



# Complete Agenda

**Democratic Services**  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH

## Meeting

### **CARE SCRUTINY COMMITTEE**

## Date and Time

**10.30 am, THURSDAY, 31ST JANUARY, 2019**

## Location

**Siambr Hywel Dda, Council Offices, Caernarfon, Gwynedd, LL55 1SH**

### **\* NOTE**

**This meeting will be webcast**

[https://gwynedd.public-i.tv/core/l/en\\_GB/portal/home](https://gwynedd.public-i.tv/core/l/en_GB/portal/home)

## Contact Point

**Eirian Roberts**

**01286 679018**

**eirianroberts3@gwynedd.llyw.cymru**

(DISTRIBUTED 23/01/19)

## **CARE SCRUTINY COMMITTEE**

### **MEMBERSHIP (18)**

#### **Plaid Cymru (10)**

##### **Councillors**

Menna Baines  
Elin Walker Jones  
Olaf Cai Larsen  
Linda Ann Jones  
Peter Read

Alan Jones Evans  
Dafydd Owen  
Annwen Daniels  
Rheinallt Puw  
Catrin Elen Wager

#### **Independent (5)**

##### **Councillors**

Eryl Jones-Williams  
Beth Lawton  
Angela Russell

Richard Medwyn Hughes  
Dewi Wyn Roberts

#### **Llais Gwynedd (1)**

Councillor  
Anwen J. Davies

#### **Gwynedd United Independents (1)**

Councillor  
Vacant Seat - Gwynedd United Independents

#### **Individual Member (1)**

Councillor  
Vacant Seat - Individual Member

#### **Ex-officio Members**

Chair and Vice-Chair of the Council

# **A G E N D A**

## **1. APOLOGIES**

To receive any apologies for absence.

## **2. DECLARATION OF PERSONAL INTEREST**

To receive any declarations of personal interest.

## **3. URGENT BUSINESS**

To note any items that are a matter of urgency in the view of the Chairman for consideration.

## **4. MINUTES**

5 - 14

The Chairman shall propose that the minutes of the meetings of this committee held on the following dates be signed as true records:-

- (a) 6<sup>th</sup> November, 2018 – Extraordinary Meeting (attached)
- (b) 15<sup>th</sup> November, 2018 (attached)

## **5. YOUNG PEOPLE LEAVING THE COUNCIL'S CARE**

15 - 19

**Cabinet Member – Councillor Dilwyn Morgan**

To receive a report on the above (attached).

\*10.30am – 11.00am

## **6. DISCRETIONARY HOUSING PAYMENTS**

20 - 34

**Cabinet Members– Councillors Craig ab Iago and Peredur Jenkins**

To receive a report on the above (attached).

\*11.00am – 11.30am

## **7. SUPPORTING GWYNEDD'S DISABLED PEOPLE SCRUTINY INVESTIGATION - UPDATE**

35 - 39

To receive the Working Group's report on the above (attached).

\*11.30am – 12.00pm

\*estimated times



---

## EXTRAORDINARY MEETING OF THE CARE SCRUTINY COMMITTEE 6.11.18

---

**Present:** Councillor Eryl Jones-Williams (Chair)  
Councillor Dewi Wyn Roberts (Vice-chair)

**Councillors:** Menna Baines, Alan Jones Evans, Elin Walker Jones, Cai Larsen, Beth Lawton, Dafydd Owen, Peter Read and Angela Russell.

**Officers present:** Gareth James (Members' Manager - Support and Scrutiny) and Eirian Roberts (Member Support Officer).

**Present for item 4 below:**

Councillor Dilwyn Morgan (Cabinet Member for Children and Young People)  
Marian Parry Hughes (Head of Children and Supporting Families Department)  
Sharon Eastlake (Chief Inspector, Care Inspectorate Wales)

**Present for item 5 below:**

Councillor Dilwyn Morgan (Cabinet Member for Children and Young People)  
Marian Parry Hughes (Head of Children and Supporting Families Department)  
Dafydd Paul (Senior Safeguarding and Quality Manager)

### 1. APOLOGIES

Councillors Annwen Daniels, Anwen Davies, R. Medwyn Hughes, Linda Ann Jones, Rheinallt Puw and Catrin Wager.

### 2. DECLARATION OF PERSONAL INTEREST

Councillor Elin Walker Jones declared a personal interest in Item 4 (Inspection of Gwynedd Council's Children's Services) and Item 5 (Annual Report on Dealing with Complaints and Information Requests by the Children and Supporting Families Department for 2017/2018) as she was employed by the Betsi Cadwaladr Health Board and that the head of her service worked for Derwen.

She was not of the opinion that the matters were prejudicial interests, and she did not withdraw from the meeting during the discussion on the items.

### 3. URGENT ITEMS

No urgent items were received.

### 4. INSPECTION OF GWYNEDD COUNCIL'S CHILDREN'S SERVICES

Sharon Eastlake, Chief Inspector of the Inspection Team was welcomed to the meeting to submit the Inspection of Gwynedd Council's Children's Services.

The Cabinet Member set out the context and noted that submitting the inspection to this committee was the last step in the process of inspecting the Council's children's services. He emphasised that he took great pride in the positive messages in the report and he thanked the Chair and committee members for their input into the inspection.

The Chief Inspector gave an overview of the inspection's findings and fields to develop and the Head of Children and Supporting Families Department elaborated on work that was already in the pipeline to respond to recommendations in the report, and noted:-

- The Department had addressed matters in the report that referred to fields to develop in detail, and rather than developing an improvement programme, the Department had an Ambition Programme as matters that were already being built upon needed to be strengthened.
- Rather than waiting for the publication of the final report in August, the work of examining the fields to develop in detail had been immediately commenced in light of receiving oral feedback from the inspectors on the last day of the inspection in May.
- The Department's Management Team discussed quality assurance arrangements and progress monitoring arrangements at every meeting and that discussions were also held in the performance challenging meetings.
- The Inspectorate would also keep a close eye and that there was a responsibility on the Department to report on progress in the meetings biannually with the Inspectorate.
- The development of the Information, Advice and Assistance Service since the inspection included:-
  - Undertaking work with our partners to draw attention to the services available.
  - Adding to the structure within the team so that one front door was available for the statutory service, but also for the early intervention and preventative services. Also, the family information service was now included within this service.
  - Developing information for the website so that what was available for families and individuals who required support could be advertised.
  - Re-branding the service as the 'Gwynedd Family Hub', and that this was now the new referral portal into the service.
- The Supporting Families Strategy was a priority under the Council's Strategic Plan. The direction had been reported to the Leadership Team and the Cabinet and an additional resource on a senior manager level had been obtained to develop and lead the supporting families strategy as a matter of priority for the Department and across the corporation.
- In terms of reviewing care plans for looked-after children, there was a need to examine how to improve the outcome for the child and that the Team of Independent Reviewing Officers, under the guidance of the Senior Safeguarding and Quality Manager, were developing their own work programme that would intertwine with this Ambition Programme.
- A lack and shortage of suitable fostering placements was a national challenge, and not only for those children with the most complex needs. The increasing pressures of this on the Fostering Team had been seen and an increase had been seen in the number of looked-after children and children placed with their extended families. Work was undertaken on a regional and national level via the National Fostering Framework and the Head of Department explained that she was a member of the steering group for that framework as the Lead Head of Department for north Wales. In addition, a regional work programme led on recruitment and marketing for fostering in north Wales. In light of increasing pressures for the Council to be assessing families to be foster carers, releasing resources to recruit and market was difficult, as we did not have those officers ourselves within our resources in Gwynedd. Therefore, pressures from the courts to undertake assessments and guide families through the Fostering Panel weighed heavily on

the Fostering Team and it was likely that this had been done at the expense of the recruitment work that used to be undertaken. However, nine families that were eager to foster in general for the Council had been obtained through the Fostering Panel last year, and this was a high priority for the Department as it met the needs of our children within the county.

The Cabinet Member, the Chief Inspector and the Head of Children and Supporting Families Department then responded to questions / further observations from members.

