarding policy has been approved by Council and sets out clearly roles, responsibilities and governance arrangements. The Whole Authority Safeguarding Group (WASG) has an important role,

bringing together Chief Officers/ Heads of Service from each directorate to lead safeguarding activity in the Council. To reflect the need to improve systems for identification, management and mitigation of risk, a new system of SBARs (Situation Background Analysis Review) has been introduced to support WASG in identifying risks, overseeing action plans arising from significant event analyses in respect of compliance with the Council's safeguarding policy. There is further work needed to really embed risk management for safeguarding through strengthening the relationships between risk registers at every level and priority improvements.

There are arrangements in place for self-evaluation in all directorates via the SAFE process. Self-evaluation is triangulated in a number of ways including via an internal audit programme. Further activity is needed to ensure that the SAFE process is quality assured and embedded operationally and supports a programme of continual improvement within every directorate. This further work recognises that in the reporting period the SAFE process, which was originally developed as a tool in childcare settings, and related to safeguarding children, has now been rolled out across all parts of the Council and covers adults at risk as well as children.

At a regional level, the South East Wales Safeguarding Children and Safeguarding Adults Boards fulfil the statutory responsibilities set out in the Social Services and Wellbeing (Wales) Act. Monmouthshire County Council is fully represented on both the Children and Adult Safeguarding Boards, and their subgroups. It is acknowledged that more work is required to strengthen the links between national, regional and local safeguarding activity and ensure the learning from through the regional boards and sub-groups is embedded in practice and operations in Monmouthshire.

#### **Priority Actions**

- Strengthen and evidence links between the work of the national and regional Safeguarding Boards and practice within Monmouthshire.
- Strengthen alignment of safeguarding risk management systems at every level of the organisation through:
  - reviewing the quality of SAFE self- evaluation across all directorates to ensure that resulting action plans address the critical safeguarding issues for each service area and priority actions are reflected in SIPs;
  - ensuring the SBAR system of significant event analysis is understood, being used positively and risks highlighted are reflected in risk registers at directorate level as well as whole authority and WASG
  - testing out the effectiveness of arrangements in the 2018/19 internal audit work programme.

**Self-Assessed Score Against Measures:**

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## **2). Safe Workforce:**

**What does good look like?** We ensure that safe recruitment and human resource practices operate effectively and embedded across the Council- for the whole workforce (on pay roll and volunteer). We ensure that the workforce working with children and adults at risk are suitable for the role they are employed to do and are focused on outcomes for people. The whole workforce is clear about their duty to report concerns and to keep children and adults at risk safe.

| Contributing Areas of Activity and Questions for Self – Assessment | Progress   | Evidence   |
|--|--|--|
| <p>Is the workforce safely recruited?</p>                          | <p>Safe recruitment standards are set out in the Council's Safeguarding Policy 2017.</p> <p>The safe recruitment standards are supported by a safe recruitment process on which recruiting managers are trained.</p> <p>The Council's Volunteering Policy approved by Cabinet in November 2017 sets out standards for safe recruitment of the volunteer workforce.</p> <p>Leading volunteering training clearly outlines safe recruitment requirements for volunteers.</p> | <p>35 managers completed Safe Recruitment Training April - October 17</p> <p>DBS reports are circulated by Employee Services periodically to Directorate DBS Champions. 100% compliance with safe recruitment for employees is the standard that we work to. Any breaches in compliance with safe recruitment processes are reviewed as significant events and associated action plans are overseen by the WASG.</p> <p>Following the findings of the Wales Audit Office report into the Kerbcraft Service, which highlighted serious deficits in volunteer management in that service, and an internal audit report which evidenced gaps in a number of services across the Council, a full review of compliance with statutory guidance (Keeping Learners Safe) and local policy has been undertaken. 70 HR Business Partner school visits have been undertaken to check safe recruitment compliance. These are reporting 100% compliance. All information from schools (via SAFEs, the Lead Officer for Safeguarding in Education and HR business partner visits) will be triangulated by internal audit reviews of individual schools.</p> <p>Any gaps in information around the volunteer workforce are managed via the SBAR system.</p> <p>A volunteer management information system is being implemented to provide a central repository for volunteer information is being implemented.</p> <p>In terms of level of compliance in priority areas:</p> <ul style="list-style-type: none"> <li>- 70 HR Business Partner school visits have been undertaken to check safe recruitment compliance. These are reporting 100% compliance</li> <li>- Every Leisure Centre has appropriately trained Safeguarding Leads - 100% Compliance</li> <li>• The Passenger Transport Unit reports 100% workforce compliant with safeguarding induction and 100% of those who require level 1 training are up to date with that training.</li> <li>• Safeguarding Training L1 100% (PTU)</li> </ul> <p>Priorities for improvement in managing the volunteer workforce are:</p> <ul style="list-style-type: none"> <li>• Implementation of the Volunteer Policy</li> </ul> |

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|   |  | <ul style="list-style-type: none"> <li>• Delivery of the internal audit volunteering action plan (there will be a re-audit in 2018/19)</li> <li>• Implementation of the single volunteer management system.</li> <li>• Test understanding of the whole workforce of their safeguarding responsibilities</li> </ul>  |
| Is the whole workforce aware of their duty to report safeguarding concerns and trained to the appropriate level for their post? | <p>To meet the standards within the 2017 Corporate Safeguarding Policy, in-depth work has been undertaken to identify the level of training required for all staff roles to inform the development of a comprehensive training plan which includes both adults at risk and children.</p> <p>Safeguarding basic awareness training has been expanded to include both adults and children at risk and is part of all corporate induction days.</p> | <p>A revised training plan has been developed to reflect the Corporate Policy. This incorporates combined training for adults at risk and children were indicated.</p> <p>Recording of safeguarding training has been dependent on individual service level record keeping</p> <p>A central information system to record training status via the Council's My View system is being piloted with a full implementation date of January 2018.</p> <p>The roll out of basic awareness for the whole workforce covering safeguarding adults at risk and children is underway (previously awareness of adult safeguarding had been through a leaflet; this is not sufficient to reflect the duty for report in the Social Services and Wellbeing (Wales) Act).</p> <p>34 trainers within the council are trained to deliver Level 1 Safeguarding within their service areas.</p> <p>89 Designated Safeguarding Leads at Level 2 have been trained in this reporting period.</p> <p>Combined adult at risk and children's safeguarding training was undertaken for Council Members in July 2017. Further training for Members is planned in December 2017.</p> <p>100% of schools have up to date whole school Safeguarding training plans in place</p> <p>Governor specific safeguarding training is delivered each term as necessary</p> <p>Delivery of the training plan and full implementation of My View as the information system are priorities for improvement. Understanding across the workforce of their responsibilities will also be tested out</p> |
| Are we working to national guidance in managing addresses professional allegations and concerns?                                | National and Regional Policy is followed in managing Professional Concerns   | <p>The Safeguarding and Quality Assurance Unit has managed the following professional allegations between April and October 2017:</p> <ul style="list-style-type: none"> <li>• 20 new referrals for Professional Strategy Meeting (PSM).</li> <li>• 6 of these are ongoing</li> </ul>   |

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|   |  | <ul style="list-style-type: none"> <li>• 18 cases were concluded in this period with 2 cases having more than one conclusion.</li> <li>• 13 were substantiated</li> <li>• 5 unsubstantiated</li> <li>• 3 were unfounded</li> </ul> <p>33 meetings were held in total</p> <p>A priority for improvement is the full alignment of the management of professional concerns for children and adults at risk through the Safeguarding and Quality Assurance Unit.</p> |
| Is there a Whistle Blowing Policy in Monmouthshire which is understood? | <p>A revised Monmouthshire County Council Whistleblowing Policy was approved by Cabinet June 2017</p> <p>Reference to the Whistleblowing Policy is also included in the Council's Corporate Safeguarding Policy, and is included in Safeguarding training.</p> | <p>There have been 3 incidents reported under the "Whistle Blowing" Policy during the reporting period.</p> <p>A priority for improvement is to provide further guidance to senior managers on the implementation of the whistleblowing policy and to test awareness across the wider workforce.</p>   |

**Case Study** – This is a model case study which illustrates the way in which professional allegations are managed. It highlights the multi-agency nature of management of allegations, the role of the Authority in safeguarding children who are placed in Monmouthshire from other areas, and the roles and responsibilities of different partners. Duty of care to all concerned and timely conclusions in light of all relevant information is paramount.

In this case, concerns are raised by a child's social worker from an English Authority who is living in a residential care home in Monmouthshire. The concern is of a potential physical assault on the child by a member of staff. In line with the All Wales Child Protection Procedures a Professional Strategy Meeting is convened in Monmouthshire as the place the alleged assault took place, also Gwent Police had the jurisdiction to undertake any potential criminal investigation.

