

Cabinet	FP/868/06/12
Date: 04 September 2012	

Essex Countywide Traveller Unit (ECTU)

Report by Cabinet Member for Communities & Planning, Cllr John Jowers

Enquiries to Officer Roy Leavitt, Head of Environmental Planning (01245 437 522)

Purpose of report

To update the Cabinet on the development and funding arrangements for the ECTU partnership and to seek agreement for ECC to enter into Joint Committee arrangements with other local authorities within Essex, the Police and Essex Fire and Rescue Authority. The Cabinet is required to agree to accept delegation of powers from these authorities in order for it to carry out the functions of the Joint Committee.

Decision Areas and Recommendations

- To agree to enter into the Joint Committee for the purposes of providing an operational unit which will establish a sustainable service which will co-ordinate and, where appropriate, undertake or contract for, work relating to traveller issues throughout Essex, including fire safety on sites, improving education outcomes, health and social care, management of local authority sites and management and enforcement of unauthorised encampments.
- To agree to accept delegated powers from partner authorities across Essex to act on their behalf in respect of the above functions, and
- To agree that the Council will through the already establish ECTU oversee the day to day Operations of the functions.

It is anticipated that the ECTU will be fully funded and operational from 01 October 2012

Background, context, and area of the County affected

It was decided that the formation of a single countywide multiagency Unit, similar to that developed through the Northamptonshire model, would be mutually beneficial to all partner agencies and would deliver an efficient, effective, economic and consistent approach to traveller service provisions across Essex and provide interaction with and inclusion of the Traveller and settled communities.

The drivers for forming a single countywide multiagency Unit within Essex were:

- a high number of unauthorised encampments in the county each year (around 300) and the resources required to effectively manage this;
- the significant health inequalities experienced by Gypsy, Roma and Traveller communities (e.g. life expectancy is 10-12 years less than the rest of the population and 17.6% of Gypsy and Traveller parents will experience the death of a child compared with 0.9% of the rest of the population);
- Gypsies and Travellers having the worst educational attainment of all ethnic groups; and
- A disproportionately high number of incidents and fires on sites in comparison with other dwellings in Essex (234 fires across 230 sites last year).

The Joint Committee will be a partnership of local authorities within Essex comprising of City, Borough, District and Unitary Councils, and will also include the Essex County Fire and Rescue Service (ECFRS). The Unit will also have the benefit of working with the Essex Police Authority and Essex Primary Care Trusts (PCT's) who will work with the Joint Committee and contribute financially but will not be a voting member.

The key areas of activity for the ECTU will include:

- Improving fire safety on sites;
- Improving education outcomes;
- Improving health and social care outcomes;
- Management of local authority sites;
- Managing unauthorised encampments;
- Reducing the risk of unauthorised developments; and
- Providing outreach services to authorised sites not under ECC site management.

Essex County Council will act as host Council for the Unit, and will be responsible through its officers for the operational requirements of performing the functions of the Joint Committee. The Council has recently merged its site management and outreach services to widen their scope to enable delivery of the objectives of the Unit as previously agreed by Cabinet on 24 April 2012 (Appendix 2).

Relevance to the Corporate Plan 2012-2017 and other Strategic Plans

The ECTU will directly contribute to the following priorities in the corporate plan:

- Improving public health and wellbeing;
- Protecting and safeguarding vulnerable people;
- Enabling every individual to achieve their ambitions by supporting a world-class education and skills offer in the county; and

- Giving people a greater say and a greater role in building safer and stronger communities.

In addition, forming the ECTU will directly contribute to the Essex Diversity and Equalities Strategy 2012-2015 by addressing and focusing service delivery on the three key priority groups:

- Gypsy, Roma and Traveller;
- Vulnerable Families; and
- People with impairments or disabilities.

As well as the three priority Diversity and Equality themes:

- Education and skills;
- Housing; and
- Rural isolation.

An Equality Impact Assessment has been carried out and the key findings are below, also an action plan has been developed to mitigate areas of concerns:

Education - School attendance is poor and Romany Gypsies and Irish Travellers have the worst formal education outcomes of all ethnic groups.	The Unit will support activities of existing services to improve attendance and achievement. The Unit will work with communities to raise the profile of education and skills and support access to schools. If children are missing from education without any due reason, the Unit will make referrals to Education Welfare
Health - Data indicates that adult social care is significantly under accessed by the population	The Unit will promote understanding of adult social care (including Direct Budgets) and its potential benefits. The Unit will support access to social care and facilitate onsite assessments of need where required
Health - Data demonstrates that Gypsies and Travellers are subject to a range of health inequalities, including higher rates of disability and chronic long term conditions (where data exists)	The Unit will support access to mainstream health services such as GP's and also work with PCT's to undertake specific interventions and campaigns either on or off site i.e. to increase immunisation rates
Health - Mortality rates of young children are far higher in Gypsy and Traveller communities than the population as a whole	The Unit to work with GP's and PCT's to increase links with health services, early engagement with health services during a pregnancy and to maintain links following birth to ensure essential health tasks i.e. immunisations are undertaken
Fire Safety - Gypsies and Travellers are far more likely to have fire incidents in comparison with population as a whole.	The Unit to work with communities to ensure sites have fire safety plans, disseminate fire safety guidance and advice to all sites and to roll out gas cylinder exchange programmes to high priority sites

Internal and External Consultation

All partners' representatives (City, Borough, District, Unitary, PCT's, ECFRS & Essex Police) attend monthly Operation Board meetings to discuss the set up and future operation of the Unit.