The following points were raised by individual members:-

- It was asked how Gwynedd's inspection results compared with other counties. In response, it was noted that Gwynedd was one of six local authorities across north Wales that had an inspection in the same field and that the six reports had been published on-line so that they could be compared.
- In response to an enquiry regarding staffing levels in future, it was noted that this Council was very fortunate in terms of the adequacy of staff and social workers. The Council did not employ any worker through an agency and staff lived locally, with a high percentage of them fully bilingual and able to offer a service for families in their chosen language. The workforce was very competent, experienced and committed and the service examined a wide range of different qualifications and skills within the workforce, with people who had not qualified as social workers but undertaking excellent work with families. The service managed to attract people to posts very easily, with it usually involving an internal promotion or a worker moving from one team to another to broaden their experience and very few staff left the Council. The Service had greatly invested over a number of years in staff mentoring and support and the Management Team was available for staff to ask for advice or guidance. It was very much hoped that savings within the workforce would not have to be sought as it would substantially increase risks for the Council. Also, it was anticipated that staff adequacy would become more difficult in future as the number of referrals increased.
- Whilst welcoming the fact that nine new fostering families had been recruited, it was enquired how many fostering families were lost over the same period. In response, it was explained that some families retired and others decided that they did not wish to continue fostering, but on the whole, that the number of fostering placements remained consistent. Should he wish, the exact figures could be provided to the member.
- In response to an enquiry, the Chief Inspector elaborated on the role and process of the Inspectorate when addressing the development fields. She also noted that there would be a reference to work undertaken with the Council in the Inspectorate's annual letter, which would be published at the beginning of next year.
- In response to an enquiry, it was explained that it was premature to say what impact the Social Services and Well-being Act 2014 would have in terms of preventing children from becoming looked-after, and the outcome of this work would possibly not be seen for many years.
- In response to an enquiry, it was explained that it was very difficult to judge whether or not the preventative work had prevented a child from becoming looked-after, as perhaps that child would never have become looked-after in any case. It was not believed that evidence was available in Gwynedd, or on a national level either. A group within the Government was examining early intervention and preventative work and attempting to establish the link, but thus far, this had not come to fruition unfortunately. If this link could be created, there would be a case for moving resources to the preventative side in order to reduce the numbers that become looked-after.

- It was enquired how many children were still at home awaiting a placement. In response, it was noted that the service scrutinised these cases very carefully. If a child was seen to be at risk of significant harm and that the threshold was reached in terms of commencing a court case (which meant that the Council took parental responsibility for the child), the Department would act immediately, whatever the situation in terms of placement. The Placement Scrutiny Panel examined all cases of looked-after children and ensured that there was no delay or risk to those children, and as head of department, she confirmed that she had no concerns that there were children at risk in Gwynedd due to a lack of placements.
- Referring to paragraph 3.11 of the report, it was enquired what the size of the sample of review documents that had been seen by the inspectors was. In response, it was noted that the sample was small, but evidence from the children's focus group, the interviews with staff across the department and staff surveys had come to the same conclusion, namely that there was a need to look in more detail at the voice of the child and arrangements in terms of making the review a more positive experience.
- It was enquired whether or not it was intended to undertake more life story work with the children. In response, it was noted that this was very important work that needed to be undertaken in all cases of looked-after children. There were good examples of this, but it did not occur consistently across the services, mainly due to work pressures on social workers. Staff had been employed over the summer to come in to assist within teams and there had been examples of life story work commencing. The teams had also worked with children's families in order to collect photographs etc. On a national level, a support package had been developed to undertake life story work which focused on key matters for that and on the contribution of foster carers to that work. It was recognised that more work needed to be undertaken in this field, and although workers were very eager to do so, it was inevitable that this slipped down the priority list as other work came through the door.

It was noted that the report was very positive and the department was congratulated on maintaining such a high standard. Members expressed their appreciation in understanding that:-

- development fields were already being addressed;
- nine new fostering families had been recruited;
- attracting people to posts occurred easily;
- detailed, good quality assessments undertaken in a timely manner;
- staff felt that they were supported by managers;
- families were positive on the whole in terms of the support provided by the Council;
- young people appreciated the honesty of their personal advisors.

At the request of a member, it was agreed to distribute copies of the Ambition Programme to all committee members.

The Chair thanked the Cabinet Member, the Chief Inspector and the Head of Children and Supporting Families Department for all their work in this field and for their responses to the questions/observations. The Cabinet Member thanked members for their contribution, noting that the relationship and regular dialogue between the Department, the Scrutiny Committee and the Inspectorate was appreciated.

## **5. ANNUAL REPORT ON DEALING WITH COMPLAINTS AND INFORMATION REQUESTS BY THE CHILDREN AND SUPPORTING FAMILIES DEPARTMENT**



Submitted - the report of the Cabinet Member providing information on the number of complaints received by the Children and Supporting Families Department during the year, the reasons for them and the solutions. The report also contained a summary of the lessons learnt and the action taken on the complaints received, along with details about the number of information requests received during this period.

The Cabinet Member set out the context noting that this statutory annual report was a positive report. Due to the day-to-day nature of the job of workers, who had to make very difficult decisions, he explained that tensions were unavoidable, but that the well-being and safety of the young person was the main consideration. He added that the Inspectorate had not raised any concerns regarding the Council's complaints procedure and he referred to the positive observations listed on the back of the report by individuals and agencies that were partners of the Council.

The Senior Safeguarding and Quality Manager referred to some of the main matters in the report and the Cabinet Member, the Head of Children and Supporting Families Department and the Senior Safeguarding and Quality Manager responded to questions / general observations from members regarding the procedure.

The following points were raised by individual members:-

- In response to an enquiry regarding the ability to prepare information at short notice for court cases in the event of the relevant officer's illness / annual leave, it was explained that the service had not faced this situation as of yet, but the Department had other individuals that could undertake some parts of the work. It was emphasised that it was detailed work that had to be undertaken carefully and in some situations perhaps the court would have to be informed that it was not practicably possible to achieve the work within the time-scale.
- It was enquired how many families were clients of the service so that it could be estimated what percentage submitted a complaint about the service. In response, it was explained that the report mainly related to the period in history when there were approximately 600 - 700 cases, which included looked-after children, children in need and children that needed support, but that the preventative agenda had now significantly extended those numbers. As a result, it was currently very difficult to measure whether or not the levels of complaints were on the increase. It was also noted that it was difficult to identify trends as matters raised were very particular and unique to the circumstances of individual families.
- It was enquired when it would be suitable to bring a concern to the attention of the scrutiny committee. In response, it was explained that the annual report was the product of four quarterly reports, that were drawn up as part of the service's monitoring arrangements to examine whether or not any trends become apparent. It was confirmed that no matters of concern had been raised in this case. The Cabinet Member added that the Inspectorate kept a close eye on complaints, and the reasons for them, and that he also received regular reports. Currently, the responses that he and the Inspectorate received confirmed that all things possible were undertaken, but should he see a high number of the same complaint and that the matter needed to be scrutinised, he would ask the committee to examine it.
- It was enquired what occurred in a situation where the Council repeatedly received a complaint regarding a lack of facilities, because more complaints would be submitted unless those facilities were provided. In response, the Cabinet Member asked the committee to entrust in him, the Service and the Inspectorate to deal with the situation, but he confirmed that he would bring the matter to the attention

of the scrutiny committee should he witness a loss of control or if there was a concern.

- In response to a question about the source of complaints, it was noted that it was possible, in theory, for a family to submit more than one complaint regarding the same matter as they were dissatisfied with the response given to their original complaint, but it was not believed that figures indicated this.
- In response to an enquiry, it was noted that it was astonishing that the number of complaints was so low in a field that had so much conflict and that every complaint seemed appropriate.
- It was enquired when was the whistle blown in terms of numbers and what would be the next step if a resource was not provided. In response, it was explained that this would be raised at the meeting of the Management Team and the Cabinet Member would be informed of the matter. Lessons to be learned from complaints would be examined, including any messages regarding the lack of resources and it would be expected that appropriate managers were aware of any problems.
- Referring to complaint GC/3971-17 in the table in Appendix 1 to the report, it was noticed that the last column noted '*Unfortunately, there is no such resource at present*' and it was enquired where the complainant could turn to next. In response, it was noted that this was a specific matter relating to the only occupational therapist within the Derwen Service, and in order to ensure service continuation arrangements during the absence of that person, a bid on a corporate level was submitted very recently to increase the resource.
- It was enquired what the time-scale was in terms of drawing up a complaints sheet. In response, it was explained that work to draw up the sheet had been postponed currently as the publication of amended regulations by the Assembly was awaited. The time-scale for this was unknown as of yet.

The Cabinet Member thanked members for the discussion and the good collaboration between everyone.

The meeting commenced at 10.30am and concluded at 12.20pm.

