

CABINET

10:00	Tuesday, 22 January 2013	Committee Room 1, County Hall, Chelmsford, Essex
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Quorum: 3

Membership:

Councillor Peter Martin
Councillor David Finch

Councillor John Aldridge
Councillor Kevin Bentley
Councillor Stephen Castle

Councillor Ray Gooding
Councillor John Jowers
Councillor Derrick Louis
Councillor Jeremy Lucas
Councillor Ann Naylor

Cabinet Member responsibility

Leader of the Council (Chairman)
Deputy Leader, Cabinet Member for Finance
and Transformation Programme (Vice-
Chairman)
Adults Social Care
Economic Growth, Waste and Recycling
Education, Lifelong Learning and the 2012
Games
Children's Services
Communities and Planning
Highways and Transportation
Customer Services , Environment and Culture
Health and Wellbeing

The following are entitled to speak at Cabinet meetings but not vote:

Councillor Mike Mackrory
Councillor Theresa Higgins
Councillor David Kendall

Leader of the Liberal Democrat Group
Deputy Leader of the Liberal Democrat Group
Liberal Democrat Group (named substitute)

**For information about the meeting please ask for:
Judith Dignum (Secretary to the Cabinet)
01245 430044 / Judith.dignum@essex.gov.uk**



Essex County Council

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Part 1

(During consideration of these items the meeting is likely to be open to the press and public)

		Pages
1	Apologies for Absence	
2	Minutes	7 - 12
3	Declarations of Interest To note any declarations of interest to be made by Members	
4	Provisional Budget Report 2013/14 Report to follow	
5	Financial Overview as at the Third Quarter Report to follow	
6	Health and Wellbeing Board Terms of Reference	13 - 22
7	Corporate Plan 2012/13 Progress Report - Quarter 3	23 - 42
8	Award of lease for Marsh Farm Visitor Attraction	43 - 48
9	Delivery of an Assessment and Award Function within a Localised Social Fund Scheme	49 - 76
10	Cabinet Member Decisions	77 - 78
11	Urgent Business To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.	

Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

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Urgent Exempt Business

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.

MINUTES OF A MEETING OF THE CABINET HELD AT COUNTY HALL, CHELMSFORD, ON 7 DECEMBER 2012

Present:

Councillors	Cabinet Member responsibility
P J Martin	Leader of the Council (Chairman)
D M Finch	Deputy Leader, Cabinet Member for Finance and Transformation Programme (Vice Chairman)
J Aldridge	Adults Social Care
K Bentley	Economic Growth, Waste and Recycling
S C Castle	Education and the 2012 Games
R Gooding	Children's Services
J Jowers	Communities and Planning
D J Louis	Highways and Transportation
J R Lucas	Customer Services, Environment and Culture
A Naylor	Health and Wellbeing

Councillors M Mackrory and Mrs T Higgins were present as Opposition Observers.

Councillors A Brown, S Candy, W J C Dick, M C M Lager, G W McEwen, K Twitchen and R G Walters also attended.

1. Minutes

The minutes of the meeting held on 30 October 2012 were agreed as a correct record and signed by the Chairman.

2. Declarations of Interest

No declarations of interest were made.

3. Transformation Update

The Cabinet considered report FP/953/11/12 by the Leader of the Council which sought approval for the detailed design work required to develop a Transformation Mark II programme that will be capable of saving the County Council £200m per annum by 2017. Members were also asked to note the Chief Executive's draft proposed structure for the Corporate Leadership Team (CLT) to drive forward the detailed design and development of the Transformation Mark II programme (although this could be subject to change).

In response to questions from Councillor Mackrory, the Leader agreed that Members would be seeking professional advice on the risks involved in merging the statutory roles Director for Children's Service and Director for Adults Social Services; Scrutiny will be heavily involved in Transformation Mark II; and a separate work stream is being started on Governance arrangements. The

Deputy Leader explained the arrangements for managing the work of the consultants.

Resolved:

- 1) That the progress made since 2009 through the Council's *EssexWorks: Putting Customers First* Transformation Programme be noted.
- 2) That the future financial pressures facing Essex County Council up to 2016/17 be noted.
- 3) That the savings target of £200m per annum by 2016/17 be noted and the strategy for achieving the target through a Transformation Mark II programme be agreed.
- 4) That the development and detailed design of a Transformation Mark II programme for Essex County Council, as set out in report FP/953/11/12, be agreed.
- 5) That the sum of £1,390,000 be allocated to the further development and design work on a Transformation Mark II programme (funding to May 2013), to be funded from the Transformation Reserve. (NB: an additional £650,000 has already been approved through a Key Decision by the Deputy Leader and Cabinet Member for Finance and Transformation Programme for the provision of consultancy support from Price Waterhouse Coopers and Proteus to help develop and design a Transformation Mark II programme.)
- 6) That the proposal to separate the commissioning of services from their delivery within the Council (requiring some change to the organisation's structure and to the roles and accountabilities of the Corporate Leadership Team (CLT)) be agreed.
- 7) That the draft proposed structure for the corporate leadership team set out in Appendix A to report FP/953/11/12 (which could be subject to change) be noted as the basis for the Chief Executive to realign the roles and accountabilities of CLT.
- 8) That, as decisions relating to senior management appointments or assimilation and terms and conditions are a non-executive function, they will be determined by the Head of Paid Service or the Committee to determine the Terms and Conditions of employment of Chief and Deputy Chief Officers where the decision falls within its terms of reference. The Committee will also be asked to approve the process by which CLT members may be aligned to new management posts.
- 9) That the interim risk assessment for merging the statutory roles of the Director of Children's Services (DCS) and the Director of Adult Social Services (DASS) be noted, with a full risk assessment to be carried out and independently validated for consideration by the Chief Executive, the Leader of the Council, the Cabinet Member for Children's Services and the Cabinet Member for Adults Social Care.

4. Local Council Tax Support Scheme Update

The Cabinet considered report FP/942/10/12 by the Deputy Leader and Cabinet Member for Finance and Transformation Programme which provided an update on the progress of Local Council Tax Support Schemes (LCTSS) and their alignment to the pan-Essex principles agreed by Cabinet in June. It also sought approval for those scheme principles in order to complete the formal consultation with Billing Authorities (District Councils, Borough Councils and the City Council). In addition, the report presented the case for investment into additional council tax collection activity and the provision of a hardship fund in support of the pan-Essex principles and LCTS schemes.

Resolved:

- 1) That the alignment of the LCTS schemes proposed by each billing authority to the agreed pan-Essex principles be noted.
- 2) That funding of up to £700k be provided to support pilot initiatives for additional council tax collection activities, as set out in report FP/942/10/12.
- 3) That authority be delegated to the Deputy Leader and Cabinet Member for Finance and Transformation Programme to allocate that funding to billing authorities, and to support any other changes to council tax discounts and exemptions which may mitigate further against the potential residual losses identified in report FP/942/10/12, subject to presentation of the final proposals to Essex Strategic Leaders.
- 4) That authority be delegated to the Deputy Leader and Cabinet Member for Finance and Transformation Programme to agree the hardship fund levels based on the principles set out in the report.
- 5) That authority be delegated to the Deputy Leader and Cabinet Member for Finance and Transformation Programme to agree with billing authorities the detailed performance monitoring requirements to be put in place as a condition of the above funding.

5. Financial Strategy 2013/14 and Beyond

The Cabinet considered report FP/949/11/12 by the Deputy Leader and Cabinet Member for Finance and Transformation Programme which provided an update on the financial strategy for the Council and sought endorsement for the financial strategy for 2013/14 and the following financial years.

Resolved:

- 1) That the following be noted:
 - changes in the local government financial landscape and the implications for the Council's planning process;
 - the revised estimates for Revenue funding availability;
 - the risk assessment included in the report;
 - the next steps leading to budget approval in February 2013; and

- the updated Capital estimates and approach to financial planning.

6. Adoption of Statement of Community Involvement for Minerals and Waste Planning

The Cabinet considered report FP/866/06/12 by the Cabinet Member for Communities and Planning which presented the Statement of Community Involvement (SCI) First Review document for Minerals and Waste Planning, set out the results of the public consultation on the document and sought agreement to the next steps.

Resolved:

- 1) That the comments received as a result of public consultation on the SCI First Review be noted and the next steps proposed in Appendix 2 and Section 3.2 of report FP/866/06/12 be endorsed.
- 2) That the subsequent amendments to the SCI set out in Appendix 3 to report FP/866/06/12 be agreed.
- 3) That the Council be recommended to adopt the amended SCI at its meeting on 11 December 2012.
- 4) That the equalities issues identified in Appendices 2 and 4 to report FP/866/06/12 regarding those potentially disadvantaged by the implementation of the Council's print policy be referred to the Corporate Communications Team, based on targeted evidence provided by the service area.

7. Essex Minerals Local Plan – Proposed Submission Publication

The Cabinet received report FP/862/06/12 by the Cabinet Member for Communities and Planning which presented the Minerals Local Plan for consideration and recommendation to the Council for approval at its next meeting on 11 December 2012.

The Cabinet Member for Communities and Planning responded to concerns raised by Councillors Walters, Aldridge and McEwen on behalf of local residents potentially affected by proposals contained in the Statement.

Resolved:

- 1) That the Council be recommended to approve the Essex Minerals Local Plan Proposed Submission Document so as to enable:
 - Representations to be sought during the consultation period January through to March 2013; and

- Subsequently, the formal submission of the Plan to the Secretary of State after consideration of the representations, in readiness for the formal Examination in Public in late Summer 2013.
- 2) That the Council be recommended to delegate authority to the Cabinet Member for Communities and Planning to make any appropriate minor amendments during the process of the Plan to deal with responses to the next consultation and any further legislative or procedural changes that do not materially affect the content of the Plan.
 - 3) That, subject to the decision of the Council in respect of 2 above, authority be delegated to the Head of Planning, Environment and Economic Growth to agree modifications to the Plan for consideration by the Independent Inspector at the Examination in Public which do not materially affect the content of the Plan.

8. Transfer of the Field Archaeology Unit to University College London

The Cabinet received report FP/941/10/12 by the Cabinet Member for Customer Services, Environment and Culture which presented the case for awarding the contract for the sale of the Essex County Council Field Archaeology to University College London.

In response to a question by Councillor Mackrory the Cabinet Member for Customer Services, Environment and Culture explained the process for commissioning work in the future.

Resolved:

- 1) That the contract for the transfer of the Field Archaeology Unit be awarded to University College London subject to finalising the terms.
- 2) That authority be delegated to the Director of Property and Facilities, in consultation with the relevant Members and Officers, to negotiate and agree the final terms of the contract.

9. Essex Joint Health and Wellbeing Strategy

The Cabinet considered report FP/928/10/12 by the Leader of the Council seeking agreement to submit the Essex Joint Health and Wellbeing Strategy to the Council for approval at its meeting on 11 December 2012.

The Health and Social Care Act 2012 requires the establishment of a Health and Wellbeing Board as a Committee of the Council in April 2013 (proposals concerning this will be submitted to the Council in February 2013). The Act requires each Health and Wellbeing Board to develop a Joint Health and Wellbeing Strategy.

The Essex Health and Wellbeing Board has developed and approved this strategy for Essex and is now seeking the formal support of partner organisations that belong to the Shadow Board.

Resolved:

That the Joint Health and Wellbeing Strategy be recommended to Council for approval at its meeting on 11 December 2012.

10. Decisions taken by or in consultation with Cabinet Members

The Cabinet received report FP/927/10/12 by the Secretary to the Cabinet listing the decisions taken since the last meeting.

The meeting closed at 10.28 am.

Councillor Peter Martin
Chairman
22 January 2013



Report to Cabinet Report of Cllr Peter Martin	Forward Plan reference number FP/966/11/12
Date of meeting 22 nd January 2013 Date of report 7 th January 2013	County Divisions affected by the decision <i>All Divisions</i>
Title of report: To approve the Health & Wellbeing Board's Terms of Reference	
Report by: Cllr Peter Martin, Leader Essex County Council	
Enquiries to: Clare Hardy, Senior Manager – Health and Wellbeing Team, Strategic Services	

1. Purpose of report

- 1.1. The Health and Wellbeing Board in Essex will be a committee of the County Council and will be a partnership which promotes democratic accountability in health and wellbeing locally. It will therefore lead on the formation of the County's Health and Wellbeing Strategy and the vision for public health in Essex, support joint commissioning between partners and the joining up of resources and will encourage integrated health and social care service delivery to the people of Essex.
- 1.2. A Health and Wellbeing Board has a *duty* to encourage integrated working: it must;
 - for the purpose of advancing the health and wellbeing of the people in its area, encourage persons who arrange for the provision of any health or social care services in that area to work in an integrated manner;
 - in particular, provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 (arrangements between NHS bodies and local authorities) in connection with the provision of such services;
- 1.3. The purpose of this report is to seek the agreement of the Cabinet to submit the Terms of Reference and Procedure Rules for the Essex Health & Wellbeing Board to Council for approval.

2. Recommended:

- 2.1. That the draft Essex Health & Wellbeing Board Terms of Reference and Procedure Rules as set out in the annex to this report be submitted to full Council for approval.

3. Background and proposal

3.1. Government Requirements and Guidance

The changes brought about by the Health and Social Care Act 2011 which come into force on 1 April 2013, and which directly affect Essex County Council include the establishment of a new council committee, the Health and Wellbeing Board.

(Secondary legislation is still awaited concerning this and is expected to be laid before Parliament at the start of 2013, the formal decision to establish the Health & Wellbeing Board will follow this.)

3.2. Development of the Essex Health & Wellbeing Board

The Essex Shadow Health and Wellbeing Board has been meeting since October 2011 with a remit to prepare for the establishment of the full Board in 2013.

In addition to the Leader of the Council taking on the role of Chairman of the Board, other cabinet member representation includes Cabinet Member for Health & Wellbeing, the Cabinet Member for Children's Services and the Cabinet Member for Adult Social Care.

3.3. Outline of the Consultation Activity

During October and November 2012 a team of independent consultants worked with the Shadow Health and Wellbeing Board to increase understanding of partner engagement and to ensure that all partners were comfortable with the direction of travel concerning the remit and the activities of the Health & Wellbeing Board when it went 'live' in April 2013.

Terms of Reference were then developed in line with feedback from the Health & Wellbeing Board and in line with the legal and statutory duties of Essex County Council.

The draft Terms of Reference were circulated in December 2012 for input from:

- The Council's Health Overview & Scrutiny Committee
- The Council's Political Leadership Team and Corporate Leadership Team
- The Essex Shadow Health & Wellbeing Board. The draft terms of reference are attached as an annex to this report

The Terms of Reference attached reflect the feedback received.

3.4. Timescales and Next Steps

The Terms of Reference are scheduled to go to the Health & Wellbeing Board on 17 January 2013 and then to full Council on 5 February 2013 for agreement and adoption in line with the statutory requirement for the Board to be established by 1 April 2013.

4. Policy context

The establishment of the Essex Health & Wellbeing Board fully supports the delivery of Essex County Council's Corporate Plan 2012/17, specifically the key priority

- improving public health and wellbeing

In doing this, the Essex Health & Wellbeing Board will also have influence on the delivery of activity against other key priorities which have a direct impact on health and wellbeing outcomes for the people of Essex.

- enabling every individual to achieve their ambitions by supporting a world-class education and skills offer in the county
- protecting and safeguarding vulnerable people
- giving people a greater say and role in building safer and stronger communities

5. Financial Implications

- 5.1. The establishment of the Health & Wellbeing Board does not require the allocation of additional resources. A key function of the Board will be to identify all resources that are allocated and that assist in the implementation of strategies in order to maximise their use.

6. Legal and Monitoring Officer Comments

- 6.1 The establishment of a Health & Wellbeing Board will be a statutory requirement from 1 April 2013.
- 6.2 The Board's powers are constrained by its terms of reference and any additional powers that may be delegated by the Council to the Board possibly following agreement with partner authorities. If despite advice, the Board took a decision that went beyond its powers, such a decision would be of no effect.
- 6.3 The Department of Health has indicated that the Secretary of State will lay regulations before parliament with the effect of disapplying and amending aspects of current local government legislation. These provisions will extend the new Codes of Member Conduct, adopted by authorities as a result of the Localism Act 2011, to all members of Health and Wellbeing Boards and bring Boards and their members within the current local government standards regime.
- 6.4 It is understood that it is the Government's intention to include provisions in these regulations extending voting rights to all members of the Committee. Without such disapplication of existing provisions those members who are not members of the Council would be unable to vote. Assuming the regulations so provide decisions would be taken by a majority of all members.

7. Staffing and other resource implications

7.1. There are no immediate staffing or HR implications.

8. Equality and Diversity implications

8.1. No Equality Impact Assessment has been carried out

9. Background papers

None

Essex Health & Wellbeing Board – Terms of Reference

The Board is established in accordance with Section 194 of the Health and Social Care Act 2012 and constituted to meet local requirements.