Discussion takes place with the child's social worker, the residential home, employee services and any relevant partner agency's to ensure the child's welfare had been secured and any medical assistance had been given. Further to this the worker is advised by their employer that a concern has been raised and a risk assessment undertaken to determine whether they should be placed on suspension without prejudice by their employer. A strategy discussion takes place between Monmouthshire Children's Services and the police to share information, to agree the need for a child protection investigation and to arrange a professional strategy meeting.

In attendance at the professional strategy meeting are all relevant partners including: employing agency, the police, Monmouthshire social worker (who is part of the Child Protection Investigation Team), and the social worker from the English authority who had placed the child in Monmouthshire. All relevant information is shared in the meeting both around the child and the member of staff. The meeting's remit is to ensure the welfare of the child and the welfare of the employee had been appropriately addressed.

The meeting discusses the information shared and arrives at a conclusion against the original allegation. It could have been either **Substantiated, Unsubstantiated, Unfounded, Demonstrably False, or Malicious**. If the meeting agrees that further information is required to enable a conclusion to be reached, the meeting will be reconvened at an appropriate time.

An Action Plan is recorded and dependant on outcome this could involve notification to Disclosure and Barring Service, Care and Social Services Inspectorate for Wales (CSSIW) or any other regulatory body, referring back to the employer to undertake and internal investigation or disciplinary process, training needs, or other appropriate action. The meeting also agrees how the child and the employee are to be informed of the outcome.

### **Analysis**

Safe recruitment of the whole workforce is a fundamental test of safeguarding in a local authority. Regular reporting over a number of years shows a very high level of compliance with safe recruitment of the employed workforce and the small number of cases where the safe recruitment process has not been followed an analysis using the SBAR process has been undertaken to ensure risks are immediately managed and lessons learned. Safe recruitment, and effective management, of the volunteer workforce has been a major focus in the last reporting period supported by the leading volunteer training and extensive involvement of volunteers and managers in the development of the Volunteering Policy approved by Cabinet in November 2014. Following the Wales Audit Office report into the Kerbcraft scheme, and an internal audit report which highlighted deficiencies in a number of parts of the Council a full review of compliance of volunteers has taken place with to achieve 100% compliance with all aspects of the standards for a safe workforce in advance of the implementation of the central volunteer information management system.

Strengthening policy, systems and process in the safety of the workforce has been a major focus during the last reporting period. There are considerable strengths in the levels of training within schools and child care settings which were the standards set within the previous safeguarding policy. The training standards set in the July 2016 Corporate Safeguarding Policy cover the whole Council workforce duty to report and safeguard children and adults at risk in line with the Social Services and Wellbeing (Wales) Act. This means that significant training needs have been identified across the whole authority. Basic awareness training covering adults and children is now available and each area of the Council has undertaken an in-depth review, team by team, to understand training needs and gaps. Plans are in place to co-ordinate training resources to ensure training needs are being met. Digital whole authority systems are also being implemented to enable reporting on training compliance across the paid and volunteer workforce. Plans to test out whole workforce understanding of their responsibilities are in place. Other improvements have been made, including the development of trainer's forum. Training will remain a significant priority for the next period.

There is a well-established process for managing professional allegations within Children's Services. We are working in context of regional and national developments to ensure there is alignment across children and adults in respect the management of professional allegations.

## Priority Actions

- Implementation of safeguarding training plan to address the gaps in safeguarding training for children and adults at risk
- Full implementation of volunteering policy
- Implementation of information systems to support accurate monitoring of whole workforce training status
- Test out understanding of duty to report across the workforce
- Alignment of professional allegations processes to align across adult and children’s services.

Self-Assessed Score Against Measures:

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### 3). Preventative Approach:

**What does good look like** - We are well-informed about the social issues that compromise the safety and welfare of children and adults at risk and /or potentially expose them to harm through abuse and neglect. We are working to demonstrate how we are responding to these issues and reducing risks through early intervention and preventative approaches.

| Contributing Areas of Activity and Questions for Self – Assessment | Progress   | Evidence  |
|--|--|---|
| Do our workforce understand emerging practice issues?              | <p>Training plans are in place to ensure the right levels of training in VAWDASV and PREVENT</p> <p>Raising awareness of the risks of Child Sexual Exploitation (CSE) is an area that has been prioritised in 2017/18.</p> | <p>23 staff received PREVENT training during this period. A Further 4 days of PREVENT training is scheduled for staff during 2017.</p> <p>PREVENT awareness raising has been delivered in all Monmouthshire Schools</p> <p>VAWDASV – Ask and Act Pilot in Monmouthshire completed with Adult Social Services. 2 in-house trainers completed training Sept 17. Plans in place to improve level of training across the workforce.</p> <p>Regional Safeguarding Network events held quarterly for statutory, 3<sup>rd</sup> sector, partnership staff and volunteers.</p> <p>Development and roll out via schools/youth services of “Sexting isn’t Sexy” training and CSE awareness raising is ongoing.</p> <p>Feedback from young people, trainers and school staff has been overwhelmingly positive in</p> |

| Contributing Areas of Activity and Questions for Self – Assessment  | Progress  | Evidence  |
|---|---|---|
|   | <p>The Safeguarding Unit have actively participated in the national review of CSE Policy and Procedure.</p> <p>CSE multi agency information and Intelligence sharing meetings (vice chaired by Monmouthshire Child Protection Co-ordinator) have identified locations and potential perpetrators, as well as identifying young people potentially at risk of CSE and risk-taking behaviour.</p> | <p>supporting open discussion in regard to difficult subjects and allowing young people to discuss concerns with adults in authority.</p> <p>There has been an increase in numbers of children identified as at risk of CSE with planned support from 6 in 2016 to 16 in October 2017.</p>  |
| <p>Does Monmouthshire demonstrate clear and creative working together with other agencies to intervene early?</p> | <p>Integrated and creative working between public protection and safeguarding is embedded and a real strength in preventing abuse and harm.</p> <p>Partnership working is well developed between key partners through community well-being networks which align resources to safeguard and prevent the need for statutory interventions.</p>  | <p>Child Protection Co-ordinator attends monthly meetings with licencing to discuss arising regulation and community safeguarding issues.</p> <p>Information from CSE strategy meetings, and Anti-Social Behaviour (ASB) meetings have resulted in the police, licencing and waste management services successfully disrupting sites of potential CSE and ASB across the authority.</p> <p>Monmouthshire licensing team are undertaking training with police for Operation Makesafe (identification of CSE within hospitality) with Public Houses, Clubs and Licenced Taxis.</p> <p>The Collaborative “Place Based Working” approach is integrating public, voluntary third sectors and communities by the development of integrated “Place based wellbeing teams”. An Information Sharing Protocol for Place Based Well-Being Support in Monmouthshire - accredited by Wales Accord for the Sharing of Personal Information (WASPI). An approach to measuring progress called ‘most significant change’ has been developed which enables partners to collectively identify the interventions which have prevented escalation of need for protection.</p> |

| Contributing Areas of Activity and Questions for Self – Assessment  | Progress  | Evidence   |
|---|---|--|
| Does the Information Advice and Assistance (IAA) approach at the front door of adult and children’s social services ensure that families and concerned citizens can access information and advice easily and effectively? | Continuous progress   | <p>The Information/ Advice and Assistance (IAA) facility at the front door of Children’s and Adults (FISH) services are now in place with processes monitored and reviewed.</p> <p>745 Adults received IAA since April 2017<br/>630 Children/families received IAA 2017</p>  |
| Is there a Multi-Agency Early Support and Family Support Referral Pathway to support vulnerable families?   | A first review of early intervention and prevention services in Children’s Services in 2016 has resulted in a new service offer recommended to Cabinet in December 2017.  | <p>Coordinated working is improving to realign early support for families outside statutory intervention and the development of an Early Support Referral Pathway. This is a response to quality assurance around children on the Child Protection (CP) register which evidences that there in some cases earlier intervention <u>may</u> have negated the need for registration by working with the family in a different way.</p> <p>Implementation of the realigned early support offer is a priority for improvement in the next period.</p>   |
| Are we analysing and responding to risk and vulnerability in communities?   | There has been a significant focus on individual and community well-being over a number of years. The focus on locality and place based approaches which develop resilience in individuals, families and communities. | <p>Development of the Community Wellbeing Hubs at Mardy Park, Monnow Vale, and Caldicot Library and the support of people to access community based support opportunities</p> <p>Families’ First services provide a range of preventative interventions for children and families.</p> <p>Community Wellbeing Development Officers based in the North and the South of the County who help identify gaps in community provision, support the development of community based groups, and assist in the location of funding streams.</p> <p>The Community Development and Partnership Team will be working across the County using the asset based community development methodology to understand the strengths of communities and work with communities and partners to address those strengths.</p> |



**Case Study** – A health visitor spoke with a mother of three children who was struggling to manage the behaviour of her children and home conditions. She was aware that her concerns related to ability to parent three lively children with limited financial resources and few friendship and family networks. The family did not meet the threshold of statutory intervention. She was also aware that without support the needs could escalate and in time result in a referral to children’s social services. With the consent of the mother she made a referral to Acorns nursery provision for the Incredible Years Parenting support programme and for a volunteer support worker to address home conditions and mother’s social isolation through linking her with other mothers and free/low cost opportunities for her children to participate in football and athletics clubs. Through the Housing Gateway she was able to access financial advice to maximise her income and address repair issues with her landlord. The mother agreed to include the older children’s school in this support network. Soon natural friendships were developing and the volunteer could reduce her contact. The Health Visitor remains involved in the health needs of the youngest child. This case study shows how creative multi agency working at an early stage can positively work with vulnerable families preventatively.