#### CHAIR

---

## **CARE SCRUTINY COMMITTEE**

### **15.11.18**

---

**PRESENT:** Councillor Eryl Jones-Williams (Chair)  
Councillor Dewi Wyn Roberts (Vice-chair)

Councillors: Annwen Daniels, Elin Walker Jones, Cai Larsen, Dafydd Owen, Rheinallt Puw, Angela Russell, Catrin Wager and Edgar Owen Vice Chairman of the Council

**Officers:** Gareth James (Member Support and Scrutiny Manager) and Lowri Haf Evans (Member Support Officer).

#### **ALSO IN ATTENDANCE:**

In relation to item 5 on the agenda - Councillor Craig ab Iago (Cabinet Member for Housing, Leisure and Culture), Aled Davies (Head of Adults, Health and Well-being Department), Arwel Owen (Senior Housing Manager), Susan Griffiths (Homelessness and Supported Housing Officer), Aled Humphreys (Housing Strategic Manager) and Llinos Edwards (Senior Executive Officer)

In relation to item 6 on the agenda - Aled Davies (Head of Adults, Health and Well-being Department), Rhion Glyn (Senior Business Manager), and Hawis Jones (Adults, Health and Well-being Projects Team Manager)

#### **1. APOLOGIES**

Apologies were received from Councillors Menna Baines, Anwen Davies, R. Medwyn Hughes, Linda Ann Wyn Jones, Beth Lawton and Peter Read. Also Councillor W. Gareth Roberts (Cabinet Member for Adults, Health and Well-being).

#### **2. DECLARATION OF PERSONAL INTEREST**

(a) The following members declared a personal interest in the following items for the reasons noted:

- Councillor Cai Larsen in item 5 on the agenda (Homelessness Strategy) as he represented the Council on the Board of Cartrefi Cymunedol Gwynedd
- Councillor Dewi Roberts in item 6 (Recruiting and Retaining Domiciliary Care Staff) as his wife worked as a carer for the Care Department

The members were not of the opinion that they were prejudicial interests, and they did not withdraw from the meeting during the discussion on the item.

#### **2. URGENT ITEMS**

No urgent items were received.

#### **3. MINUTES**

The Chair signed the minutes of the previous meeting of this Committee held on 13 September 2018 as a true record.

#### 4. HOMELESSNESS

The Cabinet Member for Housing, Leisure and Culture presented the report and noted that Gwynedd Council had carried out a Strategic Review of Homelessness in accordance with the requirements of the Housing (Wales) Act (2014). It was reiterated that the findings of the review set a foundation for developing a Homelessness Strategy and that the Housing Service was currently in consultation on local actions that would address the aims and requirements of the Strategy.

Reference was made to an executive summary included with the report that provided a detailed analysis of the levels and nature of homelessness, an audit of the services and review of the resources available to spend on homelessness in the County. It was reiterated that the executive summary provided evidence for the North Wales Regional Homelessness Strategy and the Gwynedd Local Homelessness Provision Action Plan.

The Senior Housing Manager and the Homelessness and Housing Support Manager gave a PowerPoint presentation summarising the main findings of the review and the considerations identified. It was highlighted that the local action plan (2018-2022) had been created in response to the review and was available on the Council's website.

In response to a question regarding the effect of universal credit on the work of the Homelessness Team, members were reminded that Gwynedd did not yet have a full Universal Credit Service and that only new applicants were given assistance. Nevertheless, it was noted that work was being done to prepare individuals and families for the change and that a dedicated officer was available to help with vulnerable individuals. Members were encouraged to refer any requests for advice to the Housing Solutions Officer who specialises in the service.

In response to an observation about the high numbers evicted from their homes because of failure to pay rent, it was highlighted that the Homelessness Team was very eager to collaborate with the Housing Associations and that information about individuals / families would be shared in an attempt to find a solution before people were evicted. It was reiterated that Housing Associations had steps in place to try to prevent homelessness and if all those steps had been taken the Homelessness Service would step in to assist and provide support.

In response to a question about the Services's capacity to deal with the increase in numbers requesting help, it was noted that the Homelessness Service had insufficient resources to cope with the extra work. The Cabinet Member suggested that a report could be submitted that would highlight that the Service was aware of the challenge it would face in response to the increase. The Head of Service reiterated that every effort was being made to ensure that the person was at the centre of the service and, by anticipating the further increase in demand, it was noted that a financial bid had been submitted to strengthen the capacity for this increasing need. They would have to make the best use of the resource and endeavour to prioritise

The Chair noted that he did not wish to see the impact of Universal Credit becoming an additional burden for the Service's officers, and any concerns should be brought to the Committee's attention before the situation deteriorated.

In response to a comment about the use of Discretionary Housing Payments, and the allegation that the Council returned the funds that had not been used, it was suggested that a request be made to the Head of Finance for an update. The Homelessness Manager reiterated that Gwynedd Council made full use of the Discretionary Housing Payments budget.

In response to a question about provision for young prison-leavers, it was noted that a dedicated officer was in charge of coordinating this work through identifying accommodation before they left prison. It was reiterated that the Officer had been short-listed for a 'Cymorth Cymru' award as the programme had been identified as pioneering.

During the ensuing discussion, the following observations by Members were noted:

- The private sector provision needed to be considered - need to ensure that the standard of the houses met the statutory requirements
- The review conveyed the problems but did not offer solutions
- There was a need to bring more empty houses back into use
- Wylfa - needed to collaborate with Anglesey to try to identify elements that would have an effect
- There was a need to share good practice with other Councils
- A suggestion to review the points system - the current system did not reflect the desperate situation of individuals / families
- Had the emergence of AirBnB reduced the number of properties available for housing?
- Suggestion to review the available provision according to area
- Was it possible for the Council to establish an arm's length company to provide social housing

The Cabinet Member stated that a review of the points system was under-way and that there would be an opportunity to consult on the proposals. It was also highlighted that the Housing Strategy would soon be introduced and that this would identify specific fields and would be an opportunity to consider alternative and creative ideas.

**Resolved:**

- **to accept the information.**
- **to congratulate the Service for making it on to the 'Cymorth Cymru' shortlist**
- **to ask the Cabinet Member to address Members' observations in drawing up the Housing Strategy**

## **5. RECRUITING AND RETAINING DOMICILIARY CARE STAFF IN GWYNEDD - OLDER PEOPLE**

The Senior Business Manager presented a report highlighting the initial findings of the review by CELyn company into the field of recruiting and retaining domiciliary care staff in Gwynedd. It was reiterated that the final report would be presented as part of a scrutiny investigation by the Committee, which was already part of the Committee's work programme.

It was noted that the situation had recently deteriorated in relation to waiting lists for care in parts of Arfon and Pen Llŷn as well as in Meirionnydd. It was reiterated that this was a cause for concern for the Department and meant that many people across the County had to go without care.

Thanks were given for the report and it was stated that the time was right to convey the initial messages.

In response to a question about the numbers of packages being returned by the private sector, it was noted that the information was available and that the situation was being monitored

The Head of Service noted that a high percentage of the Departments existing workers would be of retirement age within five to ten years and that this could exacerbate the problem for the future.

During the ensuing discussion, members made the following observations:

- Discussions would have to be held with the Private Sector
- There was a need to attract young people down a career path in care - was it possible to find out the demography and the age at which people started working in the field of care?
- Needed to target men into Care work
- Having a car was not necessary (as a requirement of the post) in every community
- The status of the work needed to be elevated
- Consideration needed to be given to salary and work pressures

The Head of the Service noted that the brief proposals for the investigation would be presented at a meeting with the Cabinet Member, the Head of Service and Chair and Vice Chair of the Committee in order to move the work forward as a priority field.

Members were requested to put their names forward to the Scrutiny Manager if they were interested in being part of the investigation. It was suggested that members of the third sector and partners should also be part of the investigation.

**They were thanked for the information. The report was accepted.**

The meeting commenced at 10.30am and concluded at 1.10pm.

**CHAIR**

<b>Meeting</b>	Care Scrutiny Committee
<b>Date</b>	31/01/19
<b>Title</b>	Young People Leaving the Council's Care
<b>Cabinet Member</b>	Councillor Dilwyn Morgan
<b>Author</b>	Aled Gibbard – Senior Operational Manager (Care Resources)

## 1. Background

The Department was asked to provide information regarding young people leaving the local authority's care. Information was requested specifically regarding the Council's progress against the Children's Commissioner's report, Hidden Ambitions, The When I am Ready Scheme, links with the Corporate Parenting Panel, attainments of young people leaving care and Welsh language provision in out of county placements.

## 2. Young People Leaving Care

All open case of young people leaving care are held in the 16+Team. At the end of December 2018 there were 139 cases open to the team. 27 of these were 16 and 17 year olds receiving Care and Support, 28 young people aged 16 and 17 who were still looked after and 84 young people who were eligible for a leaving care service.

## 3. Hidden Ambitions

The Hidden Ambitions report was published by the Children's Commissioner in 2017 and it sets out the Commissioner's vision for the service that young people leaving care should be receiving from the local authority when they leave care. Please see below the Commissioner's main points from the report and what the Council is doing in response:

### **Support for Everyone -**

**Every young person should receive support until they are 25 years old** - The Council has extended support for care leavers until they are 25. Previously support ceased when they reached 21 years of age unless the young person was in higher education. Every young person who is eligible for a service has an allocated Personal Adviser.