Membership

Member	How Nominated or Appointed	Statutory Member?
3 x Essex County Council Member	As nominated by ECC Leader	Y*
Essex County Council Director for Adult Social Care (DASS)	By appointment to post	Y
Essex County Council Director for Children's Services (DCS)	By appointment to post	Y
Essex County Council Director for Public Health (DPH);	By appointment to post	Y
Healthwatch	Nominated by Healthwatch	Y
North East Essex CCG	Nominated by North East Essex CCG	Y
Mid Essex CCG	Nominated by Mid Essex CCG	Y
West Essex CCG	Nominated by West Essex CCG	Y
Basildon & Brentwood CCG	Nominated by Basildon & Brentwood CCG	Y
Castle Point & Rochford CCG	Nominated by Castle Point and Rochford CCG	Y
Chief Executive of Essex County Council	By appointment to post	
4 Borough/City/District Council Representatives	Nominated by Borough/City/District Council Leaders and Chief Executives Group	
Voluntary Sector representative	Nominated by EACVS	
NHS Commissioning Board Essex LAT Director	By appointment to post	

*statutory requirement to have 1 ECC Elected member

The Health and Wellbeing Board has the *duty* to encourage integrated working: it must;

- for the purpose of advancing the health and wellbeing of the people in its area, encourage persons who arrange for the provision of any health or social care services in that area to work in an integrated manner;
- in particular, provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 (arrangements between NHS bodies and local authorities) in connection with the provision of such services;
- lead the creation, development and publication of the joint health and wellbeing strategy for the Essex health and wellbeing system and recommend to partners;
- approve the publication of the latest version of the Joint Strategic Needs Assessment (JSNA); and
- ensure the development of the JSNA for the County (incorporating the required Pharmaceutical Needs Assessment).

The Board's powers are constrained by its terms of reference and any additional powers that may be delegated by the Council to the Board possibly following

agreement with partner authorities. If despite advice, the Board took a decision that went beyond its powers, such a decision would be of no effect.

This will achieved by:

- engaging partners and stakeholders in the system to oversee development and delivery, within collective available resources, of:
 - integrated commissioning and care
 - improving population health status
 - reducing health inequalities
- ensuring that Integrated Plans have regard to the Joint Strategy and JSNA assessments and, where appropriate, Community Budget business cases.
- holding one another accountable as partners & in partnerships for progress on outcomes in the joint strategy
- securing democratic legitimacy and involvement in planning and delivery of health and wellbeing services
- receiving assurance through Healthwatch on effective public engagement in commissioning locally
- approving and monitoring progress on community budget business cases for Health and Wellbeing, Families with Complex Needs, Strengthening Communities and any other relevant business cases that may emerge
- reviewing current or emergent financial, organisational and service challenges or failures across health and wellbeing services in Essex
- ensuring system assets are identified and engaged in developing whole system solutions for health and wellbeing
- developing the framework and system rules to enable partnership working
- promoting learning and innovation and best practice in partnership working in Essex
- promoting learning and innovation in person-centred service delivery
- working collaboratively with neighbouring Health and Wellbeing Boards
- encouraging the development of local Health and Wellbeing Board arrangements within Essex.

Essex Health & Wellbeing Board – Procedure Rules

Membership

Full membership of the Essex Health and Wellbeing Board in accordance with the legislative framework and reflecting local arrangements is:

Member	How Nominated or Appointed	Statutory Member?
3 x Essex County Council Member	As nominated by ECC Leader	Y*
Essex County Council Director for Adult Social Care (DASS)	By appointment to post	Y
Essex County Council Director for Children's Services (DCS)	By appointment to post	Y
Essex County Council Director for Public Health (DPH);	By appointment to post	Y
Healthwatch	Nominated by Healthwatch	Y
North East Essex CCG	Nominated by North East Essex CCG	Y
Mid Essex CCG	Nominated by Mid Essex CCG	Y
West Essex CCG	Nominated by West Essex CCG	Y
Basildon & Brentwood CCG	Nominated by Basildon & Brentwood CCG	Y
Castle Point & Rochford CCG	Nominated by Castle Point and Rochford CCG	Y
Chief Executive of Essex County Council	By appointment to post	
4 Borough/City/District Council Representatives	Nominated by Borough/City/District Council Leaders and Chief Executives Group	
Voluntary Sector representative	Nominated by EACVS	
NHS Commissioning Board Essex LAT Director	By appointment to post	

* requirement to have at least 1 ECC Elected member

This is the membership approved by Essex County Council in February 2013. Thereafter additional members may be appointed by the Board as it thinks appropriate.

The County Council must consult the Board before changing the membership set out above.

Subject to the approval of the proposed regulations decisions will be taken by a majority of those present and voting.

Named substitutes may also be appointed by the nominating bodies Substitutions must be notified by the member to the Secretary to the meeting in writing not later than 30 minutes before the start of the meeting advising that the member is unable to attend and that the substitute member named in the notice will attend in the member's place.

The effect of a substitution notice shall be that the member named in the notice shall cease to be a member of the Board for the duration of that meeting and that the substitute member shall be a full member of the Board for the same period.

A substitution notice may be revoked at any time preceding the deadline for the giving of such notice.

Chairman and Vice-Chairman

As a Committee of Essex County Council the Board will be chaired by the Leader of the County Council or another County Councillor nominated by the Leader.

The Vice-Chairman will be appointed at the Board's first meeting and then every year.

Meetings

There shall be a minimum of six ordinary meetings held in each municipal year. These meetings will be open to the public except where such attendance is excluded by virtue of Part I of Schedule 12A of the Local Government Act 1972. In addition, extraordinary meetings may be called from time to time, as required.

An extraordinary meeting may be called by the Chairman, by a group of five members of the Board or by the Council's Monitoring Officer.

In exceptional circumstances the Chairman may cancel or rearrange a meeting having consulted with the Vice-Chairman.

The Board will be supported by a Business Management Group comprising lead commissioners which will propose policies and strategies and implement its agreed actions. The Business Management Group may from time to time recommend the Chairman to convene additional meetings as and when business needs arise.

The aspiration is that partners can work together and make decisions through consensus of opinion. Where this is not possible recommendations will be put to the vote and each Member of the Health & Wellbeing Board is entitled to vote.

Quorum

The Quorum for the Health & Wellbeing Board will be one quarter of the membership and will include:

- At least one Essex County Council Elected Member
- At least one Clinical Commissioning Group Representative
- Essex County Council *either* Director for Adults Service, Director for Children's Services or Director for Public Health

Code of Conduct

The effectiveness of the Essex Health and Wellbeing Boards in delivering depends on the knowledge and engagement of Board Members. The credibility of the Essex Health and Wellbeing Board is directly affected by the manner in which Board members conduct themselves and Board business.

The Department of Health have indicated that the Secretary of State will lay regulations before parliament with the effect of disapplying and amending aspects of current local government legislation. These provisions will extend the new Codes of Member Conduct, adopted by authorities as a result of the Localism Act 2011, to all members of

Health and Wellbeing Boards and bring Boards and their members within the current local government standards regime.

Validity of proceedings

The validity of the proceedings of the Panel is not affected by a vacancy in the membership or a defect in the appointment of a member.

Work Programme

The Board will be responsible for setting its own work programme. In setting the work programme the Board will also take into account the wishes of its members. The work programme must include the functions set out in the Board's terms of reference.

Agenda items

Any member of the Board shall be entitled to give notice to the Secretary to the Board that he or she wishes an item relevant to the functions of the Board to be included on the agenda for the next available meeting.

Attendance by Others

The Board may invite people other than its members to address it, discuss issues of concern and / or answer questions.

Sub-Committees and Task Groups

The Board may from time to time establish sub-committees or time-limited task groups to undertake specific work. The work undertaken in this way will be scoped and defined beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.

Where it is not possible to reach a consensus, attempts will be made to reflect minority views within the report but there is no provision for minority reports.

Sub-Committee and Task Group reports shall be reviewed by the Board which will decide whether to ratify the findings and / or recommendations.

Report to Cabinet	Forward Plan reference number FP/970/12/12
Date of meeting 22 nd January 2013	County Divisions affected by the decision N/a
Title of report Corporate Plan: Progress Report	
Report by Cllr David Finch, Deputy Leader and Cabinet Member for Finance and Transformation	
Enquiries to Margaret Lee, Executive Director for Finance (01245 431010, ext 21010)	

1. Purpose of report

- 1.1. The purpose of the 2012/13 Corporate Plan Progress Report is to provide an updated assessment of the progress made in delivering the Essex County Council's Corporate Plan Priorities in 2012/13.
- 1.2. The report sets out for the third quarter stage (up to November 2012), progress against our measures of success and specified aspirations.

2. Recommendations

- 2.1. Note the current performance outlined in the 2012/13 Corporate Plan Progress Report.

3. Background and proposal

- 3.1. Cabinet will be aware of work undertaken to develop and agree a Corporate Plan (for the period 2012-2017). The Corporate Plan sets out the outcomes we will deliver under each priority (5 priorities, each with 3 outcomes) as well as the measures of success we will use to help us manage our performance.

3.2. This report follows the Corporate Plan Progress Report as at the second quarter stage presented to Cabinet on 30th October 2012.

3.3. Following Cabinet, the report will be presented at Executive Scrutiny Committee and then published on the public facing Essex County Council website.

4. Policy context

4.1. The 2012/13 Corporate Plan Progress Report is directly related to the EssexWorks Commitment 2012/17 in that the purpose of the report is to provide an updated assessment of the progress made in delivering Essex County Council's Corporate Plan Priorities in 2012/13.

5. Financial Implications

5.1. There are no financial implications as a direct result of this report

6. Legal Implications

6.1. There are no legal implications as a direct result of this report

7. Staffing and other resource implications

7.1. There are no staffing or resource implications as a direct result of this report

8. Equality and Diversity implications

8.1. An Equality Impact Assessment was not required.

9. Background papers

9.1. There are no relevant background papers related to the report

Corporate Plan: Progress Report

Quarter 3 2012/13

Information and Intelligence Service

Priority 1: Enabling every individual to achieve their ambitions by supporting a world-class education and skills offer in the county

What does success look like?

- Children and young people achieve well in early years education (age 5), at KS2 (age 11), at GCSE (age 16) and beyond (up to age 19)
- Adults take up opportunities to learn through adult community learning courses, Essex libraries offer learning opportunities to all, and residents feel they have enough information, guidance and support to access education and life-long learning
- Apprenticeships are undertaken in Essex, and young people participate in post-16 learning and aspire to life long learning and self improvement

Where have we come from and where do we want to be?

Outcome 1: Helping Essex residents achieve their full potential through learning

Indicators of Success	Historical Essex Performance			Comparative Performance		Current Essex Performance			
	2008/09 Academic Year	2009/10 Academic Year	2010/11 Academic Year	2010/11 National Average	2010/11 Statistical Neighbour Average	Aim (for 2011/12 Academic Year)	2011/12 Academic Year	Performance Rating	Frequency of data
1.1.1: % children achieving good level of development in Early Years Foundation Stage	45%	50% ▲	52% ▲	59%	60%	Reduce gap with Statistical Neighbours and England	59%	On track see page 4	Annual
1.1.2: % children (including children with SEN, Children in Care and those eligible for free school meals) achieving expected levels in KS2 in English and Maths	72%	73% ▲	74% ▲	74%	74%	Maintain overall progress in line with Statistical Neighbour/England and close gap for SEN children	79%	On track see page 4	Annual
1.1.3: % children (including children with SEN, Children in Care and those eligible for free school meals) achieving 5+ A*-C GCSE or equivalent (inc' English and Maths)	50.2%	54.6% ▲	58.20% ▲	58.9%	58.7%	Close gap between Essex and England	58.6%	On track see page 4	Annual
1.1.4: % children (including Children in Care) with 15% or more school absences - Primary	-	-	3.4%	5.2%	4.4%	Baseline year	Due Apr 2013	N/a	Annual
1.1.5: % children (including Children in Care) with 15% or more school absences - Secondary	-	-	8.5%	9.5%	9.2%	Baseline year	Due Apr 2013	N/a	Annual
1.1.6: % young people achieving level 3 qualifications by age 19	48.9%	51.8% ▲	53.7% ▲	54.5%	-	53.8% achieving level 3	Awaiting National Release	N/a	Annual

Outcome 2: Providing opportunities for Essex people to learn throughout their lives

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	11/12 National Average	11/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of Data
1.2.1: Learner success rates in adult community learning accredited courses	78.1%	74.3% ▼	76.8% ▲	Not available	81.7% (10/11)	78.7% (10/11)	79% in line with national averages	Not available	N/a	Annual
1.2.2.1: % of the population with level 2 qualifications or higher (aged 16-64yrs)	60.3%	63.1% ▲	63.5% ▲	65.8% ▲	69.7%	68.5%	Increase performance, moving towards national averages	Await National Release	N/a	Annual
1.2.2.2: % of the population with level 3 qualifications or higher (aged 16-64yrs)	41.7%	43.1% ▲	43.7% ▲	46.3% ▲	52.7%	49.9%	Increase performance, moving towards national averages	Await National Release	N/a	Annual
1.2.2.3: % of the population with level 4 qualifications or higher (aged 16-64yrs)	23.1%	23.7% ▲	23% ▼	24.2% ▲	32.9%	29.2%	Increase performance, moving towards national averages	Await National Release	N/a	Annual
1.2.3: Physical and virtual visits to Essex libraries (per 1,000 population)	7,551	7,443 ▼	7,482 ▲	6,739 ▼	6,243 (10/11)	6,777 (10/11)	Maintain top quartile compared to Counties	6,577 (Oct 2012)	On track See page 4	Monthly
1.2.4: % of users satisfied with Essex libraries	92.1%	91.9% ▼	-	-	-	-	Continued improvement towards County average	Due Feb 2013	N/a	Annual
1.2.7: % Essex residents who feel they have enough information, guidance and support to access education and life-long learning	-	30%	27% ▼	-	-	-	Increase the level achieved in 2010/11	Due Mar 2013	N/a	Annual

Outcome 3: Promoting a culture of aspiration

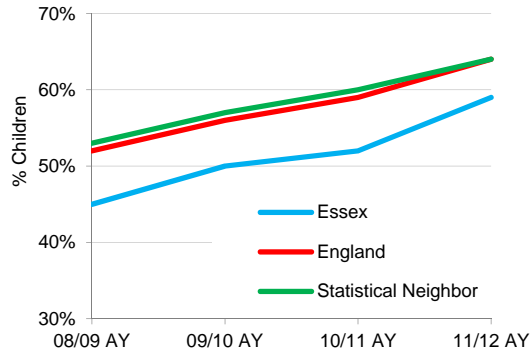
Indicators of Success	Historical Essex Performance			Comparative Performance		Current Essex Performance			
	2008/09 Academic Year	2009/10 Academic Year	2010/11 Academic Year	10/11 AY National Average	10/11 AY Stat Neighbour Average	Aim (for 2011/12 academic year)	2011/12 Academic Year	Performance Rating	Frequency of Data
1.3.1: People undertaking apprenticeships in Essex (phase 2)	Phase 1 saw 1,381 people undertaking apprenticeships by the end of March 2012					Significantly increase opportunities across Essex	643 (Nov 2012)	On track See page 4	Monthly
1.3.2: People successfully completing the Essex Apprentice Scheme (phase 2)	Phase 1 saw 1,082 people (78%) successfully completing apprenticeships					70% completion rate (Essex Apprentice Scheme)	12.3%	On track See page 4	Monthly
1.3.3: % young people who aspire to continue in post 16 learning	93.2%	96.6% ▲	90.7% ▼	-	-	Raise aspirations of young people to continue learning post 16	Due Jul 2013	N/a	Annual
1.3.4: % 16-19 year olds who continue in post 16 learning	New definition for 2012/13 (prior to this, data related to 16-18 year olds)					All year 11 leavers in 2013 to remain in education, employment or training	Due Apr 2013	N/a	Annual
1.3.5: % care leavers who are in education, employment or training at age 19	72.8%	74.5% ▲	62.2% ▼	61%	54%	Maintain performance in line with our statistical neighbours	Due Feb 2013	N/a	Annual

What do we know has happened this year?

Exception

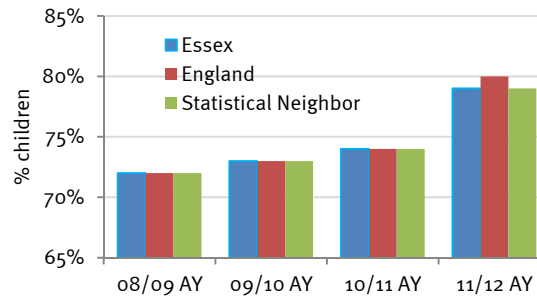
The county still has progress to make in providing good or outstanding schools for all its children.

1.1.1: % achieving good level of development in EYFS



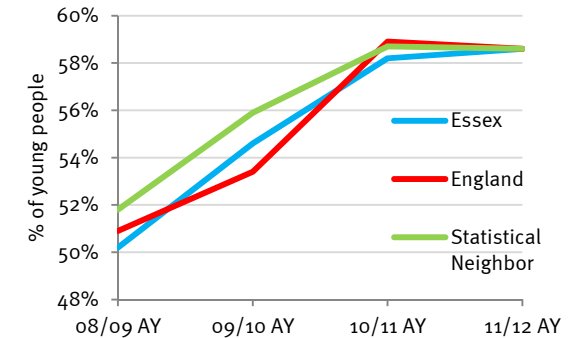
Gap with England has narrowed.