The project from inception through to implementation stage has been developed by partners working together and regular updates have been provided to Portfolio holders throughout the project. A communication plan has been developed for use during the implementation of the project. A further plan is being developed for Operational use and will form part of the 'Statement of Accountability' which will also cover service level agreements and processes for delivery which will be approved by the ECTU Operation Board.

Conclusions

Once the Unit is operational the Joint Committee, led by the Council, will be responsible for overseeing the Unit. An Agreement which sets out in detail the Terms of Reference for the Joint Committee is being prepared and is currently subject to discussion with each of the partners. It includes the responsibilities of the Unit in agreeing future Annual Business Plans, agreeing an annual budget and strategy for the level of service provision against the budget, development of a toleration policy, and approving an Annual Report to include performance measures

The Joint Committee shall meet at least twice in each fiscal year. An objective of the ECTU is to maximise the effectiveness of all agencies by implementation and development of policies and best practice. The Unit will increase uptake of mainstream provision thereby removing the need for specialist interventions for Gypsy, Roma and Traveller groups.

Legal Implications

It is proposed to proceed with the formation of a Joint Committee with the local authorities and ECFRS (Essex Police and PCT's will join as a non voting authority). The agreement is currently with the legal teams of the authorities for consideration and comment. There will be a single feed back from a legal representative of PLP which will considerably assist in avoiding delay and duplication.

It is likely that the main issues will be the devolvement of powers to the unit and the cost implications.

Following agreement being received the formation of the Joint Committee will need to be approved by each authority's executive before final sign off.

Current legislation does not allow PCT's or Police authorities to join a Joint Committee. The Police Authority is content to attend the Joint Committee as a non voting member. Discussions are taking place with the PCT's to establish a partnership with them whereby they can be involved with the decision making surrounding health and Social care, following which it is envisaged that they will also join the Joint Committee as a non voting member.

Accordingly it is proposed to enter into a service agreement with the PCT's under section 75 of the Health Act 2004. However, consideration will need to be given to the position of the health authority following the abolition of PCT's in April 2013.

Consideration is also being given to whether the provisions of TUPE apply to this situation.

Finance & Resources Implications (Section 151 Officer)

Partners of the Joint Committee will contribute to the costs of the ECTU as detailed in the Draft Essex Countywide Joint Committee Agreement (Appendix 1), this document is currently being agreed by legal teams across the partnership and is expected to be signed off by end August.

It has been agreed at the Operation Board meeting that partners will be invoiced in October to cover the first six months of the partnership up to 31 March 2013 and then annually from April 2013.

The Essex County Council share of the ECTU costs amount to £147,000. These costs can be met from within existing resources

Key Risks

Risk Description	Risk Mitigation
Failure of the Essex Countywide Traveller Unit has an impact on the reputation of ECC and partners : Bad publicity Lack of engagement amongst partners ECTU fails to deliver benefits <i>ECTU0001</i>	Effective communication Joint committee meetings with members and key partners. Annual business plan to be produced for joint committee. Implement KPI monitoring and reporting tools Implement KPI monitoring and reporting tools to demonstrate delivery and benefits
Gypsy/Traveller Unit project (Essex Countywide Traveller Unit) unable to proceed or to develop in accordance with the full Business Case: ECTU project will not be implemented, or implemented at a reduced level Impact on reputation of ECTU Impact on reputation of ECC and/or partners of ECTU Breaches in data security Unable to record or access ECTU data timely and/or effectively <i>ESH0055</i>	Meet legal requirements Regular legal updates from ECC legal through the implementation board meetings. Regular ECTU Operation Board meetings so that issues can be raised and resolved; Qualified legal team advising Implement a secure IT system for use by all partners Work closely with ECC ICT to develop new system. Clear requirements / specification. Current system / spreadsheet to be used as a temporary measure

	<p>Discuss issues with all partners; involve Cabinet member; get realistic timetable and action plan devised/delivered; Action plan being drafted</p> <p>Contact to be continued: Consultation continuing with members to ensure sense of ownership and involvement. Regular ECTU Operation Board meetings so that issues can be raised and resolved.</p> <p>Budget secured</p>
--	---

Background papers

- 1) Draft Essex Countywide Joint Committee Agreement
- 2) Cabinet Report (24 April 2012)