**Local authorities and carers should put more focus on developing young people's independence skills** – training is provided alongside the fostering team to foster carers to support them in their role of preparing young people for independence. Additionally every young person has a pathway plan and is reviewed regularly. This gives an opportunity to focus on specific matters in relation to preparing the young person and develop their skills.

**Departments should work together** – the department has good working relationships with the housing department, the education department, housing benefit department and the youth service within the Council. Externally there are effective working arrangements with the Llandrillo Group and Department of Work and Pensions, including a contact person in each.

**Local authorities should consider establishing a forum or discussion group for young people leaving care** – A young people's forum has been established since April 2018. The forum is led by a worker within the 16+ team and assisted by a worker from the fostering team. In order to establish effective engagement arrangements the corporate communications team has also been involved with

the group. They have met 3 times and the forum recently participated in the public consultation on future budget cuts held by the council. Their views have clearly been fed into the overall findings of the exercise. The young people will be meeting with the Head of Service and Cabinet member during February and their views will be taken back to the Corporate Parenting Panel. One young person is also a member of the Corporate Parenting Panel.

## **Housing and Income**

**Using the Housing and Support Framework for young people leaving care** – It is intended to re-establish the Young People's Housing and Support group in 2019-20. The group has not met for a year and the action plan now needs updating. As part of the work programme the protocol with the housing department is being reviewed by the end of February and a meeting of the group will then be arranged.

**Clear information regarding finance and grants available when leaving care** – the department has a finance policy available for care leavers which outlines the financial support available to them. When a young person turns 18, or their circumstances change, the resources officer from the team can visit them to discuss, share information and explain the support available to them.

**What can be done to ensure Council tax is fair** – The local authority, like many other local authorities in Wales, has made young people leaving care exempt from paying Council Tax until they are 25 years of age.

**Training and employment opportunities** – The Commissioner is of the opinion that the local authority as a corporate parent and employer is in a position to offer young people leaving care with training opportunities. This has been discussed through a working group under the Corporate Parenting Panel and as part of the review of the council's apprenticeship scheme, care leavers will be included in the scheme.

In addition to the above the Commissioner wanted every local authority to write to care leavers to inform them of the offer open to them. Please see the attached letter.

## **4. When I Am Ready Scheme**

The Council was part of the pilot programme for the scheme from 2013-14 onwards. The scheme became statutory duty in April 2016. During the 3 year pilot programme 58% of those young people who were eligible took up the scheme. In 2018-19, 5 young people turning 18 have become part of the scheme. Overall there are currently 12 young people in a When I am Ready arrangement.

## **5. Attainments of Looked After Children**

GCSE results for looked after children over the last 5 years can be seen below:

Measure	2014	2015	2016	2017	2018
Number of care leavers 16+					
Gwynedd	12	9	16	16	9
% 16+ with at least 1 qualification					
Gwynedd	91%	67%	82%	94%	78%
% 16+ with at least A*-G GCSE					
Gwynedd	50%	67%	82%	53%	67%
% 16+ with at least 5 A8-G GCSE ( including Language and Mathematics)					
Gwynedd	25%	67%	62%	20%	22%



Of the 84 young people receiving an aftercare service, 29 are in employment or training, 26 are in further or Higher Education and 29 are neither in education, training or employment. 10 young people are currently at university.

#### **6. Out of county Welsh Provision**

The provision is dependent on where the out of county placement is located. For those children placed in residential provision, the majority are placed in the North West of England. Welsh Language provision is not usually available in these placements, and their placement has been decided according to their needs. However, as part of their educational provision, some Welsh Language provision is available, and there are examples of Skype being used to deliver this. The majority of out of county fostering placements are in North Wales (mostly on Anglesey, in Conwy or in Denbighshire). Welsh language education is available according to the education policy of those local education authorities.



Ar Fawrth 1af eleni, fe gyhoeddwyd adroddiad “Breuddwydion Cudd” gan Gomisiynydd Plant Cymru.

Mae’r adroddiad yn edrych ar brofiadau pobl ifanc sy’n gadael gofal yng Nghymru ac yn argymhell sut y gallai awdurdodau lleol fynd ati i wella a datblygu eu gwasanaethau ar eich cyfer.

Ar ôl derbyn yr adroddiad rydym wedi ystyried y cynnwys ac o ganlyniad bydd y gwasanaeth Ol16 yn rhoi sylw i’r canlynol fel rhan o ymateb i argymhellion y Comisiynydd.

#### **Tai Diogel a Sefydlog**

- Rydym eisoes yn gweithredu cynllun “Pan Fydda I’n barod” i’r bobl ifanc hynny sydd mewn lleoliadau maethu. Mae’r cynllun yn galluogi pobl ifanc i aros ymlaen gyda’u gofalwyr ar ôl troi 18 oed. Byddwn yn parhau i ddatblygu’r cynllun hwn. Os ydych yn berson ifanc dros 16 oed mewn lleoliad maeth gallwch drafod y cynllun gyda’ch gweithiwr cymdeithasol neu gynghorydd personol.
- Mae tai addas ar gyfer anghenion pobl ifanc yn adnodd prin. Byddwn yn gweithio gyda’r adran Tai i drafod ffyrdd o ddatblygu cyflwyno ceisiadau i fod ar y rhestr aros, ac i gael y flaenoriaeth sy’n briodol i chi fel pobl ifanc sy’n gadael gofal.
- Byddwn hefyd yn gweithio gyda darparwyr tai a chefnogaeth i wella’r dewisiadau sydd ar gael yn lleol. Fel rhan o hyn rydym eisoes wedi datblygu dau brosiect sy’n cynnig tai’n benodol ar gyfer pobl ifanc sy’n gadael gofal. Mae’r prosiectau hyn hefyd yn cynnig cefnogaeth symudol, sy’n galluogi’r gefnogaeth i symud a bod yn hyblyg i gyd-fynd efo anghenion chi fel unigolion.

#### **Cyfleoedd ar gyfer addysg, gwaith a hyfforddiant**

- Rydym yn barod yn rhoi pwyslais ar gefnogi pobl ifanc yn eu dewisiadau addysg a gwaith. Yn ystod y flwyddyn yma byddwn yn gweithio’n agos gyda phrosiect newydd Ad Trac i wella’r cyfleoedd hyn ac i ddatblygu cyfleoedd profiad gwaith a hyfforddiant yn lleol. Ein bwriad yw gweithio gyda Ad Trac i ddatblygu cynlluniau sydd o ddiddordeb i chi fel pobl ifanc. Bydd eich cynghorydd personol yn medru trafod hyn ymhellach gyda chi.

#### **Cefnogaeth ymarferol ac emosiynol**

- Mae adroddiad y Comisiynydd yn argymhell ymestyn cefnogaeth i bob un sy’n gadael gofal hyd at 25 oed. Fel gwasanaeth rydym eisoes wedi gweithredu ar hyn ac mae pob person ifanc sy’n cyrraedd 21 oed bellach yn cael y cynnig o ymestyn y gefnogaeth i 25 oed. Wrth gwrs, dewis personol fydd hyn ac nid pawb sy’n teimlo eu bod angen hynny. Beth bynnag, mae’n bwysig fod pawb yn gwybod ei fod ar gael a bydd eich cynghorydd personol yn gwneud yn siŵr eich bod yn gwybod am y cyfle hwn.
- Rydym hefyd yn edrych ar y ffordd yr ydym yn defnyddio technoleg i rannu gwybodaeth gyda chi. Mae defnydd eisoes yn cael ei wneud o Whats App a Messenger a bydd hyn yn cario mlaen. Rydym hefyd yn awyddus i wella’n defnydd o Facebook i rannu gwybodaeth gyffredinol.
- Mae cefnogaeth ariannol i bobl ifanc yn rhan bwysig o’n gwaith. Rydym ar hyn o bryd wedi cychwyn edrych ar ba gefnogaeth ariannol rydym yn ei roi a byddwn yn medru rhannu unrhyw newid gyda chi ar ôl gorffen y gwaith yma.
- Yn olaf, mae’r Cyngor newydd gytuno ar strategaeth rhiantu corfforaethol, sy’n gosod allan ein cyfrifoldebau tuag atoch chi fel pobl ifanc mewn gofal neu sy’n gadael gofal y Cyngor. Rydym yn cymryd y cyfrifoldeb hwn o ddifrif ac yn ymrwymo i sicrhau eich bod yn cael y cyfleoedd gorau mewn bywyd. Fel rhan o’r gwaith hwn rydym yn awyddus i wrando ar lais plant a phobl ifanc a’n bwriad yw sefydlu grŵp fydd yn dod at ei gilydd yn achlysurol i drafod be sy’n bwysig i chi. Os oes gennych ddiddordeb mewn bod yn rhan o hyn, gadewch i’ch cynghorydd personol wybod hynny.