1.1.2: % achieving expected levels in KS2 England and Maths



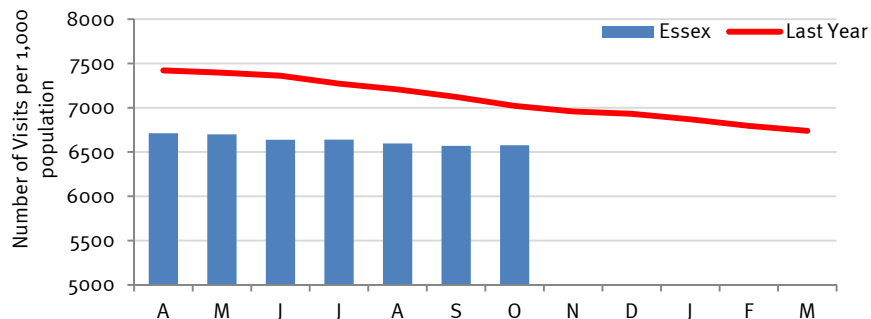
Improvement seen but performance is below England average.

1.1.3: % achieving 5+ A*-C GCSEs including English and Maths



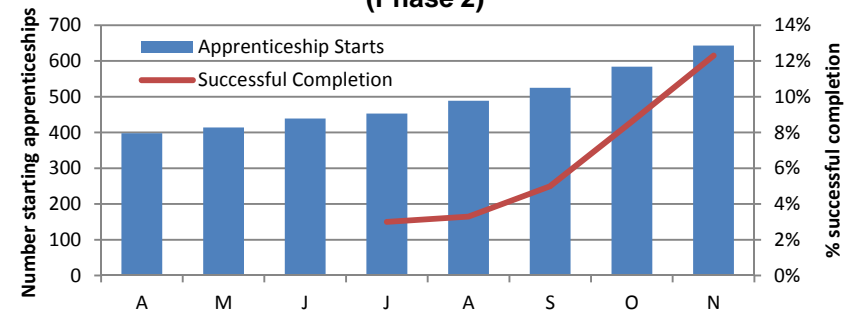
GCSE attainment now level with England and Statistical Neighbour average.

1.2.3: Physical and Virtual Visits to Libraries (per 1,000 population)



Comparative data not yet available, but data shows a slowing in the rate of decline for library visits.

1.3.1/2: Number of people undertaking apprenticeships in Essex (Phase 2)



A low completion rate is to be expected at this stage as many apprenticeships have only recently begun. The target is to achieve a 70% completion rate by the end of Phase 2.

Priority 2: Securing the infrastructure and environment to enable business to grow

What does success look like?

- Essex business community is supported to grow, attract investment and succeed in new markets, and jobs (particularly high value jobs) are present within the Essex economy. Whilst infrastructure supports Essex businesses to trade and grow, whilst the road network is well maintained
- Young people are in education, employment or training
- There is sufficient childcare to support parents choosing to go back to work, and low unemployment in key sections of the community

Where have we come from and where do we want to be?

Outcome 1: Supporting business to generate wealth, jobs and opportunities

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of data
2.1.1: Total number of active enterprises	58,500	58,740 ▲	59,095 ▲	58,735 ▼	-	-	Not appropriate	Await National Release	N/a	Annual
2.1.2: Number of enterprise start-ups	6,715	5,900 ▼	5,875 ▼	6,280 ▲	-	-	Not appropriate	Await National Release	N/a	Annual
2.1.3: Number of jobs in Essex	521,351	519,057 ▼	504,423 ▼	Await National Release	-	-	Not appropriate	Await National Release	N/a	Annual
2.1.4: Average workplace earnings (£)	25,023	25,475 ▲	25,490 ▲	26,176 ▲	-	-	Not appropriate	Await National Release	N/a	Annual

Outcome 2: Ensuring the physical and technological infrastructure is in place to enable business to flourish

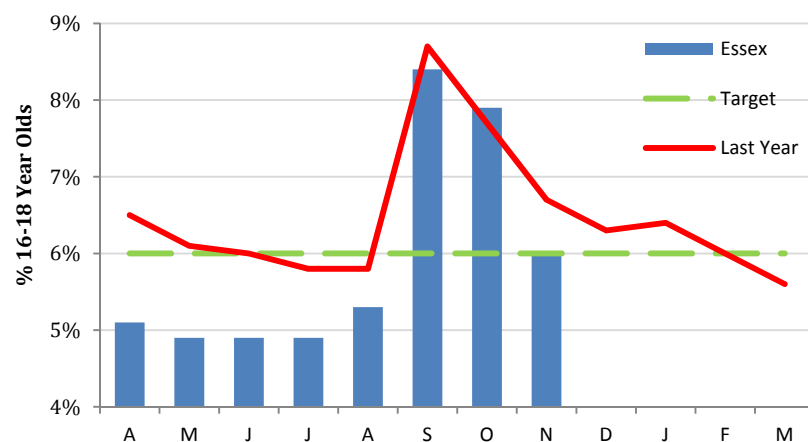
Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Ave	2011/12 Stat Neighbour Average	Aim (by 2012/13)	2012/13	Performance Rating	Frequency of data
2.2.1: Journeys on specified routes undertaken within target time range	New for 2012/13							Due April 2013	N/a	Annual
2.2.2: Number of business premises as defined by the national non domestic rates	37,660	37,243 ▼	37,530 ▲	38,976 ▲	-	-	Not appropriate	Await National Release	N/a	Annual
2.2.3: % homes and businesses with basic level of broadband (2Mbps)	Measurement will begin when Essex have selected a partner supplier						100% by 2015	-	N/a	Annual
2.2.4: % homes and businesses with superfast broadband (24Mbps)							75% by 2017	-	N/a	Annual
2.2.5: Local authority principal road network where structural maintenance should be considered	5%	6% ▲	3% ▼	4% ▲	-	-	4% principal (provisional 2012/13)	Due Mar 2013	N/a	Annual
2.2.6: Local authority non principal classified road network where structural maintenance should be considered	7%	8% ▲	7% ▼	7% ▲	-	-	7% non principal classified (provisional 2012/13)	Due Mar 2013	N/a	Annual

Outcome 3: Creating an environment in which economic opportunity is made available to all

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Statistical Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of Data
2.3.1: % 16-19 year olds who are not in education, employment or training	-	6.7%	6.9%	6.4%	6.1%	5.0%	Reduction to 6% of 16-19 year olds being NEET	6.0%	On Track (See below)	Monthly
2.3.2: % eligible families benefiting from the childcare element of Working Tax Credit	14.6%	14.1%	13.3%	Await National Release	16.8% (10/11)	16.9% (10/11)	Eligible families access their entitlement to Childcare WTC	Await National Release	N/a	Annual
2.3.3: Availability and take-up of childcare places in Essex	-	-	71% (June 11)	70% (Feb 12)	-	-	Sufficient local provision to meet local needs	72% (June 2012)	On Track	Annual
2.3.4: % resident population aged 16-64 years claiming Job Seekers Allowance	3.2%	3.2%	3%	3.2%	4%	3.3%	Maintain trend with East of England	2.9%	On Track (See below)	Monthly

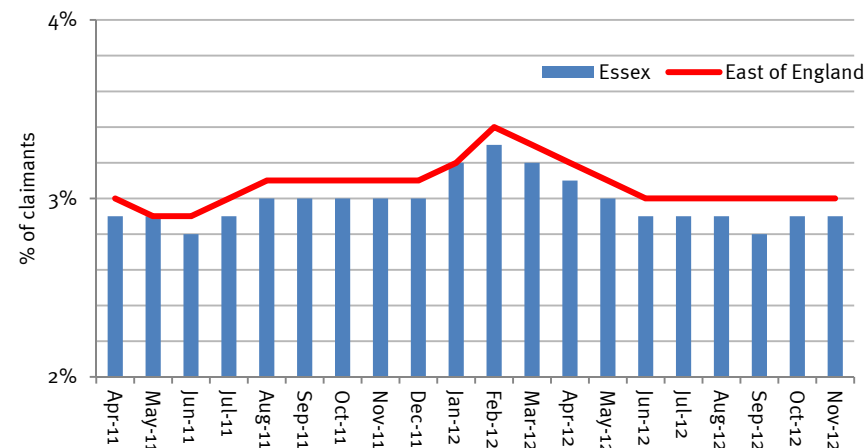
What do we know has happened this year?

2.3.1: % of 16-19 year olds who are not in education, employment or training (NEET)



After a peak during September and October (in line with trend) performance is now back on target.

2.3.4: % of resident population aged 16-64 years claiming Job Seekers Allowance



Essex continues to maintain trend with the East of England

Priority 3: Improving Public Health and Wellbeing

What does success look like?

- People receive the support needed to regain or maintain independence, and communities who rely most on local bus services receive a punctual service
- There are low occurrences of smoking, obesity, alcohol and drug misuse, avoidable illness, death and disability, and people are supported to live active lives
- Residents experience of Essex's urban and rural environment is a positive one, and Essex's environmental impact is low

Where have we come from and where do we want to be?

Outcome 1: Helping Essex residents to live full and independent lives

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of data
3.1.1: % social care users receiving personal budgets	-	-	-	86.3%	-	-	Increase cash payment users by 10%	87%	On Track See page 9	Monthly
3.1.2: % people achieving a positive outcome from reablement	53%	50% ▼	53% ▲	65% ▲	-	-	Maintain performance, whilst increasing volumes	81%	On Track See page 10	Monthly
3.1.3: Older people supported through assistive technology	-	5,801	4,924 ▼	5,881 ▲	-	-	Not appropriate	3060 (Oct 2012)	Not On Track See page 10	Monthly
3.1.4: % adults with LD who live in own home/with family	31%	50% ▲	44% ▼	69% ▲	70%	70.16%	Increase number of adults	71.4% (July 2012)	On Track	Monthly
3.1.5: % adults in contact with secondary mental health services who live independently, with or without support	17.8%	70.8% ▲	79.1% ▲	-	66.6% (10/11)	57.2% (10/11)	Maintain current level of performance	Await National Release	N/a	Annual
3.1.6: % non-frequent bus services that run on time	75%	78% ▲	85% ▲	89% ▲	-	-	Continue to improve punctuality	88%	Not On Track See page 10	Monthly
3.1.7: Number of people using public transport (millions)	45.6	44.2 ▼	43.3 ▼	45.1 ▲	-	-	Minimise impact of decline in passengers	22.6m (Sept 2012)	On Track See page 10	Quarterly

Outcome 2: Encouraging healthy and active lifestyles and tackling the wider causes of ill health

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of data
3.2.1.1: Overall life expectancy (in years) - Men	-	79.6 (07-09)	79.7 (08-10) ▲	Await National Release	78.6 (08-10)	79.6 (08-10)	Increase in line with averages (80.1 years)	Await National Release	N/a	Annual
3.2.1.2: Overall life expectancy (in years) - Woman	-	83.1 (07-09)	83.3 (08-10) ▲	Await National Release	82.6 (08-10)	83.2 (08-10)	Increase in line with averages (83.5 years)	Await National Release	N/a	Annual

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of data
3.2.2.1: Differences in life expectancy across Essex (in years) - Men	4.2 (06-08)	4.1 (07-09) ▼	4.3 (08-10) ▲	Await National Release	-	-	Reduce to 3.9 years	Await National Release	N/a	Annual
3.2.2.2: Differences in life expectancy across Essex (in years) - Women	2.7 (06-08)	2.6 (07-09) ▼	2.6 (08-10) ▶	Await National Release	-	-	Reduce to 2.4 years	Await National Release	N/a	Annual
3.2.3: Winter mortality rates	-	18.8%	Await National Release	Await National Release	-	-	Reduce to England average	Await National Release	N/a	Annual
3.2.4: % reception year pupils measured as obese	-	8.2%	8.8% ▲	8.6% ▼	9.4%	-	Maintain below national average (8.5%)	8.1% (11/12 AY)	On Track See page 11	Annual
3.2.5: % year 6 pupils (aged 10 and 11) measured as obese	-	16.0%	16.1% ▲	17.7% ▲	19.0%	-	Maintain below national average (18.0%)	17.3% (11/12 AY)	On Track See page 11	Annual
3.2.6: Prevalence of smoking among people living in Essex	-	18.55%	19.1% ▲	18.7% ▼	-	-	Reduce to 18.7%	Await National Release	N/a	Annual
3.2.7: Prevalence of diabetes among people living in Essex (GP Practice Level)	-	5.27%	5.5% ▲	5.7% ▲	-	-	An increase by 0.2% (5.7%) in line with previous increases	Due Apr 2013	N/a	Annual
3.2.8: Rate of alcohol related hospital admissions (per 100,000 population)	1,181	1,350 ▲	1,518 ▲	1,607 ▲	1,974	1,713	Keep rate of increase within 10%	Await National Release	N/a	Annual
3.2.9: Take up of health screening programmes	-	-	-	North: 59.6% South: 54.8%	52%	60%	North cluster: offer 60,860/uptake 45,645 (75%) South cluster: offer 37,469/ uptake 28,101 (75%)	North: 62% South: 54%	On Track See page 11	Quarterly
3.2.10: % drug users who leave treatment in a planned way	-	-	20.2%	24% (to Dec 11)	-	-	Upper quartile	19.6% (Q2)	On Track	Annual
3.2.11: % adults who exercise	-	21.6%	20.9% ▼	21.1% ▲	-	22.5%	Increase access to sport and physical activity opportunities	22.6%	On Track See page 11	Annual
3.2.12: Number of people using the Hadleigh Olympic Legacy Venue	New for 2013/14						Increase numbers using for active recreation	-	N/a	Annual

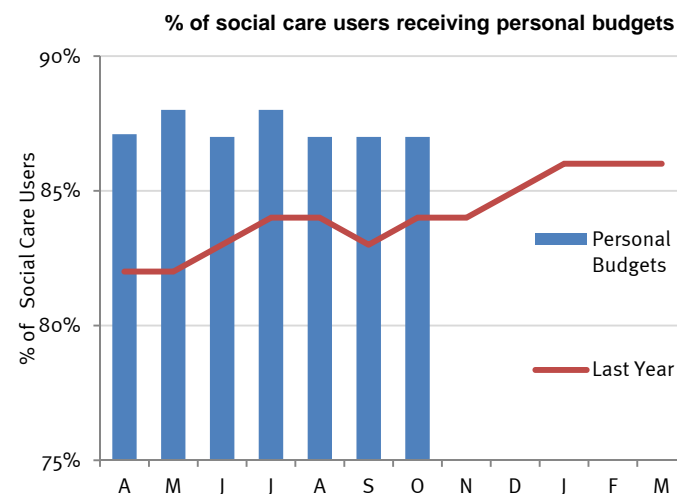
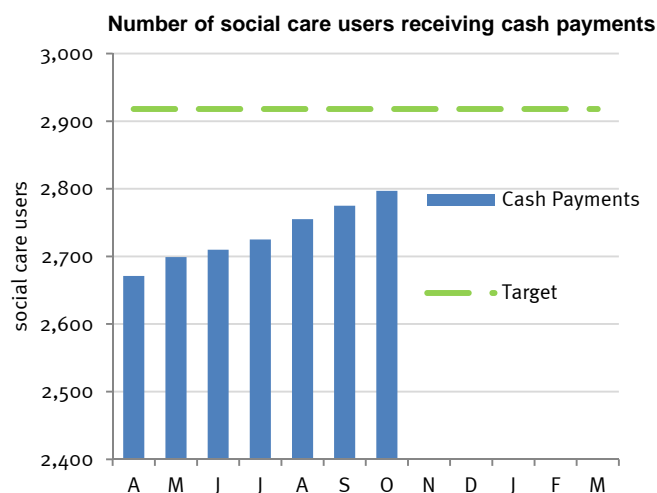
Outcome 3: Protecting and enhancing the environment in Essex

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Statistical Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of data
3.3.1: User satisfaction with country parks	96%	97% ▲	96% ▼	96% ▶	-	-	Maintain at least 95%	99% (Sept 2012)	On Track See page 12	Quarterly
3.3.2: % footpaths and rights of way that are easy to use	65.6%	60.9% ▼	80.4% ▲	76.3% ▼	-	-	Maintain 67-75%	77.8% (July 2012)	On Track See page 12	Quarterly
3.3.3: Hectares of rare wildlife habitats restored or re-established	-	-	-	70.1	-	-	112 hectares	5 (approx.)	Not on track	Quarterly
3.3.4: Tonnes of CO2 emitted within the authority's buildings and specified operations	-	-	103,392	85,260 ▼	-	-	5% reduction of CO2 emissions	Await National Release	N/a	Annual
3.3.5: % household waste sent for re-use, recycling or composting	42.96%	46.24% ▲	50.1% ▲	51.95% ▲	41.2% (10/11)	48.8% (10/11)	54%	56.59% (Sept 2012)	On Track See page 12	Monthly
3.3.6: The level of household waste generated across Essex (Kgs)	643.0	586.0 ▼	548.08 ▼	516.09 ▼	-	-	504kg	253.39 (Sept 2012)	On Track See page 12	Monthly

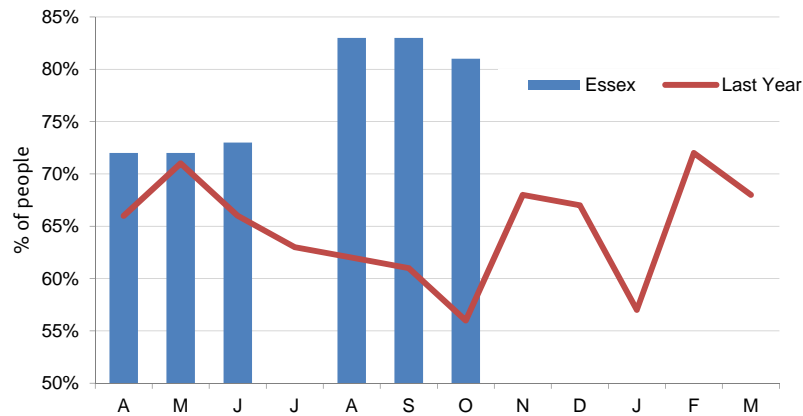
What do we know has happened this year?