**Analysis** – Understanding the issues which cumulatively mean people are at risk of requiring protection is at the heart of a preventative approach to safeguarding. The preventative agenda is developing within community well-being hubs, and local groups and communities are supported to create, maintain and sustain activities where needs are identified within the community itself. The WASG challenges all parts of the Council to consider how they contribute to preventative activities. In some areas this is well developed – the examples in public protection cited above are clear examples of how safeguarding is at the heart of the work that is undertaken. The WASG provides a more joined up approach to some of the targeted work taking place within the Council around areas such as CSE, development of dementia friendly communities and PREVENT.

As a priority action, the WASG is considering how it can better develop effective ways of measuring and evaluating the impact of preventative activity to ensure that activity leads to better safeguards being in place for both children and adults at risk, and makes the best use of limited council resources to target vulnerability.

### **Priority Actions**

- Implement fully the early support and referral pathway
- Continue to build on the strengths of place based working by increasing the connections and partners who are working together to support individual and community well-being.
- Develop evaluative measures that enable better reporting of the impact of preventative work.

**Self-Assessed Score Against Measures:**

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### **4). Robust Protection:**

**What does good look like** - We operate best practice in protecting children and adults at risk and ensure that:

- All concerns about possible abuse or neglect are recognised and responded to appropriately;
- Multi-agency plans and interventions reduce risks and needs for children and vulnerable adults including those at risk of significant harm.

| <b>Contributing Areas of Activity and Questions for Self – Assessment</b>   | <b>Progress</b>   | <b>Evidence</b>  |
|---|---|--|
| Are referrals or concerns assessed and initial decisions taken within 24 hours of referral to children’s social services? | Continuous Progress   | 100% of referrals within Children Services meet this standard  |
| Are Adult Protection enquires undertaken in a compliant and safe timescale?   | Continuous Progress   | 80.0% of Adult Protection enquires were completed within 7 days in the first 2 quarters of 2017/18. This compares with an all Wales average of 80.1% in 2016/17. This is a dip in performance compared with 2016/17 (88.7%) and will be addressed by the service in the last 2 quarters of the 2017/18year.  |
| Are assessments in children’s services completed within statutory timescales (42 days)?                                   | This is a priority for improvement which is being addressed within the children’s services improvement plan.  | 83.3% of assessments in children’s services were completed within statutory timescales. This compares with 74.4% in 2017/18 but is still not meeting the local target 90%. Further intensive work is underway from both a process and a qualitative perspective to drive actions to deliver sustained improvement in assessment timescales.  |
| Is there is a Quality Assurance Framework in place which practice improvement?  | Social Care and Health Quality Performance Framework is in place. Service managers report into a DMT level group on the quality assurance undertaken in their service area. | <p>A range of mechanisms exist to drive improvement through quality assurance processes. These include:</p> <ul style="list-style-type: none"> <li>• Managers monitor through live dashboards in Children’s Services;</li> <li>• In children services 1 in 10 case records are randomly selected to assure decision making. If there are any concerns the ratio can be increased and reviewed.</li> <li>• Weekly Performance Management Oversight Group in Children’s Services (PMOG)</li> <li>• Children’s Services Leadership Team (CSLT)</li> <li>• Senior Management Quality Improvement Program (QUIP)</li> <li>• Adult Social Services practice improvement meeting (Oliver)</li> </ul> <p>There have been 2 independent reviews of the quality of practice in children’s services in the last 2 years by the Institute of Public Care. The second</p> |

| Contributing Areas of Activity and Questions for Self – Assessment   | Progress   | Evidence   |
|--|--|--|
|  |  | <p>review (which considered 50 cases files) identified clear progress in the quality of practice and decision making with further areas for improvement in really developing the preventative offer - “Overall positive progress and improvements in both process and practice at various stages of the care and support pathway” (IPC July 2017).</p> <p>This accords with service level quality assurance work undertaken by the Child Protection Coordinator.</p> <p>CSSIW considered adult safeguarding in their 2016/17 site visits to Monmouthshire. They noted the need for We would encourage planned work to further develop quality assurance and refining thresholds.</p> <p>A priority for improvement for the Safeguarding and Quality Assurance Unit is to develop appropriate quality assurance mechanisms for all aspects of safeguarding.</p>   |
| <p>Is an analysis of trends, exceptions, pressures and practice standards undertaken in protective services?</p> | <p>The Children’s Services Improvement Programme is driven by analysis of the data and trends which inform the operational and strategic improvement actions.</p> <p>In adult services more work is needed More work is required in data analysis to identify trends and emerging themes around areas of concern (CSSIW, June 2017).</p> | <p>The Number of Looked After Children (147) and number of children on the CP register have continued to rise in the first 2 quarters on 2017/18. The figures for 2016/17 were 91 and 133. The rate of CP registrations in Monmouthshire is higher than the all Wales rate.</p> <p>The Child Protection Co-ordinator and Independent Reviewing Officer submit a 6 monthly overview report on compliance, practice, and identifying trends and pressures on services. This identifies that thresholds are being applied appropriately but that there is an opportunity to support with more preventative services to reduce the need for registration in some cases.</p> <p>A revised early intervention and prevention service offer will be presented to Cabinet for approval in December 2017 and a priority for improvement is implementation of this new model. A related priority is the implementation of a workforce plan for children’s services which reflects the current levels of CP registrations and</p> |

| Contributing Areas of Activity and Questions for Self – Assessment  | Progress  | Evidence   |
|---|---|--|
|   |   | <p>LAC numbers which will be presented to Cabinet at the same time.</p> <p>A further priority for improvement is to analyse data better in adult protection to drive improvement.</p>  |
| <p>Is Care Planning compliant with all-Wales procedures and does it reflect clear multi-agency working to manage and reduce risk?</p> | <p>Adult and child protection practitioners work to all-Wales guidance and are participating actively in the reviews of national guidance.</p> <p>Children’s services risk assessment framework was approved by the Children’s Services Leadership Team in September 2017.</p> <p>Children’s Services commenced tracking Child Protection Conference attendance of professionals November in 2017.</p> <p>Practitioners in adult and children’s services work with multi-agency partners in domestic abuse.</p> | <p>CSSIW noted ‘good interagency practice’ in adult services (June 2017).</p> <p>Quality assurance and independent reviews test out compliance with All Wales Children’s Services.</p> <p>Quality assurance work in the next reporting period with focus on risk assessments in children’s services.</p> <p>Child Protection Coordinator attends fortnightly Multi Agency Risk Assessment Conference (MARAC) meetings to consider high risk Domestic Abuse cases, consider plans to minimise immediate risk and make referrals where appropriate</p> <p>April - October 22 women, and 19 children in Monmouthshire were the subject of Multi Agency Risk Assessment Conference (MARAC) risk reduction plans.</p> |

**Case Study - Case Study** – This is a model case study which highlights multi-agency work in the area of domestic abuse. A Duty to Report form is received by adult safeguarding with regard to a woman who has been subject to a serious domestic assault. Initial enquiries indicated that the woman is not known to adult services, does not have children, and does not have a specific care and support need. It is clear, however, from the information received that the woman has been a victim of domestic abuse in the past and that the risks to her seem significant. Police make a referral for a MARAC. An adult safeguarding co-ordinator attends the MARAC meeting with the police, representatives from Women’s Aid, housing, tenancy support and health. The meeting determines the risks posed to the woman and a multi-agency plan is agreed which addresses risks identified by a number of possible options which include: support from the police, marking the property for urgent response; home

security and alarms where necessary, community policing aware of perpetrator, independent domestic violence advocate support, refuge accommodation, housing and tenancy support, health assessment support, and referral to other support agencies as appropriate is made available. The information from is stored on the MARAC SharePoint system so that tracking can take place, information can be analysed as to trends and numbers of cases, and outcomes checked.