Yn gywir

Marian Parry Hughes

Pennaeth Plant a Chefnogi Teuluoedd

October 30, 2017



On March 1st this year, the "Hidden Ambitions" report was published by the Children's Commissioner for Wales.

The report looks at the experiences of young people leaving care in Wales and makes recommendations as to how local authorities could improve and develop services for you.

After receiving the report the local authority has considered its content and the 16+ service will address the following in response to the Commissioner's recommendations..

#### **Secure and Stable Housing**

- We are already implementing a "When I Am Ready" scheme for those young people in foster placements. The scheme enables young people to stay on with their carers after turning 18. We will continue to develop this plan. Any young person over 16 in a foster placement can discuss the scheme with their social worker or personal adviser.
- Suitable housing for young people is in short supply. We will work with the Housing department to discuss ways of presenting applications to be on the housing waiting list, and to be awarded the priority that is appropriate for you as young people leaving care.
- We will also work with housing and support providers to improve the options available locally. As part of this we have already developed two projects that offer housing specifically for young people leaving care. These projects also offer floating support, which allows the support to move and be flexible to fit with your individual needs.
- **Opportunities for education, work and training**

We already place emphasis on supporting young people in their education and work choices. During this year we will work closely with the new Ad Trac project to improve these opportunities and to develop work experience and training opportunities locally. Our intention is to work with Ad Trac to develop plans that are of interest to you as young people. Your personal adviser will be able to discuss this further with you.

#### **Practical and emotional support**

- The Commissioner's report recommends extending support for all care leavers up to the age of 25. As a service we have already implemented this and every young person reaching the age of 21 now has the offer of extending support until 25 years of age. Of course, this will be a personal choice and not everyone will feel they need it. Regardless of this, it's important that everyone knows it's available and your personal adviser will make sure you know about this opportunity.
- We are also looking at the way in which we use technology and social media to share information with young people. We already use Whats App and Messenger and this will continue. We are also keen to improve our use of Facebook to share general information.
- The provision of financial support for young people is an important part of our work. We are currently looking at what financial support we give and we will be able to share any changes with you after completing this work.
- Finally, the Council has agreed a new corporate parenting strategy, which sets out our responsibilities towards you as young people in care or leaving care. We take this responsibility seriously and commit to making sure you have the best life chances. As part of this work we are keen to listen to the voice of children and young people and our intention is to set up a group that will come together occasionally to discuss what is important to you.

If you are interested in being involved, please let your personal adviser know

Yours sincerely

**Marian Parry Hughes**

**Head of Children and Family Support Department**

# Agenda Item 6

COMMITTEE	Care Scrutiny Committee
DATE OF MEETING	31 January 2019
ITEM	Discretionary Housing Payments
HEAD OF SERVICE	Dafydd Edwards, Head of Finance
CABINET MEMBER	Councillor Peredur Jenkins, Cabinet Member for Finance Councillor Craig ab Iago, Cabinet Member for Housing, Leisure and Culture
AUTHOR	Dewi Morgan, Senior Manager Revenues and Risk
PURPOSE	Reply to the Committee's enquires on Gwynedd Council spend on the scheme

## Introduction

1. This report is presented to the Care Scrutiny Committee following a comment made at the Committee's meeting on 15 November 2018 about Discretionary Housing Payments and an allegation that Gwynedd Council returns unspent money to the Government.

## What are Discretionary Housing Payments?

2. Discretionary Housing Payments (DHP) were introduced for the first time in 2001, with the intention of allowing authorities to provide additional support to those people who, in the opinion of the authorities, need further financial assistance with their housing costs.
3. They are in addition to payable Housing Benefit, and used to go some way to fill the gap when the Housing Benefit is not adequate to meet housing costs. Discretionary Housing Payments are paid by the Benefits Unit if analysis shows that individuals need additional help with their housing costs. Normally, the payments are for rent, but it can also mean rent in advance, deposits, and other costs associated with housing such as the costs of moving house.
4. In order to be eligible to receive DHPS, **the individual must be eligible for Housing Benefit or the housing element of Universal Credit**, and it appears to the authority that they need financial support in addition to the benefit they are receiving, in order to cope with their housing costs.
5. Subject to the restrictions set out in legislation, the local authority has the discretion whether to make discretionary housing payment in a particular case, the size of the payments and for what period should be paid.

6. The Discretionary Financial Assistance Regulations 2001 (SI 2001/1167) is the relevant legislation; these lay out the restrictions on the administration of the scheme. They include a lengthy list of the types of costs that are not eligible for assistance (e.g. any service charge that would not be eligible for consideration in the calculation of the benefit, the cost of water and sewerage, Council tax costs, costs which have arisen as a result of having outstanding debt; note that this list is not exhaustive).
7. The regulations also impose restrictions on the amount of DHP that can be paid to any claimant, based on the housing benefit they receive.

### **Costs**

8. The Department for Work and Pensions (DWP) in the UK Government makes an annual financial contribution to each local authority to fund the scheme. In 2018/19, the Government contribution for Gwynedd is £719,976. Each authority can determine to allot an extra amount (up to 250%) on top of the Government contribution.
9. On 30 July 2013 the UK Government announced that £5million of additional DHP funding would be available for 21 isolated rural areas during the 2013/14 financial year. The Government's rationale was that for some remote and fragile communities the geography means that the potential remedies to those affected by the removal of the spare room subsidy are less readily available; work, alternative accommodation, people looking for lodgings, etc. To avoid a disproportionate impact on those affected by the policy in remote and isolated communities and in some cases on the communities as a whole, it was considered appropriate to provide additional support to those affected. Gwynedd was one of 3 areas in Wales (Ceredigion and Powys); there were 6 area in England and 12 in Scotland.
10. Gwynedd's original allocation in 2013/14 was £241,353, but in the wake of the rural enhancement, our allocation increased by 150% to £605,141. In the first year, therefore, the rural add-on for Gwynedd was £363,788 (which is 60% of the new total).

11. In the same year (after considering the addition of rural), our neighbours accept the following:

AUTHORITY	2013/14 BEFORE RURAL ADDITION	2013/14 FOLLOWING RURAL ADDITION	RURAL CONTRIBUTION 2013/14	2013/14 RURAL CONTRIBUTION AS % OF THE TOTAL
<b>GWYNEDD</b>	<b>£241,353</b>	<b>£605,141</b>	<b>£363,788</b>	<b>60.1%</b>
<b>ISLE OF ANGLESEY</b>	£136,536	£136,536	0	-
<b>CONWY</b>	£242,700	£242,700	0	-
<b>DENBIGHSHIRE</b>	£217,194	£217,194	0	-
<b>CEREDIGION</b>	£163,391	£324,933	£161,542	<b>49.7%</b>
<b>POWYS</b>	£154,975	£512,845	£357,870	69.8%

Table 1: Effect of Rural Allocation

12. As can be seen from the table above, the rural addition has a significant impact on the totals which those authorities receive, and their ability to assist their residents with their housing costs.
13. In the Summer Budget of 2015, the Chancellor of the Exchequer pledged to spend £800 million over 5 years on Discretionary Housing Payments (England, Wales and Scotland). The amount is divided by year as follows:

YEAR	2016/17	2017/18	2018/19	2019/20	2020/21
<b>BUDGET (£ MILLION)</b>	<b>150</b>	<b>185</b>	<b>170</b>	<b>155</b>	<b>140</b>

Table 2: DHP Budget Wales, England, Scotland

Source: Summer Budget 2015

14. The amounts distributed in 2016/17, 2017/18 and 2018/19 are a reflection of the above, and it is expected that the amounts for the last two years of the cycle will also follow the forecasts. As can be seen, after being at its highest in 2017/18, the Government's intention was that the support is steadily decreased towards the end of the period.
15. It is also emphasised that this is only a commitment until the end of the period of the current comprehensive spending review. There is no indication of what will happen from April 2021, or even if the scheme will continue at all.