3.1.1: % social care users receiving personal budgets

There is a greater proportion of social care users receiving personal budgets, whilst cash payments appears on track to meet target.



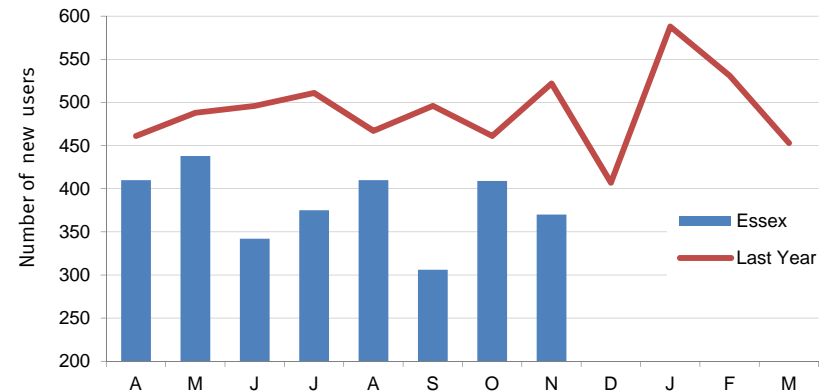
3.1.2: % people achieving a positive outcome from reablement



Whilst the proportion of people achieving a positive outcome from reablement has increased, there has been a decrease in the number of people starting reablement compared to 2011/12

Exception

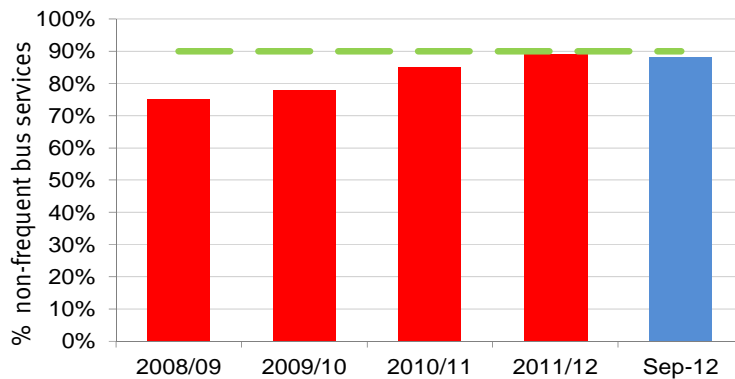
3.1.3: Older people supported through assistive technology



We have seen a decrease in activity levels in Adult Social Care – any decrease in activity levels may in turn impact on assistive technology.

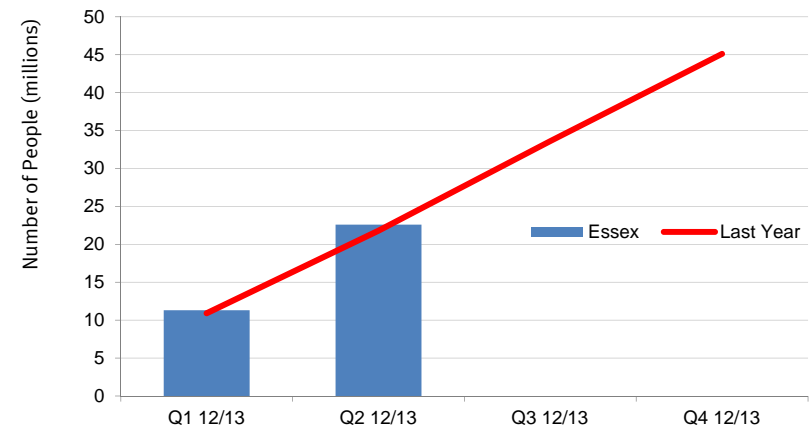
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3.1.6: % non-frequent bus services that run on time



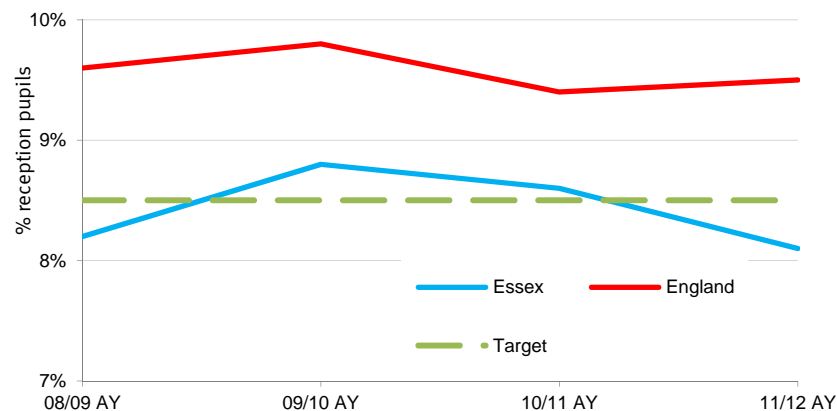
Improvements have been seen year on year, with September 2012 results broadly in line with previous years, but local target unlikely to be met across the whole year.

3.1.7: Number of people using public transport (millions)



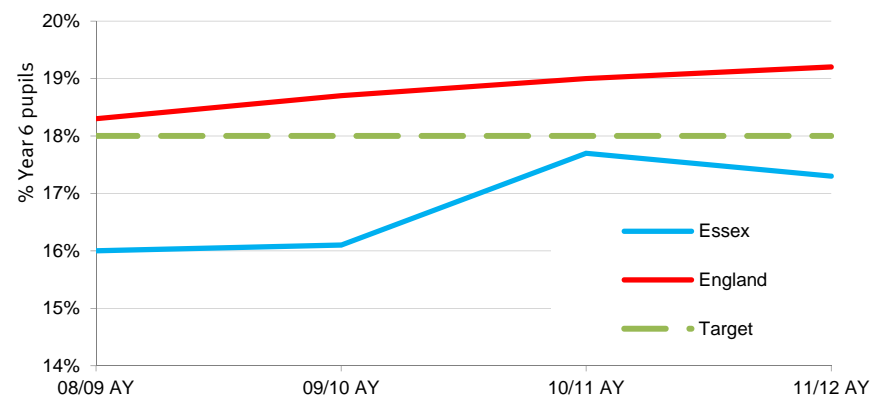
Passenger numbers are broadly in line with last year, bucking the national trend of a decrease in passenger numbers for non-metropolitan authorities

3.2.4: % reception year pupils measured as obese



New data that has been released shows that Essex remains below the national average and within target for obesity at reception age.

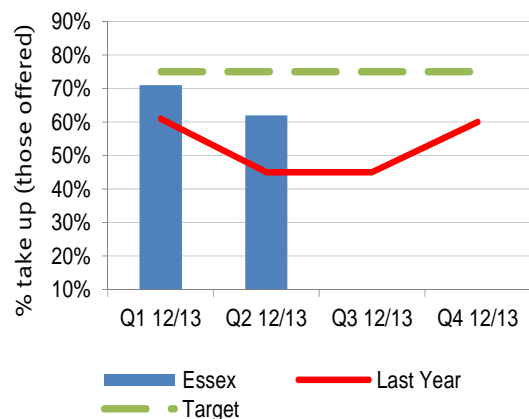
3.2.5: % year 6 pupils (aged 10 and 11) measured as obese



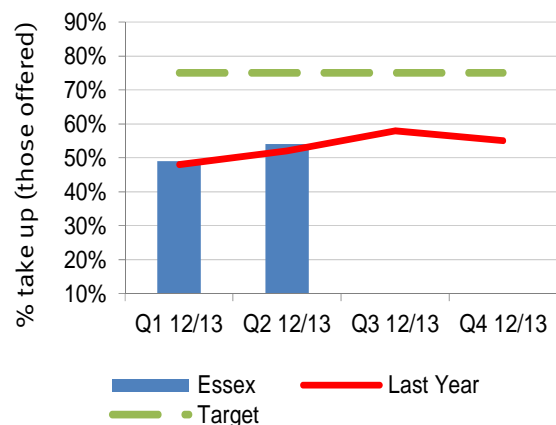
New data that has been released shows that Essex remain below the national average and within target for obesity at year 6.

3.2.9: Take up of health screening programmes

North Cluster

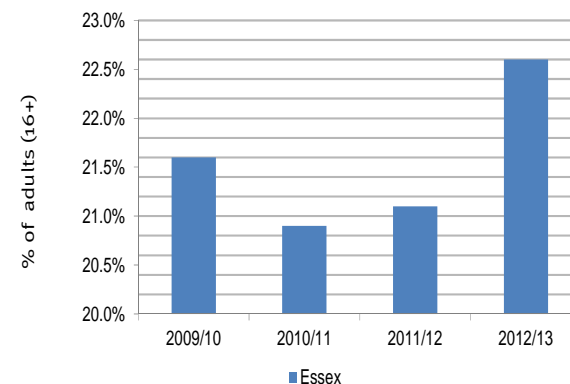


South Cluster



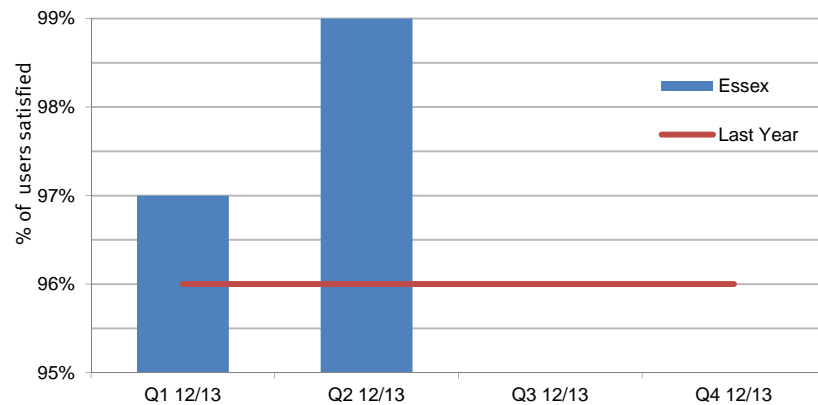
Great strides have been made over the last few months in securing additional GP sign up to offer and deliver health checks. Local data up to Nov 12 suggests performance is getting back on track.

3.2.11: % adults who exercise



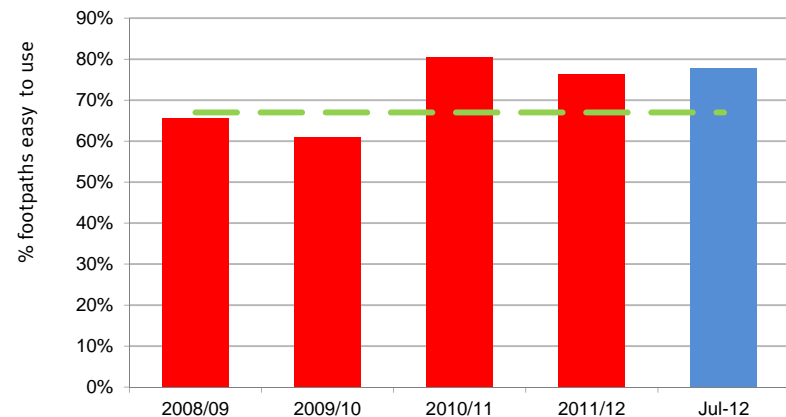
Whilst the October 2011 to October 2012 Active People Survey shows an increase in the proportion of adults exercising, the increase is not statistically significant.

3.3.1: User satisfaction with country parks



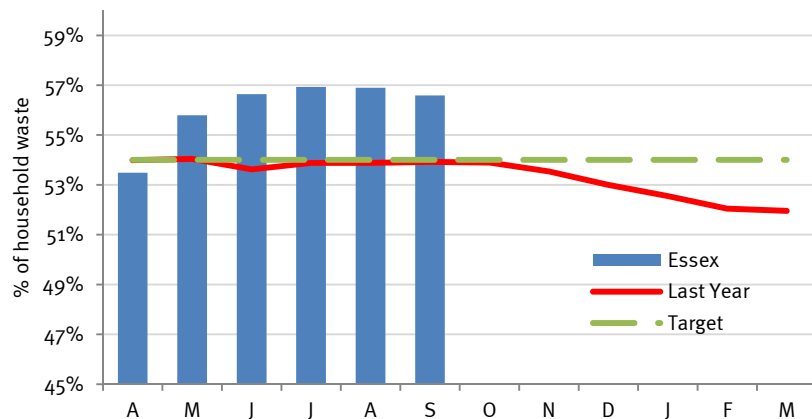
Q2 saw an exceptionally high satisfaction score of 99%.

3.3.2: % footpaths and rights of way that are easy to use



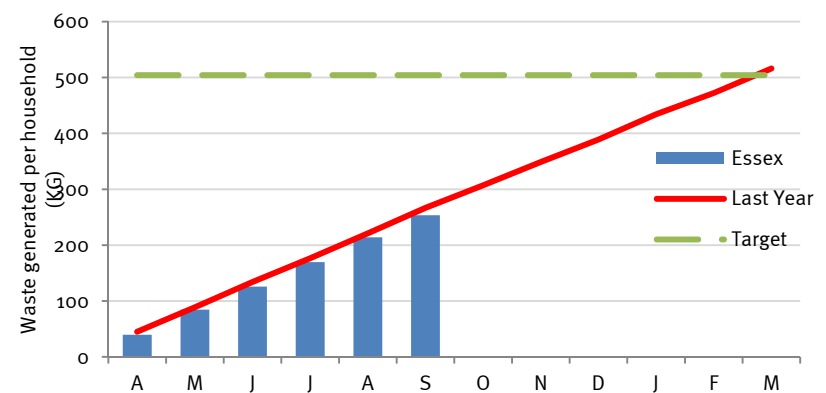
The July 2012 result remained within the targeted threshold of between 67% and 75%.

3.3.5: % household waste sent for re-use, recycling or composting



Recycling rates across the county have increased when compared to the same period last year.

3.3.6: The level of household waste generated across Essex (Kgs)



The level of household waste generated is broadly in line with the volume in the previous year.

Priority 4: Protecting and Safeguarding Vulnerable People

What does success look like?

- People receiving social care services have good physical, mental and emotional wellbeing and adults with learning disabilities have opportunities for employment
- Low numbers of older people admitted to hospital following falls, adults using our services feel safe and our processes for safeguarding vulnerable children are effective
- Children in care enjoy stable placements or are placed permanently with adoptive families and carers are supported to enjoy a good quality of life

Where have we come from and where do we want to be?