## **Analysis**

Working to All-Wales protection procedures is embedded in the work of adult and child protection practitioners. The Children’s Services Improvement Programme has created a drive to improve the quality child protection practice, application processes and procedures, and ensure staff understand the requirements and expectations of their role and task. Critical to this has been recruitment of a permanent workforce. Safe practice is now supported by a clear infrastructure of risk management frameworks, clear procedures, models and tools.

The creation and development of the Adult and Children’s Safeguarding Unit presents opportunities to consider how best to identify opportunities for “joined up” work and joint implementation of the revised All Wales guidance for children and adults at risk. Effective quality assurance is a prerequisite in ensuring that the quality of safeguarding practice is understood and to drive improvement actions. This is better developed in children’s than adult services, but again the development of the joint unit provides the basis for aligning practice and systems.

## **Priority Actions:**

- Children and adult Safeguarding and Quality Assurance Unit to develop an operating model which builds on strengths in both parts of the service
- Continue to improve outcomes in children’s services through the children’s services improvement programme, including improving systems, processes and practice which contribute to timescales for completion of assessments.
- Implementation, and quality assurance of, risk framework in children’s services.
- Further develop quality assurance mechanisms, and data analysis, in adult protection, to support improvement.

**Self-Assessed Score Against Measures:**

|   |
|---|
| 4 |
|---|

## **5). Safe Services – delivered through commissioning arrangements, grants, partnerships and volunteering**

**What does good look like** - We use our influence to ensure that services operating in Monmouthshire, both commissioned and those outside the direct control of the Council, do so in ways which promote the welfare and safety of children and adults at risk.

| Contributing Areas of Activity and Questions for Self – Assessment   | Progress  | Evidence   |
|--|---|--|
| <p>Do we ensure that commissioned services meet Monmouthshire’s safeguarding services standards as laid down in the Corporate Safeguarding Policy?</p> | <p>MCC Accreditation Process for commissioned social care services is the responsibility of embedded in Social Care and Health Commissioning Team. The service manager had responsibility for adult and children’s services from January 2017 and has been developing the operating model to ensure it covers all social care services.</p> <p>An Internal Audit report (issued 31.10.17) highlighted need for consistent adherence to an accreditation programme and process for children’s service placements. An action plan is in place to address the issues identified in the report,</p> <p>The majority of children’s independent foster agency (IFA) and residential placements are identified via the Children’s Commissioning Consortium Cymru Framework (the 4Cs) - The</p> | <p>The Corporate Safeguarding Policy 2017 clarifies the position regarding commissioned services meeting Monmouthshire’s safeguarding standards.</p> <p>Service Review Annual Visits programme undertaken by monitoring officers ensures compliance to policy. A new contracts officer has been in place since August 2017 and has developed a programme to cover all providers</p> <p>Formal contract monitoring visits in the reporting period:<br/> Adult’s 30<br/> Children 2</p> <p>No. Escalating Concerns - initiated/closed 0<br/> No. Provider Performance Issues (Stage 3) 0<br/> No. Provider Performance Issues (Stage 2) 5<br/> No of Provider issues ongoing (Stage 2) 2</p> <p>Children’s placements and welfare are mandatorily reviewed by social workers in line with national and regional policy. Between April – October 2017 206 reviews were held in this period. 100% held within statutory timescale.</p> |

| Contributing Areas of Activity and Questions for Self – Assessment  | Progress  | Evidence  |
|---|---|---|
|   | <p>providers are subject to a stringent framework of checks.</p> <p>Contracts tendered by other Directorates for example CYP /schools and PTU for services for children and adults at risk appropriately reflect safeguarding requirements.</p>   | <p>Extract from Cleaning Contract Awarded by MCC School.</p>  |
| <p>Do we ensure that parts of the Council have robust arrangements in place for services they commission/licence?</p> | <p>There are well developed arrangements in public protection:</p> <ul style="list-style-type: none"> <li>- safeguarding training is a requirement for licenced taxi /hackney and private hire.</li> <li>- Voluntary safeguarding training offered to alcohol/ entertainment and late night refreshment licensees.</li> </ul> | <p>Monmouthshire Letting and Hiring process requires evidence of the hirer’s Safeguarding processes as mandatory prior to letting council property. This is set out in the Taxi and Private Hire Policy &amp; Conditions 2016. During the reporting period we saw:</p> <ul style="list-style-type: none"> <li>- 100% compliance new licences</li> <li>- 100% previous licences</li> <li>- 100% renewed licence</li> </ul> |
| <p>Do we ensure the safe recruitment, training, and management of volunteers in commissioned services?</p>            | <p>The Corporate Safeguarding Policy and Volunteering Policy set out clear guidelines and expectations for volunteers in commissioned services. This is reflected in individual service contracts.</p>  | <p>Corporate Safeguarding Policy</p> <p>Volunteering Policy</p>   |

#### Case Study –

The terms and conditions of the Home to School Transport Contract (adopted 2014), there had been no specific/statutory requirement for staff to undertake Safeguarding (L1) training. However, as Local Authority commitments to safeguarding have progressed significantly over the years, the Passenger Transport Unit (PTU) have referred to the paragraph below in order to provide (or enforce as required) the need for safeguarding training.

|        |   |
|--------|---|
| 4.3.37 | <p>The Supplier shall ensure all staff are trained as appropriate to provide the standards of service required. In addition contractor’s staff may be required to attend any Council provided training as and where appropriate. If such a request is made by the Council, the Contractor must make available the relevant staff member(s).</p> |
|--------|---|

The PTU have since revised the terms and conditions in readiness for the contract retender (with effect from September 2018), now reflecting the requirement for staff to undertake Safeguarding (L1) training.

|      |  |
|------|--|
| 6.13 | The Supplier shall ensure all staff are trained as appropriate to provide the standards of service required and staff must have undertaken a minimum level 1 in safeguarding course provided by the Council (the costs of which may be chargeable). In addition contractors staff may be required to attend any Council provided training as and where appropriate. If such a request is made by the Council, the Contractor must make available the relevant staff member(s). |
|------|--|

The PTU (Operations) team are now suitably trained for the delivery of Safeguarding (L1) in order to assist with any training needs of providers.

### **Analysis**

This is the first time information regarding commissioned services has been reported and there is an emphasis on social services commissioning in this report. Social care commissioning capacity in Monmouthshire had for many years been focussed on adult commissioning. The Social Care and Health Commissioning Team is developing its operating model to provide a comprehensive approach for all social care commissioning for children and adults. This is the first time information regarding commissioned services has been reported and there is an emphasis on social services commissioning in this report. Social care commissioning capacity in Monmouthshire had for many years been focussed on adult commissioning. The Social Care and Health Commissioning Team is developing its operating model to provide a comprehensive approach for all social care commissioning for children and adults. A Commissioning Lead is in place and has developed productive relationships with commissioned providers have been addressed alongside the social worker review of placements which have met all statutory timescales. A robust, risk-based, contract management and quality assurance process across all providers from January 2018.

Initial review of the evidence from schools, and other parts of the Council that contract for services for children/ adults at risk indicate there are robust arrangements in place (individual school contracts, transport, leisure services). However, the evaluative score recognises the need for an in-depth understanding of the baseline position across the whole of the Council in respect of commissioning. It has been agreed that internal audit will undertake work in this area during their 2017/18 audit programme. A robust and proportionate contract management and quality assurance process across all providers from January 2018.

Initial review of the evidence from schools, and other parts of the Council that contract for services for children/ adults at risk indicate there are robust arrangements in place (individual school contracts, transport, leisure services). However, the evaluative score recognises the need for an in-depth understanding of the baseline position across the whole of the Council in respect of commissioning. It has been agreed that internal audit will undertake work in this area during their 2017/18 audit programme.