16. Since 1 April 2017, DHP administration in Scotland has been devolved to the Government of that country, with Scotland receiving 10% of the budget, and the DWP distributes the other 90% among the authorities of England and Wales. That means that the DWP have allocated a total of £153 million to local authorities in England and Wales 2018/19 to fund Discretionary Housing Payments. £3.5m was devolved from the rural element to Scotland, with £1.5m remaining in Wales and England.
17. The methodology for distributing the DHP to local authorities is based on an assessment by the Department for Work and Pensions of needs in those areas. Each local authority allocation may be calculated on the basis of four funding streams (in each stream, adjustment is made to reflect the claimants who have already transferred to Universal Credit):
- **Core Funding. £18 million** has been allocated on the basis of each authority's spend on Housing Benefit.
  - **Local Housing Allowance. £27 million** has been allocated on the estimated reduction in HB entitlement as a result of the freeze in Local Housing Allowance rates.
  - **Benefit cap. £54 million** has been allocated based on the LAs proportion of the estimated total benefit reduction under the Government's policy of setting a benefit cap.
  - **The "Bedroom Tax". £54 million** has been distributed based on the LAs proportion of total reductions in HB, as a result of Removal of the Spare Room Subsidy. ***This £54 million includes the £1.5 million that has been allocated to the nine rural areas that as effected most by this policy, including Gwynedd.***
18. The exact formula that is used is not published, so it is not possible to estimate how much money Gwynedd will receive in the following year. In light of this, we do not receive official confirmation – including confirmation if the rural allocation to continue – until close to the start of the financial year.
19. Gwynedd's circumstances, especially our share of the rural allocation, means that Gwynedd has substantially more DHP resource to share than our neighbours:

AREA	DHP ALLOCATION IN 2018/19 (£)
<b>GWYNEDD</b>	<b>719,976</b>
ISLE OF ANGLESEY	153,308
CONWY	219,611
DENBIGHSHIRE	252,543
CEREDIGION	303,667
POWYS	558,554
FLINTSHIRE	325,115
WREXHAM	349,528

Table 3: Government DHP Contribution 2018/19

## **Policy**

20. In January 2015, the Wales Audit Office published a report "*Managing the Impact of Welfare Reform Changes On Social Housing Tenants in Wales*". Among the findings of the national study was that "Discretionary Housing Payments from the Department of Work and Pensions and the Welsh Government increased by £5.1million in 2013-14 but the allocation, distribution, administration and use of these payments have significant inconsistencies and weaknesses". They noted that the distribution of Discretionary Housing Payments by the DWP was not driven by need, and that there were inconsistencies and weaknesses in councils' administration of payments.
21. However, local authorities had already been challenged by the Welsh Government about a lack of consistency in the policies and procedures for the administration of DHP by councils in Wales, and so a Welsh DHP project was undertaken in collaboration with the WLGA, with Gwynedd Council taking part in the project.
22. One of the main purposes of the project was to produce a policy framework that every Council could use as a basis for consistent policies across Wales, that would explain how the scheme works, and provide a rationale and justification for some of the decisions that could be challenged, especially in view of a reduction in the national budget.
23. As part of developing a policy for Gwynedd, the Framework was presented to members of the Deprivation Project Group in December 2014, and in a consultation exercise the draft policy was shared with stakeholders such as Housing Associations, the Health Board and representatives of the Third Sector.
24. Therefore, since the 2015/16 financial year, Gwynedd Council has adopted a policy that uses the national framework, and this is done formally by the relevant Cabinet Member (through use of a Cabinet Member Decision Notice).
25. The policy for 2018/19 is included in the Appendix. It is seen to be the major factors in determining priorities is:
  - The financial circumstances of the household;
  - The priority group that the household is in;
  - The extent to which members of the household are able, and willing, to manage the situation they are in, or can't be reasonably expected to do more;
  - The wider financial consequences of not making an award.
26. No official confirmation has yet been received about the 2019/20 allocation, but we are preparing on the basis that it will correspond to the level of 2018/19. We do not, therefore, envisage making substantial changes to the Policy.

## **Gwynedd Council Expenditure**

27. It has already been noted that the rural area addition means that it is possible for Gwynedd Council to be much more generous with DHP allocations than the majority of our neighbours. Nevertheless, there is a risk involved in creating an over-reliance of individuals/families on the DHP. These payments are meant to be a temporary solution, not an additional benefit, and there is a risk of serious hardship if these payments are coming to an end, if the Government suspends the scheme or the rural addition.



28. In analysing the last 6 full years, we see that the Council has spent more than the Government's contribution in three of them, and had been short of spending the contribution in full in the other three years.

Year	Government Contribution	Gwynedd Spend	Higher (-) / Lower (+) than contribution £	Higher (-) / Lower (+) than contribution %	Number of Assessment
2012/13	£150,474	£157,444	-£6,970	-5%	545
2013/14	£605,141	£585,069	+£20,072	+3%	1452
2014/15	£733,297	£788,910	-£55,613	-8%	1970
2015/16	£620,483	£558,141	+£62,342	+10%	2517
2016/17	£659,887	£646,656	+£13,231	+2%	2597
2017/18	£726,374	£751,472	-£25,098	-3%	2075

Table 4: Gwynedd Actual DHP Spend

29. Since 2017, the Shelter Cymru charity conducts an annual campaign, *Waste Not Want Not*, to see if each local authority spends their allocation, by naming and shaming those local authorities who have failed to spend their allocation in full.
30. For the financial year 2016/17, Gwynedd's DHP allocation by the Government was £659,887 and we were able to share £646,656, which was 98%. In normal circumstances, being able to get spending so close to a rather unpredictable and volatile budget would be seen as a success, but Shelter Cymru was extremely critical of the councils that underspent. It is also noted that the Council must find the money for any expenditure over and above the Government's contribution by transferring budgets from other areas.
31. By the 2017/18 financial year, Gwynedd's contribution by the Government had risen to £726,374, and the Council spent £751,472. As a result, Gwynedd Council received praise from Shelter Cymru. It is noted, however, that there was no significant difference in the way the Council's officers operated between the two years. The higher level of contribution by the Government means that it is possible to make modifications to the policy for a year in order to be more generous. Nevertheless, we continuously strive to promote DHP in several ways, including collaboration with partners in the local housing associations and the CAB. The relationship of the Council with local Shelter Cymru officers are also very good.
32. In 2018/19 to date, more than **1,400** households Gwynedd had received Discretionary Housing Payments; on 10 January 2019, the Council had committed **£672,529.09** until the end of the financial year (out of a Government contribution of **£719,976**). That means that **£47,446.91** remains to be spent in this financial year.
33. In response to the potential that there will be money left unspent, the Benefits Service has mailed and sent DHP application forms to new benefit claimants who may be eligible for DHP, with the aim of distributing our allocation before the end of the financial year.

## **Conclusion**

34. Gwynedd Council is receiving significantly higher contribution by the Government for Discretionary Housing Payments than the majority of its neighbours, and the figures in the report show that actual spending has been very close to this amount in each year. Due to the nature of the expenditure, where there is a need to commit expenditure for a whole year, and keeping enough money in reserve to deal with new applications coming in during the year, it is believed that the annual performance in terms of the variance between the budget and actual expenditure is within expected limits.



# GWYNEDD COUNCIL

## *OPERATIONAL POLICY FOR SHARING GWYNEDD'S DISCRETIONARY HOUSING PAYMENTS (DHP) ALLOCATION 2018/19*

MARCH 2018

# DHP POLICY 2018/19:

## INTRODUCTION

1. This policy sets out an agreed approach to deciding who should get a Discretionary Housing Payment (DHP) award for 2018/19. It is designed to make discretionary decision-making more systematic, consistent and transparent. It is not intended to impose a standard solution for all claims. The exercise of discretion remains at the heart of the scheme.
2. DHPs are paid from a cash-limited budget and are intended to help people meet housing costs, usually where there is a shortfall between their Housing Benefit (or housing element of Universal Credit) and their rent.
3. It is not possible to make an award in every case where there is such a shortfall. This policy is a way of helping to decide priorities for payment when demand exceeds supply, as will usually be the case.
4. Given that DHPs will inevitably have to be targeted at those who need them most, it is of course important to check at the outset that all DHP applicants are receiving their full entitlement to HB, as it would be wasteful to award a DHP in circumstances where additional HB could be paid instead.

## KEY POLICY OBJECTIVES

5. In making decisions about priorities, there are some overall objectives:
  - To give all applicants as fair and consistent a decision as possible.
  - To make decisions that are designed to improve outcomes for people.
  - To spend the annual DHP budget and keep to a minimum any in-year changes to priorities (which may be needed to avoid overspends or underspends).
  - Generally to give greater priority to:
    - helping those who are making efforts to help themselves;
    - supporting those that have done all they can to manage their situation, and can't realistically do any more;
    - preventing negative outcomes such as homelessness which are likely to involve further hardship for the household as well as additional and avoidable costs for the Council.
  - The policy is intended to provide short term assistance whenever possible. There are no guarantees as regards future funding, and DHP payments cannot be regarded as a permanent solution to Welfare Reform cuts. There will also be an increasing number of people who will be looking for help from DHP as new measures such as the new Benefit Cap, and the freezing of allowances and LHA rates take effect. Universal Credit claimants will also have access to the fund.
  - The policy will therefore dissuade a culture of dependency on DHP payments, especially so when there are viable alternatives.