Outcome 1: Enabling vulnerable people to enjoy a better quality of life

Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Statistical Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of data
4.1.1: Social Care quality of life score – based on survey responses	-	-	18.6	18.9 ▲	18.9	18.96	Baseline Year	Dependent on date of survey	N/a	Annual
4.1.2: Number of adults with learning disabilities in paid employment	405	378 ▼	385 ▲	362 ▼	-	-	Maintain current levels of employment	367	On track see page 14	Monthly

Outcome 2: Protecting Essex residents from harm and injury

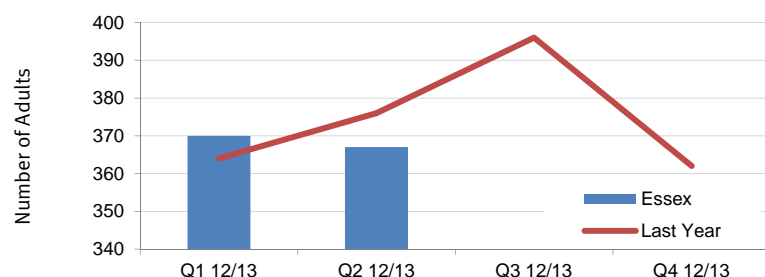
Indicators of Success	Historical Essex Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of data
4.2.1: Acute admissions to hospital as a result of falls or fall injuries for people over 65 years (per 10,000 pop)	-	-	465.9	Due March 2013	451.9 (10/11)	444.1 (10/11)	Baseline Year	Due March 2014	N/a	Annual
4.2.2: % people who use services who feel safe	-	-	63%	70% ▲	-	-	Baseline Year	Dependent on date of survey	N/a	Annual
4.2.3: % people who use services who say that those services have made them feel safe and secure	-	-	-	89%	-	-	Baseline Year	Dependent on date of survey	N/a	Annual
4.2.4: Effective processes in place to safeguard vulnerable children	Success will be measured by continued evidence of improvement in processes to safeguard vulnerable children									
4.2.5: Local Authority Ofsted judgements (Childrens Services)	-	Un-satisfactory	Un-satisfactory	Satisfactory	-	-	Continued evidence of improvement in Children's social care	Currently judged as Adequate for safeguarding (Sept 2011)		Annual

Outcome 3: Supporting parents, carers and families to create safe and stable homes

Indicators of Success	Historical Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of Data
4.3.1.1: % Children in Care who have been in the same placement for 2 or more years	64.4%	67.1% ▲	65.9% ▼	70.7% ▲	68.6% (10/11)	66.9% (10/11)	5% reduction on the 2011/12 outturn	73.20%	On track see below	Monthly
4.3.1.2: % Children in Care who have had 3 or more placements in the year	10%	7.8% ▼	8.8% ▲	8.9% ▲	11%	12.5%	Maximum of 15% with 3+ placements	5.90%	On track see page 15	Monthly
4.3.2: % Children in Care who are in foster care family placements	72.1%	74.3% ▲	70.6% ▼	75.8% ▲	75%	76%	75% in foster care placements	75%	On track see page 15	Monthly
4.3.3: % Children in Care who are adopted each year	11.1%	13.1% ▲	10% ▼	13.5% ▲	13%	11%	12% care population adopted	11.40%	Not on track see page 15	Monthly
4.3.4: Number of carers assessments provided to adults who regularly care for others (per 1,000 population age 18+ years)	12.2	12.1 ▼	15.1 ▲	13.1 ▼	10.5	10.32	Maintain top quartile within our comparator group	10.56	Not on track see page 15	Monthly
4.3.5: Number of carers receiving direct payments (per 10,000 population age 18+ years)	-	5.79 -	7.23 ▲	5.69 ▼	17.16 (10/11)	17.32 (10/11)	Reduce gap with comparators	2.51	Not on track see page 16	Monthly
4.3.6: Satisfaction of carers receiving support from Essex County Council	New for 2012/13						Baseline Year	Dependent on date of survey	N/a	Annual

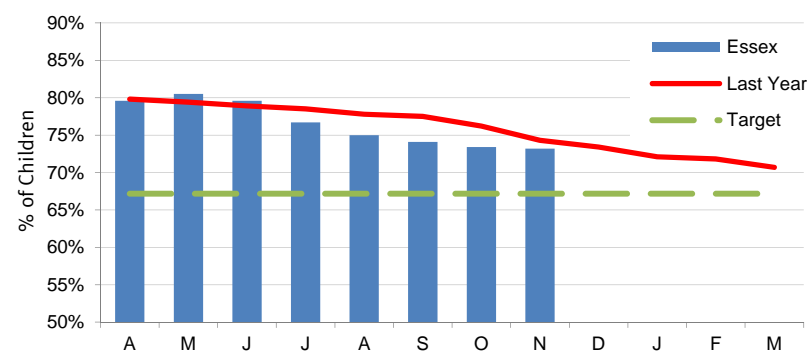
What do we know has happened this year?

4.1.2: Number of adults with learning disabilities in paid employment



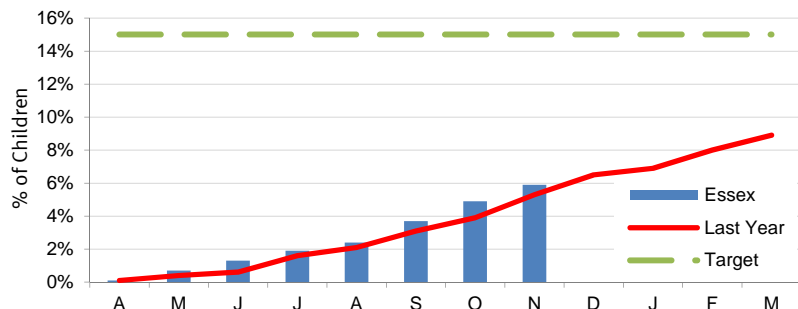
Despite the challenging economic climate, paid employment levels for adults with learning disabilities has increased compared to the level at the end of 2011/12. Essex is in the upper quartile for the proportion of adults with LD in paid employment at 9.2% compared to an average of 7.5% amongst comparators.

4.3.1.1: % Children in Care who have been in the same placement for 2 or more years



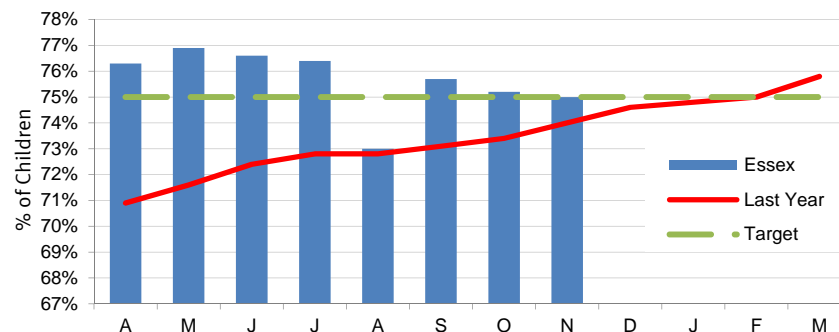
Whilst there has been a reduction in children in care who have been in the same placement for 2+ years, it is less than anticipated.

4.3.1.2: % Children in Care who have had 3 or more placements in the year



Whilst numbers of children with 3 or more placements is slightly higher than last year, Essex remain well below the maximum threshold.

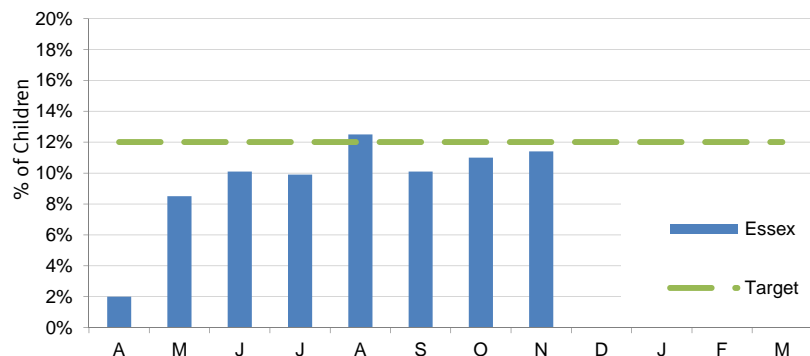
4.3.2: % Children in Care who are in foster care family placements



Although the proportion of children in foster care placements has now fallen below levels seen at the end of 2011/12, Essex remains in line with the target of 75%

Exception

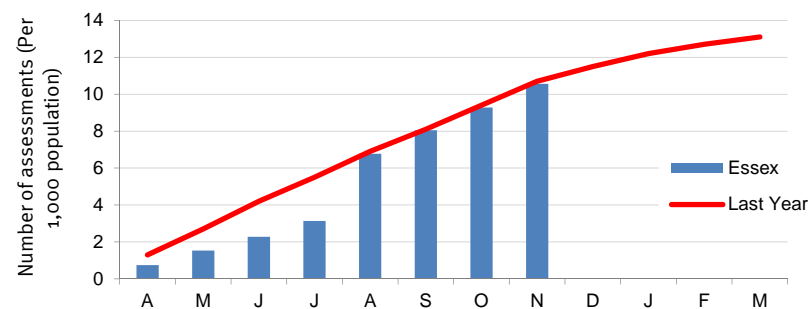
4.3.3: % Children in Care who are adopted each year



Essex is below target for the percentage of children who leave care being adopted.

Exception

4.3.4: Number of carers assessments provided to adults who regularly care for others (per 1,000 population age 18+ years)

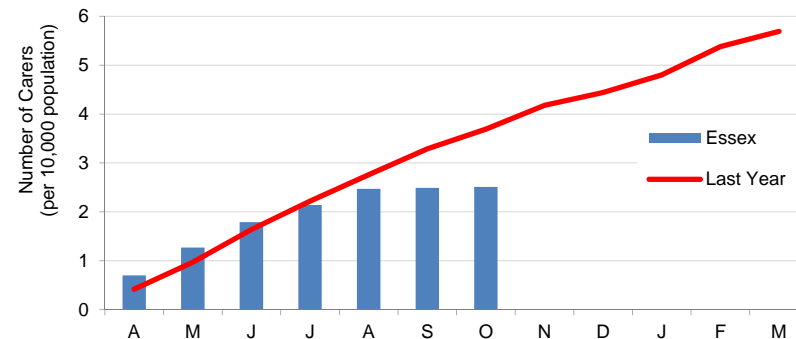


We have seen a decrease in activity levels in Adult Social Care – any decrease in activity levels may in turn impact on carers assessments.

Exception

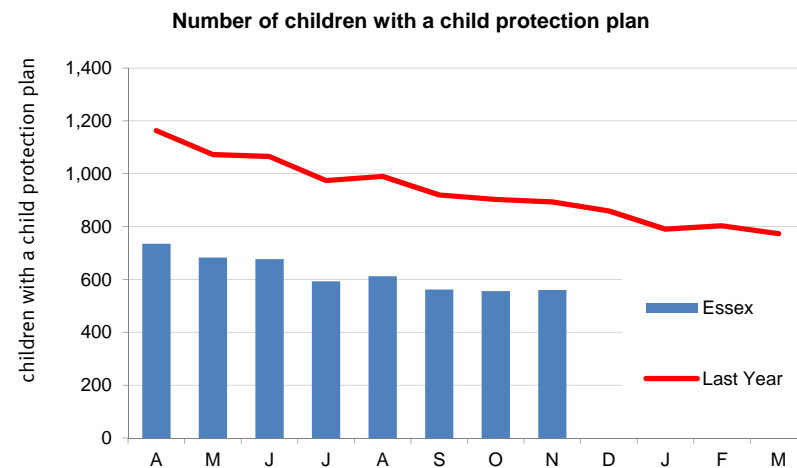
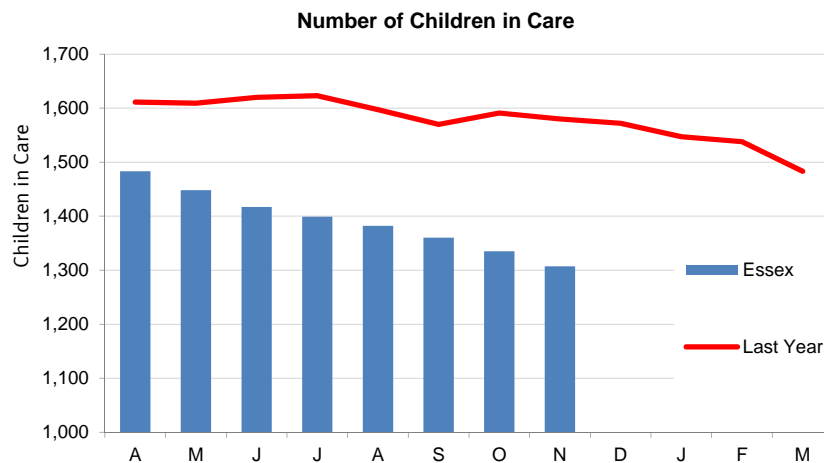
4.3.5: Number of carers receiving direct payments (per 10,000 population age 18+ years)

We have seen a decrease in activity levels in Adult Social Care – any decrease in activity levels may in turn impact on carers.



Safe and appropriate alternatives to care...

As a result of our work with families most in need of our support and early identification of needs, we are seeing an overall reduction in both the numbers of children in care and the numbers subject to a Child Protection Plan.



Priority 5: Giving People a Greater Say and Greater Role in Building Safer and Stronger Communities

What does success look like?

- Low levels of crime and residents feel safe in their communities, traders do not partake in rogue or dangerous behaviour and Essex roads are safe
- Residents are involved in their communities
- There is closer working between local authorities across Essex, and Citizens have power to scrutinise and challenge public services

Where have we come from and where do we want to be?

Outcome 1: Making Essex a safer county in which to live and work

Indicators of Success	Historical Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of Data
5.1.1: Number of crimes per 1,000 residents committed in Essex	-	57.4 -	56.5 ▼	57.4 ▲	-	-	Continued reduction in crime	27.7 (Sept 2012)	On track see page 18	Quarterly
5.1.2: % of residents who feel safe after dark	56.9%	58.6% ▲	64.5% ▲	60.3% ▼	-	-	Improve the feeling of safety in communities	Due Mar 2013	N/a	Annual
5.1.3: % businesses causing consumers significant detriment which are brought to compliance within 12 months	New for 2012/13						Baseline Year	Due Apr 2013	N/a	Quarterly
5.1.4: Number of people injure in road traffic collisions (excluding fatal and serious injuries)	3,905	3,667 ▼	3,440 ▼	3,641 ▲	-	-	4% reduction on 2011 result	2209 (Nov 2012)	On track	Monthly
5.1.5: Number of people killed or seriously injured on Essex's roads	706	658 ▼	662 ▲	630 ▼	-	-	No more than 612 people (563 by 2020)	410 (Nov 2012)	On track	Monthly

Outcome 2: Encouraging Essex residents to influence decisions and shape their communities

Indicators of Success	Historical Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of Data
5.2.1: % residents who would like to be more involved in decision making	29%	30% ▲	32% ▲	25.9% ▼	-	-	Further engage residents to encourage involvement	Due Mar 2013	N/a	Annual
5.2.2: % residents who are interested in getting involved to improve their local community	-	-	-	51.4% -	-	-	Further engage residents to encourage involvement	Due Mar 2013	N/a	Annual
5.2.3: % residents engaged in volunteering	-	-	30%	28% ▼	-	-	Support and develop opportunities to get more involved in communities	Due Mar 2013	N/a	Annual

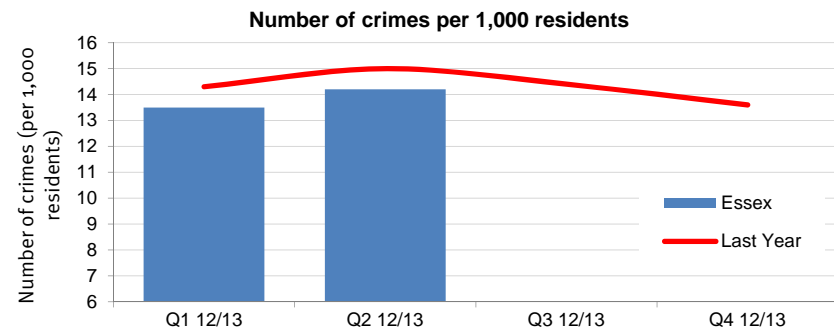
Outcome 3: Helping communities play a greater role in challenging local services

Indicators of Success	Historical Performance				Comparative Performance		Current Essex Performance			
	2008/09	2009/10	2010/11	2011/12	2011/12 National Average	2011/12 Stat Neighbour Average	Aim (for 2012/13)	2012/13	Performance Rating	Frequency of Data
5.3.1: Successful development of Locality Boards across Essex	Success will be measured through the support and promotion of closer working between local authorities across Essex via the establishment of Locality Boards							-	N/a	Annual
5.3.2: Successful development of HealthWatch	Success will be measured by the establishment of HealthWatch Essex Pathfinder							-	N/a	Annual

What do we know has happened this year?

5.1.1: Number of crimes per 1,000 residents committed in Essex

The data for the first two quarters of the year indicated that there has been a reduction in the number of crimes recorded in Essex (data excludes Southend and Thurrock).



Report to Cabinet Report of Cllr Lucas Cabinet Member for Customer Services, Environment and Culture.	Forward Plan reference number FP/965/11/12
Date of meeting 22 nd January 2013	County Divisions affected by the decision <i>Chelmsford</i>
Title of report Country Parks Review Phase 1 – Marsh Farm Lease	
Report by Cllr Jeremy Lucas, Cabinet Member for Customer Services, Environment and Culture	
Enquiries to Julie Ellis, Change Director, Environment Sustainability and Highways, Ext 20277	

1. Purpose of report

- 1.1. To agree to issue a commercial lease for Marsh Farm Visitor Attraction to the preferred tenant, Partyman Company Limited.

2. Recommendations

- 2.1. Agree the award of the commercial lease of Marsh Farm Visitor Attraction to the preferred tenant Partyman Company Limited , on terms and conditions to be agreed by the Director for Property and Facilities, in consultation with the Deputy Leader and Cabinet Member for Finance and Transformation Programme

3. Background and proposal

- 3.1. Marsh Farm is one of nine sites within the Essex County Council (ECC) Country Parks estate. However, by way of the visitor attraction and customer service that it provides, it is distinctly different when compared with the other country parks.
- 3.2. Marsh Farm Visitor attraction covers approx 6 hectares which are visited by in excess of 110,000 visitors per year. It is a working farm with a range of agricultural buildings housing pigs, sheep, poultry and cows, along with specialist livestock including alpacas, llamas, goats, a pet barn and an aviary. The site also consists of a small shop and tearoom and outdoor and indoor play areas.
- 3.3. A report on a proposed new operating model for Marsh Farm was presented to Cabinet on 4th September 2012, CAB 900/08/12 and Cabinet made the following decisions:-
 - (1) That approval be given to advertise for bids for a commercial lease of Marsh Farm visitor attraction to be run as a family visitor attraction in line with existing user rights.
 - (2) That authority be delegated to the Director of Essex Property and Facilities, in consultation with the Deputy Leader and Cabinet Member for Finance and Transformation Programme and the Cabinet Member for Customer Services, Environment and Culture, to negotiate the final terms of the lease.
 - (3) That the land surrounding the visitor attraction known as Marsh Farm Country Park remain under the management and in the ownership of Essex County Council.
 - (4) That the grant of the lease or award of any contract be submitted to a future meeting of the Cabinet for approval.
- 3.4. Subsequent to the September Cabinet meeting, the opportunity for the lease was advertised in local and national media through Whirledge & Nott Estate Agents and a rigorous evaluation process was undertaken to select the preferred tenant, "Partyman Company Limited".