### **Priority Actions**

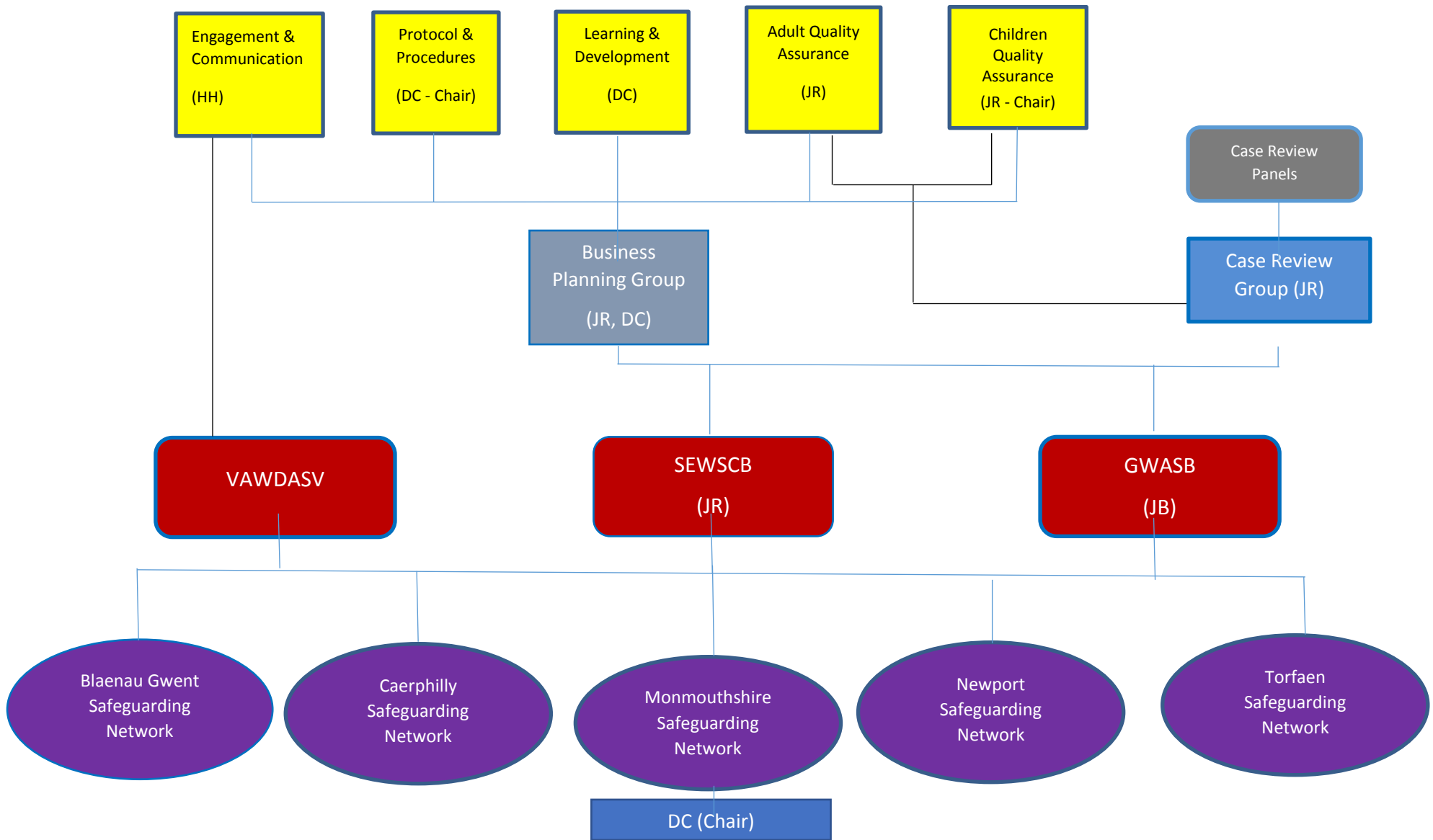


- **Internal audit to undertake review to baseline position across the authority in terms of commissioning and partnership**
- **Social Care and Health Commissioning Service to implement operating model covering adult and children's services**
- **Implement internal audit action plans for children's services placements.**

**Self-Assessed Score Against Measures:**

|   |
|---|
| 2 |
|---|

# Regional Strategic Safeguarding Structure





|                                 |   |
|---------------------------------|---|
| <b>SUBJECT:</b>                 | <b>Homelessness &amp; Prevention - Future of Private Leasing Scheme</b> |
| <b>MEETING:</b>                 | <b>Adult Select Committee</b>   |
| <b>DATE:</b>                    | <b>23<sup>rd</sup> January 2018</b>                                     |
| <b>DIVISION/WARDS AFFECTED:</b> | <b>All</b>  |

## 1.0 PURPOSE

1.1 This is a follow up to the report received by the Committee on 12<sup>th</sup> September 2017 and advises that the Council's contract with Melin Homes to manage the Private Leasing Scheme (PLS) will end in June 2018. The report updates the Committee on the due diligence findings and considers the options for the future scheme management. The report also provides an update on Welsh Government temporary accommodation funding and its relevance to the PLS. **See Appendix 1.**

## 2. RECOMMENDATIONS

- 2.1 To consider how the PLS supports homelessness, the Council's homeless related duties, other responsibilities (eg Public Protection) and the associated budget implications.
- 2.2 To consider the available options for meeting its responsibilities for the on-going provision of the PLS as part of the Council's temporary accommodation portfolio, as per the requirement of the Housing (Wales) Act 2014.
- 2.3 To recommend to Cabinet that the PLS transfers back to the Council and the PLS is maintained, certainly in the short-term.
- 2.4 To recommend to Cabinet that other options are identified to continue to strengthen homeless prevention and/or facilitate new housing options that would help to provide an alternatives to the PLS. **See Appendix 2.**
- 2.6 Continue to work with Melin Homes and prepare for the ending of the private leased contract in June 2018, including seeking to reduce or eliminate costs wherever possible and facilitating TUPE arrangements in respect of Melin staff x 1.6 wte.
- 2.7 To continue implementing the process of due diligence include giving particular regard to rent arrears and property condition.

## 3. KEY ISSUES

- 3.1 Under the Housing (Wales) Act 2014, the Council has a duty to both respond to homelessness and to prevent homelessness. The Act also provides the power to discharge the associated duties into the private rented sector. Strengthening prevention activity is an on-going priority, including engaging with private landlords to enable access to private accommodation as a key option for the Council to discharge its homeless duties and minimise over reliance on social housing and the need to utilise bed & breakfast.
- 3.2 A PLS has operated for over ten years. It was initially established due to the lack of social housing and supports the Council to discharge its statutory duties and helps to minimise bed & breakfast use. The PLS was transferred to Melin Homes in 2009 under contract, which ends in June 2018. A decision now needs to be made about the future of the PLS and the Council is actively preparing for the end of the contract and undertaking a process of due diligence. **See Appendix 1.** Melin no longer wish to manage the scheme, in part, due to Welfare Reform changes. Of relevance is the Department of Work & Pensions decision from April 2017 to remove the ability to claim a

£60 pw per property temporary accommodation management fee subsidy, through housing benefit. Welsh Government have replaced with additional Rate Support Grant.

3.4 Although the Council continually seeks to access private rented opportunities, the ability to deliver the required number of properties is limited for a number of reasons including:

- Homeless applicants typically are low income households and in receipt of benefit. Lettings agencies and landlords are often reluctant to accept households on benefit.
- Many households cannot afford to meet local rents and upfront private sector costs.
- Vulnerable households are often perceived, often incorrectly, as a risk to landlords
- Some households with complex needs are difficult to accommodate in any sector

#### 4. **OPTIONS APPRAISAL**

4.1 The following options, which are fully evaluated in **Appendix 1**, are available:

- **Option 1** – Transfer back to the Council and continue to operate alongside the Shared Housing, whilst seeking to retain, but re-negotiate with landlords. Option 1 is considered the most appropriate in order to most effectively meet statutory duties. It also supports the development of Monmouthshire Lettings.
- **Option 2** – Transfer back to the Council and phase out the scheme. This would impact negatively on preventing homelessness due to the lack of social housing and other housing options. It would also be detrimental to applicants and other costs would be incurred, such as bed & breakfast and Prevention related expenditure.
- **Option 3** - Identify a new provider, although it is believed there will be little interest due to the unique nature of the service. Equally, it is considered that the Housing Options Team is best placed to manage the PLS directly due to the need for maximum flexibility, particularly in relation to supporting vulnerable households.

#### 5. **EVALUATION CRITERIA**

5.1 Additional evaluation over and above that listed above is detailed in **Appendix 1**. See also **Appendix 3**.

#### 6. **REASONS:**

6.1 The Council has a legal duty to prevent and respond to homelessness under the Housing (Wales) Act 2014 and the power to discharge this duty into the private rented sector.