## POLICY FOR DECIDING PRIORITIES

6. In order to meet these objectives, it is insufficient to simply make awards to certain broad *categories* of people (such as lone parents and disabled people). It is necessary to define which people in these and other categories should, as a rule, have the most priority.
7. The critical factors in deciding priorities are:
  - The financial circumstances of the household;
  - The priority group that the household is in;

- The extent to which members of the household are able, and willing, to manage the situation they are in, or can't be reasonably expected to do more;
- The wider financial consequences of not making an award.

All of these factors are covered in more detail in the following paragraphs.

### **Stage 1: Financial assessment**

8. For all applications, a financial assessment is made, comparing income with expenditure. This is as simple as possible but sufficient to make a reasonable judgement. For the majority of applications all income and outgoings are considered and any capital taken into account. However, where a member of the household receives Disability Living Allowance (DLA) or Personal Independence Payment (PiP) the DLA/PiP income is excluded and some disability-related expenditure is also excluded. If there are non-dependants in the household, the income they contribute to the household is normally included in the financial assessment, though it is accepted that household expenditure on food and heating will be higher. The fundamental principle is that help should go to those who have no other means of meeting the need.
9. Therefore, the first test is whether or not a household's total commitments are equal to or exceed their income. Where DLA is in payment it is excluded from the calculation of income. All household expenditure is taken into account in calculating the household's total commitment unless DLA is in payment. In which case, expenditure on disability-related items, up to the level of the relevant DLA/PiP component, is excluded from total expenditure. Any disability-related expenditure above the level of the relevant component is included as household expenditure. If there is income available, or could be made available, sufficient to meet the shortfall in rent or other housing need, a DHP application will not normally succeed unless or until circumstances change.
10. If there is some income available, but insufficient to meet the shortfall in rent, the application for a DHP is processed and, if other criteria are met and it is decided to make an award, the available income is deducted from the award.
11. The test is slightly different in the case of lump-sum payments (e.g. rent deposits, rent in advance and removal costs). The test is in two parts:
  - a) Are there any savings that can meet the need?
  - b) If not, is income at or below expenditure, or not significantly above, and has the applicant no prospect of saving the amount needed?

### **Stage 2: Priority groups**

12. Having applied the financial assessment, the second stage is to decide the priority to be given to the particular circumstances of each application. To make the process as simple as possible, the particular circumstances are put into five groups, A-E, in descending order of priority. See Annex 1 for details of each group.

### **Stage 3: Ability to manage the situation**

13. The next stage is to look at general policy considerations. DHPs can often be most effectively used as a temporary measure whilst a household seeks a more long-term solution to the situation they are in. Where this is possible, higher priority is given to those who are actively taking steps themselves, for example those with an Local Housing Allowance shortfall looking

for cheaper accommodation, or those with spare rooms who are arranging to move or take in a lodger.

14. However, there are also some situations where a DHP may be needed for a longer period. There will be some households who cannot realistically alleviate the situation they are in by taking action themselves. For example, a household with a severely disabled member unable to work or take in a lodger, and who are already managing the household budget as effectively as possible. Such households are also given higher priority.
15. There are also households who are not currently helping themselves in the way described above but who are prepared to start doing so. In these cases, the DHP may be conditional on certain action being taken and the award may be of shorter duration.

#### **Stage 4: Avoid further cost (and hardship)**

16. DHPs can be used to help prevent further hardship such as eviction and the associated costs to the council of dealing with homelessness. The risk of losing a tenancy could arise for a number of reasons but no judgement is made about the factors giving rise to the problem. This criterion is simply about avoiding further cost and hardship.
17. However, it is unlikely to be viable to pay DHPs indefinitely in these circumstances. If a household is threatened with eviction, the situation cannot be left to continue indefinitely. A solution needs to be found, whether it is the provision of alternative accommodation or some action by the household to reduce arrears. The highest priority under this criterion is applied when there is a solution in sight.

#### **PRIORITY SETTING MATRIX**

18. In order to help with deciding priorities, a simple matrix is constructed, which combines priority groups with the policy considerations described above. Each applicant is given a baseline score based on the priority group they are in – the baseline scores are **A=12, B=9, C=6, D=3 and E=0**.
19. Additional points depend upon the extent to which the general policy considerations (stages 3 and 4 above) are met, and range from 0 to 9. The highest points (9) are awarded to those who are
  - a) actively trying to manage the situation they are in, or
  - b) can't reasonably do any more to help themselves, or
  - c) where paying a DHP avoids further cost to the council (and hardship to the applicant), particularly where a solution is possible.

If a), b) or c) above are met in part, six points are awarded and, if none of these considerations are met, no additional points are scored. Only one of the general policy considerations needs to be met to earn the highest score. No additional points are scored for meeting more than one consideration: this allows a fairly broad range of circumstances to be given a high or highest priority rating.

20. It is important not to apply the matrix rigidly in every case, *there will be individual cases that will fall outside the guidelines but which justify an award.*

## ONGOING PAYMENTS – BASELINE SCORES

### Stage 3: **Ability to manage the situation**

Policy consideration and additional points		Priority groups and total points				
		A (12)	B (9)	C (6)	D (3)	E (0)
Ability to manage the situation – doing everything possible or cannot reasonably be expected to do any more. Complies with 19 a) or b) above	9	21	18	15	12	9
Ability to manage – commitment made Complies with 19 a) or b) above in part.	6	18	15	12	9	6
Ability to manage – not doing anything (but could do) Does not comply with 19 a) or b) above	0	12	9	6	3	0

### Stage 4: **Avoid further cost (and hardship)**

Policy consideration and additional points		Priority groups and total points				
		A (12)	B (9)	C (6)	D (3)	E (0)
Avoid further cost/hardship – solution in sight Complies with 19 c) above	9	21	18	15	12	9
Avoid further cost/hardship – solution possible in time Complies with 19 c) above in part	6	18	15	12	9	6
Avoid further cost/hardship – no solution Does not comply with 19 c) above	0	12	9	6	3	0

#### Table of Scores:

21	highest priority
18	high
15	medium to high
12	medium
9	medium to low
6	low
3	lowest

- 21.** The matrix can be used to assess an application in the first place, and also as a way of helping to ensure that decisions are as consistent as possible.

**22.** When a score has been established for each application, DHP will be granted according to the following tables for 2018/19,

**Table (a)** - Current claims where DHP is already in payment in 2017/18

Calculated Score	DHP award - % of shortfall (this is the maximum – see 27(a) to (d) )	Maximum length of Award
21	75%	Up to 52 weeks
18	50%	Up to 52 weeks
15	40%	Up to 52 weeks
12	30%	Up to 52 weeks
9	20%	Up to 52 weeks
6	0	0
3	0	0

**Table (b)** – New claims where DHP is not in payment

Calculated Score	DHP award - % of shortfall (this is the maximum – see 27 (a) to (d) )	Maximum length of Award
21	100%	Up to 26 weeks, followed by 75% for up to a further 26 weeks
18	75%	Up to 26 weeks, followed by 50% for up to a further 26 weeks
15	40%	Up to 52 weeks
12	30%	Up to 52 weeks
9	20%	Up to 52 weeks
6	0	0
3	0	0

**23.** *The above method will be used to make determinations for a period of 6 months from the 1<sup>st</sup> April 2018, and the policy will be reviewed at the end of that period.*

## CONDITIONALITY

*It's not anticipated that these provisions will need to be used often, but some awards will be made on condition that the applicant takes specific actions, and payments can be granted for shorter periods than those shown in the table at 22 above.*

- 24.** Most of the highest priority awards are paid unconditionally, either because there is not likely to be any short-term change in the circumstances giving rise to the DHP, or the household is already doing everything possible to manage the situation they are in.
- 25.** All other awards are subject to at least some conditionality, designed to encourage the applicant to resolve the shortfall in rent without access to DHPs. The extent of the conditionality depends on the circumstances – in some cases it will be relatively light, but more strict in others. In many cases, conditionality will involve signposting to support and advice agencies.



## **REPEAT AWARDS/EXTENSIONS**

- 26.** An award may be extended for a short period, without the need for a new application, in certain circumstances:
- Where a request has been made by support workers for a valid reason;
  - When awaiting a change of events (e.g. house move, birth of child);
  - When further time is required to meet the conditions attached to an award.

## **PARTIAL / FULL AWARDS**

- 27.** Awards can be made for a weekly amount which will meet the shortfall between the rent and Housing Benefit payable in full. However, the Council will make partial awards in most cases due to budget restrictions, and also because there may be occasions when it will be more appropriate to make a partial award, as described in a) to d) below:
- a)** Some income is available to the household, but not enough to pay the shortfall, including situations where more income becomes available because debts are paid off.
  - b)** There is a deliberate policy to allow a household to adjust gradually to a new situation, such as the Social Size Criteria ("bedroom tax") or the Benefit Cap.
  - c)** Conditions have been attached to an award but the conditions have not been met.
  - d)** At the discretion of the Council in certain other circumstances (e.g. where there is an unreasonably high rent in private sector cases).