Options/Proposals

- 3.5. The Marsh Farm Visitor Attraction was advertised as a commercial lease which initially attracted a good response from potentially interested parties. Some of the suppliers withdrew their interest once they were able to review the site and lease details and the project received detailed enquiries from four suppliers. Of these four, two suppliers declined to proceed any further due to the level of capital investment required. The two remaining suppliers presented responses for consideration.

- 3.6. The responses from both suppliers were evaluated by the project team; including representatives from Legal, Essex Property and Facilities (EPF), Finance, Human Resources and the Country Parks team.
- 3.7. The evaluation followed ECC governance rules and a preferred supplier, Partyman Company Limited, was identified through this proposal.
- 3.8. Both suppliers were informed of the decision and this has been accepted by them.
- 3.9. Essex County Council entered negotiations with Partyman Company Limited through their agents Lambert Smith Hampton (LSH) and a specialist firm Whirlledge and Nott, who manage ECC's agricultural estate. Following negotiations Heads of Terms were agreed by both parties
- 3.10. The proposed disposal strategy for this land and buildings has, pursuant to internal policy guidance, taken account of ECC's obligations under S123 of the Local Government Act 1972, in particular the obligation to achieve best value.
- 3.11. In accordance with such internal policy the valuation of the property has been made and best value has been obtained through negotiations with the preferred tenant.
- 3.12. Under the Local Government Act 1972 there is a requirement to advertise the disposal (including a lease of over seven years) of any land designated as Public Open Space. The requirements of the 1972 Act have been considered and it has been concluded that the Marsh Farm Visitor Attraction does not constitute Open Space within the meaning of the Act as the open elements are between the 'visitor attraction buildings or ancillary to their use as a paid attraction'.

Next Steps

- 3.13. Following "Agreement to Proceed" with the preferred tenant, the Marsh Farm Visitor Attraction will be leased to the Partyman Company Limited who will begin trading at Marsh Farm from 1st April 2013.
- 3.14. This is subject to final agreement of the terms of the lease. Cabinet is asked to agree to the granting of this lease to the Partyman Company Limited, in accordance with the key terms referred to below in paragraph 5.1.

4. Policy context

- 4.1. This project aligns to the "2012-17 Property Strategy" which seeks to "achieve the best value for money by making better use of our property whilst supporting the effective delivery of our priorities".
- 4.2. This project also supports one of the key priorities of the ECC Vision Statement to improve public health and wellbeing by helping deliver the following outcomes:
 - (a) Helping Essex residents to live full and independent lives

(b) Encouraging healthy and active lifestyles and tackling the wider causes of ill health

(c) Protecting and enhancing the environment in Essex

5. Financial Implications

5.1. Future Financials under the Proposed Lease

Under the proposed lease, a commercial market value has been agreed for the transfer of assets to Partyman Company Limited, including livestock, shop and tea room stock, farm and play equipment. It is expected that there will be a slight loss on disposal of assets and this will be reflected in the 2012/13 accounts, although it should be noted that this loss will be more than offset by the resulting annual revenue savings, thereby representing value for money for the council. The lease will run for an initial 25 year period, with a break clause in year 10 to provide either party with the opportunity to withdraw. The 10 year period will allow sufficient time for the lessee to recoup the substantial capital investment that has been proposed. Under the new lease arrangement, Marsh Farm is expected to be cost-neutral for Years 1 and 2 and will then provide ECC with a small surplus from Year 3 onwards.

5.2. Estimate of Future Benefits under the Proposed Lease

Under the terms of the proposed lease for Marsh Farm, ECC will benefit from the removal of the current subsidy (approximately £90,000 per annum), and from year 3 (2015-16) onward will receive a regular annual income for the use of the site and its buildings.

6. Legal Implications

- 6.1. The basis for the disposal of Marsh Farm is to be by way of a commercial lease. A proposed tenant has been selected, namely Partyman Company Limited, and negotiations for the lease and assets have been concluded. The site will be leased at a market rent for a period of 25 years with a rolling break clause exercisable by either party on the tenth anniversary of the lease and with a rent review every third anniversary of the term.
- 6.2. Secretary of State Consent is not required for the disposal as the Council has therefore complied with its statutory obligations under S123 of the Local Government Act 1972 and amending legislation and guidance.
- 6.3. The assets, namely the livestock and machinery, will be transferred at a premium by way of an Asset Transfer Agreement. TUPE implications and staff Service Occupancy Agreements are dealt with in Paragraph 7 of this report.
- 6.4. Having carefully considered whether any of the site being disposed of can be designated as a Public Open Space, it has been concluded that the visitor attraction and main car park are gated and closed at the end of each day. The

two fields adjacent to the car park, used for overflow parking or grazing of the animals, are also gated and not used for public recreation. None of the site being disposed of can therefore be considered as Public Open Space.

- 6.5. The final elements of the lease of Marsh Farm Visitor Attraction to the preferred tenant, subject to the negotiation of final terms by the Director for Property and Facilities, in consultation with the Deputy Leader and Cabinet Member for Finance and Transformation Programme

7. Staffing and other resource implications

- 7.1. The Human Resources team associated with this project have provided a timeline for TUPE of staff attached to Marsh Farm Visitor Attraction. Pension costs have been identified for Marsh Farm; these were supplied to inform the interested suppliers of the expected costs involved. The preferred bidder understands and agrees to lodge a pension bond to cover future pension entitlements. The supplier has agreed to become an admission body which will require an initial on-going contribution rate to be paid by the new employer of 20.8% of payroll for a closed agreement.
- 7.2. Several staff at the site benefit from tied houses through a service occupancy agreement; this has been discussed with property and legal representatives and forms part of the negotiations with the successful bidder.
- 7.3. Staff have been consulted throughout the tender process in line with legal requirements and good practice in relation to the proposed transfer and their response to consultation has been taken into account in the decision making process.

8. Equality and Diversity implications

The Equality Impact Assessment has been completed and no action is required.

9. Background papers

None

Report to Cabinet Report of Councillor Finch	Forward Plan reference number Ref. FP/988/12/12
Date of meeting 22nd January 2013 Date of report	County Divisions affected by the decision
Decision on delivery of an assessment and award function within a localised social fund scheme	
<hr/> Report by Cllr David Finch <hr/>	
Enquiries to Sarah Richards, Assistant Director Sustainable Environment and Enterprise.	

1. Purpose of report

- 1.1. To set out the requirement to develop a localised social fund scheme
- 1.2. To seek agreement on the proposal for delivering an assessment and award function as part of a localised Social fund scheme

2. Recommendations

- 2.1. Agree the proposal described in this report for delivering an assessment and award function on behalf of ECC as part of a localised Social fund scheme.

- 2.2. Agree to delegate authority to Southend –on –Sea Borough Council to exercise the assessment and award function on behalf of Essex County Council.
- 2.3 Agree to delegate authority to the Executive Director of ESH to finalise the arrangements which will underpin the implementation of the scheme including an appropriate delegation agreement and other documentation.
- 2.4 Agree that this delegation of functions should be reviewed periodically to ensure it is delivering high quality services and meeting the Council's requirements

3. Background and proposal

- 3.1. From April 2013 the Welfare Reform Act 2012 removes two discretionary elements of the 'Social Fund', Community Care Grants (CCGs) and Crisis Loans (CLs), from the DWP who currently administer these nationally via Job Centre Plus.
- 3.2. The DWP has allocated upper tier authorities a non-ring fenced grant to compensate local areas for the end of the national scheme. DWP have been clear that local authorities are not expected to replicate the current national scheme but there is an expectation that a localised offer to meet welfare requirements.

The current national DWP scheme:

Community Care Grants

These are non-repayable grants, usually paid to 'families under stress', or people needing essential items of furniture or other possessions, following rehousing (due to domestic violence, resettlement from institutional care, etc) or a domestic crisis (flood, fire, or simply the breakdown of an essential item such as a cooker). They are paid to those on qualifying benefits, including income support, income based job seekers allowance, income related employment and support allowance, pension credit.

Crisis Loans

These are interest free loans made to people who cannot meet immediate short-term needs in an emergency or when faced with disaster (e.g. no money to buy food, cases of theft). Repayments are made direct from benefits to the DWP in the case of benefit recipients. They are paid to those with few savings in crisis – not just those in receipt of benefits.

- 3.3. The provision of a Social fund scheme incorporates 2 aspects of delivery. There is a requirement to assess applicants against defined eligibility criteria. Following this, there is a need to provide the applicant with the award that has been defined in the assessment process.
- 3.4. In 2011-12 it is estimated that around 31,000 applications were made for DWP assistance from Essex residents. Approximately 20,340 of these were successful, resulting in £2.8m of expenditure. The average sum payable was around £300-£400 for Community Care Grants and £50-£60 for Crisis Loans

- 3.5. Activity so far has been focused on identifying the model for Essex. Engagement with other upper tier councils has highlighted a number of approaches for the assessment process. However a common decision is the creation of an in house team to deal with assessment and award within an existing call centre.
- 3.6. Further to this, there is a requirement for the Unitary Councils of Southend and Thurrock to provide a localised scheme. Their agreed approach is to develop a partnership arrangement with Southend providing the assessment function on behalf of Thurrock.

Options for Delivery

- 3.7. As a result of the consultation and benchmarking exercise, options for delivery of an assessment function have included the creation of an in house team, delivery through partnership with a commercial organisation or developing a service level agreement with Southend to provide the Assessment on behalf of ECC.
- 3.8. When reviewing these options for suitability, a number of factors were taken into account including:
- Initial ECC member steer is that the preferred delivery of a localised scheme, including assessment, should not be within ECC but through partner organisations
 - This assessment process requires access to the benefits system (CIS) this is readily available to unitary and 2nd tier local authorities who are dealing with revenues and benefits but not to County Councils and the private and voluntary sector. The DWP have confirmed that no solution for additional access will be in place by April 2013 and this presents a major risk to the assessment process.
 - Procurement timescales and availability of suitable commercial partners present a high risk that any agreement would not meet the Go Live date for a scheme
 - At present, the funding for a scheme is guaranteed for 2 years. It is unclear as to the future provision but it is unlikely that funding will be continued following this period.
 - District Engagement has been slow to develop and now focused on the delivery following the initial assessment and award
- 3.9. In addition, options were assessed against our key design principles for developing a localised solution set out below:
- Solution will not replicate the current DWP scheme
 - Preferred delivery, including assessment, not within ECC but through partner organisations
 - Delivery as close to the customer as possible
 - Solution will look to build community and individual resilience wherever possible

- Solution will be cash free and not include loan provision
- Solution will be future proof – funding available until end 14/15

Proposal

- 3.10. Taking into account the considerations above, the proposal that we are seeking approval to move forward on is to develop an arrangement with Southend council to provide the assessment and award function on behalf of ECC.
- 3.11. Southend Council would provide a full social fund assessment service from initial customer contact through to decision notice and notification to provider. This would include any requests for a review or complaint about the service. There would also be a fully auditable financial monitoring in place to allow us to monitor spend and forecast demand
- 3.12. Applications to the fund would be made by telephone and dealt with by fully trained operatives within an existing benefits structure. These operatives would be experienced in delivering a complex assessment function to a similar demographic.
- 3.13. Following a successful application, Southend Borough Council would then make a referral to the agreed partners to provide delivery of the award. For unsuccessful applicants, signposting to alternative support would be provided.
- 3.14. Delivering the assessment process using Southend Council would allow us to develop a pan Essex approach for assessment criteria and eligibility. This would provide clarity and a coordinated approach to the scheme.
- 3.15. In addition, as a unitary authority, access to the CIS system is already present and so this would not require any additional development of systems and data protection agreements from the DWP.
- 3.16. To review and test this option for delivery, The project team are currently carrying out a due diligence exercise to ensure that any such arrangements would be robust and would deliver value for money, along with being aligned to ECC principles and Key Design principles. The progress and position of the due diligence exercise are detailed below.

Fraud Implications

- 3.17. To ensure that we manage any potential risk of fraud, the social fund project has been flagged for review as part of protecting the public purse. Members of the Audit team have been engaged and as part of the SLA, safeguards will be reviewed to ensure any risk is mitigated.
- 3.18. The assessment function will sit within the current Benefits section for Southend and as such, there are existing mechanisms in place which safeguard against any potential fraudulent activity. These mechanisms are part of an existing national requirement.

ICT Implications

- 3.19. Southend will be utilising a software system provided by Northgate. Northgate have developed a software application to meet the new local authority requirements of administering elements of the Social Fund from 1st April 2013. The service includes hardware, software, network, database administration and release management.
- 3.20. As part of our consideration and proposal, a thorough due diligence exercise has been carried out by ICT. This has confirmed that the proposal is compliant with requirements for data security, resilience and monitoring.
- 3.21. In addition, Northgate systems are currently successfully used to deliver blue badge applications for Southend and comply with the necessary standards required for this function.

4. Policy context

(Demonstrate how the issue is relevant to the Essex Works Commitment 2012/17 and any other relevant strategic plans.)

- 4.1. The proposal aligns with our commitment to protecting and safeguarding vulnerable people and will ensure that there is appropriate access for those in a crisis situation who require support.

5. Financial Implications

- 5.1. A full financial briefing is attached in Appendix 1.
- 5.2. Funding for a localised social fund scheme will be transferred to Essex County Council in December 2012. This payment will cover the initial set up costs along with administration and programme funding for 2013/14.

Financial year	Set up/Administrative funding	Programme funding
2012/13 Set up	£ 24 613	
2013/14	£520 096	£2 461 324
2014/15	£476 724	£2 461 324

- 5.3. Administrative funding is intended to be used to administer a local welfare scheme; in broad terms to handle applications, assess need and eligibility and then to put people in contact with the services they require to meet their needs. If agreed in principle, the arrangement with Southend will be funded from the administrative funding allocated by DWP

- 5.4. Southend have provided draft costs for the proposal and these have been scrutinised to assess their robustness and whether they represent value for money. These are in summary;

Staff costs to receive and assess applications including management supervision	£304 750
Software required to administer applications	£ 50 000
Accommodation and IT for staff assessing applications	£ 24 200
Staff training and recruitment	£ 20 000
TOTAL	£398 950

- 5.5. Southend have stated that in order to resource the provision, 10 full time FTE would be needed to handle applications anticipated across Essex excluding Southend and Thurrock. This is based on the assumption that each application for welfare assistance will take approximately 40 minutes and that each member of staff will complete 10 applications each day. In addition, there is an assumed need for one FTE manager for the team and 0.25 for senior management involvement.
- 5.6. Staffing costs for assessors have been calculated at £25000 per full time equivalent including on costs. A comparison based on current ECC salary bands and on similar roles in other local authorities including on costs and management costs again indicates that staffing costs are comparable and therefore reasonable.
- 5.7. Based on comparisons with other similar benefit assessment functions, the number of completed applications and required resource to fulfil this commitment is felt to be consistent and of a reasonable cost.
- 5.8. Accommodation and IT costs have been calculated based on floor rental costs per desk and then the IT to provide a workstation. These costs have been reviewed based on ECC's own facilities management/ICT costs and appear reasonable.
- 5.9. It is essential that administrative and programme (delivery of welfare) costs remain within the funding allocations to be provided by DWP. An increase in applications of over 29% would bring the administration costs up to the level of funding that will be provided by the DWP for next year (£520096). Southend have however indicated that they will cap the costs to ECC to those quoted and set out above.
- 5.10. In terms of delivery, Workshops are being held with delivery partners in December and January to map out potential sources of support and it will be possible after these workshops to estimate the costs of welfare support. Further analysis of DWP data will also be undertaken in the new year to forecast future demand.

- 5.11. It is essential that there are robust mechanisms in place to monitor spend and respond to demand on the social Fund. Detailed reports provided by Southend will enable ECC to forecast spend and to model financial demand for the subsequent year.. In addition, Southend have also stated that they will prioritise applications to ensure that the funding allocation for welfare support is not exceeded. Head room will be built into the forecast of spending once sufficient data is available to model demand accurately

6. Legal Implications

- 6.1. From a procurement perspective, the value of the administrative fund for this project would make this above the EU threshold and therefore if we were to procure services from an external partner, it would follow the Public Contracts Regulations 2006 Schedule 3 Part B services Category 25 or 27 route and therefore subject to procurement timescales. That said, the financial services element could bring the procurement within Part A Category 6, or perhaps a combination of the two in which case the classification will be determined by which has the greater value.
- 6.2. However, the legal position for ECC is that it is possible to agree with another council, in this case Southend, that they will carry out one of our functions on our behalf. This power is contained in section 19 (of the Local Government Act 2000 as an executive function and administered through a delegation agreement with Southend. This would arguably not require the agreement of an SLA to be subject to the procurement process.
- 6.3. Consideration was also given as to whether this type of assessment was in scope for any of the current contracts/ arrangements that we have. There is a possibility that this function could be included within an existing government framework but this would still require a tender exercise. In addition, inclusion is based on interpretation of a software framework and not specifically around providing an assessment function.
- 6.4. Another issue of a commercial procurement would be the access requirements for CIS. Additionally, entering into an agreement with a commercial organisation would impact on one of our key principles to deliver a scheme as close to the customer as possible and to build community resilience.