#### 7. **RESOURCE IMPLICATIONS:**

7.1 A decision by the Department of Works and Pensions to remove the temporary accommodation management subsidy from April 2017 (value approximately £383,230) and the 'replacement' funding by Welsh Government of additional Rate Support Grant (£148,000) has created for following budget pressures:

- An over-spend of £98,000 is projected for 2017/18, a reduction from £127,000 as reported at Month 7. This pressure was expected and has previously been factored into the Council's Medium Term Financial Plan.
- The projection for 2018/19 is a £150,000 overspend and is a reduction from £228,870 previously reported to the Committee in the previous report. **See Appendix 4**

#### 8. **WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):**

- 8.1 Should the Council need to reduce the level of private leasing or phase out the PLS, this negatively impacts on homeless applicants in Monmouthshire, which may include those with protected characteristics. **See Appendix 5.**
- 8.21 Homeless prevention and the private leasing scheme supports both safeguarding and corporate parenting.
9. **CONSULTEES:** Chief Officer Enterprise; Cabinet Member for Enterprise; Head of Planning, Housing & Place-Shaping; Assistant Head of Finance
10. **BACKGROUND PAPERS:** None
11. **AUTHOR:** Ian Bakewell, Housing & Communities Manager
12. **CONTACT DETAILS:** E-mail: [ianbakewell@monmouthshire.gov.uk](mailto:ianbakewell@monmouthshire.gov.uk) Telephone: 01633 644479

## Appendix 2

### **Overview of Key Actions to Strengthen Homeless Prevention & Develop Alternative Housing Options for Private Leasing**

The following actions will help to mitigate against budget pressures created by the loss of the temporary accommodation management fee and help to provide alternatives to using private leasing to meet statutory duties:

- Scope to re-designate shared housing to hostel status is being investigated to attract different treatment by housing benefit.
- 'Lodgings based' Supported housing models are being investigated. A presentation by Nightstop was provided to officers on 7<sup>th</sup> December 2017. Other models have been acquired for consideration in relation to the Supporting People programme.
- Discussions are on-going about scope to strengthen homeless prevention utilising the Supporting People programme, as expected by Welsh Government. Need and a number of options are currently being considered.
- Funding has been acquired from WG grant to temporarily offer 'Golden Hellos' for the Monmouthshire Lettings service.
- Again through securing another WG grant, the Council has appointed a Young Person Accommodation Officer from January 2018 to provide a dedicated resource in respect of young people hopefully increase prevention for young people. The proposal is that this post will be funded from Supporting People after April 18. This will also support Social Services and Childrens Services.
- Two part-time benefits staff have transferred from Social Care. This has enabled the Housing Options Function of Financial Inclusion to be strengthened.
- A small Homeless Prevention Reserve has been created to offer private landlords rent guarantees.
- The monitoring of the Housing Register is an on-going priority to ensure the Register works for the Council in respect of homelessness and prevention.
- Housing Options staff have met with Tai Calon Housing Association in Torfaen County Borough Council. Tai Calon from time to time, such as in locations close to Monmouthshire, may have vacancies that the Council may be able to utilise for homeless households.
- Discussions are on-going with a group of Monmouth Churches who are interested in providing a night-shelter for rough sleepers during the winter. Discussions about the churches supporting a possible lodgings based supported housing model are also being discussed.
- Development of a joint Regional Homeless Strategy with other Gwent Council's which it is anticipated. It is hoped that regional solutions will emerge.

## Appendix 3

### Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

|                                |   |
|--------------------------------|---|
| <b>Title of Report:</b>        | <b>Homeless Prevention – Future of Private Leasing Scheme</b> |
| <b>Date decision was made:</b> |   |
| <b>Report Author:</b>          | <b>Ian Bakewell</b>   |

#### **What will happen as a result of this decision being approved by Cabinet or Council?**

The proposed outcome is that the Council agrees to maintain the private leasing scheme after it is transferred back to the Council from Melin Homes.

Maintaining the private leasing scheme is of relevance for a number of reasons:

- The scheme enables the Council to discharge it's homeless related duties under the Housing (Wales) Act 2014
- It provides good quality temporary accommodation
- It supports applicants to remain within or near their own communities, albeit that isn't always possible
- The loss of the scheme will mean that the current 58 households will need to be accommodated. In reality this will create added pressure for the social housing stock. Furthermore, the loss will mean there are 58 less units of temporary accommodation for homeless households.
- The loss of the scheme will make it harder to prevent homelessness and/or provide accommodation to applicants
- The loss of the scheme may create knock on costs, such as the use of bed & breakfast
- There is a focus on developing other initiatives to strengthen homeless prevention and create new housing options. This will take time. It's unlikely that any one solution will be sufficient to replace the private leasing scheme.

12 month appraisal

#### **What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?**

The following benchmarks will be used to assess whether the decision has had a positive or negative effect:

- Requests/demand for homeless assistance
- Level of successful homeless prevention
- Client satisfaction and complaints
- Budget monitoring information
- Successful introduction of alternative options

12 month appraisal

#### **What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?**

No budget savings will be achieved by implementing this decision. Equally it's difficult to estimate the financial cost of phasing out the scheme. However, it is known that the current projected financial pressure is £150,000 for 2018/19. However, should these costs change it is more likely that the costs will fall rather than increase.

It is anticipated there would be social costs if the scheme was phased out in the short-term for homeless households in the knowledge that there is a lack of alternatives to private leasing to whom the Council has a duty to under Housing (Wales) Act 2014

It will be a priority though to investigate new initiatives to strengthen homeless prevention and to create new housing options to mitigate against this cost and seek to reduce this financial pressure.

12 month appraisal

Any other comments





## Future Generations Evaluation (includes Equalities and Sustainability Impact Assessments)

|   |  |
|---|--|
| <p><b>Name of the Officer</b> Ian Bakewell</p> <p><b>Phone no:</b> 01633 644455<br/><b>E-mail:</b> ianbakewell@monmouthshire.gov.uk</p> | <p><b>Please give a brief description of the aims of the proposal</b></p> <p>Transfer of Private Leasing Scheme from Melin Homes to the Council at the end of the contract with Melin Homes in June 2018</p> |
| <p><b>Name of Service</b></p> <p>Housing &amp; Communities</p>  | <p><b>Date Future Generations Evaluation</b></p> <p>17<sup>th</sup> July 2017</p>  |

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.



| Well Being Goal  | How does the proposal contribute to this goal? (positive and negative)  | What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?                       |
|--|---|---|
| <p><b>A prosperous Wales</b><br/>Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p> | <p>By maintaining an key housing option in Monmouthshire and continuing to provide sustainable and affordable housing accommodation that is of mutual benefit to applicants and private landlords</p> | <p>Landlords will be engaged with in respect of lease conditions and lease charges. This may result in lower rents for applicants</p> |




| <b>Well Being Goal</b>  | <b>How does the proposal contribute to this goal? (positive and negative)</b>  | <b>What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?</b> |
|---|--|--|
| <b>A resilient Wales</b><br>Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)                                      | Helps create a more resilient homeless service and more resilient community  | This scheme is currently operational and is an important resource in Monmouthshire to prevent homelessness             |
| <b>A healthier Wales</b><br>People's physical and mental wellbeing is maximized and health impacts are understood   | The service supports people to access and remain in good quality accommodation or access alternative accommodation which contributes to health and well-being. | The Council already takes on accommodation, which needs to meet minimum standards eg no Category 1 hazards             |
| <b>A Wales of cohesive communities</b><br>Communities are attractive, viable, safe and well connected   | The service supports this by creating sustainable long term affordable accommodation.  | The accommodation provides an alternative to bed & breakfast accommodation   |
| <b>A globally responsible Wales</b><br>Taking account of impact on global well-being when considering local social, economic and environmental wellbeing                                | N/A  | N/A  |
| <b>A Wales of vibrant culture and thriving Welsh language</b><br>Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation | N/A  | N/A  |

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| Well Being Goal   | How does the proposal contribute to this goal? (positive and negative)                             | What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts? |
|---|--|---|
| <b>A more equal Wales</b><br>People can fulfil their potential no matter what their background or circumstances | The scheme will create settled households in which they are better able to fulfil their potential. | This service is already currently available through Melin Homes   |

**2. How has your proposal embedded and prioritised the sustainable governance principles in its development?**

| Sustainable Development Principle  | How does your proposal demonstrate you have met this principle?  | What has been done to better to meet this principle?  |
|--|--|---|
|  <p>Long-term</p> <p>Balancing short term need with long term and planning for the future</p> | <p>The service supports the Council to discharge its legal duty to prevent homelessness as per the Housing (Wales) Act 2014 and aims to reduce the use of short-term measures eg B &amp; B</p> | <p>The PLS is seen as an integral service to the Monmouthshire Lettings service which seeks to offer choice to provide landlords that provides good value for money</p> |
|  <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>     | <p>Private landlords will be a key partner</p>   | <p>Private landlords are already key partners</p>   |

| Sustainable Development Principle  | How does your proposal demonstrate you have met this principle?   | What has been done to better to meet this principle?   |
|--|---|--|
|  <p>Involvement<br/>Involving those with an interest and seeking their views</p>                                | None done   | <p>The following consultation will be undertaken:</p> <ul style="list-style-type: none"> <li>• Melin Homes</li> <li>• Melin staff due to transfer under TUPE</li> <li>• Individual landlords will be contacted. This started in May</li> </ul> |
|  <p>Prevention<br/>Putting resources into preventing problems occurring or getting worse</p>                    | The service is a preventative service and accesses and utilises external resources to prevent homelessness. | The proposal helps to maintain an existing preventative service  |
|  <p>Integration<br/>Positively impacting on people, economy and environment and trying to benefit all three</p> | The services positively impacts upon the local economy by providing an income for private landlords         | The service is currently in place.   |