## **CHANGE OF CIRCUMSTANCES**

- 28.** All applicants are expected to report changes of circumstances as they would for Housing Benefit. It is particularly important that applicants notify changes in income, expenditure patterns or the composition of the household. Most notifications of a change of circumstances are related to Housing Benefit, but where a DHP is payable, they can result in the cancellation or amendment of the DHP award. This can be followed by a new application if appropriate.
- 29.** Overpayments of DHPs are generally calculated and, if recoverable, they will be recovered as sundry debts (private tenants) or via the rent account (council tenants).

## **CONCLUSION**

- 30.** This policy is not intended to restrict Gwynedd Council's discretion in making DHP decisions. In a discretionary scheme, there will always be some cases with special or unusual circumstances where a decision maker will consider a DHP award justified. The advantage of a discretionary scheme is that, whatever policy is used, such awards can and should be made in those unusual or special circumstances.
-

<b>COMMITTEE</b>	Care Scrutiny Committee
<b>DATE OF MEETING</b>	31 January 2019
<b>ITEM</b>	Supporting Gwynedd's Disabled People Scrutiny Investigation - Update
<b>HEAD OF SERVICE</b>	Aled Davies
<b>CABINET MEMBER</b>	Councillor Gareth Roberts
<b>AUTHOR / CHAIR OF WORKING GROUP</b>	Councillor Dewi Wyn Roberts
<b>PURPOSE</b>	To update members of the Care Scrutiny Committee on the progress of the investigation

## **1. Background to the Scrutiny Investigation**

- 1.1 Following a proposal by the Cllr. Peter Read to a meeting of the Council on 15 June 2017, the Council decided:

“That the Council refers the question of the suitability of the arrangements for providing wheelchairs for Gwynedd residents for consideration for the scrutiny programme.”

- 1.2 In accordance with the Council's scrutiny procedures, the matter was referred to the Care Scrutiny Committee which in turn decided that the best way to answer was to conduct a Scrutiny Investigation. A Working Group was set up to lead the Investigation which includes some members of the Scrutiny Committee and two further Councillors.

## **2. Aim of the Scrutiny Investigation**

- 2.1 The proposal above arose from evidence from Gwynedd residents that there was some discontent with some aspects of the current wheelchair provision. The aim of the Scrutiny Investigation therefore is to answer the following questions:

- Is there evidence that individuals who receive these services are central in the process of assessing their needs and subsequent provision of suitable equipment, and are they helped to live their lives in the manner that they wish?
- If there is discontent or complaints about the current service are they being satisfactorily addressed?
- If there is a need, how can the service be improved for the future?

2.2 We will attempt to answer these questions by:

- Collecting evidence from wheelchair users about their satisfaction, or not, with the process of being assessed for the correct equipment, and their experience of any support services after receiving their wheelchair.
- Collecting evidence from professional workers who provide the services in this field.
- Collecting evidence and collaborating with Betsi Cadwaladr University Health Board (the Health Board) so that future provision is the best it can be.

### **3. Background to the Current Provision**

3.1 In Wales, the provision of prosthetics and wheelchairs for those that need them is supplied by the Posture and Mobility Service (PAMS). The Service is often still referred to by its old name and acronym, namely Artificial Limb and Appliance Service (ALAS).

3.2 PAMS is a national all-Wales service which is commissioned via the Welsh Health Specialised Services Committee (WHSSC), and the service is provided by a collaboration between three Health Boards. PAMS has three centres – Wrexham, Cardiff and Swansea – and the provision for Gwynedd residents is usually organised via the Wrexham Centre which in turn works closely with sub-contractors.

3.3 PAMS is responsible for assessing the needs of the individual and to offer the most suitable equipment, and then to provide, collect, repair and maintain the equipment so long as it is needed.

3.4 PAMS aims in their own words is to

‘Offer a consistent and equitable service to people in Wales who have a permanent or long-term impairment. PAMS is committed to providing an excellent rehabilitation service to people with an impairment. Our objective is to maximise ability and minimise disability.’

3.5 The first step in the process of obtaining a suitable wheelchair from PAMS is for the individual to be assessed for the most suitable equipment by a registered professional healthcare worker with the relevant skills and information. Several professions are able to conduct these assessments, such as GP’s, physiotherapists, Health Board occupational therapists, or Gwynedd Council occupational therapists.

3.6 There are two levels of assessments, dependent on the nature of the individual’s disability –

Level 1 Assessment – for a manual wheelchair. This more basic assessment can be conducted by any of the above professionals, with the professional workers completing the assessment and referring the case on to PAMS.

Level 2 Assessment – more complex or contentious cases with a need for more specialised equipment. These assessments are only conducted by occupational therapists and technicians employed by PAMS.

- 3.7 As mentioned above, once the assessments has been completed and referred to PAMS, the supply and upkeep of the equipment is then the responsibility of PAMS.

#### **4. Evidence from service users**

- 4.1 The Working Group decided that it would concentrate on service users which are residents of Gwynedd only, judging that this is where the Council would be able to influence any service provision in the future.
- 4.2 Three cases of complaints against PAMS have been sent to the North Wales Community Health Council, and one of these was passed to the Health Board.
- 4.3 Evidence collated by the Working Group from service users includes the following:

##### Person 1

Following a car accident this person is paraplegic. Following discharge from hospital Person 1 waited 8 months for an assessment for a specialised wheelchair, and waited a further 3 months to receive the wheelchair. There were other matters of concern to Person 1, apart from the supply of the wheelchair, relating to overall care.

##### Person 2

Person 2 needs a specialised wheelchair because of paraplegia. Person 2 waited for over a year for adjustments to the wheelchair, and during this waiting time Person 2 developed severe health problems.

##### Person 3

Person 3 had been in hospital for 3 months receiving treatment for a pressure sore caused by unsuitable equipment. There were other matters of concern, apart from wheelchair provision, arising from the overall care for the individual.

##### Further comments

There is evidence from an individual who has received services from two separate PAMS centres in Wales, with a difference, in the individual's opinion, of the quality of service between them.

## **5. Collecting information from health and professionals**

- 5.1 As noted earlier, occupational therapists from the Council's Adults, Health and Well-being Department are qualified to assess individuals for Level 1 (basic manual wheelchairs). These assessments are then forwarded to PAMS for a decision. From this point onwards the evidence gathered so far suggests that contact between Council workers and PAMS is ad-hoc, with examples of long waits for a decision, or of not receiving information about a decision on an assessment. In the 12 months between September 2017 and August 2018 PAMS received 343 referrals for assessment from Gwynedd Council occupational therapists.
- 5.2 Occupational therapists working in the Council's Children and Supporting Families Department don't conduct similar assessments for children and young people in Gwynedd. This work is carried out solely by PAMS staff. The only contact occupational therapists working with children and young people have with PAMS is to assist with any work needed to make necessary adaptations to the individual's home. The therapists, who work through the Derwen service, are not aware of any problems or complaints made by children and young people under their care about the provision or service provided by PAMS.
- 5.3 The Council also co-operates informally with PAMS staff in the context of provision of disability sport and other leisure activities for wheelchair users. In this context the co-operation has led to positive experiences for the residents of Gwynedd.
- 5.4 The Working Group continues to be in discussions with officers from the Health Board and PAMS in order to get the whole picture of their work processes, including how they respond to dissatisfaction or complaints about service.

## **6. Next Steps**

- 6.1 From the information gathered from service users so far, there are some common themes:
- Not enough variations of wheelchairs that are suitable for an individual's needs
  - Waiting times for an assessment causing problems for individuals (waiting time is 34 weeks)
  - Waiting times for equipment/wheelchairs causing problems for individuals
  - Waiting times for repair or adaptations to equipment causing problems for individuals

- 6.2 Discussions are continuing with officers from the Health Board and PAMS in order to collect information and to discuss the co-operation with other organisations, such as Gwynedd Council. Until we have the full picture it would be premature for us to offer further comment or recommendations at this point in time.
- 6.3 Since a service user is of the opinion that the quality of service varies between different PAMS centres across Wales, then we are of the opinion that this needs to be investigated further. Is there further evidence? Why would this be? Does it affect the quality of service to individuals?
- 6.4 Considering the evidence we have about the experiences of service users, we believe that there is an opportunity to look at the overall care for these individuals. This care, which is beyond the sole provision of equipment, is provided by staff of organisations such as the Health Board and Gwynedd Council, and further discussions will need to be held before we are able to suggest recommendations for the future.