7. Staffing and other resource implications

- 7.1. No HR implications have been highlighted on the issue of entering into arrangements with Southend Council. Currently, there is no similar function carried out within ECC and responsibility for recruitment and management of staff would be held by Southend.

8. Equality and Diversity implications

- 8.1. Development of Southend's EIA has been specifically designed with safeguards for vulnerable people, particularly with regard to child poverty and disability. For example, funds will be made available to those lacking essential living needs with no other recourse to meet these needs. To support the pan Essex approach, ECC are currently reviewing documents to ensure that this is fit for purpose.
- 8.2. In addition to this, a full EIA will be developed in conjunction with the SLA to ensure that this has no negative implications on equality issues.

9. Recommendations

- 9.1. Based on the information set out above, the recommendation for Cabinet is to give approval to develop an arrangement with Southend borough Council. This will be to provide the assessment and award process for a localised social fund scheme on behalf of ECC.
- 9.2. This option provides the best fit to our key principles and will allow us to focus on the delivery aspect of the scheme in order to develop a solution for April 2013

10. Background papers

- 10.1. Detailed Financial Briefing
- 10.2. Eligibility policy



Social Fund Finance
due diligence.docx



Social fund eligibility
policy.doc

11. Section 151

- 11.1. This has been signed off by the section 151 officer and no further comments have been raised

12. Monitoring officer

- 12.1. Comments have been received and incorporated into the report

Appendix 1

Localisation of Social Fund

Financial implications

1. Draft SLA costs

From April 2013, the Department for Work and Pensions will abolish the discretionary elements of the social fund. The following funding will be transferred to Essex County Council;

Financial year	Set up/Administrative funding	Programme funding
2012/13 Set up	£ 24 613	
2013/14	£520 096	£2 461 324
2014/15	£476 724	£2 461 324

This funding will be transferred to ECC as specific ring fenced grant. Set up funding is expected this month (December); DWP have yet to set dates for next year's payments.

There has been no announcement by DWP about funding beyond 2014/15. In the current economic climate, it is prudent for councils to plan to ensure that any welfare provision becomes self sustaining beyond 2014/15.

As this report indicates, there is no requirement for local authorities to replicate the current scheme administered by DWP. Programme funding will be directed towards the arrangements for delivering local emergency welfare as described in more detail in this report. Programme funding is cash limited from the DWP but there is no requirement to ring fence this funding; therefore demand for welfare needs to be contained within these amounts to avoid pressure on the council's overall budget.

Set up funding is intended to compensate Essex for setting up a local welfare scheme. It is estimated that set up costs (for project management and officer time) for 2012/13 will be contained within the DWP funding allocation.

Administrative funding is intended to be used to administer a local welfare scheme; in broad terms to handle applications, assess need and eligibility and then to put people in contact with the services they require to meet their needs.

Given the very short timescale imposed upon Essex to implement a local welfare scheme, this report asks members to approve in principle a Service Level Agreement with Southend Borough Council to administer the scheme. The SLA will be funded from the administrative funding allocated by DWP.

Southend have provided draft costs for the SLA proposal. These are in summary;

Staff costs to receive and assess applications including	£304 750
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management supervision	
Software required to administer applications	£ 50 000
Accommodation and IT for staff assessing applications	£ 24 200
Staff training and recruitment	£ 20 000
TOTAL	£398 950

The draft costs have been scrutinised to assess their robustness and whether they represent value for money.

Staffing

Staffing levels are based on the assumption that each application for welfare assistance will take approximately 40 minutes and that each member of staff will complete 10 applications each day. Based on the annual number of applications for community care grants and crisis loans provided by DWP, 10 staff would be needed to handle applications anticipated across Essex excluding Southend and Thurrock. Southend have then assumed a need for one full time manager for the team and 0.25 for senior management involvement.

Based on comparisons with other benefit assessment functions within¹ and outside ECC, a typical contact with a client to assess need and financial means will take between 40 minutes and an hour. The resource levels in the SLA therefore appear reasonable.

Staff costs have been calculated at £25000 per full time equivalent including on costs. This is comparable to the former NJC scale including on costs but excluding London weighting (£25520 – £27007). Comparing grade rates for similar types of functions is not straightforward given that local authorities will have their own job evaluation schemes and local pay scales but from an initial exercise, these costs are similar to a sample of other local authorities using benefits adviser type staff and to the DWP's assessor grade for the eastern region (£24000 in 2009/10)².

ECC's finance and assessment benefits team employ between band 3 and band 4 staff to undertake assessments with clients. This is a range of between £23371 and £31178 including on costs. Although the exact nature and purpose of the assessment will differ from the requirements of the social fund, it again appears that the SLA is offering reasonable value for money.

Software costs are for the acquisition of software to manage applications including document management, set up and security (£40000) and software management (£10000). These costs and the software requirements are currently being reviewed by ECC's IS strategy group. It is important to ensure that the software costs represent only the marginal costs of servicing Essex only welfare applications and that there is a clear

¹ Finance and Benefits Assessment team, ECC

² DWP 'updating the costs of housing and council tax benefit administration report 705, 2009/10)

distinction in the SLA between contributions to initial or marginal purchase costs and on-going costs for software.

Accommodation and IT costs have been calculated based on floor rental costs per desk and then the IT to provide a workstation. These costs have been reviewed based on ECC's own facilities management/ICT. On accommodation, it is difficult to be specific given the wide variety of office space and utilisation but the costs quoted are within a range that property services would regard as reasonable. In terms of IT, again costs appear reasonable but there needs to be more clarity on what is actually covered in terms of software and telephony. ECCS' IS team are looking into this issue in more detail.

Southends proposal includes £20000 for staff recruitment and training. This amounts to £2000 per FTE. The average cost for recruiting staff in ECC is between £1500 and £3000 depending upon the role requirements, complexity and advertising media used.

In summary, the draft proposal from Southend appears to represent good value for money.

Demand management

It is essential that administrative and programme (delivery of welfare) costs remain within the funding allocations to be provided by DWP.

Administration costs will vary according to the number of applications given that they have been calculated on the basis of number of applications processed. An increase in applications of over 29% would bring the administration costs up to the level of funding that will be provided by the DWP for next year (£520096). Southend have however indicated that they will cap the SLA costs to those quoted and set out above.

Delivery costs are more difficult to predict at this stage. There is data available on the number of applications in each district and for each unitary, and within this by lone parent status, age of children, age of recipient and household type (couple, single female or single male).

Delivery - in terms of support provided – will vary according to the client profile; whether a single person, male or female, a family with one or more children with two adults or a lone parent family with one or more children. But the data is not grouped by client profile. Although unit costs per type of support will soon be available (for example the unit cost of providing furniture and white goods to set up a home, the unit cost for weekly food vouchers or parcels, average cost of fuel top up or travel etc.) it is not possible to accurately calculate at this stage the total potential delivery costs.

What we do know from DWP data is that couples account for between 11 and 15% of current social fund support, single females account for between 39 and 50% of support, and single males for between 35 and 50% of support.

Workshops are being held with delivery partners in December and January to map out potential sources of support and it will be possible after these workshops to estimate the costs of welfare support. Further analysis of DWP data will also be undertaken in the new year to forecast future demand.

Monitoring and payment

Given the above, it is essential that the SLA arrangements provide robust arrangements to prevent funding from DWP being exceeded. The DWP paid out £2.705m for community care grants and crisis loans in 2011/12. Although ECC will not be replicating the DWP scheme, this spending is over £200k more than the allocation DWP will provide in 2013/14.

Southend have indicated that they will monitor applications, awards and spend on welfare support on our behalf. The budget for delivery of welfare support will be profiled monthly allowing for potential peaks during the year (potentially more demand in winter or during the run up to Christmas). Southend have also stated that they will prioritise applications to ensure that the funding allocation for welfare support is not exceeded. No awards will be made in excess of the funding allocations either to ECC, Southend or Thurrock.

It is essential that the SLA provides Essex County Council with accurate and timely (at least monthly) information on spend in relation to welfare support, by type of client, by district and by type of support provided. This will enable ECC to forecast spend and to model financial demand for the subsequent year) it is not anticipated that funding will be available from DWP after 2014/15). It would be prudent for the SLA monitoring arrangements to include some 'buffer ' or headroom below the funding allocations to allow for a response to any significant major emergency that might have a welfare effect (for example the failure to implement welfare reform, natural local disaster).

The SLA must explicitly state that Southend will be responsible for ensuring that scheme costs both for administration and delivery of welfare are not exceeded.

Payments will be made by ECC to Southend for administration and welfare delivery on a quarterly basis upon receipt of information from Southend on spend to date.

Essential Living Fund Grant (ELFG) Scheme

The Essential Living Fund (ELF) is primarily intended to help vulnerable people live as independent a life as possible in the community.

Its prime objectives are to:

- ♦ **Help People Establish In The Community Following A Stay In An Institution, Care Home, Hostel or Similar, In Which They Received Care**
- ♦ **Help People Discharged From Prison and Youth Offender Institutions**
- ♦ **Help Young People Leaving LA Care Establish In The Community**
- ♦ **Help People Remain In The Community Rather Than Enter An Institution Or Care Home In Which They Will Receive Care**
- ♦ **Ease Exceptional Pressures On People Or Their Families**
- ♦ **Help People Set Up Home In The Community, As Part Of A Planned Resettlement Programme, Following An Unsettled Way Of Life**
- ♦ **Help People To Care For A Prisoner Or Young Offender On Release On Temporary Licence**
- ♦ **Help People Who Are Unable To Meet Their Immediate Short Term Needs Either In An Emergency In Relation To Some Expenses Or As A Consequence Of A Disaster**

For more on each of these see the explanation area under 'Eligibility'.

Decision Makers

An award of a grant under the ELF scheme will be made by a Decision Maker. This is an employee of Southend Borough Council who is acting under the directives of the

EFLG schemes policy to make a discretionary decision as to the eligibility of the applicant.

Purpose of the Fund

It is important to consider carefully all the circumstances of an application before deciding whether or not to award an Essential Living Fund Grant. No two cases will be the same. The flexibility of the scheme and wide variety of individual circumstances covered mean that a decision in one case does not constitute a precedent for others.

Regard must be given, in particular to:

- ◆ The nature, extent and urgency of the need
- ◆ The existence of resources from which the need may be met
- ◆ The possibility that some other person or body may wholly or partly meet that need. In providing this help care must be taken to ensure the Essential Living Fund does not take over the role of other agencies in providing support.

For example:

- Under the Prison Services Manual V, governors are responsible for ensuring a discharged prisoner has suitable and adequate clothing. Convicted prisoners should have a clothing board to assess their needs. The prison may also issue remand prisoners with clothing if their own is not fit to wear. It is therefore recommended that the Decision Maker checks with the prison if the application is for clothing. The normal rule is the applicant should have a change of clothing and sufficient protective clothing
- Department for Environment, Transport and Regions (DETR) grants for home improvement and repair may be available under the Housing Grants, Construction and Regeneration Act 1996. The main forms of help are renovation grants, disabled facilities grants, common parts grants, HMO (house of multiple occupation) grants and home repair assistance
- Schemes to increase energy efficiency such as Home Insulation Grants where people are requesting extra heaters for example.
- The Family Fund – This provides discretionary grants for families caring for a severely disabled child or children aged 17 or under. It is an independent Government funded organisation registered as a charity.
- Items for severely disabled children that are the responsibility of a statutory agency such as the health authority, local government, social services, housing or education department. This would include;
 - medical services such as equipment and continence supplies including nappies, buggies and wheelchairs – responsibility of health trusts or authorities
 - equipment for daily living such as ramps, hoists and bath aids – responsibility of social services

- education equipment – responsibility of Children and Learning Department
 - Benevolent Funds
 - Other sources of help as cited by websites such as Turn to Us
- This list is not exhaustive

- ◆ The Councils Essential Living Funds grant allocation – The ELF's budgetary position will vary throughout the financial year. Decision makers must control and manage the ELFG budget so that high priority needs are met first throughout the whole of the year and the allocation is not exhausted before year end.
- ◆ The priority of the EFLG (see later notes)

In making a decision the decision maker should:

- ◆ Clearly and fully document the reason for their decision
- ◆ Always use discretion
- ◆ Use discretion sensitively and with imagination to ensure that the objective of the scheme is promoted
- ◆ Avoid rigid interpretation of the guidance
- ◆ Remember that the absence of guidance applying to a particular circumstance, item or service does not mean help should be refused
- ◆ Consider all the circumstances of a case when they determine an application
- ◆ Consider the consequences of refusing an award

The decision maker should ensure the reasons for their decision is fully supported by the evidence and recorded in their decision.

The way in which we will provide this help could be:

- ◆ Award of Cash
- ◆ Provision of Recycled goods/furniture
- ◆ Vouchers
- ◆ Food Parcels

This list is not exhaustive.

The groups of people most likely to require help from an ELFG:

- ◆ Frail elderly people, particularly those with restricted mobility or who have difficulty in performing personal care tasks
- ◆ People with learning difficulties
- ◆ People with mental health problems
- ◆ People with a physical impairment, including those with sensory impairment
- ◆ Chronically sick people
- ◆ Terminally ill people
- ◆ People who have, or still do, misuse alcohol, drugs or other substances
- ◆ Ex-offenders

- ◆ People without a settled way of life undergoing resettlement, other than those in the categories above
- ◆ Young people leaving Local Authority care or special residential schools
- ◆ Families with complex needs or living in difficult circumstances

This list is not exhaustive.

Classifying the Priority of an ELFG

When deciding whether to award an ELFG consideration must be given to the level of priority of the award. Each ELFG should broadly fall into high, medium or low priority.

The general circumstances of the applicant and/or their family, urgency of the need and relevance under the guidance should be looked at.

It will normally be appropriate to give **high** priority to a need if:

- ◆ An award for the item requested will have a substantial and immediate effect in resolving or improving the circumstances of the applicant and in meeting the aims of the prime objective they have qualified under

It will normally be appropriate to give **medium** priority to a need if:

- ◆ An award for the item requested will have a noticeable effect, although not substantial and immediate, in resolving or improving the circumstances of the applicant and in meeting the aims of the prime objective they have qualified under

It will normally be appropriate to give **low** priority to a need if:

- ◆ An award for the item requested will have a minor effect in resolving or improving the circumstances of the applicant and in meeting the aims of the prime objective they have qualified under

Circumstances that may affect priority include:

- ◆ A person's ability to cope with independent living may be particularly difficult because of restricted mobility, learning difficulties, mental health problems, physical disability or mental or chronic physical illness
- ◆ Experiences of physical or emotional abuse or neglect may leave someone especially vulnerable and lacking in confidence, for example young people who have grown up in dysfunctional families or in the care system
- ◆ Returning to the community after a long period of residential or institutional care may leave someone very insecure and vulnerable, especially if they are setting up a new home on their own
- ◆ A long period of sleeping rough may leave someone with little or no concept on how to live in a settled way or cope with problems of budgeting on a low income
- ◆ Unstable family circumstances may put the well being of children at risk and increase the chances that they may have to be taken into care, for example relationships within the family are at breaking point
- ◆ Behavioural problems often associated with drug or alcohol abuse, are likely to add to the difficulties of a vulnerable person trying to live independently and increase the need for a stable environment

Examples of areas the Decision Maker should give a higher priority to include:

- ◆ Applications for discharged prisoners should be treated with particular urgency and sensitivity, bearing in mind the additional pressures and risks that prisoners face returning to the community
- ◆ Young people who have been in care and are unable to live with their parents because circumstances render it impossible for them to be reunited with their parents
- ◆ Vulnerable homeless or recently homeless people, for example young people, rough sleepers and people with a history of drug or alcohol abuse related medical problems, if there is danger that they may otherwise go into institutional or residential care
- ◆ A new type of expense that has arisen as a direct result of special circumstances, particularly if they were unforeseeable. For example a parent/carer with young children needs household items following the violent breakdown of a relationship or sudden deterioration on the condition of a disabled child justifies an award for a washing machine
- ◆ Cases where there has been domestic violence and the ELFG will help protect the applicant and/or any children from risk

- ◆ The threat of being taken into care is immediate or imminent and the EFLG will help them remain in the Community

This list is not exhaustive.

How Much to Award

An EFLG may be for a single item or expense or a number of items and expenses added together.

Decision makers should bear in mind that the scheme is cash limited. Paying more than the applicants needs would mean there is less funding for other high priority applications. The EFLG's budgetary position may vary throughout the financial year. Decision makers must control and manage the EFLG budget so that high priority needs are met first throughout the whole of the year and the allocation is not exhausted before year end.

Therefore irrelevant of what the applicant requests the decision maker is advised to:

- ◆ Use national high street chain retailers and/or national catalogue outlets that are available locally to determine the amount to be awarded when awarding for furniture and household equipment, clothing and footwear
- ◆ Make the best use of the EFLG funding by awarding the lowest prices where that will still meet the applicants needs
- ◆ Consider the cost of delivery and fitting charges for certain items of furniture and household equipment, for example if the retailer offers free delivery and fitting or not
- ◆ Remember that A-rated energy efficient goods, or more expensive, are not always appropriate because we are trying to help as many people as we can with limited funds
- ◆ Consider the use of recycled furniture and vouchers to ensure the award is appropriately spent and used to best advantage

Where the applicant doesn't ask for enough to purchase the item requested the decision maker should consider awarding a higher amount that is appropriate.