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

| Protected Characteristics     | Describe any positive impacts your proposal has on the protected characteristic | Describe any negative impacts your proposal has on the protected characteristic | What has been/will be done to mitigate any negative impacts or better contribute to positive impacts? |
|-------------------------------|---|---|---|
| Age                           | The service will continue to be available to this and all groups                | There are no negative impacts in relation to this proposal                      | N/A   |
| Disability                    | Ditto   | Ditto   | Ditto   |
| Gender reassignment           | Ditto   | Ditto   | Ditto   |
| Marriage or civil partnership | Ditto   | Ditto   | Ditto   |
| Race                          | Ditto   | Ditto   | Ditto   |
| Religion or Belief            | Ditto   | Ditto   | Ditto   |
| Sex                           | Ditto   | Ditto   | Ditto   |
| Sexual Orientation            | Ditto   | Ditto   | Ditto   |
| Welsh Language                | Ditto   | None  | Bi-lingual information is being made available  |

2021/09/01

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

|                     | Describe any positive impacts your proposal has on safeguarding and corporate parenting    | Describe any negative impacts your proposal has on safeguarding and corporate parenting | What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts? |
|---------------------|--|---|--|
| Safeguarding        | The service provides an option that can contribute to Corporate Parenting and Safeguarding | None unless the PLS needs to contract   | Level 1 Training   |
| Corporate Parenting | Ditto  | None  | The service can potentially be used to support cases identified Social Care                                |

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5. What evidence and data has informed the development of your proposal?

Homeless prevention related statistics

Housing (Wales) Act 2014

Welsh Government Code of Guidance for Local Authorities for the Allocation of Accommodation & Homelessness

Good practice information

Landlord feedback

**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

- The proposal will give the Council full control over property management, expenditure and rehousing future applicants.
- The proposal supports the development of Monmouthshire Lettings

**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

| What are you going to do | When are you going to do it? | Who is responsible | Progress |
|--------------------------|------------------------------|--------------------|----------|
| N/A                      | N/A                          | N/A                | N/A      |

**8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

|   |   |
|---|---|
| <b>The impacts of this proposal will be evaluated on:</b> | <p>Will be reviewed on an on-going basis through budget monitoring arrangements quarterly performance monitoring reports and Team Meetings</p> <p>The service will be considered during periodic analysis of failed homeless prevention, undertaken to identify possible improvements and understand potential service flaws.</p> |
|---|---|







**SCHEDULE 12A LOCAL GOVERNMENT ACT 1972  
EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

**Meeting and Date of Meeting: Adults Select Committee**

**Report: Future of Private Leasing Scheme**

**Author: Ian Bakewell, Housing and Communities Manager**

I have considered grounds for exemption of information contained in the background paper for the report referred to above and make the following recommendation to the Proper Officer:-

**Exemptions applying to the report:**

Information relating to a particular individual as described in Paragraph 12 of Part 4 of Schedule 12A to the Local Government Act 1972.

**Factors In favour of disclosure:**

Openness & transparency in matters concerned with the public

**Prejudice which would result if the information were disclosed:**

- Negotiated payments being made to individual landlords
- Commercially sensitive information relating to the delivery of the private leasing scheme, which may be advantageous to other organisations who may be interested in tendering to undertake the future management of the scheme

The above could give unfair advantage to landlords and organisations

**My view on the public interest test is as follows:**

Factors in favour of disclosure are outweighed by those against.

**Recommended decision on exemption from disclosure:**

Maintain exemption from publication in relation to report

Date: 15<sup>th</sup> January 2018

Signed:

Post:

Housing and Communities

---

I accept/I do not accept the recommendation made above

Signed:

  
Proper Officer

Date: 15<sup>th</sup> January 2018



By virtue of paragraph(s) 12 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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By virtue of paragraph(s) 12 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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*Monmouthshire's Scrutiny Forward Work Programme 2017-18*

| <b>Adults Select Committee</b>                        |  |  |                                   |                         |
|---|--|--|-----------------------------------|-------------------------|
| <b>Meeting Date</b>                                   | <b>Subject</b>   | <b>Purpose of Scrutiny</b>   | <b>Responsibility</b>             | <b>Type of Scrutiny</b> |
| <b>23<sup>rd</sup> January 2018</b>                   | <b>Empty Homes Update</b>                                    | A progress update of the council's approach to bringing properties back into use.  | Ian Bakewell                      | Pre-decision Scrutiny   |
|   | <b>Gypsy &amp; Traveller Pitch Allocation Policy'</b>        | Pre-decision scrutiny of the policy following the consultation period.   | Ian Bakewell<br>Stephen Griffiths | Pre-decision Scrutiny   |
|   | <b>Melin Private Leasing Scheme</b>                          | The private leased contract with Melin ends in June 2018 with decisions needing to be made on the future direction, requiring scrutiny.  | Ian Bakewell<br>Stephen Griffiths | Pre-decision Scrutiny   |
|   | <b>Safeguarding Performance</b>                              | Self-evaluation of Safeguarding.<br><br><b>*CYP Select Invited*</b>  | Cath Sheen<br>Claire Marchant     | Performance Monitoring  |
| <b>Special Meeting 8<sup>th</sup> February, 10am</b>  | <b>Care Closer to Home *TBC* or above</b>                    | Discussion on Care Closer to Home and how this sits within Monmouthshire Integrated Services.  | Julie Boothroyd                   | Performance Monitoring  |
|   | <b>Turning the World Around</b>                              |  | Julie Boothroyd                   | Performance Monitoring  |
|   | <b>Re-Designation of Shared Housing Accommodation Report</b> |  | Ian Bakewell                      | Pre-decision Scrutiny   |
| <b>Special Joint Meeting of CYP and Adults Select</b> | <b>Area Plan</b>   | This is a draft plan which will be consulted upon in terms the priorities that will drive where investment across the region ~ scrutiny to enable members to offer a view these. | Claire Marchant                   | Consultation            |
|   | <b>Disability Transformation Work</b>                        |  | Julie Boothroyd                   | Performance Monitoring  |

## Monmouthshire's Scrutiny Forward Work Programme 2017-18

| Adults Select Committee     |                   |                               |                |                        |
|-----------------------------|-------------------|-------------------------------|----------------|------------------------|
| Meeting Date                | Subject           | Purpose of Scrutiny           | Responsibility | Type of Scrutiny       |
| 20 <sup>th</sup> March 2018 | Supporting People | Review of the grant spending. | Chris Robinson | Performance Monitoring |

### Future Agreed Work Programme Items: Dates to be determined

- ✓ **Future Commissioning of Adults Services** ~ linked to "Turning the World Upside Down"
- ✓ **Budget Pressures within services and spend analysis**
- ✓ **Community Development and Well-being**
- ✓ **Supporting People Strategy**
- ✓ **Welfare** ~ Discussion with Monmouthshire Housing Association on current stock and new home development, support for welfare reform
- ✓ **Housing Report: Removal of the Temporary Accommodation Management Fee**
- ✓ **Housing Report: Local Housing Market Assessment**
- ✓ **Disabled adaptations further to the additional funding for 2017/18**
- ✓ **Annual Complaints Report for Social Services**
- ✓ **Local review of homelessness and related services**

### Joint Scrutiny with Children and Young People's Select Committee:

- ✓ **"Information, Advice and Assistance Service** ~ responsibility of the Social Services and Well-being Act 2014 ~ (January/February 2018)
- ✓ **The implementation of the Social Services and Well-being Act 2014** ~ (October 2017)
- ✓ **Mental Health and Learning Disabilities** ~ linked to implications of the DOLS (Deprivation Liberty Safeguards) Grant



## *Monmouthshire's Scrutiny Forward Work Programme 2017-18*

- ✓ **Well-being** ~ responsibilities of the Social Services and Well-being Act 2014 around connected communities and meeting needs
- ✓ **Implementation of the Social Services and Well-being Act 2014** ~ review post 18 month together with the duties around prisons ~ (March 2018)
- ✓ **Safeguarding Performance Reporting and Progress of Regional Safeguarding Boards** ~ Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015
- ✓ **Regional Integrated Autism Service**
- ✓ **Annual Report**

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## Council and Cabinet Business – Forward Plan

Monmouthshire County Council is required to publish a Forward Plan of all key decisions to be taken in the following four months in advance and to update quarterly. The Council has decided to extend the plan to twelve months in advance, and to update it on a monthly basis.

Council and Cabinet agendas will only consider decisions that have been placed on the planner by the beginning of the preceding month, unless the item can be demonstrated to be urgent business.

| Subject   | Purpose  | Consultees                           | Author                       |
|---|--|--------------------------------------|------------------------------|
| Page  |  |                                      |                              |
| 3 <sup>rd</sup> JANUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION |  |                                      |                              |
| Fixed Penalty Notice charges for fly tipping offences             |  | Deferred to 8 <sup>th</sup> Feb 2018 | Huw Owen                     |
| Supporting People Programme Grant Spendplan 2018-19               |  | Deferred to 17 <sup>th</sup> Jan     | Chris Robinson<br>(15/11/17) |
|   |  |                                      |                              |
| 10 <sup>TH</sup> JANUARY 2018 – CABINET                           |  |                                      |                              |
| Welsh Church Fund Working Group                                   | The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2017/18, meeting 5 held on the 14 <sup>th</sup> December 2017 |                                      | Dave Jarrett                 |
| Re-Use Shop at Llanfoist Household Waste Recycling Centre.        |  |                                      | Roger Hoggins                |
| Budget Monitoring Report –  | The purpose of this report is to provide Members   |                                      | Joy Robson/Mark              |

| Subject  | Purpose  | Consultees  | Author                       |
|--|--|-------------|------------------------------|
| Period 7   | with information on the forecast outturn position of the Authority at end of month reporting for 2016/17 financial year.                           |             | Howcroft                     |
| Kerbcraft – Scrutiny of Action Plan Delivery and Ongoing performance measures              |  |             | Roger Hoggins                |
| Chepstow Cluster – proposed distribution of Section 106 monies                             | To agree the distribution of section 106 to the cluster  |             | Nikki Wellington             |
| Management of Obstructions in the Public Highway   |  |             | Roger Hoggins                |
| <b>17<sup>TH</sup> JANUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION</b>                   |  |             |                              |
| Local Government (Wales) Act 1994 The Local Authorities (Precepts)(Wales) Regulations 1995 | To seek members approval of the results of the consultation process regarding payment to precepting Authorities for 2018/19 as required by statute |             | Joy Robson                   |
| Trainee Accountant Regrade   |  |             | Tyrone Stokes                |
| Staffing changes in Policy and Governance  | ITEM DEFERRED  | Cllr Jordan | Matt Gatehouse<br>(27/11/17) |
| Supporting People Programme Grant Spendplan 2018-19  | ITEM DEFERRED  |             | Chris Robinson<br>(15/11/17) |
| <b>18<sup>TH</sup> JANUARY 2018 - COUNCIL</b>  |  |             |                              |
| Council Tax Reduction Scheme 2018/19   |  |             | Ruth Donovan                 |
| Social Justice Policy  | deferred   |             | Cath Fallon                  |
| Response to Older Adults Mental Health Consultation  |  |             | Claire Marchant              |
| <b>29<sup>TH</sup> JANUARY 2018 – SPECIAL CABINET</b>                                      |  |             |                              |

| Subject  | Purpose  | Consultees  | Author                       |
|--|--|-------------|------------------------------|
| ADM  |  |             |                              |
| Corporate Plan   |  |             |                              |
| <b>31<sup>st</sup> JANUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION</b>   |  |             |                              |
| Staffing changes in Policy and Governance  | (moved from 17 <sup>th</sup> Jan)  | Cllr Jordan | Matt Gatehouse<br>(27/11/17) |
| <b>7<sup>TH</sup> FEBRUARY 2018 – CABINET</b>  |  |             |                              |
| Final Draft Budget Proposals or recommendation to Council  |  |             | Joy Robson                   |
| Disposal of County Hall  |  |             | Roger Hoggins                |
| The Knoll Section 106 Funding, Abergavenny   |  |             | Mike Moran                   |
| Tippenham Play Area, Monmouth  |  |             | Mike Moran                   |
| Kerbcraft Update   | Exempt Item  |             | Claire Marchant              |
| Accommodation Review   |  |             | Deb Hill Howells             |
| <b>14<sup>TH</sup> FEBRUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION</b>  |  |             |                              |
| S106 funding: Pen y Fal bridge repairs   | To draw down appropriate S106 funding to fund the repairs to the footbridge at the Pen y Fal development in Abergavenny. |             | Rachel Jowitt                |
| Development Management Enhanced Services Proposals   |  |             | Phil Thomas (15/01/18)       |
| Re-designation of Shared Housing   |  |             | Ian Bakewell (28/11/17)      |
| Adoption of Highway Management Plan including appointment of Highway Asset Inspector and changes to Asset Planning Officer posts |  |             | Paul Keeble                  |

| Subject  | Purpose   | Consultees | Author                 |
|--|---|------------|------------------------|
| Residents Only Parking Permit Scheme Usk View Merthyr Road Abergavenny                       |   |            | Paul Keeble (10/1/18)  |
| Usk in Bloom   |   |            | Cath Fallon (15/01/18) |
| <b>15<sup>th</sup> FEBRUARY 2018 – SPECIAL COUNCIL</b>                                       |   |            |                        |
| ADM  |   |            |                        |
| Corporate Plan   |   |            |                        |
| Active Travel Plan and Civil Parking Enforcement   |   |            | Roger Hoggins          |
| <b>28<sup>th</sup> FEBRUARY 2018 – INDIVIDUAL CABINET MEMBER DECISION</b>                    |   |            |                        |
| Charges in relation to the delivery of the Authority's private water supply responsibilities |   |            | Huw Owen               |
| Gypsy & Traveller Pitch Allocation Policy Report   |   |            | Steve Griffiths        |
| Fixed Penalty Notice charges for fly tipping offences  |   |            | Huw Owen (05/12/17)    |
| <b>1st MARCH 2018 - COUNCIL</b>  |   |            |                        |
| Council Tax Resolution 2018/19   |   |            | Ruth Donovan           |
| Approval of Public Service Board Well-being Plan   |   |            | Matt Gatehouse         |
| Area Plan – Population Needs Assessment  |   |            | Claire Marchant        |
| Pooled Fund for Care Homes   |   |            | Clare Marchant         |
| Social Justice Policy  |   |            | Cath Fallon            |
| <b>7<sup>th</sup> MARCH 2018 - CABINET</b>   |   |            |                        |
| 2018/19 Education and Welsh Church Trust Funds Investment and Fund                           | The purpose of this report is to present to Cabinet for approval the 2018/19 Investment and Fund Strategy for Trust Funds for which the Authority |            | Dave Jarrett           |

| Subject  | Purpose  | Consultees | Author                            |
|--|--|------------|-----------------------------------|
| Strategies   | acts as sole or custodian trustee for adoption and to approve the 2017/18 grant allocation to Local Authority beneficiaries of the Welsh Church Fund.          |            |                                   |
| Disability Transformation Work   |  |            | Claire Marchant                   |
| Turning the World Upside Down  |  |            | Claire Marchant                   |
| Proposed changes to the Schools Funding Formula for the funding of Building Maintenance Costs. | Seeking approval to reduce the funding of building maintenance costs for our new schools   |            | Nikki Wellington                  |
| Whole Authority Risk Assessment'   |  |            | Richard Jones                     |
| Corporate Parenting Strategy   |  |            | Claire Marchant                   |
| 2 <sup>nd</sup> Phase Families Support Review  |  |            | Claire Marchant                   |
| <b>13<sup>TH</sup> MARCH 2018 – INDIVIDUAL CABINET MEMBER DECISION</b>                         |  |            |                                   |
|  |  |            |                                   |
| <b>28<sup>TH</sup> MARCH 2018 – INDIVIDUAL CABINET MEMBER DECISION</b>                         |  |            |                                   |
|  |  |            |                                   |
| <b>11<sup>TH</sup> APRIL 2018 - CABINET</b>  |  |            |                                   |
| Welsh Church Fund Working Group  | The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications 2017/18, meeting 6 held on the 22 <sup>nd</sup> February 2018 |            | Dave Jarrett                      |
| Crick Road Business Case   |  |            | Claire Marchant                   |
| <b>18<sup>TH</sup> APRIL 2018 – INDIVIDUAL CABINET MEMBER DECISION</b>                         |  |            |                                   |
|  |  |            |                                   |
| <b>19<sup>TH</sup> APRIL 2018 - COUNCIL</b>  |  |            |                                   |
| Public Service Board: Well-being Plan for  |  |            | Matt Gatehouse<br>(added 29/8/17) |

| Subject   | Purpose | Consultees | Author |
|---|---------|------------|--------|
| Monmouthshire   |         |            |        |
| <b>9<sup>TH</sup> MAY 2018 – INDIVIDUAL CABINET MEMBER DECISION</b> |         |            |        |
|   |         |            |        |
|   |         |            |        |
|   |         |            |        |
|   |         |            |        |
|   |         |            |        |
|   |         |            |        |
|   |         |            |        |

Hannah Jones would like to come to Cabinet in July 2018 to update on Youth Enterprise - European Structural Fund (ESF) Programmes - Inspire2Work extension (originally brought to Cabinet July 2017).