For claims for 'general living expenses' there is no minimum award amount. However the decision maker should consider if the amount requested is very small:

- ◆ would its absence cause serious damage or serious risk to the health and safety of the applicant or a member of their family and
- ◆ is there no other means available to the applicant.

The maximum amount for a claim for 'general living expenses' will be calculated with regard to a quarterly assessment of the average cost for a single person's basket of basic food items and a family's basket of basic food items, sufficient for their needs.

The decision maker should of course consider if a smaller payment than the maximum will meet the immediate need so as to prevent serious risk to the health, safety or well being of the applicant or a member of their family.

Eligibility

To claim an ELFG the applicant must be aged 16 or over and a 'resident' in the Southend- On- Sea Borough and on a low income or with little or no resources. Where 'resident' means someone who lives in a property in the Southend borough or are accessing services such as the Job Centre as if a resident of the area.

When assessing an applicant's entitlement to an EFLG the amount of resources the applicant has available to them should be taken into account.

Resources include

- ◆ capital assets,
- ◆ earnings,
- ◆ any other income,
- ◆ cash in hand,

- ◆ funds in banks, building societies, post office or credit union accounts
- ◆ any sources of credit such as cash cards, store cards, credit cards, overdraft facilities or loan schemes (unless they are receiving Income Based Jobseekers Allowance, Income related Employment and Support Allowance, Income Support or Pension Credit)
- ◆ help which might be available from any other source to meet or partly meet the need if there is a realistic expectation that help would be available in time such as charities and benevolent funds, friends and family

The decision maker can disregard certain resources where it would be reasonable to do, for example, Housing Benefit and Localised Council Tax Support could be disregarded as they are intended for use in covering rent and council tax charges.

The following people are ineligible from claiming for an EFLG

- ◆ People in care homes or hospital – unless they are due to be released within the next 6 weeks and are applying for an EFLG to help them set up in the Community. See further guidance below.
- ◆ People who are members of and fully maintained by a religious order
- ◆ Prisoners – unless they are due to be released within the next 6 weeks and are applying for an EFLG to help them set up in the Community. See further guidance below
- ◆ People in education – except those that receive Income Support, Income Based Jobseekers Allowance or Income Related Employment and Support Allowance or Pension Credit OR those who do not have access to the Student Loans and Grants intended to help with living costs whilst a student.
- ◆ People who fail the Habitual Residency Test/ Subject to Immigration Control
- ◆ People who are a subject of a trade dispute, disallowance, sanction or work focused interview sanction on their benefit award – unless the decision maker finds that the application is not as a result of a disallowance/sanction, that the applicant did have sufficient funds to cover living expenses but are claiming because of a disaster or unexpected event resulting in a loss of those resources, for example theft of money OR they are seen as vulnerable and entitled to hardship payments

Help People Establish In The Community Following A Stay In An Institution, Care Home, Hostel or Similar, In Which They Received Care

Examples of accommodation this refers to are:

- ◆ Hospitals
- ◆ Care Homes

- ◆ Hostels for homeless people, alcohol misusers or drug misusers
- ◆ Prisons and Youth Offender Institutions
- ◆ Foster Care
- ◆ Staffed Group Homes
- ◆ Supported Lodgings
- ◆ Staff intensive sheltered housing providing a major level of personal care

This list is not exhaustive.

There must have been a substantial element of care or supervision involved with their stay. Each case must be looked at as an individual case as even residents within the same hostel may receive a different level of care.

In considering the level of care, the decision maker will take into account the length of time, frequency and type of care provided. The length of time the applicant had received care for should normally be a period of 3 months or more OR a pattern of frequent or regular admission clearly linked to the nature of the applicant's disability or circumstances.

For this rule to apply the living arrangement of the applicant must be a permanent one. For example if staying in a 'halfway house' or some form of board and lodging establishment prior to eventual permanent resettlement it will not normally be appropriate to award an ELFG for furniture, furnishing, other household equipment or fuel connection charges.

An ELFG may also be awarded if an applicant moves to a larger or more suitable accommodation so that they, or a member of their family, can take care of a person discharged from institutional or residential care who will be living in the same household and is unable to live freely in the community without some provision of care under this rule.

Help People Discharged From Prison and Youth Offender Institutions

They could be being resettled in the community after being discharged from:

- ◆ Prison
- ◆ Youth Custody or Detention Centre
- ◆ Youth Treatment Centres
- ◆ Other Centres where a Custodial Sentence may be Served
- ◆ Hostels for ex-offenders run by probation services

This list is not exhaustive.

Help Young People Leaving LA Care Establish In The Community

This could be where the applicant is:

- ◆ returning to their families and are eligible in their own right,
- ◆ establishing in the household of someone who may be eligible for an ELFG to provide for their needs or
- ◆ setting up their own home

Help People Remain In The Community Rather Than Enter An Institution Or Care Home In Which They Will Receive Care

There does not need to be an immediate threat of being taken into care for a payment to be made. The award should however be ensuring the applicants independent life in the community will improve and the risk of admission will lessen.

The ELFG may help to improve an applicant's existing living conditions with the provision of certain goods or enable them to move to accommodation which is more suitable, for example by providing them with furniture if moving from a furnished to an unfurnished property.

An EFLG could also be claimed under this rule for applicants who are moving nearer to relatives/close friends who will provide support OR applicants moving nearer or into the house of a vulnerable person to provide support. The decision maker should try and check that the new care arrangement is meant to be permanent by talking informally the person who will be providing the care. If that is not possible they could seek advice from other interested parties such as the Social Services Department. The decision maker should have particular regard to the nature, extent and urgency of the need.

Ease Exceptional Pressures On People And Their Families

All families, especially those on low incomes, face pressures at various times so that in itself is not a reason to award an ELFG. However, they may be awarded to ease **exceptional** pressures on a family, ie circumstances which put a family under greater pressure than might normally be associated with low income.

Examples of exceptional pressure could be:

- The breakdown of a relationship (especially where domestic violence is involved) – this is for when a relationship has recently ended, however, the decision maker should give consideration to what happened since the relationship broke down for example if the applicant had spent time in a refuge or other temporary accommodation until permanent accommodation could be found it could still be considered despite the fact the relationship had not recently ended. It will not

normally be appropriate to make an ELFG more than once for the breakdown of the same relationship

- The onset of, or deterioration in, a disability of a member of the family – this could include repair or replacement of items damaged by the behavioural problems within the family or where new or better items are needed since the deterioration occurred
- Sudden domestic upheaval imposed by an unforeseen calamity such as a house fire, natural disaster such as flooding

Help People Set Up Home In The Community, As Part Of A Planned Resettlement Programme, Following An Unsettled Way Of Life

People who have been without a settled way of life may have been:

- ◆ Using a night shelter
- ◆ Staying in a hostel
- ◆ Sleeping on the streets
- ◆ Using an emergency winter shelter
- ◆ Staying in temporary accommodation provided by the Home Office pending a decision on their application for asylum in this country
- ◆ Using a combination of these

This list is not exhaustive.

Planned programmes of resettlement may be run by Local Authorities, voluntary organisations, housing associations and registered charities. Examples include:

- ◆ DETR, which uses powers under Section 180 of the Housing Act 1996 to pay grants to voluntary organisations and housing associations for the prevention and relief of homelessness
- ◆ The Housing Corporation which funds a Special Needs Management Allowance for special needs groups
- ◆ Department of Health (DH), which funds some hostels under the 'Homeless Mentally Ill Initiative'
- ◆ The Housing Corporation under Section 30 of the Jobseekers Act 1995, which authorises the awarding of grants to non-profit making registered charities or LA's operating schemes that are similar to those of the former resettlement units
- ◆ The Home Office, which has the powers to fund voluntary bodies to provide temporary accommodation for asylum seekers, refugees or evacuees from countries outside the UK
- ◆ Charitable and private sources

The decision maker should check that a programme of resettlement exists at the accommodation that the person is moving from and the person is on such a programme.

Help People To Care For A Prisoner Or Young Offender On Release On Temporary Licence

Certain prisoners and young offenders are granted short periods of leave, normally 2 or 5 clear days at home, in order to help them readjust to life outside prison. An ELFG may be awarded towards living expenses if the prisoner or young offender spends the leave with a person on a primary benefit. The award will be appropriate for extra living expenses incurred for the applicant but to a limit of no more than one seventh of the personal allowance in payment for every day they are living there.

Help People Who Are Unable To Meet Their Immediate Short Term Needs Either In An Emergency In Relation To Some Expenses Or As A Consequence Of A Disaster

This is referred to as help with 'general living expenses'. Any need that would be expected to last more than 14 days is not 'short term'.

Examples of when this would apply include:

- ◆ Stolen purse or wallet
- ◆ Lost money
- ◆ An unexpected disaster
- ◆ Money spent with no more funds to live on

When looking at this rule the decision maker must consider the list of people ineligible for an EFLG for general living expenses such as those subject of a trade dispute, disallowance, sanction or work focused interview sanction on their benefit award.

They must also give consideration to the resources the applicant still has available to them. See the section on 'Eligibly' for more.

Number of Awards and Repeat Applications

For help with furniture, furnishings, household equipment, clothing, footwear and other items not covered under the title of 'general living expenses' it will not normally be appropriate to make an award for the same expense if it has been less than 12 months since the last application, unless, the applicant has had a relevant change in circumstances that require them to reapply for the same expense – for example an application is made and agreed for a bed, the bed is destroyed in a house fire and the applicant applies for another bed

For help with 'general living expenses' no more than 3 awards should be given in any 12 month rolling period.

An exception to this could be if the claim is made as a consequence of a disaster or emergency that was not in consequence of an act or omission for which the applicant or their partner is responsible or could have taken reasonable steps to avoid. An example of an applicant causing the emergency is having no money because they have gambled or misspent it. An example of not having taken reasonable steps to avoid it could be applying after the home has been burglarised but the home was not made secure in the first instance.

An emergency generally means a situation causing the applicant to have a pressing need or unforeseen circumstance either of which requires immediate remedy or action.

A disaster is an event of great or sudden misfortune or sudden calamitous event. Examples being flooding, gas explosion, chemical leak or fire.

Needs which are covered by the Essential Living Fund

- ◆ Furniture – such as a bed, settee, armchair, wardrobe, table
- ◆ Furnishings – such as carpets, curtains, bedding
- ◆ Household Equipment – such as a cooker, fridge, washing machine
- ◆ Fuel Connection (or Re-Connection) Charges
- ◆ Clothing and Footwear
- ◆ General Living Expenses – these are day to day living expenses such as groceries, nappies, toiletries, cleaning/hygiene products, money for pay as you go fuel meters.

Needs which are NOT covered by the Essential Living Fund

- ◆ Maternity Expenses as covered by the Sure Start Maternity Grant which is designed to pay for the immediate needs of a new baby
- ◆ Funeral Expenses as covered by the Funeral Payment regulated element of the Social Fund Scheme
- ◆ Expenses which the Local Authority has a statutory duty to meet, for example the Disabled Facilities Grant

- ◆ Repairs and improvements (both the cost of materials and labour) to the dwelling occupied as the home, including any garage, garden and outbuilding
- ◆ A need which occurs outside the UK
- ◆ An educational or training need including clothing and tools
- ◆ Distinctive school uniform or sports clothes for use at school or equipment to be used at school
- ◆ Travelling Expenses
- ◆ Expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses
- ◆ Removal or Storage Charges
- ◆ Domestic assistance and respite care
- ◆ A medical, surgical, optical, aural or dental item or service
- ◆ Work related expenses
- ◆ Debts to government departments
- ◆ Investments
- ◆ Costs of purchasing, renting or installing a telephone and of any call charges
- ◆ Council Tax and Rent

Applications

The date of a written application to the Essential Living Fund is the date it is received by the Councils office provided that the application is in writing and:

- ◆ On a form approved by the Council in accordance with instructions on the form or
- ◆ Is acceptable as sufficient in the circumstances of the case eg there is sufficient information in a letter or
- ◆ Via the appropriate Telephone claim number with sufficient detail provided

If an application is made on behalf of a person, by someone other than an appointee, that person must give their consent to the application being made on their behalf.

An application that does not meet the requirements as above will be deemed defective. However, the application could be treated as made on the date it was originally received if the applicant complies with any request made to supply further information as necessary.

The normal time limit allowed to provide any further information requested will be 1 calendar month. This can be extended where it is reasonable to do so.

Telephone Applications

An applicant will be able to make a claim for 'general living expenses' by telephone.

Where payment is to be made, they must agree to the terms and conditions but will not need to do so in writing. They will be informed that if they require immediate payment they will have to attend the offices at the Civic Centre with sufficient proof of identity to confirm their statement.

Where the decision is negative they will be informed by telephone and will also receive by post a full written confirmation of the decision with a right to review.

The earliest a person can make a telephone application for receipt of monies on the same working day will be 8.45am and the latest will be 3pm. Any application made after 3pm will be available, if agreed, from the next working day.

Evidence

It is the applicant's responsibility to provide all the evidence necessary to determine an application.

Where it is necessary to seek further information to clarify an aspect of the application this could be done by either:

- ◆ Contacting the applicant
- ◆ Checking departmental records
- ◆ Contacting a third party where appropriate and either permission is given or the data protection laws would allow
- ◆ Arranging for clarification to be provided at a pre-award visit

Evidence can be documentary, verbal or physical. It may be derived from such sources as:

- ◆ The current application form
- ◆ Supporting documents and correspondence
- ◆ Telephone or interview records
- ◆ A record of observations on visit
- ◆ Previous applications
- ◆ Computer systems
- ◆ Local knowledge

Evidence may be provided by, for example:

- ◆ Applicants and/or their representatives
- ◆ Social workers

- ◆ Probation officers
- ◆ Medical doctors
- ◆ Housing departments
- ◆ Landlords
- ◆ Visiting officers
- ◆ Decision makers

Exceptionally, it may be appropriate to ask the applicant for any corroborating evidence they may have, such as relevant evidence of a medical condition, eg existing doctors note, a letter from a hospital.

If the evidence provided is inconsistent, improbable or contradictory, the applicant should be given the opportunity to clarify or comment on any aspect of the evidence that is causing doubt.

The decision maker should ask for as much supporting evidence from the applicant for corroboration as is reasonable and necessary to substantiate the application but should **not**:

- ◆ Ask for evidence which would incur any expense to the applicant
- ◆ Insist that the applicant provides supporting evidence, particularly from a third party

If the applicant does not provide the requested evidence then a decision should be made based on the completed application and any other evidence already held.

Reviewing A Decision

Applicants can request a review of ELFG decisions if they disagree. They must do this in writing within one month of the date they are notified of the decision. The applicant (or appointee) must sign the review request letter. Late requests will be considered at the discretion of the Decision Maker where she/he considers that there were good reasons for the delay.

If a review is requested regarding the decision this will be looked at by a member of the Benefits Management Team who will then determine the final decision.



Report to Cabinet	Forward Plan Reference Number FP/961/11/12
22 January 2013	County Divisions affected by the decision: All
Decisions taken by or in consultation with Cabinet Members	
Report by: Secretary to the Cabinet	
Enquiries to: Judith Dignum, ext 20044 / 01245 430044	

The following decisions have been taken by or in consultation with Cabinet Members since the last meeting of the Cabinet:

Deputy Leader and Cabinet Member for Finance and Transformation Programme

FP/962/11/12	Adult Social Care and Health & Wellbeing Portfolio Budget Realignment
FP/590/07/11* (KD01)	Approval of and use of funding for detailed design and planning of the Transformation Mark II Programme
FP/822/04/12*	Proposed Expansion of St James' Church of England Voluntary Aided Primary School.
FP/969/12/12	Coroners Service decision to move towards a single jurisdiction
FP/590/07/11* (KD04)	Customer Programme Finance CNN
FP/825/04/12*	Queen Boudica Primary School, Colchester, basic need expansion
FP995/01/13	Surplus Property Schedule

Cabinet Member for Education, Lifelong Learning and the 2012 Games

FP/963/11/12	Appointment of School Governors by Essex LA - Schedule 335
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FP/964/11/12	Appointment of School Governors by Essex LA - Schedule 336
FP/967/12/12	Appointment of School Governors by Essex LA - Schedule 333
FP/968/12/12	Appointment of School Governors by Essex LA - Schedule 337
FP/983/12/12	Appointment of School Governors by Essex LA - Schedule 338
FP/933/10/12*	Proposal to enlarge the premises of Elm Hall Primary School in Witham to increase the capacity of the school from 105 to 210 places on a phased basis from 1 September 2013
FP/985/12/12	Appointment of School Governors by Essex LA - Schedule 339
FP/994/01/13	Appointment of School Governors by Essex LA - Schedule 340

Cabinet Member for Adults Social Care

FP/975/12/12	Transfer of funding from Adults, Health & Community Wellbeing to Schools, Children and Families to support the Travel Trainer Service
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Cabinet Member for Customer Services, Environment and Culture

FP/996/01/13	Arts in Essex Grants Scheme 2012/13 Round 2: Selection Panel Decisions
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*** Key Decisions**